



2024/2095

12.8.2024

AMENDMENTS TO THE RULES OF PROCEDURE OF THE GENERAL COURT
[2024/2095]

THE GENERAL COURT,

Having regard to the Treaty on the Functioning of the European Union, and in particular the fifth paragraph of Article 254 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 106a(1) thereof,

Having regard to Protocol No 3 on the Statute of the Court of Justice of the European Union, and in particular Article 63 thereof,

Whereas Regulation (EU, Euratom) 2024/2019 of the European Parliament and of the Council of 11 April 2024, amending Protocol No 3 on the Statute of the Court of Justice of the European Union ⁽¹⁾, inserts a new Article 50b in the Statute, providing that the Court of Justice is to transmit to the General Court requests for a preliminary ruling coming exclusively within the areas of: the common system of value added tax; excise duties; the Customs Code and the tariff classification of goods under the Combined Nomenclature; compensation and assistance to passengers in the event of delay, cancellation of transport services, or denied boarding; and the scheme for greenhouse gas emission allowance trading,

Whereas it is appropriate to amend the Rules of Procedure of the General Court in order to lay down the procedures under which requests for a preliminary ruling transmitted by the Court of Justice will be dealt with by the General Court and it is necessary, in order to do so and to provide national courts and tribunals, as well as the interested persons referred to in Article 23 of the Statute, with the same safeguards as are applied by the Court of Justice when dealing with requests for a preliminary ruling, to insert in the Rules of Procedure of the General Court those provisions of the Rules of Procedure of the Court of Justice which are applicable to requests for a preliminary ruling submitted to the Court of Justice, subject to any adjustments necessary to maintain the overall consistency of the procedural provisions applicable to the General Court,

Whereas Regulation (EU, Euratom) 2024/2019 provides, by the amendment of Article 50 of the Statute, that the General Court may also sit in an Intermediate Chamber between the Chambers of five Judges and the Grand Chamber and that the General Court is to sit in an Intermediate Chamber where a Member State or an institution which is a party to the proceedings so requests,

Whereas it is appropriate to amend the Rules of Procedure of the General Court in order to specify the composition of the Intermediate Chamber, as well as the circumstances and conditions under which the General Court shall sit in such a Chamber,

Whereas Regulation (EU, Euratom) 2024/2019 provides, by inserting Article 49a in the Statute, that the General Court is to be assisted by one or more Advocates General in dealing with requests for a preliminary ruling which are transmitted to it,

Whereas it is appropriate to specify the rules applicable to the election of Advocates General, their designation for the purpose of dealing with requests for a preliminary ruling, and the performance of their tasks,

Whereas in order to provide proper guidance to courts and tribunals and Union citizens on the meaning and scope of the answers given by the General Court to questions referred to it for a preliminary ruling, it is appropriate to ensure that the written observations submitted by the interested persons referred to in Article 23 of the Statute are made available online within a reasonable time after the case has been closed, unless such persons raise objections to the publication of those observations,

⁽¹⁾ JO L, 2024/2019, 12.8.2024, ELI: <http://data.europa.eu/eli/reg/2024/2019/oj>.

Whereas it is appropriate to simplify and clarify certain provisions of the Rules of Procedure which are not intended to apply to requests for a preliminary ruling specifically, particularly in order to reduce the time spent on certain parts of the procedure and to reap the full benefits of digitalising procedures,

With the agreement of the Court of Justice,

With the approval of the Council given on 21 June 2024,

HAS ADOPTED THE FOLLOWING AMENDMENTS TO ITS RULES OF PROCEDURE:

Article 1

The Rules of Procedure of the General Court of 4 March 2015 ⁽²⁾ are hereby amended as follows:

- 1) Article 1(2) is amended as follows:
 - a) A new point (e) is added. The text is as follows:

‘(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;’
 - b) The current points (e) to (k) become points (f) to (l);
 - c) Point (i), which now becomes point (j), is amended as follows:

“direct actions” means all of the actions that may be brought before the General Court, with the exception of requests for a preliminary ruling;’
- 2) Article 3(3) is amended as follows:

‘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.’
- 3) Article 11 is amended as follows:
 - a) The text of paragraph 4 is replaced by the following:

‘4. The Intermediate Chamber, referred to in Article 15a, shall be presided over by the Vice-President. In that case Article 19 shall apply.’
 - b) Paragraph 4, currently in force, is renumbered and becomes paragraph 5.
- 4) The following is added to Article 14(2):

‘2. Cases may be heard and determined by the Grand Chamber or by the Intermediate Chamber under the conditions laid down in Article 28.’
- 5) A new Article 15a, headed ‘Composition of the Intermediate Chamber’, is inserted after Article 15. The text is as follows:

‘Article 15a

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*.
- 6) Article 17 is amended as follows:
 - a) The text of paragraph 2 is replaced by the following:

⁽²⁾ OJ L 105, 23.4.2015, p. 1, as amended on 13 July 2016 (OJ L 217, 12.8.2016, p. 71; OJ L 217, 12.8.2016, p. 72; OJ L 217, 12.8.2016, p. 73), 11 July 2018 (OJ L 240, 25.9.2018, p. 68), 31 July 2018 (OJ L 240, 25.9.2018, p. 67) and 30 November 2022 (OJ L 44, 14.2.2023, p. 8).

‘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.’

b) Paragraphs 2 and 3, currently in force, are renumbered and become paragraphs 3 and 4.

7) Article 20 is amended as follows:

‘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.’

8) The following is added to Article 23(3):

‘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.’

9) A new Article 23a, headed ‘Quorum of the Intermediate Chamber’, is inserted after Article 23. The text is as follows:

‘Article 23a

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.’

10) The following is added to Article 24(3):

‘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.’

11) The following is added to Article 25(1):

‘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.’

12) The following is added to Article 26(1):

‘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.’

13) Article 27 is amended as follows:

a) Paragraph 5 is amended as follows:

‘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.’

b) Paragraph 6 is amended as follows:

‘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.’

c) A new paragraph 7 is inserted after paragraph 6:

‘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.’

14) Article 28 is amended as follows:

a) The following is added to paragraph 1:

‘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.’

b) The following is added to paragraph 3:

‘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.’

c) Paragraph 5 is amended as follows:

‘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.’

d) A new paragraph 6 is inserted after paragraph 5:

‘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*.’

e) Paragraph 6, currently in force, is renumbered and becomes paragraph 7:

‘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.’

f) A new paragraph 8 is inserted after paragraph 7:

‘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.’

15) Article 30 is amended as follows:

a) The single paragraph becomes paragraph 1 and is supplemented as follows:

‘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.’

b) A paragraph 2 is added. The text is as follows:

‘2. In dealing with requests for a preliminary ruling, the General Court shall be assisted by an Advocate General.’

16) Article 31 is amended as follows:

a) The heading is amended as follows:

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

b) Paragraph 1 is amended as follows:

‘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.’

c) The following is added to paragraph 3:

‘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.’

17) An Article 31a is inserted after Article 31. The text is as follows:

‘Article 31a

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*.’

18) An Article 31b is inserted after Article 31a. The text is as follows:

‘Article 31b

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.’

19) The following is added to Article 32(5):

‘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.’

20) Article 37 is amended as follows:

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

21) Article 38(1) is amended as follows:

‘1. Subject to the provisions of Article 68(4), Articles 103 to 105 and 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.’

22) Article 42(1) is amended as follows:

‘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.’

23) Article 45 is amended as follows:

a) Paragraph 2 is deleted.

b) The current paragraphs 3 and 4 become paragraphs 2 and 3.

c) The text of the new paragraph 4 is as follows:

‘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.’

d) A paragraph 5 is added. The text is as follows:

‘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.’

24) Article 46 is amended as follows:

a) The following is added to paragraph 4:

‘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.’

b) The following is added to paragraph 5:

‘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.’

c) The text of paragraph 6 is replaced by the following:

‘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.’

d) Paragraphs 6 and 7, currently in force, are renumbered and become paragraphs 7 and 8.

25) Article 50 is amended as follows:

‘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.’

26) Article 56a(4) is amended as follows:

‘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 Court shall declare the procedural document lodged via e-Curia to be inadmissible.’

27) Article 57(1) is amended as follows:

‘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.’

28) The second sentence of Article 68(4) is amended as follows:

‘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.’

29) Article 86(1) is amended as follows:

‘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.’

30) The following is added to Article 87(2):

‘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.’

31) Article 92(3) is amended as follows:

‘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.’

32) An Article 110a is added. The text is as follows:

‘Article 110a

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*.
- 33) Article 112 is amended as follows:
- ‘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.’
- 34) Article 113 is amended as follows:
- a) Paragraph 1 is amended as follows:
 - ‘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.’;
 - b) The first subparagraph of paragraph 2 is amended as follows:
 - ‘2. The General Court may reopen the oral part of the procedure.’
- 35) Article 130(7) is amended as follows:
- ‘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.’
- 36) Article 139 is amended as follows:
- a) Point (b) is deleted;
 - b) Point (c) becomes point (b) and is amended as follows:
 - ‘(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.’
- 37) Article 162 is amended as follows:
- a) The following is added to paragraph 1:
 - ‘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.’
 - b) Paragraph 2 is amended as follows:

‘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.’

c) A paragraph 3 is added. The text is as follows:

‘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.’

38) Article 178 is amended as follows:

a) Paragraph 1 is amended as follows:

‘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.’

b) Paragraph 2 is deleted and replaced by the following text:

‘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.’

c) Paragraph 3 is deleted.

d) Paragraphs 4 and 5 become paragraphs 3 and 4.

39) Article 191, headed ‘Other provisions applicable’, is deleted.

40) Title V, headed ‘Appeals against decisions of the Civil Service Tribunal’, is deleted and the current Title VI, headed ‘Procedures after a decision is set aside on appeal and the case is referred back to the General Court’, is renumbered and becomes Title V. The articles are renumbered as follows:

a) Article 215, currently in force, is renumbered and becomes Article 191.

b) Article 216, currently in force, is renumbered and becomes Article 192.

c) Article 217, currently in force, is renumbered and becomes Article 193.

d) Article 218, currently in force, is renumbered and becomes Article 194.

e) Article 219, currently in force, is renumbered and becomes Article 195.

41) The new Article 192(2) is amended as follows:

‘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.’

42) In the new Article 194, the reference to ‘Article 217’ is replaced by a reference to ‘Article 193’.

43) A new Title VI, headed ‘References for a preliminary ruling’, is added after the new Title V. The text is as follows:

Chapter 1

GENERAL PROVISIONS

Article 196

Scope

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

Article 197

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

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

WRITTEN PART OF THE PROCEDURE

Article 199

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

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***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.

*Article 202***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***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***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***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

THE PRELIMINARY REPORT

Article 206

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

MEASURES WHICH MAY BE ADOPTED BY THE GENERAL COURT

Article 207

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

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

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

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

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

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

THE ORAL PART OF THE PROCEDURE

Article 213

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

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

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***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***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***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***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

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

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

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

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

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

JUDGMENTS AND ORDERS

*Article 225***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***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***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***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***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***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

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

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

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***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***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***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

EXPEDITED PRELIMINARY RULING PROCEDURE

*Article 237***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***Transmission of procedural documents**

1. 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.
2. 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

LEGAL AID

*Article 239***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***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***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***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.

44) Article 224, currently in force, is renumbered and becomes Article 243.

45) In Articles 75, 107a and 189, the reference to 'Article 224' is replaced by a reference to 'Article 243'.

- 46) Article 225, currently in force, is renumbered and becomes Article 244.
- 47) Article 226, currently in force, is renumbered and becomes Article 245.
- 48) Article 227, currently in force, is renumbered and becomes Article 246. It is amended as follows:
- a) Paragraph 3 is deleted and replaced by the following text:
‘3. Article 86(1) shall apply only when the period referred to in Article 86(2) starts to run after 1st September 2024’
 - b) Paragraph 4 is amended as follows:
‘Article 139(b) shall apply only to actions brought before the General Court after the entry into force of these Rules.’
 - c) Paragraph 5 is deleted and replaced by the following text:
‘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(4) and Article 219(4).’
 - d) Paragraph 6 is amended as follows:
‘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.’
 - e) Paragraph 7 is amended as follows:
‘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 1st 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.’

Article 2

These amendments to the Rules of Procedure, authentic in the languages referred to in Article 44 of these Rules, shall be published in the *Official Journal of the European Union* and shall enter into force on 1st September 2024.

Luxembourg, 10 July 2024.

V. DI BUCCI
Registrar

M. VAN DER WOUDE
President