



Rules of Procedure of the General Court

of 4 March 2015 (OJ L 105, 23.4.2015, p. 1)

Consolidated Version

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INTRODUCTORY PROVISIONS

Article 1 (M1) (M3) (M5) (M7)

Definitions

1. In these Rules:

- (a) provisions of the Treaty on European Union are referred to by the number of the article concerned followed by 'TEU';
- (b) provisions of the Treaty on the Functioning of the European Union are referred to by the number of the article concerned followed by 'TFEU';
- (c) provisions of the Treaty establishing the European Atomic Energy Community are referred to by the number of the article concerned followed by 'TEAEC';
- (d) 'Statute' means the Protocol on the Statute of the Court of Justice of the European Union;
- (e) 'EEA Agreement' means the Agreement on the European Economic Area;¹
- (f) 'Council Regulation No 1' means Council Regulation No 1 of 15 April 1958 determining the languages to be used by the European Economic Community.²

2. For the purposes of these Rules:

- (a) 'General Court' means, in cases assigned or referred to a Chamber, that Chamber, and, in cases delegated or assigned to a single Judge, that Judge;
- (b) 'President', unless otherwise specified, means:
 - in cases not yet assigned to a formation of the Court, the President of the General Court;
 - in cases assigned to Chambers, the President of the Chamber to which the case is assigned;
 - in cases delegated or assigned to a single Judge, that Judge;
- (c) 'party' and 'parties', unless otherwise specified, means any party to the proceedings, including interveners;

¹ OJ L 1, 3.1.1994, p. 3.

² OJ, English Special Edition 1952-1958 (I), p. 59.

- (d) 'main party' and 'main parties' means the applicant or the defendant or both of them, as the case may be;
- (e) 'interested persons referred to in Article 23 of the Statute' means all the parties, States, institutions, bodies, offices and agencies authorised, pursuant to that Article, to submit statements of case or written observations in the context of a reference for a preliminary ruling;
- (f) 'representatives of the parties' means the lawyers and agents, the latter assisted, where appropriate, by an adviser or lawyer, representing the parties before the General Court in accordance with Article 19 of the Statute;
- (g) 'institution' and 'institutions' means the institutions of the European Union referred to in Article 13(1) TEU and the bodies, offices or agencies established by the Treaties, or by an act adopted in implementation thereof, which may be parties before the General Court;
- (h) 'Office' means the European Union Intellectual Property Office or the Community Plant Variety Office, as the case may be;
- (i) 'EFTA Surveillance Authority' means the European Free Trade Association surveillance authority referred to in the EEA Agreement;
- (j) 'direct actions' means all of the actions that may be brought before the General Court, with the exception of requests for a preliminary ruling;
- (k) 'Staff Regulations' means the Regulation laying down the Staff Regulations of Officials of the European Union and the Conditions of Employment of other servants of the European Union;
- (l) 'e-Curia' means the computer application of the Court of Justice of the European Union that enables procedural documents to be lodged and served electronically.

Article 2

Purport of these Rules

These Rules implement and supplement, so far as necessary, the relevant provisions of the EU, FEU and EAEC Treaties, and the Statute.

TITLE I
ORGANISATION OF THE GENERAL COURT

Chapter 1
MEMBERS OF THE GENERAL COURT

Article 3 (M4) (M7)

Duties of Judge and Advocate General

1. Every Member of the General Court shall, as a rule, perform the duties of a Judge.
2. Members of the General Court are hereinafter referred to as 'Judges'.
3. Every Judge, with the exception of the President, the Vice-President and the Presidents of Chambers of the General Court, may, in the circumstances defined in Articles 30 to 31b, perform the duties of an Advocate General.
4. References to the Advocate General in these Rules shall apply only where a Judge has been designated as Advocate General.

Article 4

Commencement of the term of office of Judges

The term of office of a Judge shall begin on the date fixed for that purpose in the instrument of appointment. In the absence of any provision in that instrument regarding the date of commencement of the term of office, that term shall begin on the date of publication of the instrument in the *Official Journal of the European Union*.

Article 5

Taking of the oath

Before taking up his duties, a Judge shall take the following oath before the Court of Justice, provided for in Article 2 of the Statute:

'I swear that I will perform my duties impartially and conscientiously; I swear that I will preserve the secrecy of the deliberations of the Court.'

Article 6
Solemn undertaking

Immediately after taking the oath, a Judge shall sign a declaration by which he gives the solemn undertaking provided for in the third paragraph of Article 4 of the Statute.

Article 7
Depriving a Judge of his office

1. Where the Court of Justice is called upon, pursuant to Article 6 of the Statute, to decide, after consulting the General Court, whether a Judge of the General Court no longer fulfils the requisite conditions or no longer meets the obligations arising from his office, the President of the General Court shall invite the Judge concerned to make representations to the General Court, in the absence of the Registrar.
2. The General Court shall state the reasons for its opinion.
3. An opinion to the effect that a Judge of the General Court no longer fulfils the requisite conditions or no longer meets the obligations arising from his office must receive the votes of a majority of the Judges composing the General Court according to Article 48 of the Statute. In that event, particulars of the voting shall be communicated to the Court of Justice.
4. Voting shall be by secret ballot in the absence of the Registrar; the Judge concerned shall not take part in the deliberations.

Article 8
Order of seniority

1. The seniority of Judges shall be calculated according to the date on which they took up their duties.
2. Where there is equal seniority on that basis, the order shall be determined by age.
3. Judges whose terms of office are renewed shall retain their former seniority.

Chapter 2
PRESIDENCY OF THE GENERAL COURT

Article 9 (C2)

Election of the President and of the Vice-President of the General Court

1. The Judges shall, immediately after the partial replacement provided for in the second paragraph of Article 254 TFEU, elect one of their number as President of the General Court for a term of three years.
2. If the office of President of the General Court falls vacant before the normal date of expiry of the term thereof, he shall be replaced for the remainder of the term.
3. The elections provided for in this Article shall be by secret ballot. The Judge obtaining the votes of more than half the Judges composing the General Court according to Article 48 of the Statute shall be elected. If no Judge obtains that majority, further ballots shall be held until that majority is attained.
4. The Judges shall then elect one of their number as Vice-President of the General Court for a term of three years, in accordance with the procedures laid down in paragraph 3. Paragraph 2 shall apply if the office of the Vice-President of the General Court falls vacant before the normal date of expiry of the term thereof.
5. The names of the President and Vice-President of the General Court elected in accordance with this Article shall be published in the *Official Journal of the European Union*.

Article 10 (M6)

Responsibilities of the President of the General Court

1. The President of the General Court shall represent the General Court.
2. The President of the General Court shall direct the judicial business and the administration of the General Court.
3. The President of the General Court shall preside at the plenum referred to in Article 42.
4. The President of the General Court shall preside over the Grand Chamber. In that case Article 19 shall apply.
5. If the President of the General Court is attached to a Chamber, he shall preside over that Chamber. In that case Article 19 shall apply.

6. In cases not yet assigned to a formation of the Court, the President of the General Court may adopt the measures of organisation of procedure provided for in Article 89 and shall have the power to take the decisions referred to in Articles 66 and 66a.

Article 11 (M7)

Responsibilities of the Vice-President of the General Court

1. The Vice-President of the General Court shall assist the President of the General Court in the performance of his duties and shall take the President's place when the latter is prevented from acting.
2. He shall take the President's place, at the latter's request, in performing the duties referred to in Article 10(1) and (2).
3. The General Court shall, by decision, specify the conditions under which the Vice-President of the General Court shall take the place of the President of the General Court in the performance of his judicial duties. That decision shall be published in the *Official Journal of the European Union*.
4. The Intermediate Chamber, referred to in Article 15a, shall be presided over by the Vice-President. In that case Article 19 shall apply.
5. Subject to Article 10(5), if the Vice-President of the General Court is attached to a Chamber, he shall preside over that Chamber. In that case Article 19 shall apply.

Article 12

Where the President and Vice-President of the General Court are prevented from acting

When the President and the Vice-President of the General Court are simultaneously prevented from acting, the functions of President shall be exercised by a President of a Chamber or, failing that, by one of the other Judges, according to the order of seniority laid down in Article 8.

Chapter 3
CHAMBERS AND FORMATIONS OF THE COURT

Section 1. Constitution of the Chambers and composition of the formations of the
Court

Article 13

Constitution of Chambers

1. The General Court shall set up Chambers sitting with three and with five Judges.
2. The General Court shall decide, on a proposal from the President of the General Court, which Judges shall be attached to the Chambers.
3. The decisions taken in accordance with this Article shall be published in the *Official Journal of the European Union*.

Article 14 (M7)

Competent formation of the Court

1. Cases before the General Court shall be heard and determined by Chambers sitting with three or with five Judges in accordance with Article 13.
2. Cases may be heard and determined by the Grand Chamber or by the Intermediate Chamber under the conditions laid down in Article 28.
3. Cases may be heard and determined by a single Judge where they are delegated to him under the conditions laid down in Article 29.

Article 15

Composition of the Grand Chamber

1. The Grand Chamber shall be composed of 15 Judges.
2. The General Court shall decide how to designate the Judges composing the Grand Chamber. The decision shall be published in the *Official Journal of the European Union*.

Article 15a (M7)

Composition of the Intermediate Chamber

1. The Intermediate Chamber shall be composed of nine Judges.

2. The General Court shall decide how to designate the Judges composing the Intermediate Chamber. That decision shall be published in the *Official Journal of the European Union*.

Article 16

Withdrawal and excusing of a Judge

1. Where a Judge considers, in accordance with the first and second paragraphs of Article 18 of the Statute, that he should not take part in the disposal of a case, he shall so inform the President of the General Court who shall exempt him from sitting.
2. Where the President of the General Court considers that a Judge should not, in accordance with the first and second paragraphs of Article 18 of the Statute, take part in the disposal of a case, he shall notify the Judge concerned and shall hear that Judge before giving his decision.
3. In accordance with the third paragraph of Article 18 of the Statute, in the event of any difficulty arising as to the application of this Article, the President of the General Court shall refer the matters referred to in paragraphs 1 and 2 to the plenum. In that case, voting shall be by secret ballot in the absence of the Registrar after the Judge concerned has been heard; the latter shall not take part in the deliberations.

Article 17 (M7)

Where a member of the formation of the Court is prevented from acting

1. If in the Grand Chamber the number of Judges provided for by Article 15 is not attained as a result of a Judge's being prevented from acting before the deliberations have begun or before the case is pleaded, the President of the General Court shall designate a Judge to complete that Chamber in order to restore the requisite number of Judges.
2. If in the Intermediate Chamber the number of Judges provided for by Article 15a is not attained as a result of a Judge's being prevented from acting before the deliberations have begun or before the case is pleaded, the President of the General Court shall designate a Judge to complete that Chamber in order to restore the requisite number of Judges.
3. If in a Chamber sitting with three or five Judges the number of Judges provided for is not attained as a result of a Judge's being prevented from acting before the deliberations have begun or before the case is pleaded, the President of that Chamber shall designate another Judge of that Chamber to replace the Judge prevented from acting. If it is not possible to replace the Judge prevented from acting with a Judge of the same Chamber, the President of that Chamber shall

notify the President of the General Court, who shall designate, according to the criteria determined by the General Court, another Judge in order to restore the requisite number of Judges. The decision containing those criteria shall be published in the *Official Journal of the European Union*.

4. If the Judge to whom the case has been delegated or assigned as a single Judge is prevented from acting, the President of the General Court shall designate another Judge to replace that Judge.

Section 2. Presidents of Chambers

Article 18 (C2)

Election of Presidents of Chambers

1. The Judges shall elect from among their number, in accordance with Article 9(3), the Presidents of the Chambers sitting with three and with five Judges.
2. The Presidents of Chambers sitting with five Judges shall be elected for a term of three years. They may be re-elected once.
3. The Presidents of Chambers sitting with three Judges shall be elected for a defined term.
4. The election of the Presidents of Chambers sitting with five Judges shall take place immediately after the elections of the President and the Vice-President of the General Court provided for in Article 9.
5. If the office of the President of a Chamber falls vacant before the normal date of expiry of the term thereof, he shall be replaced for the remainder of the term.
6. The names of the Presidents of Chambers elected in accordance with this Article shall be published in the *Official Journal of the European Union*.

Article 19

Powers of the President of a Chamber

1. The President of a Chamber shall exercise the powers conferred on him by these Rules after hearing the Judge-Rapporteur.
2. The President of a Chamber may refer any decision falling within his remit to the Chamber.

Article 20 (M7)

Where the President of a Chamber is prevented from acting

Without prejudice to Article 10(5) and Article 11(5), when the President of a Chamber is prevented from acting, his functions shall be exercised by a Judge of that formation of the Court according to the order laid down in Article 8.

Section 3. Deliberations

Article 21

Procedures concerning deliberations

1. The deliberations of the General Court shall be and shall remain secret.
2. When a hearing has taken place, only those Judges who participated in that hearing shall take part in the deliberations.
3. Every Judge taking part in the deliberations shall state his opinion and the reasons for it.
4. The conclusions reached by the majority of the Judges after final discussion shall determine the decision of the General Court. Votes shall be cast in reverse order to the order laid down in Article 8, with the exception of the Judge-Rapporteur who shall vote first and the President who shall vote last.

Article 22

Number of Judges taking part in the deliberations

Where, as a result of a Judge's being prevented from acting, there is an even number of Judges, the most junior Judge for the purposes of Article 8 shall abstain from taking part in the deliberations unless he is the President or the Judge-Rapporteur. In the latter case, the Judge immediately senior to him shall abstain from taking part in the deliberations.

Article 23 (M7)

Quorum of the Grand Chamber

1. Decisions of the Grand Chamber shall be valid only if 11 Judges are sitting.
2. If, as a result of a Judge's being prevented from acting, that quorum has not been attained, the President of the General Court shall designate another Judge in order to attain the quorum of the Grand Chamber.

3. If the quorum is no longer attained but the hearing has taken place, the Judge prevented from acting shall be replaced as provided in paragraph 2 and a new hearing shall be organised at the request of a main party or an interested person referred to in Article 23 of the Statute. It may also be organised by the General Court of its own motion. A new hearing must be held if measures of inquiry have been adopted in accordance with Article 91(a) and (d) and Article 96(2). If no new hearing is organised, Article 21(2) shall not apply.

Article 23a (M7)

Quorum of the Intermediate Chamber

1. Decisions of the Intermediate Chamber shall be valid only if seven Judges are sitting.
2. If, as a result of a Judge's being prevented from acting, that quorum is not attained, the President of the General Court shall designate another Judge in order to attain the quorum of the Intermediate Chamber.
3. If the quorum is no longer attained but the hearing has taken place, the Judge prevented from acting shall be replaced as provided in paragraph 2 and a new hearing shall be organised at the request of a main party or an interested person referred to in Article 23 of the Statute. It may also be organised by the General Court of its own motion. A new hearing must be held if measures of inquiry have been adopted in accordance with Article 91(a) and (d) and Article 96(2). If no new hearing is organised, Article 21(2) shall not apply.

Article 24 (M7)

Quorum of the Chambers sitting with three or with five Judges

1. Decisions of the Chambers sitting with three or with five Judges shall be valid only if three Judges are sitting.
2. If, as a result of a Judge's being prevented from acting, the quorum has not been attained in a Chamber sitting with three or with five Judges, the President of that Chamber shall designate another Judge of the same Chamber to replace the Judge prevented from acting. If it is not possible to replace the Judge prevented from acting with a Judge of the same Chamber, the President of the Chamber concerned shall notify the President of the General Court, who shall designate, according to the criteria determined by the General Court, another Judge in order to attain the quorum of the Chamber. The decision containing those criteria shall be published in the *Official Journal of the European Union*.
3. If the quorum is no longer attained but the hearing has taken place, the Judge prevented from acting shall be replaced as provided in paragraph 2 and a new hearing shall be organised at the request of a main party or an interested person

referred to in Article 23 of the Statute. It may also be organised by the General Court of its own motion. A new hearing must be held if measures of inquiry have been adopted in accordance with Article 91(a) and (d) and Article 96(2). A new hearing must be held if more than one Judge who took part in the original hearing has to be replaced. If no new hearing is organised, Article 21(2) shall not apply.

Chapter 4

ASSIGNMENT AND REASSIGNMENT OF CASES, DESIGNATION OF JUDGE-RAPPORTEURS, REFERRAL TO FORMATIONS OF THE COURT AND DELEGATION TO A SINGLE JUDGE

Article 25 (M7)

Assignment criteria

1. The General Court shall lay down criteria by which cases are to be allocated among the Chambers. The General Court may make one or more Chambers responsible for hearing and determining cases in specific matters. The General Court shall designate one or more Chambers responsible for dealing with requests for a preliminary ruling.
2. The decision shall be published in the *Official Journal of the European Union*.

Article 26 (M7)

First assignment of a case and designation of the Judge-Rapporteur

1. As soon as possible after the document initiating proceedings has been lodged, the President of the General Court shall assign the case to a Chamber according to the criteria laid down by the General Court in accordance with Article 25. Requests for a preliminary ruling shall be assigned to a Chamber sitting with five Judges.
2. The President of the Chamber shall propose to the President of the General Court, in respect of each case assigned to the Chamber, the designation of a Judge to act as Rapporteur. The President of the General Court shall decide on the proposal.
3. If in any Chamber sitting with three or with five Judges the number of Judges assigned to that Chamber is higher than three or five respectively, the President of the Chamber shall decide which of the Judges will be called upon to take part in the judgment of the case.

Designation of a new Judge-Rapporteur and reassignment of a case

1. If the Judge-Rapporteur is prevented from acting, the President of the competent formation of the Court shall notify the President of the General Court, who shall designate a new Judge-Rapporteur. If the new Judge-Rapporteur is not attached to the Chamber to which the case was first assigned, the case shall be heard and determined by the Chamber in which the new Judge-Rapporteur sits.
2. In order to take account of a connection between cases on the basis of their subject matter, the President of the General Court may, by reasoned decision and after consulting the Judge-Rapporteurs concerned, reassign the cases to enable the same Judge-Rapporteur to conduct preparatory inquiries in all the cases concerned. If the Judge-Rapporteur to whom the cases have been reassigned does not belong to the Chamber to which the cases were first assigned, the cases shall be heard and determined by the Chamber in which the new Judge-Rapporteur sits.
3. In the interests of the proper administration of justice, and by way of exception, the President of the General Court may, before the presentation of the preliminary report referred to in Article 87, by reasoned decision and after consulting the Judges concerned, designate another Judge-Rapporteur. If that Judge-Rapporteur is not attached to the Chamber to which the case was first assigned, the case shall be heard and determined by the Chamber in which the new Judge-Rapporteur sits.
4. Before designating the Judge-Rapporteur as provided in paragraphs 1 to 3, the President of the General Court shall seek the views of the Presidents of the Chambers concerned.
5. Where the composition of the Chambers has changed as a result of a decision of the General Court on the assignment of Judges to Chambers, a case shall be heard and determined by the Chamber in which the Judge-Rapporteur sits following that decision, unless the oral part of the procedure has been opened or the decision has been made to rule without an oral part of the procedure.
6. Without prejudice to the provisions of paragraph 5, where in a case concerning a request for a preliminary ruling or in a case concerning a specific matter for the purposes of Article 25, the oral part of the procedure has not been opened or the decision has not been made to rule without an oral part of the procedure when the decision of the General Court on the assignment of Judges to Chambers is adopted, a new Judge-Rapporteur shall be designated within a Chamber which hears and determines requests for a preliminary ruling or cases concerning that matter if the initial Judge-Rapporteur is assigned to a Chamber which does not do so.

7. Where the Judge-Rapporteur designated to deal with a request for a preliminary ruling is elected to perform the function of Advocate General for the purpose of dealing with requests for a preliminary ruling, a new Judge-Rapporteur shall be designated within a Chamber which hears and determines requests for a preliminary ruling in order to deal with the request where the oral part of the procedure has not been opened or where the decision has not been made to rule without an oral part of the procedure on the date of election.

Article 28 (M4) (M6) (M7)

Referral to a Chamber sitting with a different number of Judges

1. Whenever the legal difficulty or the importance of the case or special circumstances so justify, a case may be referred to the Grand Chamber, to the Intermediate Chamber, or to a Chamber sitting with a different number of Judges.
2. The Chamber seised of the case may, at any stage in the proceedings, either of its own motion or at the request of a main party, propose to the plenum that the case be referred as provided for in paragraph 1.
3. The President of the General Court or the Vice-President of the General Court may propose to the plenum that the case be referred as provided for in paragraph 1 until the close of the oral part of the procedure or, where Article 106(3) or Article 213(2) applies, before the Chamber seised of the case decides to rule without an oral part of the procedure.
4. The decision to refer a case to a formation sitting with a greater number of Judges shall be taken by the plenum.
5. The decision to refer a direct action to a formation sitting with a lesser number of Judges shall be taken by the plenum, after the main parties have been heard.
6. Where the questions of law raised by a request for a preliminary ruling do not give rise to any difficulty, the Chamber sitting with five Judges seised of that request may decide to refer it to a Chamber sitting with three Judges. The General Court shall decide how to designate the three Judges composing that Chamber. That decision shall be published in the *Official Journal of the European Union*.
7. The case shall be heard and determined by a Chamber sitting with at least five Judges where a Member State or an institution of the Union which is a party to the proceedings so requests.
8. The Intermediate Chamber shall rule on a request for a preliminary ruling where a Member State or an institution of the Union which is a party to the proceedings so requests in accordance with the fourth paragraph of Article 50 of the Statute.

Delegation to a single Judge

1. The following cases assigned to a Chamber sitting with three Judges may be heard and determined by the Judge-Rapporteur sitting as a single Judge where, having regard to the lack of difficulty of the questions of law or fact raised, to the limited importance of those cases and to the absence of other special circumstances, they are suitable for being so heard and determined and have been delegated under the conditions laid down in this Article:
 - (a) cases referred to in Article 171 below;
 - (b) cases brought pursuant to the fourth paragraph of Article 263 TFEU, the third paragraph of Article 265 TFEU, Article 268 TFEU and Article 270 TFEU that raise only questions already clarified by established case-law or that form part of a series of cases in which the same relief is sought and of which one has already been finally decided;
 - (c) cases brought pursuant to Article 272 TFEU.
2. Delegation to the single Judge shall not be possible:
 - (a) in an action for annulment against an act of general application or in cases in which a plea of illegality is expressly raised against an act of general application;
 - (b) in an action brought pursuant to Article 270 TFEU in which a plea of illegality is expressly raised against an act of general application, unless the Court of Justice or the General Court has already given a ruling on the issues raised by that plea;
 - (c) in cases concerning the implementation of the rules:
 - on competition and on control of concentrations,
 - relating to aid granted by States,
 - relating to measures to protect trade,
 - relating to the common organisation of the agricultural markets, with the exception of cases that form part of a series of cases in which the same relief is sought and of which one has already been finally decided.
3. The decision relating to the delegation of a case to the single Judge shall be taken, after the main parties have been heard, by the Chamber sitting with three Judges before which the case is pending. Where a Member State or an institution of the Union which is a party to the proceedings objects to the case being heard

and determined by the single Judge the case shall be maintained before the Chamber to which the Judge-Rapporteur belongs.

4. The single Judge shall refer the case back to the Chamber if he finds that the conditions justifying its delegation are no longer satisfied.

Chapter 5 DESIGNATION OF ADVOCATES GENERAL

Article 30 (M7)

Circumstances in which an Advocate General may be designated

1. In dealing with direct actions, the General Court may be assisted by an Advocate General if it is considered that the legal difficulty or the factual complexity of the case so requires.
2. In dealing with requests for a preliminary ruling, the General Court shall be assisted by an Advocate General.

Article 31 (M6) (M7)

Procedures concerning the designation of Advocates General to deal with direct actions

1. The decision to designate an Advocate General to deal with a direct action shall be taken by the plenum at the request of the Chamber to which the case has been assigned or referred.
2. The President of the General Court shall designate the Judge called upon to perform the function of Advocate General in that case.
3. After being so designated, the Advocate General shall be heard before the decisions provided for in Articles 16, 28, 45, 55, 68, 70, 83, 87, 90, 92, 98, 103, 105, 106, 110a, 113, 126 to 132, 144, 151, 165, 168 and 169 are taken.

Article 31a (M7)

Election of Advocates General to deal with requests for a preliminary ruling

1. The Judges shall elect from among their number, in accordance with Article 49a of the Statute and Article 9(3) of these Rules, the Judges called upon to perform the duties of an Advocate General in dealing with requests for a preliminary

ruling and the Judges called upon to replace them if they are prevented from acting.

2. The election of the Judges called upon to perform those duties shall take place immediately after the elections of the President and of the Vice-President of the General Court provided for in Article 9 and after the elections of the Presidents of Chambers provided for in Article 18.
3. If the office of the Judge called upon to perform those duties falls vacant before the normal date of expiry of the term thereof, the Judges shall elect a successor to perform those duties for the remainder of the term, in accordance with the procedure laid down in Article 9(3).
4. The names of the Judges called upon to perform those duties elected in accordance with this Article shall be published in the *Official Journal of the European Union*.

Article 31b (M7)

Procedures concerning the designation of Advocates General to deal with requests for a preliminary ruling

1. The President of the General Court shall assign each preliminary ruling case to an Advocate General. In accordance with the third paragraph of Article 49a of the Statute, the Advocate General shall be selected from among the Judges elected to perform that duty who belong to a Chamber other than the Chamber to which the case has been assigned.
2. After being so designated, the Advocate General shall be heard before the decisions provided for in Articles 16 and 28 are taken, as well as in the cases provided for in Titles II and VI.

Chapter 6
REGISTRY

Section 1. The Registrar

Article 32 (M7)

Appointment of the Registrar

1. The General Court shall appoint the Registrar.
2. When the post of Registrar is vacant, an advertisement shall be published in the *Official Journal of the European Union*. Interested persons shall be invited to

submit their applications within a period of not less than three weeks, accompanied by full details of their nationality, university degrees, knowledge of languages, present and past professional activities, and experience, if any, in judicial and international fields.

3. Voting shall take place in accordance with the procedure laid down in Article 9(3).
4. The Registrar shall be appointed for a term of six years. He may be reappointed. The General Court may decide to renew the term of office of the incumbent Registrar without availing itself of the procedure laid down in paragraph 2. In that case paragraph 3 shall apply.
5. The Registrar shall take the oath set out in Article 5 before the General Court and sign the declaration provided for in Article 6.
6. The Registrar may be deprived of his office only if he no longer fulfils the requisite conditions or no longer meets the obligations arising from his office. The General Court shall take its decision, in the absence of the Registrar, after giving him an opportunity to make representations.
7. If the office of Registrar falls vacant before the normal date of expiry of the term thereof, the General Court shall appoint a new Registrar for a term of six years.
8. The name of the Registrar elected in accordance with this Article shall be published in the *Official Journal of the European Union*.

Article 33

Deputy Registrar

The General Court may, in accordance with the procedure laid down in respect of the Registrar, appoint one or more Deputy Registrars to assist the Registrar and to take his place if he is prevented from acting.

Article 34

Where the Registrar and Deputy Registrar are prevented from acting

Where the Registrar is prevented from acting and, if necessary, where the Deputy Registrar is so prevented, the President of the General Court shall designate an official or servant to carry out the duties of Registrar.

Article 35 (M6)

Responsibilities of the Registrar

1. The Registrar shall be responsible, under the authority of the President of the General Court, for the acceptance, transmission and custody of all documents and for effecting service as provided for by these Rules.
2. The Registrar shall assist the Members of the General Court in all their official functions.
3. The Registrar shall have custody of the seals and shall be responsible for the records. He shall be in charge, in accordance with the criteria laid down by the General Court, of its publications, in particular, the European Court Reports, and of the dissemination on the internet of documents concerning the General Court.
4. The Registrar shall be responsible, under the authority of the President of the General Court, for the administration of the General Court, its financial management and its accounts, and shall be assisted in this by the departments of the Court of Justice of the European Union.
5. Save as otherwise provided in these Rules, the Registrar shall attend the sittings of the General Court.

Article 36 (M5)

Keeping of the register

1. There shall be kept in the Registry, under the responsibility of the Registrar, a register in which all procedural documents shall be entered in the order in which they are lodged.
2. When a procedural document has been registered, the Registrar shall make a note to that effect on the procedural document included in the file in the case and, if a party so requests, on any copy submitted for the purpose.
3. Entries in the register and the notes provided for in paragraph 2 shall be authentic.

Article 37 (M7)

Consultation of the register

Anyone may consult the register at the Registry and obtain copies or extracts.

Article 38 (M7)

Access to the file in the case

1. Subject to the provisions of Article 68(4), Articles 103 to 105 and of Article 144(7), any party to the proceedings may have access to the file in the case and may obtain copies of procedural documents and authenticated copies of orders and judgments.
2. No third party, private or public, may have access to the file in a case without the express authorisation of the President of the General Court, once the parties have been heard. That authorisation may be granted, in whole or in part, only upon written request accompanied by a detailed explanation of the third party's legitimate interest in having access to the file.

Section 2. Other departments

Article 39 (M3)

Officials and other servants

1. The officials and other servants whose task is to assist directly the President, the Judges and the Registrar shall be appointed under the conditions laid down by the Staff Regulations. They shall be responsible to the Registrar, under the authority of the President of the General Court.
2. They shall take one of the following two oaths before the President of the General Court in the presence of the Registrar:

'I swear that I will perform loyally, discreetly and conscientiously the duties assigned to me by the General Court.'

or

'I solemnly and sincerely affirm that I will perform loyally, discreetly and conscientiously the duties assigned to me by the General Court.'

Chapter 7
THE WORKING OF THE GENERAL COURT

Article 40

Location of the sittings of the General Court

The General Court may choose to hold one or more specific sittings in a place other than that in which the General Court has its seat.

Article 41

Calendar of the General Court's judicial business

1. The judicial year shall begin on 1 September of each calendar year and end on 31 August of the following year.
2. The judicial vacations shall be determined by the General Court.
3. In a case of urgency, the President of the General Court and the Presidents of Chambers may convene the Judges and, if necessary, the Advocate General during the judicial vacations.
4. The General Court shall observe the official holidays of the place where it has its seat.
5. The General Court may, in proper circumstances, grant leave of absence to any Judge.
6. The dates of the judicial vacations shall be published annually in the *Official Journal of the European Union*.

Article 42 (M5) (M7)

Plenum

1. Decisions concerning administrative issues and the decisions referred to in Articles 7, 9, 11, 13, 15, 15a, 16, 18, 25, 28, 31, 31a, 32, 33, 41, 56a, 207 and 243 shall be taken by the General Court at the plenum in which all the Judges shall take part and have a vote, save as otherwise provided in these Rules. The Registrar shall be present, unless the General Court decides to the contrary and save in relation to the decisions referred to in Article 32.
2. If, after the plenum has been convened, it is found that the quorum referred to in the fourth paragraph of Article 17 of the Statute has not been attained, the President of the General Court shall adjourn the sitting until there is a quorum.

Article 43

Drawing-up of minutes

1. Where the General Court sits in the presence of the Registrar, the Registrar shall, if necessary, draw up minutes which shall be signed by the President of the General Court or by the President of the Chamber, as the case may be, and by the Registrar.
2. Where the General Court sits without the Registrar being present it shall, if necessary, instruct the most junior Judge for the purposes of Article 8 to draw up minutes which shall be signed by the President of the General Court or by the President of the Chamber, as the case may be, and by that Judge.

TITLE II LANGUAGES

Article 44

Language of a case

The language of a case shall be Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish or Swedish.

Article 45 (M6) (M7)

Determination of the language of a case

1. In direct actions within the meaning of Article 1, the language of a case shall be chosen by the applicant, except that:
 - (a) where the defendant is a Member State, the language of the case shall be the official language of that State; where that State has more than one official language, the applicant may choose between them;
 - (b) where an application is submitted by an institution pursuant to an arbitration clause contained in a contract concluded by or on behalf of the Union, whether that contract be governed by public or private law, in accordance with Article 272 TFEU, the language of the case shall be the language in which the contract was concluded; where that contract has been drawn up in more than one language, the applicant may choose between them;
 - (c) at the joint request of the main parties, the use of another of the languages mentioned in Article 44 for all or part of the proceedings may be authorised;
 - (d) at the request of one of the parties, and after the other parties have been heard, the use of another of the languages mentioned in Article 44 as the language of the case for all or part of the proceedings may be authorised by way of derogation from subparagraphs (a) to (c); such a request may not be submitted by an institution.
2. Without prejudice to the provisions of paragraph 1(c) and (d) in the case of applications for rectification, applications for the General Court to remedy a failure to adjudicate or for it to set aside judgments by default, third-party proceedings and applications for interpretation or revision of a judgment or in the case of disputes concerning the costs to be recovered, the language of the case shall be the language of the decision to which those applications or disputes relate.

3. Without prejudice to the provisions in paragraph 1(c) and (d), in proceedings brought against decisions of the Boards of Appeal of the Office, referred to in Article 1, with respect to the application of the rules relating to an intellectual property regime:
 - (a) the language of the case shall be chosen by the applicant if the applicant was the only party to the proceedings before the Board of Appeal of the Office;
 - (b) the language of the application, chosen by the applicant from among the languages referred to in Article 44, shall be the language of the case if another party to the proceedings before the Board of Appeal of the Office does not object to this within the time limit laid down for that purpose by the Registrar after the application has been lodged;
 - (c) in the event of an objection to the language of the application by a party to the proceedings before the Board of Appeal of the Office other than the applicant, the language of the decision that is contested before the General Court shall become the language of the case; in such cases, the Registrar shall ensure the translation of the application into the language of the case.
4. In preliminary ruling proceedings, the language of the case shall be the language of the referring court or tribunal. At the duly substantiated request of one of the parties to the main proceedings, and after the other party to the main proceedings and the Advocate General have been heard, the use of another of the languages mentioned in Article 44 may be authorised for the oral part of the procedure. Where granted, the authorisation to use that other language shall apply in respect of all the interested persons referred to in Article 23 of the Statute.
5. The requests referred to in paragraphs 1 and 4 shall be decided on by the President; where the latter proposes to accede to a request without the agreement of all the parties, he must refer the request to the General Court.

Article 46 (M6) (M7)

Use of the language of the case

1. The language of the case shall in particular be used in the written and oral pleadings of the parties, including the material annexed to them, and also in the minutes and decisions of the General Court.
2. Where material annexed to a procedural document is not accompanied by a translation into the language of the case, the Registrar shall require the party concerned to make good the irregularity if the President decides, of his own motion or at the request of a party, that a translation is necessary for the purposes of the efficient conduct of the proceedings. If the irregularity is not made good, the annexes in question shall be removed from the case file.

3. In the case of substantial material, translations may be confined to extracts. At any time the President may, of his own motion or at the request of one of the parties, call for a complete or fuller translation.
4. Notwithstanding the foregoing provisions, a Member State shall be entitled to use its official language when taking part in preliminary ruling proceedings or when intervening in a case before the General Court. This provision shall apply both to written documents and to oral statements. The Registrar shall arrange in each instance for translation into the language of the case.
5. The States, other than the Member States, which are parties to the EEA Agreement, and also the EFTA Surveillance Authority, shall be entitled to use one of the languages mentioned in Article 44, other than the language of the case, when they take part in preliminary ruling proceedings or when they intervene in a case before the General Court. This provision shall apply both to written documents and to oral statements. The Registrar shall arrange in each instance for translation into the language of the case.
6. Non-Member States taking part in preliminary ruling proceedings pursuant to the fourth paragraph of Article 23 of the Statute shall be entitled to use one of the languages mentioned in Article 44 other than the language of the case. This provision shall apply both to written documents and to oral statements. The Registrar shall arrange in each instance for translation into the language of the case.
7. Where a witness or expert states that he is unable adequately to express himself in one of the languages referred to in Article 44, the President may authorise him to give his evidence in another language. The Registrar shall arrange for translation into the language of the case.
8. The President in conducting oral proceedings, Judges and, where appropriate, the Advocate General in putting questions and the Advocate General in delivering his Opinion may use one of the languages referred to in Article 44 other than the language of the case. The Registrar shall arrange for translation into the language of the case.

Article 47 (M6)

Responsibility of the Registrar concerning language arrangements

1. The Registrar shall arrange for procedural documents to be translated into the language of the case and, as the case may be, into another language referred to in Article 44.
2. The Registrar shall ensure that what is said at the hearing is interpreted into the language of the case and into the other languages that are referred to in

Article 44 and are used by the parties present at the hearing or considered necessary for the efficient conduct of that hearing.

Article 48

Languages of the publications of the General Court

Publications of the General Court shall be issued in the languages referred to in Article 1 of Council Regulation No 1.

Article 49

Authentic texts

The texts of documents drawn up in the language of the case or, where applicable, in another language authorised pursuant to Articles 45 and 46 of these Rules shall be authentic.

TITLE III

DIRECT ACTIONS

Article 50 (M7)

Scope

The provisions of this Title shall apply to direct actions within the meaning of Article 1, subject to the special provisions of Titles IV and V for proceedings governed by those Titles.

Chapter 1

GENERAL PROVISIONS

Section 1. Representation of the parties

Article 51 (M6)

Obligation to be represented

1. A party must be represented by an agent or a lawyer in accordance with the provisions of Article 19 of the Statute.
2. The lawyer representing or assisting a party must lodge at the Registry a certificate that he is authorised to practise before a court of a Member State or of another State which is a party to the EEA Agreement unless that certificate has already been lodged for the purposes of opening an account giving access to e-Curia.
3. Where the party represented by the lawyer is a legal person governed by private law, the lawyer must lodge at the Registry an authority to act given by that person.
4. If the document referred to in paragraph 2 or that referred to in paragraph 3 is not lodged, the Registrar shall prescribe a reasonable time limit within which the party concerned is to produce it. If the party concerned fails to produce the required documents within the time limit prescribed, the General Court shall decide whether the non-compliance with the procedural requirement in question renders the application or written pleadings formally inadmissible or whether it leads to the lawyer being regarded as not representing or assisting the party concerned.

Section 2. Rights and obligations of parties' representatives

Article 52

Privileges, immunities and facilities

1. Agents, advisers and lawyers who appear before the General Court or before any judicial authority to which it has addressed letters rogatory shall enjoy immunity in respect of words spoken or written by them concerning the case or the parties.
2. Agents, advisers and lawyers shall also enjoy the following privileges and facilities:
 - (a) any papers and documents relating to the proceedings shall be exempt from both search and seizure; in the event of a dispute, the customs officials or police may seal those papers and documents; they shall then be immediately forwarded to the General Court for inspection in the presence of the Registrar and of the person concerned;
 - (b) agents, advisers and lawyers shall be entitled to travel in the course of duty without hindrance.

Article 53

Status of the parties' representatives

1. In order to qualify for the privileges, immunities and facilities specified in Article 52, persons entitled to them shall furnish proof of their status as follows:
 - (a) agents shall produce an official document issued by the party for whom they act, who shall immediately serve a copy thereof on the Registrar;
 - (b) lawyers shall produce a certificate that they are authorised to practise before a court of a Member State or of another State which is a party to the EEA Agreement, and, where the party which they represent is a legal person governed by private law, an authority to act issued by that person;
 - (c) advisers shall produce an authority to act issued by the party whom they are assisting.
2. The Registrar shall issue them with a certificate, as required. The validity of this certificate shall be limited to a specified period, which may be extended or curtailed according to the duration of the proceedings.

Article 54
Waiver of immunity

1. The privileges, immunities and facilities specified in Article 52 are granted exclusively in the interests of the proper conduct of proceedings.
2. The General Court may waive immunity where it considers that the proper conduct of proceedings will not be hindered thereby.

Article 55
Exclusion from the proceedings

1. If the General Court considers that the conduct of an agent, adviser or lawyer before the General Court, the President, a Judge or the Registrar is incompatible with the dignity of the General Court or with the requirements of the proper administration of justice, or that such agent, adviser or lawyer is using his rights for purposes other than those for which they were granted, it shall inform the person concerned. The General Court may inform the competent authorities to whom the person concerned is answerable. A copy of the letter sent to those authorities shall be forwarded to the person concerned.
2. On the same grounds, the General Court may at any time, having heard the person concerned, decide to exclude an agent, adviser or lawyer from the proceedings by reasoned order. That order shall have immediate effect.
3. Where an agent, adviser or lawyer is excluded from the proceedings, the proceedings shall be suspended for a period fixed by the President in order to allow the party concerned to appoint another agent, adviser or lawyer.
4. Decisions taken under this Article may be rescinded.

Article 56
University teachers

The provisions of this Section shall apply to the university teachers referred to in the seventh paragraph of Article 19 of the Statute.

Section 2a. Communication with parties' representatives via e-Curia (M5)

Article 56a (M5) (M7)

e-Curia

1. Without prejudice to the cases referred to in Article 57(2), Article 72(4), Article 80(1), Article 105(1) and (2), Article 147(6), Article 148(9) and Article 178(2) and (3), all procedural documents shall be lodged and served via e-Curia.
2. The conditions for the lodging and service of procedural documents via e-Curia shall be specified in a decision adopted by the General Court. That decision shall be published in the *Official Journal of the European Union*.
3. Use of e-Curia shall require an access account to have been opened under the conditions laid down in the decision referred to in paragraph 2.
4. If a procedural document is lodged via e-Curia before the supporting documents required for validation of the access account have been produced, those supporting documents must be received at the Registry of the General Court in paper format or by an electronic means of transmission used by the General Court within 10 days of the procedural document being lodged. This time limit may not be extended and Article 60 shall not apply. If the supporting documents are not received within the prescribed time limit, the General Court shall declare the procedural document lodged via e-Curia to be inadmissible.
5. Where the use of e-Curia is technically impossible and without prejudice to the application of the second paragraph of Article 45 of the Statute, a procedural document may be lodged or served by any appropriate means available. The procedure to be followed in such circumstances shall be specified in the decision referred to in paragraph 2.

Section 3. Service

Article 57 (M5) (M7)

Methods of service

1. Without prejudice to Article 80(1), Article 148(9) and Article 178(2), where the Statute or these Rules require a document to be served on a person the Registrar shall ensure that service is effected via e-Curia.
2. Where, on account of the nature of the document, service of the document in accordance with the procedures laid down in paragraph 1 is impossible or impracticable, the document shall be served at the address of the representative

of the party concerned by registered post with a form for acknowledgement of receipt or by personal delivery of the copy against a receipt. The addressee shall be so informed via e-Curia. Service shall then be deemed to have been effected on the addressee by registered post on the tenth day following the lodging of the registered letter at the post office of the place in which the General Court has its seat, unless it is shown by the acknowledgement of receipt that the letter was received on a different date or the addressee informs the Registrar, within three weeks of being informed via e-Curia, that the document to be served has not reached him.

3. Without prejudice to Article 72(4), the Registrar shall prepare and certify the copies of documents to be served pursuant to paragraph 2.

Section 4. Time limits

Article 58

Calculation of time limits

1. Any procedural time limit prescribed by the Treaties, the Statute or these Rules shall be calculated as follows:
 - (a) where a time limit expressed in days, weeks, months or years is to be calculated from the moment at which an event occurs or an action takes place, the day during which that event occurs or that action takes place shall not be counted as falling within the time limit in question;
 - (b) a time limit expressed in weeks, months or years shall end with the expiry of whichever day in the last week, month or year is the same day of the week, or falls on the same date, as the day during which the event or action from which the time limit is to be calculated occurred or took place; if, in a time limit expressed in months or years, the day on which it should expire does not occur in the last month, the time limit shall end with the expiry of the last day of that month;
 - (c) where a time limit is expressed in months and days, it shall first be calculated in whole months, then in days;
 - (d) time limits shall include Saturdays, Sundays and official holidays;
 - (e) time limits shall not be suspended during the judicial vacations.
2. If the time limit would otherwise end on a Saturday, Sunday or an official holiday, it shall be extended until the end of the next working day.

3. The list of official holidays drawn up by the Court of Justice and published in the *Official Journal of the European Union* shall apply to the General Court.

Article 59

Proceedings against a measure adopted by an institution and published in the Official Journal of the European Union

Where the time limit allowed for initiating proceedings against a measure adopted by an institution runs from the publication of that measure in the *Official Journal of the European Union*, that time limit shall be calculated, for the purposes of Article 58(1)(a), from the end of the fourteenth day after such publication.

Article 60

Extension on account of distance

The procedural time limits shall be extended on account of distance by a single period of 10 days.

Article 61

Setting and extension of time limits

1. Any time limit prescribed pursuant to these Rules may be extended by whoever prescribed it.
2. The President may delegate to the Registrar power of signature for the purposes of setting certain time limits which, pursuant to these Rules, it falls to the President to prescribe, or of extending such time limits.

Article 62

Procedural documents lodged out of time

A procedural document lodged at the Registry after expiry of the time limit set by the President or by the Registrar pursuant to these Rules may be accepted only pursuant to a decision of the President to that effect.

Section 5. Conduct of the proceedings and procedures for dealing with cases

Article 63

Conduct of the proceedings

Without prejudice to the special provisions laid down in the Statute or in these Rules, the procedure before the General Court shall consist of a written part and an oral part.

Article 64

Adversarial nature of the proceedings

Subject to the provisions of Article 68(4), Article 104, Article 105(8) and Article 144(7), the General Court shall take into consideration only those procedural documents and items which have been made available to the representatives of the parties and on which they have been given an opportunity of expressing their views.

Article 65

Service of procedural documents and of decisions taken in the course of proceedings

1. Subject to the provisions of Article 68(4), Articles 103 to 105 and Article 144(7), procedural documents and items included in the file in the case shall be served on the parties.
2. The Registrar shall ensure that decisions taken in the course of the proceedings and included in the file in the case are brought to the attention of the parties.

Article 66 (M6)

Omission of personal data of natural persons vis-à-vis the public

1. In the course of the proceedings, the General Court may decide to omit, of its own motion or on an application by a party made by a separate document, the full names of natural persons, whether parties or third parties, and any other personal data of those natural persons mentioned in the documents and information which relate to a case and to which the public has access.
2. Paragraph 1 shall apply to applicants for leave to intervene.

Article 66a (M6)

Omission of data other than personal data of natural persons vis-à-vis the public

1. In the course of the proceedings, the General Court may decide to omit, of its own motion or on a reasoned application by a party made by a separate document, data other than personal data of natural persons mentioned in documents and information to which the public has access if there are legitimate reasons why those data should not be publicly disclosed.
2. Paragraph 1 shall apply to applicants for leave to intervene.

Article 67

Order in which cases are dealt with

1. The General Court shall deal with the cases before it in the order in which they become ready for examination.
2. The President may in special circumstances decide that a case be given priority over others.

Article 68 (M5) (M7)

Joinder

1. Two or more cases concerning the same subject matter may at any time, either of the General Court's own motion or on application by a main party, be joined, on account of the connection between them, for the purposes, alternatively or cumulatively, of the written or oral part of the procedure or of the decision which closes the proceedings.
2. A decision on whether cases should be joined shall be taken by the President. Before taking that decision, the President shall prescribe a time limit within which the main parties may submit their observations on any joinder, if they have not already expressed their views in that regard.
3. Joined cases may be disjoined, in accordance with the provisions of paragraph 2.
4. Procedural documents included in the files of the joined cases shall be served via e-Curia on the parties who request this. The President may, however, on application by a party, exclude from such service certain information from the case file which it is claimed is confidential.

Article 69 (M6)

Circumstances in which proceedings may be stayed

Without prejudice to Article 163, proceedings may be stayed:

- (a) in the circumstances specified in the third paragraph of Article 54 of the Statute;
- (b) where an appeal is brought before the Court of Justice against a decision of the General Court disposing of the substantive issues in part only, disposing of a procedural issue concerning a plea of lack of competence or inadmissibility or dismissing an application to intervene;
- (c) at the request of a main party with the express agreement of the other main party;
- (d) in other particular cases where the proper administration of justice so requires.

Article 70

Decisions to stay and to resume proceedings

1. The decision to stay the proceedings shall be taken by the President. Before taking that decision, the President shall prescribe a time limit within which the main parties may submit their observations on any stay of the proceedings, if they have not already expressed their views in that regard.
2. A decision ordering that the proceedings be resumed before the end of the stay, or as referred to in Article 71(3), shall be taken in accordance with the procedures laid down in paragraph 1.

Article 71

Length and effects of a stay

1. The stay of proceedings shall take effect on the date indicated in the decision to stay or, in the absence of such indication, on the date of that decision.
2. During the period in which proceedings are stayed all procedural time limits shall be suspended, except for the time limit prescribed in Article 143(1) for an application to intervene.
3. Where the decision to stay the proceedings does not fix the length of stay, it shall end on the date indicated in the decision to resume the proceedings or, in the absence of such indication, on the date of the latter decision.

4. From the date of the resumption of proceedings following a stay, any suspended procedural time limits shall be replaced by new time limits and time shall begin to run from the date of that resumption.

Article 71a (M6)

Pilot cases

1. Where two or more cases pending before the General Court raise the same issue of law and the General Court considers that it is in the interests of the proper administration of justice to avoid those cases being dealt with in parallel, the proceedings may be stayed in accordance with Article 69(c) or (d) and Articles 70 and 71, pending the determination of the case which, among them, best lends itself to the examination of that issue, which shall be identified as the pilot case.
2. Before deciding whether to stay proceedings, the President shall invite the main parties in the cases in which the proceedings may be stayed to submit their observations on any stay, in accordance with Article 70(1), indicating to them the issue of law involved and the case likely to be identified as the pilot case.
3. The President of the Chamber to which the pilot case is assigned shall give that case priority over others, in accordance with Article 67(2).
4. When the proceedings are resumed, the parties in the cases in which the proceedings have been stayed shall be given the opportunity to submit their observations on the decision given in the pilot case and on the consequences of that decision for the dispute.

Chapter 2

PROCEDURAL DOCUMENTS

Article 72 (M5) (M6) (C1)

Rules for the lodging of procedural documents via e-Curia

1. With the exception of documents lodged pursuant to Article 105(1) and (2) and Article 147(6), all procedural documents shall be lodged at the Registry via e-Curia.
2. All procedural documents shall bear a date. In the calculation of procedural time limits, only the date and time in the Grand Duchy of Luxembourg of lodging at the Registry shall be taken into account.
3. To every procedural document there shall be annexed the material relied on in support of it, together with a schedule listing each item.

4. Where, on account of its nature, an annex to a procedural document cannot be lodged via e-Curia, the relevant annex shall be sent separately by post or shall be delivered to the Registry. The annex shall be submitted together with a copy for the General Court and a copy for every other party to the proceedings. Copies shall be certified as being identical by the party lodging them.
5. The institutions shall produce, within time limits laid down by the President, translations of any procedural document into the other languages provided for by Article 1 of Council Regulation No 1.

Article 73 (M5)
(repealed)

Article 74 (M5)
(repealed)

Article 75 (M7)
Length of written pleadings

1. The General Court shall set, in accordance with Article 243, the maximum length of written pleadings lodged pursuant to this Title.
2. Authorisation to exceed the maximum length of written pleadings may be given by the President only in cases involving particularly complex legal or factual issues.

Chapter 3
WRITTEN PART OF THE PROCEDURE

Article 76
Content of the application

An application of the kind referred to in Article 21 of the Statute shall contain:

- (a) the name and address of the applicant;
- (b) particulars of the status and address of the applicant's representative;
- (c) the name of the main party against whom the action is brought;

- (d) the subject matter of the proceedings, the pleas in law and arguments relied on and a summary of those pleas in law;
- (e) the form of order sought by the applicant;
- (f) where appropriate, any evidence produced or offered.

Article 77 (M5)
(repealed)

Article 78 (M3) (M6)

Annexes to the application

1. The application shall be accompanied, where appropriate, by the documents specified in the second paragraph of Article 21 of the Statute.
2. An application submitted pursuant to Article 270 TFEU shall be accompanied, where appropriate, by the complaint within the meaning of Article 90(2) of the Staff Regulations and the decision responding to the complaint, together with an indication of the dates on which the complaint was submitted and the decision notified.
3. An application submitted under Article 272 TFEU pursuant to an arbitration clause in a contract governed by public or private law, entered into by the Union or on its behalf, shall be accompanied by a copy of the contract which contains that clause.
4. An application made by a legal person governed by private law shall be accompanied by proof of that person's existence in law (extract from the register of companies, firms or associations or any other official document).
5. The application shall be accompanied by the documents referred to in Article 51(2) and (3).
6. If the application does not comply with the requirements set out in paragraphs 1 to 5, the Registrar shall prescribe a reasonable time limit within which the applicant is to produce the abovementioned documents. If the applicant fails to put the application in order within the time limit prescribed, the General Court shall decide whether the non-compliance with these conditions renders the application formally inadmissible.

Article 79 (M6)

Notice in the Official Journal of the European Union

A notice shall be published in the *Official Journal of the European Union* indicating the date of lodging of an application initiating proceedings, the names of the main parties, the form of order sought by the applicant and a summary of the pleas in law and of the main supporting arguments, without prejudice to the application of Articles 66 and 66a.

Article 80 (M3) (M5)

Service of the application

1. The application shall be served on the defendant via e-Curia if he has an e-Curia account. Where the defendant has no such account, the application shall be served on him in the form of a certified copy sent by registered post with a form for acknowledgement of receipt or by delivery of the copy against receipt.
2. In cases where Article 78(6) applies, service shall be effected as soon as the application has been put in order or the General Court has declared it admissible notwithstanding the failure to observe the requirements set out in that Article.

Article 81 (M3) (M5) (C2)

Defence

1. Within two months after service on him of the application, the defendant shall lodge a defence, containing:
 - (a) the name and address of the defendant;
 - (b) particulars of the status and address of the defendant's representative;
 - (c) the pleas in law and arguments relied on;
 - (d) the form of order sought by the defendant;
 - (e) where appropriate, any evidence produced or offered.
2. Article 78(4) to (6) shall apply to the defence.
3. The time limit laid down in paragraph 1 of this Article may, in exceptional circumstances, be extended by the President at the reasoned request of the defendant.

Article 82 (M6)

Transmission of documents

Where the European Parliament, the Council or the European Commission is not a party to a case, the General Court shall send to them copies of the application and of the defence, or of the plea of lack of competence or inadmissibility, as the case may be, without the annexes thereto, to enable them to assess whether the inapplicability of one of their acts is being invoked under Article 277 TFEU.

Article 83

Reply and rejoinder

1. The application initiating proceedings and the defence may be supplemented by a reply from the applicant and by a rejoinder from the defendant unless the General Court decides that a second exchange of pleadings is unnecessary because the contents of the file in the case are sufficiently comprehensive.
2. Where the General Court decides that a second exchange of pleadings is unnecessary it may authorise the main parties to supplement the file in the case if the applicant presents a reasoned request to that effect within two weeks from the service of that decision.
3. The President shall prescribe the time limits within which those procedural documents are to be produced. He may specify the matters to which the reply or the rejoinder should relate.

Chapter 4

PLEAS IN LAW, EVIDENCE AND MODIFICATION OF THE APPLICATION

Article 84

New pleas in law

1. No new plea in law may be introduced in the course of proceedings unless it is based on matters of law or of fact which come to light in the course of the procedure.
2. Any new pleas in law shall be introduced in the second exchange of pleadings and identified as such. Where the matters of law or of fact justifying the introduction of new pleas in law are known after the second exchange of pleadings or after it has been decided not to authorise a second exchange of pleadings, the main party concerned shall introduce the new pleas in law as soon as those matters come to his knowledge.

3. Without prejudice to the decision to be taken by the General Court on the admissibility of the new pleas in law, the President shall give the other parties an opportunity to respond to those pleas.

Article 85

Evidence produced or offered

1. Evidence produced or offered shall be submitted in the first exchange of pleadings.
2. In reply or rejoinder a main party may produce or offer further evidence in support of his arguments, provided that the delay in the submission of such evidence is justified.
3. The main parties may, exceptionally, produce or offer further evidence before the oral part of the procedure is closed or before the decision of the General Court to rule without an oral part of the procedure, provided that the delay in the submission of such evidence is justified.
4. Without prejudice to the decision to be taken by the General Court on the admissibility of the evidence produced or offered pursuant to paragraphs 2 and 3, the President shall give the other parties an opportunity to comment on such evidence.

Article 86 (M3) (M7)

Modification of the application

1. Where a measure the annulment of which is sought is replaced or amended by another measure with the same subject matter, the applicant may, by no later than two weeks after service of a decision fixing the date of the hearing or before service of the decision of the General Court to rule without an oral part of the procedure, modify the application to take account of that new factor. That time limit may be extended by the President at the reasoned request of the applicant. Article 60 shall not apply.
2. The modification of the application must be made by a separate document within the time limit laid down in the sixth paragraph of Article 263 TFEU within which the annulment of the measure justifying the modification of the application may be sought.
3. In cases brought pursuant to Article 270 TFEU, the modification of the application must be made by a separate document and, by way of derogation from paragraph 2, within the time limit laid down in Article 91(3) of the Staff

Regulations within which the annulment of the measure justifying the modification of the application may be sought.

4. The statement of modification shall contain:
 - (a) the modified form of order sought;
 - (b) where appropriate, the modified pleas in law and arguments;
 - (c) where appropriate, the evidence produced and offered in connection with the modification of the form of order sought.
5. The statement of modification must be accompanied by the measure justifying the modification of the application. If that measure is not produced, the Registrar shall prescribe a reasonable time limit within which the applicant is to produce it. If the applicant fails to produce the measure within the time limit prescribed, the General Court shall decide whether the non-compliance with that requirement renders the statement modifying the application inadmissible.
6. Without prejudice to the decision to be taken by the General Court on the admissibility of the statement modifying the application, the President shall prescribe a time limit within which the defendant may respond to the statement of modification.
7. The President shall, where appropriate, prescribe a time limit within which any interveners may supplement their statements in intervention in the light of the statement modifying the application and the statement in response. Those statements shall be served simultaneously on the interveners for that purpose.

Chapter 5 THE PRELIMINARY REPORT

Article 87 (M7) **Preliminary report**

1. When the written part of the procedure is closed, the President shall fix a date on which the Judge-Rapporteur is to present a preliminary report to the General Court.
2. The preliminary report shall contain an analysis of the relevant issues of fact and of law raised by the action, proposals as to whether measures of organisation of procedure or measures of inquiry should be undertaken, whether there should be an oral part of the procedure and whether the case should be referred to the Grand Chamber, to the Intermediate Chamber, or to a Chamber sitting with a

different number of Judges, and whether the case should be delegated to a single Judge.

3. The General Court shall decide what action to take on the proposals of the Judge-Rapporteur and, where appropriate, whether to open the oral part of the procedure.

Chapter 6

MEASURES OF ORGANISATION OF PROCEDURE AND MEASURES OF INQUIRY

Article 88

General

1. Measures of organisation of procedure and measures of inquiry may be taken or modified at any stage of the proceedings either of the General Court's own motion or on the application of a main party.
2. The application referred to in paragraph 1 must state precisely the purpose of the measures sought and the reasons for them. Where the application is made after the first exchange of pleadings, the party submitting that application must state the reasons for which he was unable to submit it earlier.
3. Where an application for measures of organisation of procedure or for measures of inquiry is made, the President shall give the other parties an opportunity to comment on that application.

Section 1. Measures of organisation of procedure

Article 89

Purpose

1. The purpose of measures of organisation of procedure shall be to ensure that cases are prepared for hearing, procedures carried out and disputes resolved under the best possible conditions.
2. Measures of organisation of procedure shall, in particular, have as their purpose:
 - (a) to ensure the efficient conduct of the written or oral part of the procedure and to facilitate the taking of evidence;
 - (b) to determine the points on which the parties must present further argument or which call for measures of inquiry;

- (c) to clarify the forms of order sought by the parties, their pleas in law and arguments and the points at issue between them;
 - (d) to facilitate the amicable settlement of proceedings.
3. Measures of organisation of procedure may, in particular, consist of:
- (a) putting questions to the parties;
 - (b) inviting the parties to make written or oral submissions on certain aspects of the proceedings;
 - (c) asking the parties or third parties for the information referred to in the second paragraph of Article 24 of the Statute;
 - (d) asking the parties to produce any material relating to the case;
 - (e) summoning the parties to meetings.
4. Where a hearing is organised, the General Court shall, in so far as possible, invite the parties to concentrate in their oral pleadings on one or more specified issues.

Article 90
Procedure

1. Measures of organisation of procedure shall be prescribed by the General Court.
2. If the General Court decides to adopt measures of organisation of procedure and does not undertake such measures itself, it shall entrust the task of so doing to the Judge-Rapporteur.

Section 2. Measures of inquiry

Article 91
Purpose

Without prejudice to Articles 24 and 25 of the Statute, the following measures of inquiry may be adopted:

- (a) the personal appearance of the parties;
- (b) a request to a party for information or for production of any material relating to the case;

- (c) a request for production of documents to which access has been denied by an institution in proceedings relating to the legality of that denial;
- (d) oral testimony;
- (e) the commissioning of an expert's report;
- (f) an inspection of the place or thing in question.

Article 92 (M7)

Procedure

1. The General Court shall prescribe the measures of inquiry that it considers appropriate by means of an order setting out the facts to be proved.
2. Before the General Court decides on the measures of inquiry referred to in Article 91(d) to (f), the parties shall be heard.
3. A measure of inquiry referred to in Article 91(b) may be ordered where:
 - (a) the party concerned by the measure either has not complied with a measure of organisation of procedure previously adopted to that end, or expressly requests it and explains the need for such a measure to be in the form of an order for a measure of inquiry;
 - (b) the adoption of a measure of organisation of procedure does not appear justified in the circumstances of the case.

The order prescribing the measure of inquiry may provide that inspection by the parties' representatives of information and material obtained by the General Court in consequence of that order may take place only at the Registry and that no copies may be made.

4. If the General Court orders a preparatory inquiry and does not undertake such an inquiry itself, it shall entrust the task of so doing to the Judge-Rapporteur.
5. The Advocate General shall take part in the measures of inquiry.
6. The parties shall be entitled to attend the measures of inquiry.
7. Evidence may be submitted in rebuttal and previous evidence may be amplified.

Article 93 (C1)

Summoning of witnesses

1. Witnesses whose examination is deemed necessary shall be summoned by an order, referred to in Article 92(1), containing the following information:
 - (a) the name, description and address of the witness;
 - (b) the date and place of the examination;
 - (c) an indication of the facts to be established and which witnesses are to be heard in respect of each of those facts.
2. Witnesses shall be summoned by the General Court, where appropriate after the lodging of the security provided for in Article 100(1).

Article 94

Examination of witnesses

1. After the identity of the witness has been established, the President shall inform him that he will be required to vouch the truth of his evidence in the manner laid down in paragraph 5 and in Article 97.
2. The witness shall give his evidence to the General Court, the parties having been given notice to attend. After the witness has given his evidence the President may, at the request of one of the parties or of his own motion, put questions to him.
3. The other Judges and the Advocate General may do likewise.
4. Subject to the control of the President, questions may be put to witnesses by the representatives of the parties.
5. Subject to the provisions of Article 97, the witness shall, after giving his evidence, take the following oath:

‘I swear that I have spoken the truth, the whole truth and nothing but the truth.’
6. The General Court may, after hearing the main parties, exempt a witness from taking the oath.

Article 95

Duties of witnesses

1. Witnesses who have been duly summoned shall obey the summons and attend for examination.

2. If, without good reason, a witness who has been duly summoned fails to appear before the General Court, the General Court may impose upon him a pecuniary penalty not exceeding EUR 5 000 and may order that a further summons be served on the witness at his own expense.
3. The same penalty may be imposed upon a witness who, without good reason, refuses to give evidence or to take the oath.

Article 96

Expert's report

1. The order appointing the expert shall define his task and set a time limit within which he is to submit his report.
2. After the expert has submitted his report and that report has been served on the parties, the General Court may order that the expert be examined, the parties having been given notice to attend. At the request of one of the parties or of his own motion, the President may put questions to the expert.
3. The other Judges and the Advocate General may do likewise.
4. Subject to the control of the President, questions may be put to the expert by the representatives of the parties.
5. Subject to the provisions of Article 97, the expert shall, after making his report, take the following oath before the General Court:

'I swear that I have conscientiously and impartially carried out my task.'

6. The General Court may, after hearing the main parties, exempt the expert from taking the oath.

Article 97

Witnesses' and experts' oath

1. The President shall instruct any person who is required to take an oath before the General Court, as witness or expert, to tell the truth or to carry out his task conscientiously and impartially, as the case may be, and shall warn him of the criminal liability provided for in his national law in the event of any breach of this duty.
2. Witnesses and experts shall take the oath either in accordance with Article 94(5) and Article 96(5) or in the manner laid down by their national law.

Article 98

Perjury by witnesses or experts

1. The General Court may decide to report to the competent authority referred to in the Rules supplementing the Rules of Procedure of the Court of Justice of the Member State whose courts have penal jurisdiction any case of perjury on the part of a witness or expert before the General Court.
2. The Registrar shall be responsible for communicating the decision of the General Court. The decision shall set out the facts and circumstances on which the report is based.

Article 99

Objection to a witness or expert

1. If one of the parties objects to a witness or an expert on the ground that he is not a competent or proper person to act as a witness or expert or for any other reason, or if a witness or expert refuses to give evidence or to take the oath, the matter shall be resolved by the General Court.
2. An objection to a witness or an expert shall be raised within two weeks after service of the order summoning the witness or appointing the expert; the statement of objection must set out the grounds of objection and indicate the nature of any evidence offered.

Article 100

Witnesses' and experts' costs

1. Where the General Court orders the examination of witnesses or an expert's report, it may request the main parties or one of them to lodge security for the witnesses' costs or the costs of the expert's report.
2. Witnesses and experts shall be entitled to reimbursement of their travel and subsistence expenses. The cashier of the General Court may make an advance payment towards these expenses.
3. Witnesses shall be entitled to compensation for loss of earnings, and experts to fees for their services. The cashier of the General Court shall pay witnesses and experts these sums after they have carried out their respective duties or tasks.

Article 101

Letters rogatory

1. The General Court may, on application by a main party or of its own motion, issue letters rogatory for the examination of witnesses or experts.
2. Letters rogatory shall be issued in the form of an order. The order shall contain the name, description and address of the witness or expert, set out the facts on which the witness or expert is to be examined, name the parties, their representatives, indicate their addresses and briefly describe the subject matter of the proceedings.
3. The Registrar shall send the order to the competent authority named in the Rules supplementing the Rules of Procedure of the Court of Justice of the Member State in whose territory the witness or expert is to be examined. Where necessary, the order shall be accompanied by a translation into the official language or languages of the Member State to which it is addressed.
4. The authority named pursuant to paragraph 3 shall transmit the order to the judicial authority which is competent according to its national law.
5. The competent judicial authority shall give effect to the letters rogatory in accordance with its national law. After implementation the competent judicial authority shall transmit to the authority named pursuant to paragraph 3 the order embodying the letters rogatory, any documents arising from the implementation and a detailed statement of costs. These documents shall be sent to the Registrar.
6. The Registrar shall be responsible for the translation of the documents into the language of the case.
7. The General Court shall defray the expenses occasioned by the letters rogatory without prejudice to the right to charge them, where appropriate, to the main parties.

Article 102

Minutes of inquiry hearings

1. The Registrar shall draw up minutes of every inquiry hearing. The minutes shall be signed by the President and by the Registrar. They shall constitute an official record.
2. In the case of the examination of witnesses or experts, the minutes shall be signed by the President or by the Judge-Rapporteur responsible for conducting the examination of the witness or expert, and by the Registrar. Before the

minutes are thus signed, the witness or expert must be given an opportunity to check the content of the minutes and to sign them.

3. The minutes shall be served on the parties.

Section 3. Treatment of confidential information, items and documents produced in the context of measures of inquiry

Article 103

Treatment of confidential information and material

1. Where it is necessary for the General Court to examine, on the basis of the matters of law and of fact relied on by a main party, the confidentiality, vis-à-vis the other main party, of certain information or material produced before the General Court following a measure of inquiry referred to in Article 91(b) that may be relevant in order for the General Court to rule in a case, that information or material shall not be communicated to that other party at the stage of such examination.
2. Where the General Court concludes in the examination provided for in paragraph 1 that certain information or material produced before it is relevant in order for it to rule in the case and is confidential vis-à-vis the other main party, it shall weigh that confidentiality against the requirements linked to the right to effective judicial protection, particularly observance of the adversarial principle.
3. After weighing up the matters referred to in paragraph 2, the General Court may decide to bring the confidential information or material to the attention of the other main party, making its disclosure subject, if necessary, to the giving of specific undertakings, or it may decide not to communicate such information or material, specifying, by reasoned order, the procedures enabling the other main party, to the greatest extent possible, to make his views known, including ordering the production of a non-confidential version or a non-confidential summary of the information or material, containing the essential content thereof.
4. The procedural regime in this Article shall not apply to the cases referred to in Article 105.

Article 104

Documents to which access has been denied by an institution

Where, following a measure of inquiry referred to in Article 91(c), a document to which access has been denied by an institution has been produced before the

General Court in proceedings relating to the legality of that denial, that document shall not be communicated to the other parties.

Chapter 7

INFORMATION OR MATERIAL PERTAINING TO THE SECURITY OF THE UNION OR THAT OF ONE OR MORE OF ITS MEMBER STATES OR TO THE CONDUCT OF THEIR INTERNATIONAL RELATIONS

Article 105 (M2)

Treatment of information or material pertaining to the security of the Union or that of one or more of its Member States or to the conduct of their international relations

1. Where, contrary to the adversarial principle set out in Article 64 under which all information and material must be fully communicated between the parties, a main party intends to base his claims on certain information or material but submits that its communication would harm the security of the Union or that of one or more of its Member States or the conduct of their international relations, he shall produce that information or material by a separate document. The information or material thus produced shall be accompanied by an application for confidential treatment thereof, setting out the overriding reasons which, to the extent strictly required by the exigencies of the situation, justify the confidentiality of that information or material being preserved and which militate against its communication to the other main party. The application for confidential treatment shall also be submitted by a separate document and shall not contain anything which is confidential. Where the information or material in respect of which confidential treatment is sought has been transmitted to the main party by one or more Member States, the overriding reasons put forward by the main party to justify the confidential treatment of that information or material may include those provided by the Member State(s) concerned.
2. The production of information or material the confidential nature of which is based on the overriding reasons referred to in paragraph 1 may be requested by the General Court in the form of a measure of inquiry. Formal note shall be taken of any refusal. By way of derogation from Article 103, the procedural regime applicable to such information or material produced following a measure of inquiry shall be that of the present Article.
3. While the information or material produced by a main party in accordance with paragraph 1 or 2 is being examined as to its relevance to the General Court's ruling in the case and as to its confidential nature vis-à-vis the other main party, that information or material shall not be communicated to the other main party.

4. Where the General Court decides, after the examination provided for in paragraph 3, that the information or material produced before it is relevant in order for it to rule in the case and is not confidential for the purposes of the proceedings before the General Court, it shall ask the party concerned to authorise the communication of that information or material to the other main party. If the first party objects to such communication within a period prescribed by the President, or fails to reply by the end of that period, that information or material shall not be taken into account in the determination of the case and shall be returned to that party.
5. Where the General Court decides, after the examination provided for in paragraph 3, that certain information or material produced before it is relevant in order for it to rule in the case and is confidential vis-à-vis the other main party, it shall not communicate that information or material to that main party. It shall then weigh the requirements linked to the right to effective judicial protection, particularly observance of the adversarial principle, against the requirements flowing from the security of the Union or of one or more of its Member States or the conduct of their international relations.
6. After weighing up the matters referred to in paragraph 5, the General Court shall make a reasoned order specifying the procedures to be adopted to accommodate the requirements referred to in paragraph 5, such as the production by the party concerned, for subsequent communication to the other main party, of a non-confidential version or a non-confidential summary of the information or material, containing the essential content thereof and enabling the other main party, to the greatest extent possible, to make its views known.
7. The information or material that is confidential vis-à-vis the other main party may be withdrawn, wholly or in part, by the main party who produced it in accordance with paragraph 1 or 2, within two weeks after service of the decision taken pursuant to paragraph 5. The information or material withdrawn shall not be taken into account in the determination of the case and shall be returned to the main party concerned.
8. Where the General Court considers that information or material which, owing to its confidential nature, has not been communicated to the other main party in accordance with the procedures referred to in paragraph 6 is essential in order for it to rule in the case, it may, by way of derogation from Article 64 and confining itself to what is strictly necessary, base its judgment on such information or material. When assessing that information or material, the General Court shall take account of the fact that a main party has not been able to make his views on it known.
9. The General Court shall ensure that confidential matters contained in the information or material produced by a main party in accordance with paragraph 1 or 2 which have not been communicated to the other main party

are not disclosed in the order made pursuant to paragraph 6 or in the decision which closes the proceedings.

10. The information or material referred to in paragraph 5, which has not been withdrawn pursuant to paragraph 7 by the main party that produced it, shall be returned to the party concerned as soon as the period referred to in the first paragraph of Article 56 of the Statute has expired, unless, within that period, an appeal has been brought against the decision of the General Court. Where such an appeal is brought, the abovementioned information or material shall be made available to the Court of Justice on the conditions laid down in the decision referred to in paragraph 11.
11. The General Court shall determine, by decision, the security rules for protecting the information or material produced in accordance with paragraph 1 or paragraph 2, as the case may be. That decision shall be published in the *Official Journal of the European Union*.

Chapter 8 ORAL PART OF THE PROCEDURE

Article 106

Oral part of the procedure

1. The procedure before the General Court shall include, in the oral part, a hearing arranged either of the General Court's own motion or at the request of a main party.
2. Any request for a hearing made by a main party must state the reasons for which that party wishes to be heard. It must be submitted within three weeks after service on the parties of notification of the close of the written part of the procedure. That time limit may be extended by the President.
3. If there is no request as referred to in paragraph 2, the General Court may, if it considers that it has sufficient information available to it from the material in the file, decide to rule on the action without an oral part of the procedure. In that case, it may nevertheless later decide to open the oral part of the procedure.

Article 106a (M6)

Joint hearing

If the similarities between two or more cases so permit, the General Court may decide to organise a joint hearing of those cases.

Article 107

Date of the hearing

1. If the General Court decides to open the oral part of the procedure, the President shall fix the date of the hearing.
2. The President may, in exceptional circumstances, of his own motion or at the reasoned request of a main party, adjourn the hearing to another date.

Article 107a (M6) (M7)

Participation in a hearing by videoconference

1. Where health, security or other serious reasons prevent a party's representative from participating in a hearing in person, that representative may be authorised to take part in the hearing by videoconference.
2. The request to participate in the hearing by videoconference shall be made by a separate document as soon as the reason for the impediment is known and shall state the precise nature of the impediment.
3. The President shall decide on the request as soon as possible.
4. The use of videoconferencing shall not be possible in the event of a decision by the General Court to hear a case *in camera* pursuant to Article 109.
5. The technical conditions to be satisfied by those wishing to participate in hearings by videoconference shall be laid down in the practice rules referred to in Article 243.

Article 108

Absence of the parties from the hearing

1. Where a party informs the General Court that he will not be present at the hearing or where the General Court finds at the hearing that a party who has been duly given notice to attend is absent without excuse, the hearing shall proceed in the absence of the party concerned.
2. Where the main parties indicate to the General Court that they will not be present at the hearing, the President shall decide whether the oral part of the procedure may be closed.

Article 109

Cases heard *in camera*

1. After hearing the parties, the General Court may, in accordance with Article 31 of the Statute, decide to hear a case *in camera*.
2. The request by a party for a case to be heard *in camera* must include reasons and specify whether it concerns all or part of the hearing.
3. The oral proceedings in cases heard *in camera* shall not be published.

Article 110 (M3)

Conduct of the hearing

1. The oral proceedings shall be opened and directed by the President, who shall be responsible for the proper conduct of the hearing.
2. A party may address the General Court only through his representative.
3. The members of the formation of the Court and the Advocate General may in the course of the hearing put questions to the representatives of the parties.
4. In cases brought pursuant to Article 270 TFEU, the members of the formation of the Court and the Advocate General may in the course of the hearing invite the parties themselves to express their views on certain aspects of the case.

Article 110a (M7)

Broadcasting of hearings

1. Hearings of the General Court may be broadcast. The broadcast shall take place live when it relates to the delivery of judgments or Opinions, and with a delay when it relates to oral pleadings made by the parties in a case referred to the Grand Chamber, to the Intermediate Chamber, or, where this is justified by the importance of the case, to a Chamber sitting with five Judges, or, exceptionally, to a Chamber sitting with three Judges.
2. Where the General Court intends to broadcast a hearing, the parties shall be so informed by the Registry when they are given notice to attend the hearing.
3. A party who considers that the hearing which he has been given notice to attend should not be broadcast shall inform the General Court of this as soon as possible, setting out in detail the circumstances that justify a decision not to broadcast the hearing.
4. The General Court shall decide on that request as soon as possible.

5. The video recordings of hearings that have been broadcast shall remain available on the website of the Court of Justice of the European Union for a maximum period of one month after the close of the hearing.
6. Where a party considers that the video recording of a hearing in which he took part should be removed from that website, he shall inform the General Court of this as soon as possible, setting out the circumstances that justify that removal.
7. The President shall decide on that request forthwith.
8. The General Court shall determine, by way of decision, the rules and arrangements for implementing the broadcasting of hearings. That decision shall be published in the *Official Journal of the European Union*.

Article 111

Close of the oral part of the procedure

Where an Advocate General has not been designated in a case, the President shall declare the oral part of the procedure closed at the end of the hearing.

Article 112 (M7)

Delivery of the Opinion of the Advocate General

1. Where an Advocate General has been designated in a case and a hearing takes place, the Opinion of the Advocate General shall be delivered after the close of that hearing, on the date announced by the Advocate General.
2. Where no hearing takes place, the Opinion of the Advocate General shall be delivered on the date announced by the Advocate General.
3. Where the Advocate General delivers his Opinion in writing, he shall lodge it at the Registry, which shall communicate it to the parties.
4. The delivery of the Opinion of the Advocate General shall close the oral part of the procedure.

Article 113 (M7)

Reopening of the oral part of the procedure

1. The General Court shall reopen the oral part of the procedure when the conditions set out in Article 23(3) or Article 24(3) are satisfied.
2. The General Court may reopen the oral part of the procedure:

- (a) if it considers that it lacks sufficient information;
- (b) where the case must be decided on the basis of an argument which has not been debated between the parties;
- (c) where requested by a main party who is relying on facts which are of such a nature as to be a decisive factor for the decision of the General Court but which it was unable to put forward before the oral part of the procedure was closed.

Article 114

Minutes of the hearing

1. The Registrar shall draw up minutes of every hearing. The minutes shall be signed by the President and by the Registrar. They shall constitute an official record.
2. The minutes shall be served on the parties.

Article 115

Recording of the hearing

The President of the General Court may, on a duly substantiated request, authorise a party who has participated in the written part or the oral part of the proceedings to listen, on the General Court's premises, to the sound recording of the hearing in the language used by the speakers during that hearing.

Chapter 9

JUDGMENTS AND ORDERS

Article 116

Date of delivery of a judgment

The parties shall be informed of the date of delivery of a judgment.

Article 117
Content of a judgment

A judgment shall contain:

- (a) a statement that it is the judgment of the General Court;
- (b) an indication as to the formation of the Court;
- (c) the date of delivery;
- (d) the names of the President and of the Judges who took part in the deliberations, with an indication as to the name of the Judge-Rapporteur;
- (e) the name of the Advocate General, if designated;
- (f) the name of the Registrar;
- (g) a description of the parties;
- (h) the names of their representatives;
- (i) a statement of the forms of order sought by the parties;
- (j) where applicable, the date of the hearing;
- (k) a statement, where appropriate, that the Advocate General has been heard and, where applicable, the date of his Opinion;
- (l) a summary of the facts;
- (m) the grounds for the decision;
- (n) the operative part of the judgment, including the decision as to costs.

Article 118
Delivery and service of the judgment

1. The judgment shall be delivered in open court.
2. The original of the judgment, signed by the President, by the Judges who took part in the deliberations and by the Registrar, shall be sealed and deposited at the Registry. A copy of the judgment shall be served on each of the parties.

Article 119

Content of an order

Any order from which an appeal may lie under Article 56 or Article 57 of the Statute shall contain:

- (a) a statement that it is the order of the General Court, the President or the Judge hearing applications for interim measures, as the case may be;
- (b) where applicable, an indication as to the formation of the Court;
- (c) the date of its adoption;
- (d) an indication as to the legal basis of the order;
- (e) the names of the President and, where applicable, the Judges who took part in the deliberations, with an indication as to the name of the Judge-Rapporteur;
- (f) the name of the Advocate General, if designated;
- (g) the name of the Registrar;
- (h) a description of the parties;
- (i) the names of their representatives;
- (j) a statement of the forms of order sought by the parties;
- (k) a statement, where appropriate, that the Advocate General has been heard;
- (l) a summary of the facts;
- (m) the grounds for the decision;
- (n) the operative part of the order, including, where appropriate, the decision as to costs.

Article 120 (M3)

Signature and service of the order

The original of every order, signed by the President and by the Registrar, shall be sealed and deposited at the Registry. A copy of the order shall be served on each of the parties and, if necessary, on the Court of Justice.

Article 121

Binding nature of judgments and orders

1. Subject to the provisions of Article 60 of the Statute, a judgment shall be binding from the date of its delivery.
2. Subject to the provisions of Article 60 of the Statute, an order shall be binding from the date of its service.

Article 122

Publication in the Official Journal of the European Union

A notice containing the date and the operative part of the judgment or order of the General Court which closes the proceedings shall be published in the *Official Journal of the European Union*, save in the case of decisions adopted before the application has been served on the defendant.

Chapter 10

JUDGMENTS BY DEFAULT

Article 123

Judgments by default

1. Where the General Court finds that a defendant on whom an application initiating proceedings has been duly served has failed to respond to the application in the proper form or within the time limit prescribed in Article 81, without prejudice to the application of the provisions of the second paragraph of Article 45 of the Statute, the applicant may, within a time limit prescribed by the President, apply to the General Court for judgment by default.
2. A defendant in default shall not intervene in the default procedure and, with the exception of the decision which closes the proceedings, no procedural document shall be served on him.
3. The General Court shall give judgment in favour of the applicant in the judgment by default, unless it is clear that the General Court has no jurisdiction to hear and determine the action or that the action is manifestly inadmissible or manifestly lacking any foundation in law.
4. A judgment by default shall be enforceable. The General Court may, however, grant a stay of execution until it has given its decision on any application under Article 166 to set aside the judgment, or it may make execution subject to the provision of security of an amount and nature to be fixed in the light of the

circumstances. This security shall be released if no such application is made or if the application fails.

Chapter 11
AMICABLE SETTLEMENT AND DISCONTINUANCE

Article 124 (M3)
Amicable settlement

1. If, before the General Court has given its decision, the main parties reach an out-of-court settlement of their dispute and inform the General Court of the abandonment of their claims, the President shall order the case to be removed from the register and shall give a decision as to costs in accordance with Articles 136 and 138, having regard to any proposals made by the parties on the matter.
2. This provision shall not apply to proceedings under Articles 263 TFEU and 265 TFEU.

Article 125
Discontinuance

If the applicant informs the General Court in writing or at the hearing that he wishes to discontinue the proceedings, the President shall order the case to be removed from the register and shall give a decision as to costs in accordance with Articles 136 and 138.

Chapter 11a (M3)
PROCEDURE IN RELATION TO AMICABLE SETTLEMENTS INITIATED BY THE GENERAL
COURT IN CASES BROUGHT PURSUANT TO ARTICLE 270 TFEU

Article 125a (M3)
Procedure

1. The General Court may, at all stages of the procedure, examine the possibilities of an amicable settlement of all or part of the dispute between the main parties.
2. The General Court shall instruct the Judge-Rapporteur, assisted by the Registrar, to seek the amicable settlement of a dispute.

3. The Judge-Rapporteur may propose one or more solutions capable of putting an end to the dispute, adopt appropriate measures with a view to facilitating its amicable settlement and implement the measures which he has adopted to that end. He may, in particular:
 - (a) invite the main parties to supply information or particulars;
 - (b) invite the main parties to produce documents;
 - (c) invite to meetings the main parties' representatives, the main parties themselves or any official or servant of the institution empowered to negotiate an agreement;
 - (d) on the occasion of the meetings referred to in point (c), have contact with each of the main parties separately, if they consent to that.
4. Paragraphs 1 to 3 shall apply to proceedings for interim measures also.

Article 125b (M3)

Effect of the main parties' agreement

1. Where the main parties come to an agreement before the Judge-Rapporteur on a solution which brings the dispute to an end, they may request that the terms of that agreement be recorded in a document signed by the Judge-Rapporteur and by the Registrar. That document shall be served on the main parties and shall constitute an official record.
2. The case shall be removed from the register by reasoned order of the President. At the request of a main party with the agreement of the other main party, the terms of the agreement reached by the main parties shall be recorded in the order removing the case from the register.
3. The President shall give a decision as to costs in accordance with the agreement or, failing that, at his discretion. Where appropriate, he shall give a decision as to the costs of an intervener in accordance with Article 138.

Article 125c (M3)

Specific register and file

1. Material produced in the context of the amicable settlement procedure as provided for in Article 125a:
 - shall be entered in a specific register which shall not be subject to the rules laid down in Articles 36 and 37;
 - shall be placed in a file separate from the case file.

2. Material produced in the context of the amicable settlement procedure as provided for in Article 125a shall be brought to the attention of the main parties, with the exception of material which either of them has communicated to the Judge-Rapporteur in the separate meetings provided for in Article 125a(3)(d).
3. The main parties may have access to the material in the file separate from the case file as referred to in paragraph 1, with the exception of material which either of the main parties has communicated to the Judge-Rapporteur in the separate meetings provided for in Article 125a(3)(d).
4. An intervener may not have access to material in the file separate from the case file as referred to in paragraph 1.
5. The parties may examine the specific register referred to in paragraph 1 at the Registry.

Article 125d (M3)

Amicable settlement and judicial proceedings

No opinion expressed, suggestion made, proposal put forward, concession made or document drawn up for the purposes of the amicable settlement may be relied upon as evidence by the General Court or the main parties in the judicial proceedings.

Chapter 12

ACTIONS AND ISSUES DETERMINED BY ORDER

Article 126

Action manifestly bound to fail

Where it is clear that the General Court has no jurisdiction to hear and determine an action or where the action is manifestly inadmissible or manifestly lacking any foundation in law, the General Court may, on a proposal from the Judge-Rapporteur, at any time decide to give a decision by reasoned order without taking further steps in the proceedings.

Article 127 (M3)

Referral of a case to the Court of Justice

Decisions referring an action in the circumstances specified in the second paragraph of Article 54 of the Statute shall be made by the General Court by reasoned order on a proposal from the Judge-Rapporteur.

Article 128

Declining of jurisdiction

Decisions declining jurisdiction in the circumstances specified in the third paragraph of Article 54 of the Statute shall be made by the General Court by reasoned order on a proposal from the Judge-Rapporteur.

Article 129

Absolute bar to proceeding with a case

On a proposal from the Judge-Rapporteur, the General Court may at any time of its own motion, after hearing the main parties, decide to rule by reasoned order on whether there exists any absolute bar to proceeding with a case.

Article 130 (M3) (M7)

Preliminary objections and issues

1. A defendant applying to the General Court for a decision on inadmissibility or lack of competence without going to the substance of the case shall submit the application by a separate document within the time limit referred to in Article 81.
2. A party applying to the General Court for a declaration that the action has become devoid of purpose and that there is no longer any need to adjudicate on it or for a decision on another preliminary issue shall submit the application by a separate document.
3. The applications referred to in paragraphs 1 and 2 must state the pleas of law and arguments relied on and the form of order sought; any supporting material must be annexed to the applications.
4. As soon as the application referred to in paragraph 1 has been submitted, the President shall prescribe a time limit within which the applicant in the action may submit in writing his pleas in law and the form of order which he seeks.
5. As soon as the application referred to in paragraph 2 has been submitted, the President shall prescribe a time limit within which the other parties may submit in writing their observations on that application.
6. The General Court may decide to open the oral part of the procedure in respect of the applications referred to in paragraphs 1 and 2. Article 106 shall not apply.
7. The General Court shall decide on the application as soon as possible by way of an order or, where special circumstances so justify, reserve, by way of decision, its decision on the application until it rules on the substance of the case. It shall

refer the case to the Court of Justice if the case falls within the latter's jurisdiction.

8. If the General Court refuses the application or reserves its decision, the President shall prescribe new time limits for further steps in the proceedings.

Article 131

Cases that, of the General Court's own motion, do not proceed to judgment

1. If the General Court declares that the action has become devoid of purpose and that there is no longer any need to adjudicate on it, it may at any time, of its own motion, on a proposal from the Judge-Rapporteur and after hearing the parties, decide to rule by reasoned order.
2. If the applicant ceases to reply to the General Court's requests, the General Court may, on a proposal from the Judge-Rapporteur and after hearing the parties, declare of its own motion, by reasoned order, that there is no longer any need to adjudicate.

Article 132

Actions that are manifestly well founded

Where the Court of Justice or the General Court has already ruled on one or more questions of law identical to those raised by the pleas in law of the action and the General Court finds that the facts have been established, it may, after the written part of the procedure has been closed, on a proposal from the Judge-Rapporteur and after hearing the parties, decide by reasoned order in which reference is made to the relevant case-law to declare the action manifestly well founded.

Chapter 13

COSTS

Article 133

Decision as to costs

A decision as to costs shall be given in the judgment or order which closes the proceedings.

Article 134

General rules as to allocation of costs

1. The unsuccessful party shall be ordered to pay the costs if they have been applied for in the successful party's pleadings.
2. Where there is more than one unsuccessful party the General Court shall decide how the costs are to be shared.
3. Where each party succeeds on some and fails on other heads, the parties shall bear their own costs. However, if it appears justified in the circumstances of the case, the General Court may order that one party, in addition to bearing his own costs, pay a proportion of the costs of the other party.

Article 135 (M3)

Equity and unreasonable or vexatious costs

1. If equity so requires, the General Court may decide that an unsuccessful party is to pay only a proportion of the costs of the other party in addition to bearing his own, or even that he is not to be ordered to pay any.
2. The General Court may order a party, even if successful, to pay some or all of the costs, if this appears justified by the conduct of that party, including before the proceedings were brought, especially if he has made the opposite party incur costs which the General Court holds to be unreasonable or vexatious.

Article 136

Costs in the event of discontinuance or withdrawal

1. A party who discontinues or withdraws from proceedings shall be ordered to pay the costs if they have been applied for in the other party's observations on the discontinuance.
2. However, at the request of the party who discontinues or withdraws from proceedings, the costs shall be borne by the other party if this appears justified by the conduct of that party.
3. Where the parties have come to an agreement on costs, the decision as to costs shall be in accordance with that agreement.
4. If costs are not claimed, the parties shall bear their own costs.

Article 137

Costs where a case does not proceed to judgment

Where a case does not proceed to judgment, the costs shall be in the discretion of the General Court.

Article 138

Costs of interveners

1. The Member States and institutions which have intervened in the proceedings shall bear their own costs.
2. The States other than the Member States, which are parties to the EEA Agreement, and also the EFTA Surveillance Authority, shall similarly bear their own costs if they have intervened in the proceedings.
3. The General Court may order an intervener other than those referred to in paragraphs 1 and 2 to bear his own costs.

Article 139 (M6) (M7)

Costs of proceedings

Proceedings before the General Court shall be free of charge, except that:

- (a) where a party has caused the General Court to incur avoidable costs, in particular where the action is manifestly an abuse of process, the General Court may order that party to refund them;
- (b) in the event of any repeated failure to comply with the requirements of these Rules or of the practice rules referred to in Article 243, requiring regularisation to be sought, the Registrar shall request that the costs involved in the requisite processing thereof by the General Court be paid for by the party concerned on the Registry's scale of charges established by those practice rules.

Article 140

Recoverable costs

Without prejudice to Article 139, the following shall be regarded as recoverable costs:

- (a) sums payable to witnesses and experts under Article 100;
- (b) expenses necessarily incurred by the parties for the purpose of the proceedings, in particular the travel and subsistence expenses and the remuneration of agents, advisers or lawyers.

Article 141 (C2)

Procedure for payment

1. Sums due from the cashier of the General Court and from its debtors shall be paid in euro.
2. Where costs to be recovered have been incurred in a currency other than the euro or where the steps in respect of which payment is due were taken in a country of which the euro is not the currency, the conversion shall be effected at the European Central Bank's official rates of exchange on the day of payment.

Chapter 14
INTERVENTION

Article 142

Object and effects of the intervention

1. The intervention shall be limited to supporting, in whole or in part, the form of order sought by one of the main parties. It shall not confer the same procedural rights as those conferred on the main parties and, in particular, shall not give rise to any right to request that a hearing be held.
2. The intervention shall be ancillary to the main proceedings. It shall become devoid of purpose if the case is removed from the register of the General Court as a result of a main party's discontinuance or withdrawal from the proceedings or of an agreement between the main parties, or where the application is declared inadmissible.
3. The intervener must accept the case as he finds it at the time of his intervention.

Article 143 (M3) (M5)

Application to intervene

1. An application to intervene must be submitted within six weeks of the publication of the notice referred to in Article 79.
2. The application to intervene shall contain:
 - (a) a description of the case;
 - (b) a description of the main parties;

- (c) the name and address of the applicant for leave to intervene;
 - (d) particulars of the status and address of the representative of the applicant for leave to intervene;
 - (e) the form of order sought in support of which the applicant for leave to intervene is applying for leave to intervene;
 - (f) a statement of the circumstances establishing the right to intervene, where the application is submitted pursuant to the second or third paragraph of Article 40 of the Statute.
3. The applicant for leave to intervene shall be represented in accordance with Article 19 of the Statute.
 4. Article 78(4) to (6) and Article 139 shall apply to the application to intervene.

Article 144 (M6)

Decision on applications to intervene

1. The application to intervene shall be served on the main parties.
2. The President shall give the main parties an opportunity to submit their written or oral observations on the application to intervene and to apply, if necessary, for certain confidential information in the file in the case not to be communicated to an intervener.
3. Where the defendant lodges a plea of inadmissibility or of lack of competence, as provided in Article 130(1), a decision on the application to intervene shall not be given until after the plea has been rejected or the decision on the plea reserved.
4. Where the application is submitted pursuant to the first paragraph of Article 40 of the Statute and the main parties have not identified information in the file in the case that is confidential and which they claim would be prejudicial to them if communicated to the intervener, the intervention shall be allowed by decision of the President.
5. In any other case the President shall decide on the application to intervene as soon as possible, by order, and, where applicable, on the communication to the intervener of information which it is claimed is confidential.
6. If the application to intervene is refused, the order referred to in paragraph 5 must state the reasons on which it is based and include a decision as to the costs relating to the application to intervene, including the costs of the applicant for leave to intervene, pursuant to Articles 134, 135 and 138.

7. If the application to intervene is granted, the intervener shall receive a copy of every procedural document served on the main parties, save, where applicable, for the confidential information excluded from such communication pursuant to paragraph 5.
8. In the event that the application to intervene is withdrawn, the President shall order that the applicant for leave to intervene be removed from the case and shall give a decision as to costs, including the costs of the applicant for leave to intervene, pursuant to Article 136.
9. In the event that the intervention is withdrawn, the President shall order that the intervener be removed from the case and shall give a decision as to costs pursuant to Articles 136 and 138.
10. If the proceedings in the main case are concluded before the application to intervene has been decided, the applicant for leave to intervene and the main parties shall each bear their own costs relating to the application to intervene. A copy of the order closing the proceedings shall be transmitted to the applicant for leave to intervene.

Article 145

Submission of statements

1. The intervener may submit a statement in intervention within the time limit prescribed by the President.
2. The statement in intervention shall contain:
 - (a) the form of order sought by the intervener in support, in whole or in part, of the form of order sought by one of the main parties;
 - (b) the pleas in law and arguments relied on by the intervener;
 - (c) where appropriate, any evidence produced or offered.
3. After the statement in intervention has been lodged, the President shall prescribe a time limit within which the main parties may reply to that statement.

Chapter 15
LEGAL AID

Article 146
General

1. Any person who, because of his financial situation, is wholly or partly unable to meet the costs of the proceedings shall be entitled to legal aid.
2. Legal aid shall be refused if it is clear that the General Court has no jurisdiction to hear and determine the action in respect of which the application for legal aid is made or if that action appears to be manifestly inadmissible or manifestly lacking any foundation in law.

Article 147 (M3) (M5) (C2)
Application for legal aid

1. An application for legal aid may be made before the action has been brought or while it is pending.
2. The application for legal aid must be made using a form which is published in the *Official Journal of the European Union* and available on the website of the Court of Justice of the European Union. An application for legal aid submitted without the application form will not be taken into consideration.
3. The application for legal aid must be accompanied by all information and supporting documents making it possible to assess the applicant's financial situation, such as a certificate issued by a competent national authority attesting to his financial situation.
4. If the application for legal aid is made before the action has been brought, the applicant must briefly state the subject matter of the proposed action, the facts of the case and the arguments in support of the action. The application must be accompanied by supporting documents in that regard.
5. Where applicable, the application for legal aid shall be accompanied by the documents referred to in Article 51(2) and (3) and Article 78(4). In that case Article 51(4) and Article 78(6) shall apply.
6. Where the applicant for legal aid is not represented by a lawyer, the original of the application for legal aid shall be lodged at the Registry in paper form. The original of the application for legal aid must bear the handwritten signature of the applicant for legal aid.

7. The introduction of an application for legal aid shall, for the person who made it, suspend the time limit prescribed for the bringing of an action until the date of service of the order making a decision on that application or, in the cases referred to in Article 148(6), of the order designating the lawyer instructed to represent the applicant.

Article 148 (M5) (M6)

Decision on the application for legal aid

1. Before giving his decision on an application for legal aid, the President shall prescribe a time limit within which the other main party may submit his written observations unless it is already apparent from the information produced that the conditions laid down in Article 146(1) have not been satisfied or that those laid down in Article 146(2) have been satisfied.
2. The decision on the application for legal aid shall be taken by the President by way of an order.
3. An order refusing legal aid shall state the reasons on which it is based.
4. Any order granting legal aid may designate a lawyer to represent the person concerned if that lawyer has been proposed by the applicant in the application for legal aid and has agreed to represent the applicant before the General Court.
5. If the person concerned has not indicated his choice of lawyer in the application for legal aid or following an order granting legal aid or if his choice is unacceptable, the Registrar shall send a copy of the order granting legal aid and a copy of the application to the competent authority of the Member State concerned mentioned in the Rules supplementing the Rules of Procedure of the Court of Justice. If the person concerned is not resident in the Union, the Registrar shall send a copy of the order granting legal aid and a copy of the application to the competent authority of the State in which the Court of Justice of the European Union has its seat.
6. Without prejudice to paragraph 4, the lawyer instructed to represent the applicant shall be designated by way of an order, having regard to the suggestions made by the person concerned or to the suggestions made by the authority referred to in paragraph 5, as the case may be.
7. An order granting legal aid may specify the amount to be paid to the lawyer instructed to represent the person concerned or fix a limit which the lawyer's disbursements and fees may not, in principle, exceed. It may provide for a contribution to be made by the person concerned to the costs referred to in Article 149(1), having regard to his financial situation.
8. No appeal shall lie from orders made under this Article.

9. Where the applicant for legal aid is not represented by a lawyer, the document to be served shall be served on him in the form of a certified copy sent by registered post with a form for acknowledgement of receipt or by delivery of the copy against receipt. Service on other parties shall be effected as provided for in Article 80(1).

Article 149

Advances and responsibility for costs

1. Where legal aid is granted, the cashier of the General Court shall be responsible, where applicable within the limits fixed, for costs involved in the assistance and representation of the applicant before the General Court. At the request of the lawyer designated in accordance with Article 148, the President may decide that an amount by way of advance should be paid to that lawyer.
2. Where, by virtue of the decision closing the proceedings, the recipient of legal aid has to bear his own costs, the President shall fix the lawyer's disbursements and fees which are to be paid by the cashier of the General Court by way of a reasoned order from which no appeal shall lie.
3. Where, in the decision closing the proceedings, the General Court has ordered another party to pay the costs of the recipient of legal aid, that other party shall be required to refund to the cashier of the General Court any sums advanced by way of aid.
4. The Registrar shall take steps to obtain the recovery of the sums referred to in paragraph 3 from the party ordered to pay them.
5. Where the recipient of the legal aid is unsuccessful, the General Court may, in ruling as to costs in the decision closing the proceedings, if equity so requires, order that one or more parties should bear their own costs or that those costs should be borne, in whole or in part, by the cashier of the General Court by way of legal aid.

Article 150

Withdrawal of legal aid

1. If the circumstances which led to the grant of legal aid alter during the proceedings, the President may, of his own motion or on request, withdraw that legal aid, having heard the person concerned.
2. An order withdrawing legal aid shall contain a statement of reasons and no appeal shall lie from it.

Chapter 16
URGENT PROCEDURES

Section 1. Expedited procedure

Article 151

Decision relating to the expedited procedure

1. The General Court may, at the request of the applicant or the defendant, after hearing the other main party, decide, having regard to the particular urgency and the circumstances of the case, to adjudicate under an expedited procedure. That decision shall be taken as soon as possible.
2. On a proposal from the Judge-Rapporteur, the General Court may, in exceptional circumstances, of its own motion and after hearing the main parties, decide to adjudicate under an expedited procedure.
3. The decision of the General Court to adjudicate under an expedited procedure may prescribe conditions as to the volume and presentation of the pleadings of the main parties; the subsequent conduct of the proceedings or as to the pleas in law and arguments on which the General Court will be called upon to decide.
4. If one of the main parties does not comply with any one of the conditions referred to in paragraph 3, the decision to adjudicate under an expedited procedure may be revoked. The proceedings shall then continue in accordance with the ordinary procedure.

Article 152

Request for an expedited procedure

1. A request for an expedited procedure shall be made by a separate document lodged at the same time as the application initiating the proceedings or the defence, and shall contain a statement of reasons specifying the particular urgency of the case and any other relevant circumstances.
2. The request for an expedited procedure may state that certain pleas in law or arguments or certain passages of the application initiating the proceedings or the defence are raised only in the event that the case is not decided under an expedited procedure, in particular by enclosing with the request an abridged version of the application initiating the proceedings and a schedule of annexes and only the annexes which are to be taken into consideration if the case is decided under an expedited procedure.

Article 153

Priority treatment

By way of derogation from Article 67(1), cases on which the General Court has decided to adjudicate under an expedited procedure shall be given priority.

Article 154

Written part of the procedure

1. By way of derogation from Article 81(1), where the applicant has requested that the case be decided under an expedited procedure, the period prescribed for the lodging of the defence shall be one month. That period may be extended pursuant to Article 81(3).
2. If the General Court decides not to allow a request for an expedited procedure, the defendant shall be granted an additional period of one month in order to lodge or, as the case may be, supplement the defence.
3. Under the expedited procedure, the pleadings referred to in Articles 83(1) and 145(1) and (3) may be lodged only if the General Court, by way of measures of organisation of procedure adopted in accordance with Articles 88 to 90, so allows.
4. Under the expedited procedure, the President shall take account, when setting the time limits provided for by these Rules, of the particular urgency in adjudicating on the action.

Article 155

Oral part of the procedure

1. Where the General Court has approved an expedited procedure, it shall decide to open the oral part of the procedure as soon as possible after the presentation of the preliminary report by the Judge-Rapporteur. The General Court may nevertheless decide to rule without an oral part of the procedure where the main parties decide not to participate in a hearing and the General Court considers that it has sufficient information available to it from the material in the file in the case.
2. Without prejudice to Articles 84 and 85, the main parties may supplement their arguments and offer further evidence during the oral part of the procedure, provided that the delay in submission is justified.

Section 2. Suspension of operation or enforcement and other interim measures

Article 156 (M3) (M5)

Application for suspension or other interim measures

1. An application to suspend the operation of any measure adopted by an institution, made pursuant to Article 278 TFEU or Article 157 TEAEC, shall be admissible only if the applicant has challenged that measure in an action before the General Court.
2. An application for the adoption of one of the other interim measures referred to in Article 279 TFEU shall be admissible only if it is made by a main party to a case before the General Court and relates to that case.
3. In cases brought pursuant to Article 270 TFEU, an application of a kind referred to in paragraphs 1 and 2 may be presented as soon as the complaint under Article 90(2) of the Staff Regulations has been submitted, on the conditions laid down in Article 91(4) of those Regulations.
4. An application of a kind referred to in paragraphs 1 and 2 shall state the subject matter of the proceedings, the circumstances giving rise to urgency and the pleas of fact and law establishing a *prima facie* case for the interim measure applied for. It shall contain all the evidence and offers of evidence available to justify the grant of interim measures.
5. The application shall be made by a separate document and in accordance with the provisions of Articles 76 and 78.

Article 157

Procedure

1. The application shall be served on the opposite party, and the President of the General Court shall prescribe a short time limit within which that party may submit written or oral observations.
2. The President of the General Court may grant the application even before the observations of the opposite party have been submitted. This decision may be varied or cancelled even without any application being made by any party.
3. The President of the General Court shall prescribe, where appropriate, measures of organisation of procedure and measures of inquiry.
4. In the event that the President of the General Court is prevented from acting, Articles 11 and 12 shall apply.

Article 158

Decision on the application

1. The President of the General Court shall decide on the application by way of a reasoned order. The order shall be served on the parties forthwith.
2. The execution of the order may be made conditional on the lodging by the applicant of security, of an amount and nature to be fixed in the light of the circumstances.
3. Unless the order fixes the date on which the interim measure is to lapse, the measure shall lapse upon delivery of the final judgment.
4. The order shall have only an interim effect, and shall be without prejudice to the decision of the General Court on the substance of the case.
5. In the order closing the proceedings for interim relief, costs shall be reserved until the decision of the General Court on the substance of the case. However, if it appears justified in the light of the circumstances of the case, a decision as to the costs relating to the proceedings for interim relief shall be given in the order, pursuant to Articles 134 to 138.

Article 159

Change in circumstances

On application by a party, the order may at any time be varied or cancelled on account of a change in circumstances.

Article 160

New application

Refusal of an application for an interim measure shall not bar the main party who made it from making a further application on the basis of new facts.

Article 161

Applications pursuant to Articles 280 TFEU, 299 TFEU and 164 TEAEC

1. The provisions of this Section shall apply to applications to suspend the enforcement of a decision of the General Court or of any measure adopted by the Council, the European Commission or the European Central Bank, submitted pursuant to Articles 280 TFEU, 299 TFEU or 164 TEAEC.
2. The order granting the application shall fix, where appropriate, a date on which the interim measure is to lapse.

Chapter 17
APPLICATIONS RELATING TO JUDGMENTS AND ORDERS

Article 162 (M7)

Assignment of the application

1. The applications referred to in this Chapter, with the exception of those brought on the basis of Article 170, shall be assigned to the formation of the Court which delivered the decision to which the application relates.
2. If the quorum referred to in Articles 23 and 24 is not attained, the application shall be assigned to another formation of the Court sitting with the same number of Judges to which the Judge-Rapporteur who dealt with the case to which the application relates is assigned, or, if the Judge-Rapporteur is prevented from acting, to a formation of the Court sitting with the same number of Judges which includes among its Members at least one of the Judges of the formation of the Court which delivered the decision to which the application relates. If the decision was delivered by a Judge ruling as a single Judge who is prevented from acting, the application shall be assigned to another Judge.
3. Applications brought on the basis of Article 170 shall be assigned to a formation of the Court sitting with three Judges to which the Judge-Rapporteur who dealt with the case to which the application relates is assigned or, if the Judge-Rapporteur is prevented from acting, to a formation of the Court sitting with three Judges which includes among its Members at least one of the Judges of the formation of the Court which delivered the decision to which the application relates. If the decision was delivered by a Judge ruling as a single Judge, the application shall be assigned to that Judge and, if that Judge is prevented from acting, the application shall be assigned to another Judge.

Article 163

Stay of proceedings

Where an appeal before the Court of Justice and one of the applications referred to in this Chapter, with the exception of the applications referred to in Articles 164 and 165, concern the same decision of the General Court, the President, after hearing the parties, may decide to stay the proceedings until the Court of Justice has delivered its ruling on the appeal.

Article 164

Rectification of judgments and orders

1. Without prejudice to the provisions relating to the interpretation of judgments and orders, the General Court may, of its own motion or on application by a party, rectify clerical mistakes, errors in calculation and obvious inaccuracies.
2. The application for rectification shall be made within two weeks after delivery of the judgment or service of the order.
3. Where the rectification concerns the operative part or one of the grounds constituting the necessary support for the operative part, the parties may submit written observations within the time limit prescribed by the President.
4. The General Court shall give its decision by way of an order.
5. The original of the rectification order shall be annexed to the original of the rectified decision. A note of this order shall be made in the margin of the original of the rectified decision.

Article 165

Failure to adjudicate

1. If the General Court has failed to adjudicate on a specific head of claim or on costs, any party wishing to rely on that may apply to the General Court to supplement its decision.
2. The application shall be made within one month after delivery of the judgment or service of the order.
3. The application shall be served on the other parties, who may submit written observations within the time limit prescribed by the President.
4. After giving the parties an opportunity to submit their observations, the General Court shall decide, by way of an order, both on the admissibility and on the substance of the application.

Article 166 (M5)

Application to set aside a judgment by default

1. Application may be made pursuant to Article 41 of the Statute to set aside a judgment given by default.

2. The application to set aside the judgment must be made by the defendant in default within one month from the date of service of the judgment given by default. It must be submitted in the form prescribed by Articles 76 and 78.
3. After the application has been served, the President shall prescribe a time limit within which the other party may submit his written observations.
4. The proceedings shall be conducted in accordance with the provisions of Title III or of Title IV, as the case may be.
5. The General Court shall decide by way of a judgment which may not be set aside.
6. The original of this judgment shall be annexed to the original of the judgment by default. A note of the judgment on the application to set aside shall be made in the margin of the original of the judgment by default.

Article 167 (M5)

Third-party proceedings

1. The provisions of Articles 76 and 78 shall apply to an application initiating third-party proceedings made pursuant to Article 42 of the Statute. In addition such an application shall:
 - (a) specify the judgment or order contested;
 - (b) state how the contested judgment or order is prejudicial to the rights of the third party;
 - (c) indicate the reasons for which the third party was unable to take part in the case before the General Court.
2. The application initiating third-party proceedings must be submitted within two months of the publication referred to in Article 122.
3. The General Court may, on application by the third party, order a stay of execution of the contested judgment or order. The provisions of Articles 156 to 161 shall apply.
4. The application shall be served on the parties, who may submit written observations within the time limit prescribed by the President.
5. After giving the parties an opportunity to submit their observations, the General Court shall decide on the application.
6. The contested judgment or order shall be varied on the points on which the submissions of the third party are upheld.

7. The original of the decision in the third-party proceedings shall be annexed to the original of the contested judgment or order. A note of the decision in the third-party proceedings shall be made in the margin of the original of the contested judgment or order.

Article 168 (M5)

Interpretation of judgments and orders

1. In accordance with Article 43 of the Statute, if the meaning or scope of a judgment or order is in doubt, the General Court shall construe it on application by any party or any institution of the Union establishing an interest therein.
2. An application for interpretation must be submitted within two years after the date of delivery of the judgment or service of the order.
3. An application for interpretation shall be submitted in the form prescribed by Articles 76 and 78. In addition it shall specify:
 - (a) the judgment or order in question;
 - (b) the passages of which interpretation is sought.
4. The application for interpretation shall be served on the other parties, who may submit written observations within the time limit prescribed by the President.
5. After giving the parties an opportunity to submit their observations, the General Court shall decide on the application.
6. The original of the interpreting decision shall be annexed to the original of the decision interpreted. A note of the interpreting decision shall be made in the margin of the original of the decision interpreted.

Article 169 (M5)

Revision

1. In accordance with Article 44 of the Statute, an application for revision of a decision of the General Court may be made only on discovery of a fact which is of such a nature as to be a decisive factor and which, when the judgment was delivered or the order served, was unknown to the General Court and to the party claiming revision.
2. Without prejudice to the time limit of 10 years prescribed in the third paragraph of Article 44 of the Statute, an application for revision shall be made within three months of the date on which the facts on which the application is founded came to the applicant's knowledge.

3. Articles 76 and 78 shall apply to an application for revision. In addition the application shall:
 - (a) specify the judgment or order contested;
 - (b) indicate the points on which the judgment or order is contested;
 - (c) set out the facts on which the application is founded;
 - (d) indicate the nature of the evidence to show that there are facts justifying revision, and that the time limits laid down in paragraph 2 have been observed.
4. The application for revision shall be served on the other parties, who may submit written observations within the time limit prescribed by the President.
5. After giving the parties an opportunity to submit their observations, the General Court shall, without prejudice to its decision on the substance, give its decision on the admissibility of the application by way of an order.
6. If the General Court declares the application admissible, it shall give its decision on the substance of the case, in accordance with the provisions of these Rules.
7. The original of the revising decision shall be annexed to the original of the decision revised. A note of the revising decision shall be made in the margin of the original of the decision revised.

Article 170 (M5)

Dispute concerning the costs to be recovered

1. If there is a dispute concerning the costs to be recovered, the party concerned may apply to the General Court to determine the dispute. The application shall be submitted in the form prescribed in Articles 76 and 78.
2. The application shall be served on the party concerned by the application, who may submit written observations within the time limit prescribed by the President.
3. After giving the party concerned by the application an opportunity to submit his observations, the General Court shall give its decision by way of an order from which no appeal shall lie.
4. The parties may, for the purposes of enforcement, request an authenticated copy of the order.

TITLE IV

PROCEEDINGS RELATING TO INTELLECTUAL PROPERTY RIGHTS

Article 171

Scope

The provisions of this Title shall apply to actions brought against decisions of the Boards of Appeal of the Office, as referred to in Article 1, and concerning the application of the rules relating to an intellectual property regime.

Chapter 1

THE PARTIES TO THE PROCEEDINGS

Article 172

Defendant

The application shall be made against the Office to which the Board of Appeal which adopted the contested decision belongs, as defendant.

Article 173 (M3) (M5)

Status before the General Court of the other parties to the proceedings before the Board of Appeal

1. A party to the proceedings before the Board of Appeal other than the applicant may participate, as intervener, in the proceedings before the General Court by responding to the application in the manner and within the time limit prescribed.
2. Before the expiry of the time limit prescribed for the lodging of a response, a party to the proceedings before the Board of Appeal other than the applicant shall become a party to the proceedings before the General Court, as intervener, on lodging a procedural document. He shall lose the status of intervener before the General Court if he fails to respond to the application in the manner and within the time limit prescribed. In that case, the intervener shall bear his own costs in relation to the procedural documents lodged by him.
3. The intervener referred to in paragraphs 1 and 2 shall have the same procedural rights as the main parties. He may support the form of order sought by a main party and may apply for a form of order and put forward pleas in law independently of those applied for and put forward by the main parties.
4. A party to the proceedings before the Board of Appeal other than the applicant, who becomes a party before the General Court in accordance with paragraphs 1

and 2, shall be represented in accordance with the provisions of Article 19 of the Statute.

5. Article 78(4) to (6) shall apply to the procedural document referred to in paragraph 2.
6. By way of derogation from Article 123, the default procedure shall not apply where an intervener, as referred to in paragraphs 1 and 2, has responded to the application in the manner and within the time limit prescribed.

Article 174

Replacement of a party

Where an intellectual property right affected by the proceedings has been transferred to a third party by a party to the proceedings before the Board of Appeal of the Office, the successor to that right may apply to replace the original party in the proceedings before the General Court.

Article 175 (M3) (M5)

Application for replacement of a party

1. An application for replacement shall be made by a separate document. It may be lodged at any stage of the proceedings.
2. The application shall contain:
 - (a) a description of the case;
 - (b) a description of the parties to the case and of the party whom the applicant for replacement proposes to replace;
 - (c) the name and address of the applicant for replacement;
 - (d) particulars of the status and address of the representative of the applicant for replacement;
 - (e) a statement of the circumstances justifying replacement, together with supporting evidence.
3. The applicant for replacement shall be represented in accordance with the provisions of Article 19 of the Statute.
4. Article 78(4) to (6) and Article 139 shall apply to the application for replacement.

Article 176

Decision on the application for replacement of a party

1. The application for replacement shall be served on the parties.
2. The President shall give the parties an opportunity to submit their written or oral observations on the application for replacement.
3. The decision on the application for replacement shall take the form of a reasoned order of the President or shall be included in the decision closing the proceedings.
4. If the application for replacement is refused, a decision shall be given as to the costs relating to that application, including the costs of the applicant for replacement, pursuant to the provisions of Articles 134 and 135.
5. If the application for replacement is granted, the successor to the party who is replaced must accept the case as he finds it at the time of that replacement. He shall be bound by the procedural documents lodged by the party whom he replaces.

Chapter 2

THE APPLICATION AND RESPONSES

Article 177 (M5) (M6)

Application

1. An application shall contain:
 - (a) the name and address of the applicant;
 - (b) particulars of the status and address of the applicant's representative;
 - (c) the name of the Office against which the action is brought;
 - (d) the subject matter of the proceedings, the pleas in law and arguments relied on and a summary of those pleas in law;
 - (e) the form of order sought by the applicant.
2. Where the applicant was not the only party to the proceedings before the Board of Appeal of the Office, the application shall also contain the names of all the parties to those proceedings and the addresses which they had given for the purposes of notifications.

3. The contested decision of the Board of Appeal shall be appended to the application. The date on which the applicant was notified of that decision must be indicated.
4. An application made by a legal person governed by private law shall be accompanied by proof of that person's existence in law (extract from the register of companies, firms or associations or any other official document).
5. The application shall be accompanied by the documents referred to in Article 51(2) and (3).
6. If an application does not comply with paragraph 2, the Registrar may prescribe a reasonable time limit within which the applicant is to put the application in order, if the circumstances so justify. If an application does not comply with paragraphs 3 to 5, the Registrar shall prescribe a reasonable time limit within which the applicant is to put the application in order. If the applicant fails to put the application in order within the time limit prescribed, the General Court shall decide whether the non-compliance with the procedural requirement renders the appeal formally inadmissible.

Article 178 (M5) (M6) (M7)
Service of the application

1. The Registrar shall inform the defendant and all the parties to the proceedings before the Board of Appeal of the lodging of the application as provided for in Article 80(1). He shall arrange for service of the application after determining the language of the case in accordance with Article 45(3) and, where appropriate, for service of the translation of the application into the language of the case.
2. Where the address of another party to the proceedings before the Board of Appeal, given in accordance with Article 177(2), or, if that address has not been provided, the address of that other party given in the contested decision of the Board of Appeal, corresponds to that of a holder of an account giving access to e-Curia, the application shall be served via e-Curia. Otherwise, the application shall be served in the form of a certified copy sent by registered post with a form for acknowledgement of receipt or by delivery of the copy against receipt at that address.
3. In cases where Article 177(6) applies, service shall be effected as soon as the application has been put in order or the General Court has declared it admissible notwithstanding the failure to observe the requirements set out in that Article.
4. Once the application has been served, the defendant shall forward to the General Court the file relating to the proceedings before the Board of Appeal.

Article 179

Parties authorised to lodge a response

The defendant and the parties to the proceedings before the Board of Appeal other than the applicant shall submit their responses to the application within a time limit of two months from the service of the application. That time limit may, in exceptional circumstances, be extended by the President at the reasoned request of the party concerned.

Article 180 (M5)

Response

1. A response shall contain:
 - (a) the name and address of the party lodging it;
 - (b) particulars of the status and address of the party's representative;
 - (c) the pleas in law and arguments relied on;
 - (d) the form of order sought by the party lodging it.
2. Article 177(4) to (6) shall apply to the response.

Article 181

Close of the written part of the procedure

Without prejudice to the provisions of Chapter 3, the written part of the procedure shall be closed after the submission of the response of the defendant and, where applicable, of the intervener within the meaning of Article 173.

Chapter 3
CROSS-CLAIMS

Article 182

Cross-claim

1. The parties to the proceedings before the Board of Appeal other than the applicant may submit a cross-claim within the same time limit as that prescribed for the submission of a response.
2. A cross-claim must be submitted by a document separate from the response.

Article 183

Content of the cross-claim

A cross-claim shall contain:

- (a) the name and address of the party lodging it;
- (b) particulars of the status and address of the party's representative;
- (c) the pleas in law and arguments relied on;
- (d) the form of order sought.

Article 184

Form of order sought, pleas in law and arguments contained in the cross-claim

1. The cross-claim shall seek an order annulling or altering the decision of the Board of Appeal on a point not raised in the application.
2. The pleas in law and arguments relied on shall identify precisely the points in the grounds of the decision being challenged that are contested.

Article 185

Response to the cross-claim

Where a cross-claim is lodged, the other parties may submit a pleading confined to responding to the form of order sought, the pleas in law and arguments relied on in the cross-claim, within two months of its being served on them. That time limit may, in exceptional circumstances, be extended by the President at the reasoned request of the party concerned.

Article 186

Close of the written part of the procedure

When a cross-claim has been lodged, the written part of the procedure shall be closed after the submission of the last response to that cross-claim.

Article 187

Relationship between the main action and the cross-claim

A cross-claim shall be deemed to be devoid of purpose:

- (a) if the applicant discontinues the main action;
- (b) if the main action is declared manifestly inadmissible.

Chapter 4

OTHER ASPECTS OF THE PROCEDURE

Article 188

Subject matter of the proceedings before the General Court

The pleadings lodged by the parties in proceedings before the General Court may not change the subject matter of the proceedings before the Board of Appeal.

Article 189 (M7)

Length of written pleadings

1. The General Court shall set, in accordance with Article 243, the maximum length of written pleadings lodged pursuant to this Title.
2. Authorisation to exceed the maximum length of written pleadings may be given by the President only in cases involving particularly complex legal or factual issues.

Article 190

Provisions relating to costs

1. Where an action against a decision of a Board of Appeal is successful, the General Court may order the defendant to bear only its own costs.
2. Costs necessarily incurred by the parties for the purposes of the proceedings before the Board of Appeal shall be regarded as recoverable costs.

TITLE V (M6) (M7)
**PROCEDURES AFTER A DECISION IS SET ASIDE ON APPEAL AND THE CASE IS
REFERRED BACK TO THE GENERAL COURT**

Chapter 1
DECISIONS OF THE GENERAL COURT GIVEN AFTER ITS DECISION HAS BEEN SET
ASIDE AND THE CASE REFERRED BACK TO IT

Article 191 (M7)
Setting aside and referral back by the Court of Justice

Where the Court of Justice sets aside a judgment or an order of the General Court and refers the case back to that Court, the latter shall be seised of the case by the decision so referring it.

Article 192 (M7)
Assignment of the case

1. Where the Court of Justice sets aside a judgment or an order of a Chamber, the President of the General Court may assign the case to another Chamber sitting with the same number of Judges.
2. Where the Court of Justice sets aside a judgment delivered or an order made by the Grand Chamber or by the Intermediate Chamber of the General Court, the case shall be assigned to a formation of the Court sitting with the same number of Judges.
3. Where the Court of Justice sets aside a judgment delivered or an order made by a Judge ruling as a single Judge, the President of the General Court may assign the case to a single Judge, without prejudice to the referral of the case by that single Judge to the Chamber in which he sits.

Article 193 (M7)
Conduct of the proceedings

1. Where the decision later set aside by the Court of Justice was made after the written procedure before the General Court on the substance of the case had been closed, the parties to the proceedings before the General Court may lodge their written observations on the conclusions to be drawn from the decision of the Court of Justice for the outcome of the proceedings within two months of the service on them of the decision of the Court of Justice. This time limit may not be extended.

2. Where the decision later set aside by the Court of Justice was made when the written procedure before the General Court on the substance of the case had not yet been closed, it shall be resumed at the stage which it had reached.
3. The President may, if the circumstances so justify, allow supplementary statements of written observations to be lodged.

Article 194 (M7)

Rules applicable to the procedure

Subject to the provisions of Article 193, the procedure shall be conducted in accordance with the provisions of Title III or of Title IV, as the case may be.

Article 195 (M7)

Costs

The General Court shall decide on the costs relating to the proceedings instituted before it and to the proceedings on the appeal before the Court of Justice.

TITLE VI (M7)
REFERENCES FOR A PRELIMINARY RULING

Chapter 1 (M7)
GENERAL PROVISIONS

Article 196 (M7)
Scope

The procedure shall be governed by the provisions of this Title in the cases covered by Article 50b of the Statute.

Article 197 (M7)
Applicable provisions

Subject to the special provisions of this Title, Articles 52 to 56, 58, 60 to 62, 67 and 75 shall apply to references for a preliminary ruling.

Article 198 (M7)
Service

1. The Registrar shall ensure that procedural documents and items, as well as decisions taken in the course of proceedings and included in the file in cases covered by this Title are served on the referring court or tribunal and the interested persons referred to in Article 23 of the Statute.
2. Service shall be effected via e-Curia, in accordance with the procedures laid down in Articles 56a and 57, where the addressee has an e-Curia account.
3. In the event that the addressee does not have an e-Curia account, service shall be effected either by the dispatch of a copy of the document by registered post with a form for acknowledgement of receipt or by personal delivery of the copy against receipt, or by an electronic means of transmission used by the General Court, where the addressee has agreed that service is to be effected on him by such electronic means.

Chapter 2 (M7)
WRITTEN PART OF THE PROCEDURE

Article 199 (M7)

Content of the request for a preliminary ruling

In addition to the text of the questions referred for a preliminary ruling, the request for a preliminary ruling shall contain:

- (a) a summary of the subject matter of the dispute and the relevant findings of fact as determined by the referring court or tribunal, or, at least, an account of the facts on which the questions are based;
- (b) the tenor of any national provisions applicable in the case and, where appropriate, the relevant national case-law;
- (c) a statement of the reasons which prompted the referring court or tribunal to inquire about the interpretation or validity of certain provisions of European Union law, and the relationship between those provisions and the national legislation applicable to the main proceedings.

Article 200 (M7)

Notice in the Official Journal of the European Union

A notice shall be published in the *Official Journal of the European Union* indicating the date of lodging of the request for a preliminary ruling, the referring court or tribunal, the questions referred and, subject to Article 201, the names of the parties to the main proceedings.

Article 201 (M7)

Anonymisation and omission of data

1. Where the referring court or tribunal has rendered anonymous the request for a preliminary ruling or has decided to omit data relating to natural persons or entities concerned by the main proceedings, whether parties or third parties to those proceedings, the General Court shall respect that anonymisation or omission in the proceedings pending before it.
2. At the request of the referring court or tribunal, of a party to the main proceedings or of its own motion, the General Court may also render anonymous the request for a preliminary ruling or decide to omit personal data relating to one or more natural persons concerned by the main proceedings, whether parties or third parties to those proceedings.

Participation in preliminary ruling proceedings

1. Pursuant to Article 23 of the Statute, the following shall be authorised to submit statements of case or written observations:
 - (a) the parties to the main proceedings;
 - (b) the Member States;
 - (c) the European Commission;
 - (d) the European Parliament, the Council and the European Central Bank, where they consider that they have a particular interest in the questions raised by the request for a preliminary ruling;
 - (e) the institution which adopted the act the validity or interpretation of which is in dispute;
 - (f) the States, other than the Member States, which are parties to the EEA Agreement, and also the EFTA Surveillance Authority, where the question for a preliminary ruling concerns one of the fields of application of that Agreement;
 - (g) non-Member States which are parties to an agreement relating to a specific subject matter, concluded with the Council, where the agreement so provides and where the question referred for a preliminary ruling by a court or tribunal of a Member State falls within the scope of that agreement.
2. Non-participation in the written part of the procedure does not preclude participation in the oral part of the procedure.
3. Statements of case or written observations lodged under this Article shall be published on the website of the Court of Justice of the European Union after the close of the preliminary ruling proceedings unless any of the interested persons referred to in Article 23 of the Statute raises objections to the publication of that person's statement of case or observations. Such objections, which need not state the reasons on which they are based and which cannot be challenged before the Court of Justice or the General Court, must be communicated to the Registry, by separate document, no later than three months after the person concerned has been informed that no proposal to review the decision of the General Court has been made by the First Advocate General, or after service of the decision of the Court of Justice not to review the decision of the General Court, or after delivery of the judgment reviewing the latter decision. Where an objection is communicated, reference thereto shall be made on the above website and the statement of case or observations concerned shall not be published, even in part. If the interested person subsequently withdraws the

objection to the publication of the statement of case or observations, that statement of case or those observations shall be published on the website as soon as that objection is withdrawn. If the objection is communicated to the Registry after expiry of the time limit set out above, the statement of case or observations which have been published shall be removed from the website.

Article 203 (M7)

Parties to the main proceedings

1. The parties to the main proceedings are those who are determined as such by the referring court or tribunal in accordance with national rules of procedure.
2. Where the referring court or tribunal informs the General Court that a new party has been admitted to the main proceedings, when the proceedings before the General Court are already pending, that party must accept the case as he finds it at the time when the General Court was so informed. That party shall receive a copy of every procedural document already served on the interested persons referred to in Article 23 of the Statute.
3. As regards the representation and attendance of the parties to the main proceedings, the General Court shall take account of the rules of procedure in force before the referring court or tribunal. In the event of any doubt as to whether, under national law, a person may represent a party to the main proceedings or as to whether such a party may bring or defend court proceedings without a representative, the General Court may obtain information from the referring court or tribunal on the rules of procedure applicable. Where, in accordance with the national rules of procedure applicable, the parties to the main proceedings are permitted to bring or defend court proceedings without being represented by a lawyer or are represented by a person authorised to represent them, the rules laid down in Section 2 of Chapter 1 of Title III shall apply.

Article 204 (M7)

Translation and service of the request for a preliminary ruling

1. The request for a preliminary ruling transmitted by the Court of Justice to the General Court shall be served on the Member States in the original version, accompanied by a translation into the official language of the State to which they are being addressed. Where appropriate, on account of the length of the request, such a translation shall be replaced by the translation into the official language of the State to which it is addressed of a summary of that request, which will serve as a basis for the position to be adopted by that State. The summary shall include the full text of the question or questions referred for a preliminary ruling. That summary shall contain, in particular, in so far as that information appears in the request for a preliminary ruling, the subject matter

of the main proceedings, the essential arguments of the parties to those proceedings, a succinct presentation of the reasons for the reference for a preliminary ruling and the case-law and the provisions of national law and European Union law relied on.

2. In the cases covered by the third paragraph of Article 23 of the Statute, the requests for a preliminary ruling shall be served on the States, other than the Member States, which are parties to the EEA Agreement and also on the EFTA Surveillance Authority in the original version, accompanied by a translation of the request, or where appropriate of a summary, into one of the languages referred to in Article 44, to be chosen by the addressee.
3. Where a non-Member State has the right to take part in preliminary ruling proceedings pursuant to the fourth paragraph of Article 23 of the Statute, the original version of the request for a preliminary ruling shall be served on it accompanied by a translation of the request, or where appropriate of a summary, into one of the languages referred to in Article 44, to be chosen by the non-Member State concerned.

Article 205 (M7)

Lodging of procedural documents

1. The procedural documents provided for in this Title may be lodged at the Registry via e-Curia in accordance with the procedures laid down in Articles 56a and 72, where the author of such a document has an e-Curia account.
2. In the event that the author of the document does not have an e-Curia account, the procedural document, together with all annexes referred to therein and a schedule of those annexes, shall be lodged at the Registry in paper format. Where the procedural document is lodged by an interested person referred to in Article 23 of the Statute, the original of that procedural document must bear the handwritten signature of that interested person's representative or, if the national rules of procedure applicable to the main proceedings so permit, that of the party to those proceedings.
3. All procedural documents shall bear a date. In the calculation of procedural time limits, only the date and time of lodging of the original at the Registry shall be taken into account.
4. By way of derogation from the second sentence of paragraph 3, the date on and time at which a complete copy of the signed original of a procedural document, including the schedule of annexes referred to in paragraph 2, is received at the Registry by an electronic means of transmission used by the General Court shall be deemed to be the date and time of lodging for the purposes of compliance with the procedural time limits, provided that the original of the procedural

document, accompanied by the required annexes, is lodged at the Registry no later than 10 days thereafter. Article 60 shall not apply to that 10-day time limit.

5. The institutions shall in addition produce, within time limits laid down by the General Court, translations of any procedural document into the other languages provided for by Article 1 of Council Regulation No 1.

Chapter 3 (M7) THE PRELIMINARY REPORT

Article 206 (M7) **Preliminary report**

1. When the written part of the procedure is closed, the President shall fix a date on which the Judge-Rapporteur is to present a preliminary report to the General Court.
2. The preliminary report shall contain an analysis of the relevant questions raised by the request for a preliminary ruling, proposals as to whether the case should be referred to the Court of Justice pursuant to the second subparagraph of Article 256(3) TFEU, proposals as to whether measures of organisation of procedure, measures of inquiry or requests to the referring court or tribunal for clarification should be undertaken, and proposals as to whether the case should be referred to the Grand Chamber, to the Intermediate Chamber or to a formation of the Court sitting with a different number of Judges. It shall also contain the Judge-Rapporteur's proposals, if any, as to whether to dispense with a hearing and as to whether to dispense with an Opinion of the Advocate General pursuant to the fifth paragraph of Article 20 of the Statute.
3. The General Court shall decide, after hearing the Advocate General, what action to take on the proposals of the Judge-Rapporteur and, where appropriate, whether to open the oral part of the procedure.

Chapter 4 (M7)
MEASURES WHICH MAY BE ADOPTED BY THE GENERAL COURT

Article 207 (M7)

Referrals to the Court of Justice

1. If a request for a preliminary ruling is made directly to the General Court contrary to the third paragraph of Article 50b of the Statute, the Registrar of the General Court shall transmit it forthwith to the Registrar of the Court of Justice.
2. Decisions referring a request for a preliminary ruling in the circumstances specified in the second paragraph of Article 54 of the Statute shall be made by the General Court, on a proposal from the Judge-Rapporteur and after hearing the Advocate General, by way of a reasoned order from which no appeal shall lie.
3. The Chamber seised of the case may, at any stage of the proceedings, after hearing the Advocate General, propose to the plenum that the case be referred as provided for in the second subparagraph of Article 256(3) TFEU. The decision to refer the case shall be taken by the plenum.
4. The President of the General Court or the Vice-President of the General Court may also, after hearing the Advocate General, propose to the plenum that the case be referred as provided for in the preceding paragraph until the close of the oral part of the procedure and, if an Opinion has been delivered, not later than one week after delivery of the Opinion, or before the decision to rule without an oral part of the procedure. The decision to refer the case shall be taken by the plenum.

Article 208 (M7)

Joinder

1. Two or more preliminary ruling cases concerning the same subject matter may at any time be joined, on account of the connection between them, for the purposes, alternatively or cumulatively, of the written or oral part of the procedure or of the decision which closes the proceedings.
2. A decision on whether cases should be joined shall be taken by the President after hearing the Advocate General.
3. Joined cases may be disjoined, in accordance with the provisions of paragraph 2.
4. The request for a preliminary ruling, accompanied by translations of the request or of a summary thereof, and any observations of the interested persons referred to in Article 23 of the Statute shall be served on the interested persons referred to in Article 23 of the Statute in the joined case, in accordance with the procedure laid down in Article 198.

Article 209 (M7)

Stay and resumption of proceedings

1. The proceedings may be stayed:
 - (a) in the circumstances specified in the third paragraph of Article 54 of the Statute, by order of the General Court, made after hearing the Advocate General;
 - (b) in all other cases, where the proper administration of justice so requires, by decision of the President, adopted after hearing the Advocate General.
2. The proceedings may be resumed by order or decision, following the same procedure.
3. The stay of proceedings shall take effect on the date indicated in the order or decision of stay or, in the absence of such indication, on the date of that order or decision.
4. While proceedings are stayed time shall cease to run for the interested persons referred to in Article 23 of the Statute for the purposes of procedural time limits.
5. Where the order or decision of stay does not fix the length of stay, it shall end on the date indicated in the order or decision of resumption or, in the absence of such indication, on the date of the order or decision of resumption.
6. From the date of the resumption of proceedings following a stay, the suspended procedural time limits shall be replaced by new time limits and time shall begin to run from the date of that resumption.

Article 210 (M7)

Measures of organisation of procedure

1. In addition to the measures which may be prescribed in accordance with Article 24 of the Statute, the interested persons referred to in Article 23 of the Statute may be invited to answer certain questions in writing or at the hearing. Where a hearing is organised, the General Court shall, in so far as possible, invite the participants in that hearing to concentrate in their oral pleadings on one or more specified issues.
2. The measures of organisation of procedure referred to in paragraph 1 shall be prescribed by the General Court after hearing the Advocate General.
3. The Judge-Rapporteur or the Advocate General may request the interested persons referred to in Article 23 of the Statute to submit within a specified time limit all such information relating to the facts, and all such documents or other

particulars, as they may consider relevant. The Judge-Rapporteur or the Advocate General may also send to those interested persons questions to be answered at the hearing.

Article 211 (M7)

Measures of inquiry

1. The General Court, after hearing the Advocate General, may adopt the measures of inquiry that it considers appropriate from among those provided for in Article 91(a), (b), (d), (e), and (f), in accordance with the procedure and rules for participation established in Article 92(1), (4), (5) and (6), and shall do so following the procedures set out in Articles 93 to 102.
2. The interested persons referred to in Article 23 of the Statute shall be entitled to attend the measures of inquiry and shall be involved in their implementation in accordance with the procedures provided for the parties in the provisions referred to in paragraph 1.

Article 212 (M7)

Request for clarification

Without prejudice to the measures of organisation of procedure and measures of inquiry provided for in these Rules, the General Court may, after hearing the Advocate General, request clarification from the referring court or tribunal within a time limit prescribed by the General Court.

Chapter 5 (M7)

THE ORAL PART OF THE PROCEDURE

Article 213 (M7)

Hearing

1. Any reasoned requests for a hearing shall be submitted within three weeks after service on the interested persons referred to in Article 23 of the Statute of notification of the close of the written part of the procedure. That time limit may be extended by the President.
2. On a proposal from the Judge-Rapporteur and after hearing the Advocate General, the General Court may decide not to hold a hearing if it considers, on reading the written pleadings or observations lodged during the written part of the procedure, that it has sufficient information to give a ruling.

3. The preceding paragraph shall not apply where a request for a hearing, stating reasons, has been submitted by an interested person referred to in Article 23 of the Statute who did not participate in the written part of the procedure.

Article 214 (M7)

Joint hearing

If the similarities between two or more preliminary ruling cases so permit, the General Court may decide to organise a joint hearing of those cases.

Article 215 (M7)

Date of the hearing

1. If the General Court decides to hold a hearing, the President shall fix the date of the hearing.
2. The President may, in exceptional circumstances, of his own motion or at the reasoned request of one of the interested persons referred to in Article 23 of the Statute, adjourn the hearing to another date.

Article 216 (M7)

Participation in a hearing by videoconference

1. Where health, security or other serious reasons prevent the representative of an interested person referred to in Article 23 of the Statute or a party to the main proceedings who is permitted to bring or defend court proceedings without being represented by a lawyer from participating in a hearing in person, that representative or that party may be authorised to take part in the hearing by videoconference.
2. The request to participate in the hearing by videoconference shall be made by a separate document as soon as the reason for the impediment is known and shall state the precise nature of the impediment.
3. The President shall decide on the request as soon as possible.
4. The use of videoconferencing shall not be possible in the event of a decision by the General Court to hear a case *in camera* pursuant to Article 217.
5. The technical conditions to be satisfied by those wishing to participate in hearings by videoconference shall be laid down in the practice rules referred to in Article 243.

Article 217 (M7)

Cases heard *in camera*

1. For serious reasons, the General Court may decide to hear a case *in camera*.
 2. The oral proceedings in cases heard *in camera* shall not be published.

Article 218 (M7)

Conduct of the hearing

1. The oral proceedings shall be opened and directed by the President, who shall be responsible for the proper conduct of the hearing.
2. The members of the formation of the Court and the Advocate General may in the course of the hearing put questions to the representatives of the interested persons referred to in Article 23 of the Statute and, in the circumstances referred to in Article 203(3) of these Rules, to the parties to the main proceedings.

Article 219 (M7)

Broadcasting of hearings

1. Hearings of the General Court may be broadcast. The broadcast shall take place live when it relates to the delivery of judgments or Opinions, and with a delay when it relates to oral pleadings made by the interested persons referred to in Article 23 of the Statute in a case referred to the Grand Chamber, to the Intermediate Chamber, or, exceptionally, where this is justified by the importance of the case, to a Chamber sitting with five Judges.
2. Where the General Court intends to broadcast a hearing, the interested persons referred to in Article 23 of the Statute shall be so informed by the Registry when they are given notice to attend the hearing.
3. An interested person referred to in Article 23 of the Statute who considers that the hearing which he has been given notice to attend should not be broadcast shall inform the General Court of this as soon as possible, setting out in detail the circumstances that justify a decision not to broadcast the hearing.
4. The General Court shall decide on that request as soon as possible, after hearing the Advocate General.
5. The video recordings of hearings that have been broadcast shall remain available on the website of the Court of Justice of the European Union for a maximum period of one month after the close of the hearing.

6. Where an interested person referred to in Article 23 of the Statute considers that the video recording of a hearing in which he took part should be removed from that website, he shall inform the General Court of this as soon as possible, setting out the circumstances that justify that removal.
7. The President shall decide on that request forthwith, after hearing the Advocate General.
8. The General Court shall determine, by way of decision, the rules and arrangements for implementing the broadcasting of hearings. That decision shall be published in the *Official Journal of the European Union*.

Article 220 (M7)

Close of the hearing

After the interested persons referred to in Article 23 of the Statute have presented oral argument, the President shall declare the hearing closed.

Article 221 (M7)

Delivery of the Opinion of the Advocate General

1. Where a hearing takes place, the Opinion of the Advocate General shall be delivered after the close of that hearing, on the date announced by the Advocate General.
2. Where no hearing takes place, the Opinion of the Advocate General shall be delivered on the date announced by the Advocate General.
3. The delivery of the Opinion of the Advocate General shall close the oral part of the procedure.

Article 222 (M7)

Opening or reopening of the oral part of the procedure

The General Court may at any time, after hearing the Advocate General, order the opening or reopening of the oral part of the procedure, in particular if it considers that it lacks sufficient information, or where an interested person referred to in Article 23 of the Statute has, after the close of that part of the procedure, submitted a new fact which is of such a nature as to be a decisive factor for the decision of the General Court, or where the case must be decided on the basis of an argument which has not been debated between the interested persons referred to in Article 23 of the Statute.

Article 223 (M7)

Minutes of the hearing

1. The Registrar shall draw up minutes of every hearing. The minutes shall be signed by the President and by the Registrar. They shall constitute an official record.
2. The interested persons referred to in Article 23 of the Statute may inspect the minutes at the Registry and obtain copies.

Article 224 (M7)

Recording of the hearing

The President of the General Court may, on a duly substantiated request, authorise an interested person referred to in Article 23 of the Statute who has participated in the written part or the oral part of the proceedings to listen, on the General Court's premises, to the sound recording of the hearing in the language used by the speakers during that hearing.

Chapter 6 (M7)

JUDGMENTS AND ORDERS

Article 225 (M7)

Clear lack of jurisdiction or manifest inadmissibility

Where it is clear that the General Court has no jurisdiction to hear and determine a case or where a request is manifestly inadmissible, the General Court may, after hearing the Advocate General, at any time decide to give a decision by reasoned order without taking further steps in the proceedings.

Article 226 (M7)

Reply by reasoned order

Where a question referred to the General Court for a preliminary ruling is identical to a question on which the Court of Justice or the General Court has already ruled, where the reply to such a question may be clearly deduced from existing case-law or where the answer to the question referred for a preliminary ruling admits of no reasonable doubt, the General Court may at any time, on a proposal from the Judge-Rapporteur and after hearing the Advocate General, decide to rule by reasoned order.

Article 227 (M7)

Circumstances in which the General Court remains seised

1. The General Court shall remain seised of a request for a preliminary ruling as long as it is not withdrawn by the court or tribunal which made that request. The withdrawal of a request may be taken into account until notice of the date of delivery of the judgment has been served on the interested persons referred to in Article 23 of the Statute.
2. However, the General Court may at any time declare, without prejudice to Article 207, that the conditions of its jurisdiction are no longer fulfilled.

Article 228 (M7)

Costs of the preliminary ruling proceedings

It shall be for the referring court or tribunal to decide as to the costs of the preliminary ruling proceedings.

Article 229 (M7)

Date of delivery of a judgment

The interested persons referred to in Article 23 of the Statute shall be informed of the date of delivery of a judgment.

Article 230 (M7)

Content of a judgment

A judgment shall contain:

- (a) a statement that it is the judgment of the General Court;
- (b) an indication as to the formation of the Court;
- (c) the date of delivery;
- (d) the names of the President and of the Judges who took part in the deliberations, with an indication as to the name of the Judge-Rapporteur;
- (e) the name of the Advocate General;
- (f) the name of the Registrar;
- (g) a description of the interested persons referred to in Article 23 of the Statute who participated in the proceedings;

- (h) the names of their representatives;
- (i) where applicable, the date of the hearing;
- (j) a statement that the Advocate General has been heard and, where applicable, the date of his Opinion;
- (k) a summary of the facts;
- (l) the grounds for the decision;
- (m) the operative part of the judgment.

Article 231 (M7)

Delivery and service of the judgment

1. The judgment shall be delivered in open court.
2. The original of the judgment, signed by the President, by the Judges who took part in the deliberations and by the Registrar, shall be sealed and deposited at the Registry. A copy of the judgment shall be served on the referring court or tribunal, the interested persons referred to in Article 23 of the Statute, and the Court of Justice.

Article 232 (M7)

Content of an order

1. An order shall contain:
 - (a) a statement that it is the order of the General Court or of the President, as the case may be;
 - (b) where applicable, an indication as to the formation of the Court;
 - (c) the date of its adoption;
 - (d) an indication as to the legal basis of the order;
 - (e) the names of the President and, where applicable, the Judges who took part in the deliberations, with an indication as to the name of the Judge-Rapporteur;
 - (f) the name of the Advocate General;
 - (g) the name of the Registrar;

- (h) a description of the interested persons referred to in Article 23 of the Statute who participated in the proceedings;
- (i) the names of their representatives;
- (j) a statement that the Advocate General has been heard;
- (k) the operative part of the order.

2. Where, in accordance with these Rules, an order must be reasoned, it shall in addition contain:

- (a) a summary of the facts;
- (b) the grounds for the decision.

Article 233 (M7)

Signature and service of the order

The original of the order, signed by the President and by the Registrar, shall be sealed and deposited at the Registry. A copy of the order shall be served on the referring court or tribunal, the interested persons referred to in Article 23 of the Statute, and the Court of Justice.

Article 234 (M7)

Effect of judgments and orders

Judgments and orders shall take effect under the conditions laid down in the second paragraph of Article 62b of the Statute.

Article 235 (M7)

Rectification of judgments and orders

1. Clerical mistakes, errors in calculation and obvious inaccuracies affecting judgments or orders may be rectified by the General Court, of its own motion or at the request of an interested person referred to in Article 23 of the Statute made within two weeks after delivery of the judgment or service of the order.
2. The General Court shall take its decision after hearing the Advocate General.
3. The original of the rectification order shall be annexed to the original of the rectified decision. A note of this order shall be made in the margin of the original of the rectified decision.

Article 236 (M7)

Interpretation of preliminary rulings

1. Article 168, relating to the interpretation of judgments and orders, shall not apply to decisions given in reply to a request for a preliminary ruling.
2. It shall be for the national courts or tribunals to assess whether they consider that sufficient guidance is given by a preliminary ruling, or whether it appears to them that the submission of a further request for a preliminary ruling is required.

Chapter 7 (M7)

EXPEDITED PRELIMINARY RULING PROCEDURE

Article 237 (M7)

Expedited procedure

1. At the request of the referring court or tribunal or, exceptionally, of his own motion, the President may, where the nature of the case requires that it be dealt with within a short time, after hearing the Advocate General, decide that a reference for a preliminary ruling is to be determined pursuant to an expedited procedure derogating from the provisions of these Rules.
2. In that event, the President shall immediately fix the date for the hearing, which shall be communicated to the interested persons referred to in Article 23 of the Statute when the request for a preliminary ruling is served.
3. The interested persons referred to in the preceding paragraph may lodge statements of case or written observations within a time limit prescribed by the President, which shall not be less than 15 days. The President may request those interested persons to restrict the matters addressed in their statement of case or written observations to the essential points of law raised by the request for a preliminary ruling.
4. The statements of case or written observations, if any, shall be communicated to all the interested persons referred to in Article 23 of the Statute prior to the hearing.
5. The General Court shall rule after hearing the Advocate General.

Article 238 (M7)

Transmission of procedural documents

The procedural documents referred to in the preceding Article shall be deemed to have been lodged on the transmission to the Registry, via e-Curia or by an electronic means of transmission used by the General Court, of a copy of the signed original and the items and documents relied on in support of it, together with the schedule referred to in Article 205(2). The original of the document and the annexes referred to above shall be sent to the Registry immediately if copies thereof have been communicated by an electronic means of transmission used by the General Court.

Where the preceding Article requires that a document be served on or communicated to a person, such service or communication shall be effected by transmission of a copy of the document via e-Curia or by an electronic means of transmission used by the General Court.

Chapter 8 (M7)

LEGAL AID

Article 239 (M7)

Application for legal aid

1. A party to the main proceedings who is wholly or in part unable to meet the costs of the proceedings before the General Court may at any time apply for legal aid.
2. The application for legal aid shall be accompanied by all information and supporting documents making it possible to assess the applicant's financial situation, such as a certificate issued by a competent national authority attesting to his financial situation.
3. If the applicant has already obtained legal aid before the referring court or tribunal, he shall produce the decision of that court or tribunal and specify what is covered by the sums already granted.

Article 240 (M7)

Decision on the application for legal aid

1. The decision on the application for legal aid shall be taken by the President by way of an order, after hearing the Advocate General.

2. Where the application for legal aid is refused in whole or in part, the order shall state the reasons on which it is based.

Article 241 (M7)

Sums to be advanced as legal aid

Where legal aid is granted, the cashier of the General Court shall be responsible, where applicable within the limits set by the President, for costs involved in the assistance and representation of the applicant before the General Court. At the request of the applicant or his representative, an advance on those costs may be paid.

Article 242 (M7)

Withdrawal of legal aid

1. If the circumstances which led to the grant of legal aid alter during the proceedings, the President may at any time, either of his own motion or on request, withdraw that legal aid, having heard the person concerned.
2. An order withdrawing legal aid shall contain a statement of reasons and no appeal shall lie from it.

FINAL PROVISIONS

Article 243 (M7)

Implementing rules

The General Court shall, by a separate act, adopt practice rules for the implementation of these Rules.

Article 244 (M7)

Enforcement

Penalties imposed and other measures ordered under these Rules shall be enforced in accordance with Articles 280 TFEU, 299 TFEU and 164 TEAEC.

Article 245 (M7)

Repeal

These Rules replace the Rules of Procedure of the General Court of 2 May 1991, as last amended on 19 June 2013.

Article 246 (M7) (C3)

Publication and entry into force of these Rules

1. These Rules, which are authentic in the languages referred to in Article 44, shall be published in the *Official Journal of the European Union*.
2. These Rules shall enter into force on the first day of the third month following their publication.
3. Article 86(1) shall apply only when the period referred to in Article 86(2) starts to run after 1 September 2024.
4. Article 139(b) shall apply only to actions brought before the General Court after the entry into force of these Rules.
5. The provisions of Article 110a and Article 219 shall apply only after the entry into force of the decision referred to, respectively, in Article 110a(8) and Article 219(8).
6. The provisions of Article 115(1) and Article 116(6) of the Rules of Procedure of the General Court of 2 May 1991, as last amended on 19 June 2013, shall

continue to apply to actions brought before the General Court before the entry into force of these Rules.

7. The election of the first Judges called upon to perform the duties of an Advocate General in dealing with requests for a preliminary ruling shall take place immediately after 1 September 2024. Their term as Advocate General shall expire upon the partial renewal of membership provided for in the second paragraph of Article 254 TFEU.