

Case T-51/91 R

Paul Edwin Hoyer

v

Commission of the European Communities

Order of the President of the Fifth Chamber of the Court of First Instance,
1 August 1991 II - 680

Summary of the Order

*Application for interim measures — Suspension of operation of a measure — Conditions for granting — Serious and irreparable damage — Strictly pecuniary damage
(EEC Treaty, Art. 185; Rules of Procedure of the Court of First Instance, Art. 104(2))*

The urgency of an application for interim measures, as referred to in Article 104(2) of the Rules of Procedure of the Court of First Instance, must be assessed in relation to the need for an interim decision in order to prevent the party applying for the interim measures from suffering serious and irreparable damage.

Purely pecuniary damage cannot in principle be regarded as irreparable, since it

can form the subject-matter of financial compensation at a later date. However, it is incumbent upon the Court hearing an application for interim measures to investigate the individual circumstances of each case and to determine in accordance therewith whether the immediate implementation of the decision causes the applicant any damage which is incapable of being repaired even if the decision falls to be annulled in the main proceedings.