2024/2097

12.8.2024

PRACTICE RULES FOR THE IMPLEMENTATION OF THE RULES OF PROCEDURE OF THE GENERAL COURT

[2024/2097]

TABLE OF CONTENTS

THE GENERAL COURT,

Having regard to Article 243 of its Rules of Procedure (OJ 2015 L 105, p. 1, as last amended on 10 July 2024);

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]), has inserted 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 the General Court has amended its Rules of Procedure, in particular 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 to simplify and clarify certain provisions of the Rules of Procedure;

Whereas the scale of the amendments to the Rules of Procedure of the General Court makes it necessary for the Practice Rules in force to be recast;

Whereas in the interests of transparency, increased legal certainty and the proper implementation of the Rules of Procedure, implementing rules must be laid down in respect of the responsibilities of the Registrar, in particular those relating to the maintenance of the register and case files, the regularisation and service of procedural documents and items, and the Registry's scale of charges;

Whereas in the interests of the proper administration of justice, the representatives of the parties or of the interested persons referred to in Article 23 of the Statute of the Court of Justice of the European Union ('the Statute'), in the same way as the parties to the main proceedings who are permitted to bring or defend court proceedings without being represented by a lawyer, should be given practice directions on the presentation of procedural documents and items and as to how best to prepare for hearings before the General Court;

Whereas there are particular features relating to the confidential treatment of procedural documents and items;

Whereas close attention should be given to protecting personal and other sensitive data in publicly accessible documents;

Whereas the Registrar is required to ensure that procedural documents and items placed on the case file are in conformity with the provisions of the Statute, the Rules of Procedure and these Practice Rules;

Whereas the lodging of procedural documents and items that do not comply with the provisions of the Statute, the Rules of Procedure or these Practice Rules contributes, sometimes significantly, to an increase in the duration of proceedings and in the costs;

Whereas by complying with these Practice Rules, the parties' representatives, acting in their capacity as officers of the court, and the parties to the main proceedings who are permitted to bring or defend court proceedings without being represented by a lawyer, contribute through their adherence to procedural fairness to the efficiency of justice by enabling the General Court to deal effectively with the procedural documents and items which they lodge, thereby avoiding the risk of Article 139(a) of the Rules of Procedure being applied with regard to the points covered in these Practice Rules;

Whereas any repeated failure to comply with the requirements of the Rules of Procedure or of these Practice Rules, requiring regularisation to be sought, may result in the costs involved in the requisite processing thereof by the General Court having to be repaid pursuant to Article 139(b) of the Rules of Procedure;

([1]) OJ L, 2024/2019, 12.8.2024, ELI: http://data.europa.eu/eli/reg/2024/2019/oj.

Whereas the treatment of information or material produced pursuant to Article 105(1) or (2) of the Rules of Procedure is to be governed by the decision adopted by the General Court under Article 105(11) of the Rules of Procedure ([2]);

Whereas the broadcasting of hearings is to be governed by Articles 110a and 219 of the Rules of Procedure, and the Registrar is required to ensure that any rules and arrangements laid down by the General Court under those articles are consistently and correctly implemented;

Whereas the rules on the lodging and service of procedural documents by means of e-Curia are contained in the decision adopted by the General Court under Article 56a(2) of the Rules of Procedure ([3]);

After consulting the Member States, the institutions, bodies, offices and agencies which intervene most often in proceedings before the General Court, and the Council of Bars and Law Societies of Europe (CCBE);

HAS ADOPTED THESE PRACTICE RULES:

I. INTRODUCTORY PROVISIONS

1. These Practice Rules explain and detail certain provisions of the Rules of Procedure and are intended to enable the parties' representatives and the interested persons referred to in Article 23 of the Statute to take account of matters which the General Court must take into consideration, particularly those relating to the lodging of procedural documents and items, to their presentation and translation, and to interpretation at hearings.

2. The definitions contained in Article 1 of the Rules of Procedure shall be applicable to these Practice Rules.

II. THE REGISTRY

A. Offices of the Registry

3. The offices of the Registry are located at the following address:

   Registry of the General Court of the European Union
   Rue du Fort Niedergrünewald
   L-2925 Luxembourg

   The email address of the Registry is: GC.Registry@curia.europa.eu

4. The offices of the Registry shall be open every working day. All days other than Saturdays, Sundays and the official holidays on the list referred to in Article 58(3) of the Rules of Procedure shall be working days.

5. If a working day as referred to in point 4 above is a holiday for the officials and servants of the institution, arrangements shall be made for a skeleton staff to be on duty at the Registry during the hours in which it is normally open.

([2]) Decision (EU) 2016/2387 of the General Court of 14 September 2016 concerning the security rules applicable to information or material produced in accordance with Article 105(1) or (2) of the Rules of Procedure (OJ 2016 L 355, p. 18) ('the decision of the General Court of 14 September 2016').

([3]) Decision of the General Court of 10 July 2024 on the lodging and service of procedural documents by means of e-Curia (OJ L, 2024/2096, 12.8.2024, ELI: http://data.europa.eu/eli/proc_internal/2024/2096/oj) ('the decision of the General Court of 10 July 2024').

6. The Registry shall be open at the following times:

— in the morning, from Monday to Friday, from 9.30 a.m. to 12 noon,

— in the afternoon, from Monday to Thursday, from 2.30 p.m. to 5.30 p.m. and on Fridays from 2.30 p.m. to 4.30 p.m.

7. The Registry shall be open half an hour before the commencement of a hearing to the persons who have been given notice to attend that hearing.

8. Outside the Registry's opening hours, the annex referred to in Article 72(4) of the Rules of Procedure and the procedural documents referred to in Article 147(6), Article 205(2) and Article 239(2) of the Rules of Procedure may be validly lodged with the attendant member of staff at the entrances to the buildings of the Court of Justice of the European Union at any time of the day or night. The attendant member of staff shall make a record, which shall constitute good evidence, of the date and time of such lodging and shall issue a receipt.

B. Register

9. All documents placed on the file in cases brought before the General Court shall be entered in the register.

10. Information or material produced pursuant to Article 105(1) or (2) of the Rules of Procedure, the treatment of which shall be governed by the decision of the General Court of 14 September 2016, shall also be entered in the register.

11. Entries in the register shall be numbered consecutively. They shall be made in the language of the case. They shall contain in particular the date of lodging, the date of registration, the number of the case and the nature of the document.

12. The register kept in electronic form shall be set up and maintained in such a way that no registration can be deleted therefrom and that following any amendment the original entry is preserved.

13. In accordance with Article 125c of the Rules of Procedure, material produced in the context of the amicable settlement procedure referred to in Articles 125a to 125d of the Rules of Procedure shall be entered in a specific register which shall not be subject to the rules set out in Articles 36 and 37 of those Rules.

C. Case number

14. When an application initiating proceedings is registered or a request for a preliminary ruling is transmitted by the Court of Justice pursuant to Article 50b of the Statute, the case shall be given a serial number preceded by 'T-' and followed by an indication of the year.

15. Applications for interim measures, applications to intervene, applications for rectification or interpretation, applications for the General Court to remedy a failure to adjudicate, applications for revision, applications for the General Court to set aside judgments by default or initiating third-party proceedings, applications for the taxation of costs and applications for legal aid relating to pending actions or preliminary ruling cases shall be given the same serial number as the principal action, followed by a reference to indicate that the proceedings concerned are separate special forms of procedure.

16. An application for legal aid made before an action is brought shall be given a serial number preceded by 'T-', followed by an indication of the year and a specific reference.

17. An action which is preceded by an application for legal aid in connection therewith shall be given the same case number as the latter, without the specific reference.

18. Where the Court of Justice refers a case back to the General Court following the setting aside of a decision, that case shall be given the number previously allocated to it when it was before the General Court, followed by a specific reference.

19. The references in question are set out in Annex 1 to these Practice Rules.

20. The serial number of the case, including any references, and the parties shall be indicated on the procedural documents, in correspondence relating to the case, and also in the publications of the General Court and in the documents and information which relate to the case and to which the public has access. Where data are omitted pursuant to Article 66, Article 66a or Article 201 of the Rules of Procedure, the names of the parties shall be adapted accordingly.

D. Case file and inspection of the case file

D.1. Maintenance of the case file

21. The case file shall contain the procedural documents (where applicable together with the annexes thereto) and any other document taken into account in the determination of the case, and also the correspondence with the parties and proof of service. It shall also contain, where applicable, extracts from Chamber conference minutes, the minutes of the meeting with the parties, the report for the hearing in direct actions, minutes of the hearing and minutes of the inquiry hearing, and the decisions and matters registered in the case.

22. Any document placed on the case file must bear the register number referred to in point 11 above and a serial number. In addition, procedural documents lodged by the parties, by national courts or tribunals and by the interested persons referred to in Article 23 of the Statute, as well as any copies thereof, must bear the date of lodging and the date of entry in the register in the language of the case.

23. The confidential and non-confidential versions of procedural documents and of the annexes thereto shall be filed separately in the case file.

24. Documents relating to the special forms of procedure referred to in point 15 above shall be filed separately in the case file.

25. Material produced in the context of the amicable settlement procedure as provided for in Article 125a of the Rules of Procedure shall be placed in a file separate from the case file.

26. A procedural document and annexes thereto which are produced in a case and placed on the file of that case may not be taken into account for the purpose of preparing another case for hearing.

27. At the close of the proceedings before the General Court, the Registry shall arrange for the case file and the file referred to in Article 125c(1) of the Rules of Procedure to be closed and archived. The closed file shall contain a list of all the documents on the case file, together with proof of service, and a declaration by the Registrar confirming that the file is complete.

28. The treatment of information or material produced pursuant to Article 105(1) or (2) of the Rules of Procedure shall be governed by the decision of the General Court of 14 September 2016.

D.2. Inspection and obtaining copies of the case file

1) Common provisions

29. At the request of a third party, the Registrar shall supply a copy of orders if they are not already publicly accessible and do not contain confidential information, and of extracts from the register.

2) Direct actions

30. The representatives of the main parties may inspect the case file at the Registry.

31. The representatives of the parties granted leave to intervene pursuant to Article 144 of the Rules of Procedure shall have the same right of inspection of the case file as the main parties, subject to Article 144(5) and (7) of the Rules of Procedure.

32. Where direct actions are joined, the representatives of all parties shall have the right to inspect the files in the cases concerned by the joinder, subject to Article 68(4) of the Rules of Procedure. However, no such right of inspection shall apply where a joint hearing is organised in accordance with Article 106a of the Rules of Procedure.

33. A person who has made an application for legal aid pursuant to Article 147 of the Rules of Procedure without the assistance of a lawyer shall have the right to inspect the file relating to the legal aid. Where a lawyer is designated to represent that person, that representative alone shall have the right to inspect that file.

34. Authorisation to inspect the confidential version of procedural documents and of any annexes thereto shall be granted only to the parties in respect of whom no confidential treatment has been sought or granted.

35. As regards information or material produced pursuant to Article 105(1) or (2) of the Rules of Procedure, reference is made to point 28 above.

36. The requirements of points 30 to 35 above do not apply to access to the file referred to in Article 125c(1) of the Rules of Procedure. Access to that specific file is governed by Article 125c of the Rules of Procedure.

3) Preliminary ruling cases

37. The representatives of the interested persons referred to in Article 23 of the Statute or the parties to the main proceedings who are permitted to bring or defend court proceedings without being represented by a lawyer may inspect the case file, including the national case file sent to the General Court, at the Registry.

38. Where preliminary ruling cases are joined, the representatives of the interested persons referred to in Article 23 of the Statute or the parties to the main proceedings who are permitted to bring or defend court proceedings without being represented by a lawyer shall have the right to inspect the files in the cases concerned by the joinder. However, no such right of inspection shall apply where a joint hearing is organised in accordance with Article 214 of the Rules of Procedure.

39. A person who has made an application for legal aid pursuant to Article 239 of the Rules of Procedure without the assistance of a lawyer shall have the right to inspect the file relating to the legal aid. Where a lawyer is designated to represent that person, that representative alone shall have the right to inspect that file.

E. Originals of judgments and orders

40. Originals of judgments and orders of the General Court shall be signed by means of a qualified electronic signature. They shall be stored in an unalterable electronic format, in chronological order, on a special server reserved for long-term archiving. The electronic copy of the certified version of the judgment or order shall be printed and placed on the case file.

41. Orders rectifying a judgment or an order, judgments or orders interpreting a judgment or an order, judgments given on applications to set aside judgments by default, judgments given and orders made in third-party proceedings or on applications for revision and which are signed by means of a qualified electronic signature shall be stored on a special server reserved for long-term archiving together with, and inextricably linked to, the relevant judgment or order of the General Court signed by means of a qualified electronic signature and a document containing explanatory statements signed by the Registrar.

42. Where the judgment or order of the General Court has been signed by hand, the decision of the General Court rectifying or interpreting the judgment or order concerned, adopted with regard to an application to set aside, or adopted in third-party proceedings or with regard to an application for revision and which has been signed by means of a qualified electronic signature shall be mentioned in the margin of the judgment or order concerned. The copy of the certified version of the decision signed by means of a qualified electronic signature shall be printed and appended to the original of the judgment or order in paper form.

43. Where a decision of the General Court signed by hand has given rise to a decision of the Court of Justice on appeal or upon review, that decision shall be kept in paper form together with, and inextricably linked to, the version of the relevant judgment or order of the Court of Justice as transmitted to the Registry of the General Court and explanatory statements, signed by the Registrar, in the margin of the General Court's decision.

44. Decisions of the General Court signed by means of a qualified electronic signature which have given rise to a decision of the Court of Justice on appeal or upon review shall be stored on a special server reserved for long-term archiving together with, and inextricably linked to, the version of the relevant judgment or order of the Court of Justice as transmitted to the Registry of the General Court and a document containing explanatory statements signed by the Registrar.

F. Witnesses and experts

45. The Registrar shall take the measures necessary for giving effect to orders requiring the taking of expert opinion or the examination of witnesses.

46. The Registrar shall obtain from witnesses evidence of their expenses and loss of earnings and from experts a fee note accounting for their expenses and services.

47. The Registrar shall cause sums due to witnesses and experts under the Rules of Procedure to be paid by the cashier of the General Court. In the event of a dispute concerning such sums, the Registrar shall refer the matter to the President in order for a decision to be taken.

G. Registry's scale of charges and recovery of sums

48. Where, in direct actions, a party or an applicant for leave to intervene has repeatedly failed to comply with the requirements of the Rules of Procedure or of these Practice Rules, the Registrar shall, in accordance with Article 139(b) of the Rules of Procedure, impose a Registry charge which may not exceed EUR 10 000.

49. Where sums paid out by way of legal aid, sums paid to witnesses or experts, or avoidable costs, within the meaning of Article 139(a) of the Rules of Procedure, incurred by the General Court are recoverable by the cashier of the General Court, the Registrar shall demand payment of those sums from the debtor who is to bear them.

50. If the sums referred to in points 48 and 49 above are not paid within the period prescribed by the Registrar, he may request the General Court to make an enforceable order and, if necessary, require its enforcement.

H. Publications, dissemination and broadcasting on the internet

51. The Registrar shall be responsible for the publications in the *Official Journal of the European Union* provided for by the Rules of Procedure.

52. The Registrar shall be responsible for the publishing, in the *Official Journal of the European Union*, of notices of proceedings brought, of requests for a preliminary ruling transmitted by the Court of Justice, and of decisions closing proceedings, save in the case where the decision closing the proceedings is adopted before any procedural documents have been served.

53. The Registrar shall ensure that statements of case or written observations lodged under Article 202(1) of the Rules of Procedure are published in accordance with the conditions set out in Article 202(3) of those Rules, ensuring that personal data are protected.

54. The Registrar shall ensure that the broadcasting of hearings referred to in Articles 110a and 219 of the Rules of Procedure is implemented in accordance with the decision adopted by the General Court.

55. The Registrar shall ensure that the case-law of the General Court is made public in accordance with the criteria laid down by the General Court. Those criteria shall be made available on the website of the Court of Justice of the European Union.

III. GENERAL PROVISIONS ON PROCEDURES FOR DEALING WITH CASES

A. Service

56. The copy of the document to be served shall be accompanied by a letter specifying the case number, the register number and a brief indication of the nature of the document.

57. If service of the application on the defendant is attempted unsuccessfully, the Registrar shall prescribe a time limit within which the applicant is to supply additional information for service or to ask whether the applicant will agree to use, at his own expense, the services of a judicial officer for the purpose of re-serving the application.

B. Time limits

58. Article 58(2) of the Rules of Procedure, according to which a time limit which would otherwise end on a Saturday, Sunday or an official holiday is to be extended until the end of the next working day, shall be applicable only where the entire time limit, including the extension on account of distance, ends on a Saturday, Sunday or official holiday. The list of official holidays shall be published annually in the *Official Journal of the European Union* and on the website of the Court of Justice of the European Union (https://curia.europa.eu/jcms/jcms/Jo2_7040/).

59. A request for an extension of a time limit must be duly reasoned and be submitted in good time before the expiry of the time limit prescribed.

60. The request for an extension of a time limit referred to in Article 86(1) of the Rules of Procedure must be lodged before the expiry of that time limit or, where the General Court decides to rule without an oral part of the procedure, immediately after service of that decision. It must be reasoned, must state the measure which replaces or amends the measure the annulment of which is sought, and must specify the starting point of the time limits laid down in Article 86(2) and (3) within which the annulment of the measure justifying the modification of the application may be sought. No extension of a time limit as referred to in Article 86(1) of the Rules of Procedure may be granted beyond the time limits laid down in Article 86(2) and (3).

61. A time limit may not be extended more than once save for exceptional reasons.

C. Protection of data in publicly accessible documents

C.1. **Common provision**

62. The General Court shall ensure, in the exercise of its judicial functions, that the principle of open courts and the provision of information to citizens is reconciled with the protection of personal data and the protection of certain other data referred to in the cases before it. The provisions of the Rules of Procedure applicable in this area take account of the specific features of the two types of proceedings in respect of which the General Court has jurisdiction, those provisions being, first, Articles 66 and 66a on the omission of data in direct actions and, secondly, Article 201 on the anonymisation and omission of data in preliminary ruling cases.

C.2. **Direct actions**

63. Any representative of a party to proceedings before the General Court may submit an application pursuant to Article 66 of the Rules of Procedure to have the personal data of a natural person omitted, whether that person is a party he is representing or a third party, in the course of proceedings so that the identity of the person concerned is not publicly disclosed.

64. Any representative of a party to proceedings before the General Court may apply, pursuant to Article 66a of the Rules of Procedure, for data other than personal data of a natural person, such as the name of a legal person or data covered by trade secrets, to be omitted from documents to which the public has access.

65. The representative of an applicant for leave to intervene may do likewise.

66. An application for the omission of data may be submitted at any time during the proceedings, but must be received by the Registry of the General Court as soon as the first procedural document containing the data concerned is lodged and, in any event, before information relating to the case concerned is published or disseminated on the internet so as not to compromise the effectiveness of the omission.

67. That application must be made by separate document and must specify the data concerned thereby.

68. The application for the omission of data other than the personal data of natural persons, referred to in Article 66a of the Rules of Procedure, must state the legitimate reasons on which it is based and which constitute grounds for not publicly disclosing those data.

C.3. **Preliminary ruling cases**

69. Except in specific circumstances, the General Court shall redact the names of natural persons mentioned in the request for a preliminary ruling and, if necessary, other information that may enable them to be identified, if this has not been done by the referring court or tribunal prior to the submission of its request or by the Court of Justice prior to the transmission of the request to the General Court. The interested persons referred to in Article 23 of the Statute must respect such redactions in their observations.

70. In any event, where a party to a preliminary ruling case before the General Court does not wish for his identity or for personal data relating to one or more natural persons concerned by the main proceedings, whether they are parties to those proceedings or third parties, to be disclosed in a preliminary ruling case brought before the General Court – or, conversely, where that party wishes for his identity and those data to be disclosed in that case – he may apply to the General Court for a decision as to whether or not to redact the data, in whole or in part, from the case in question or to reverse the redaction already made. To be effective, however, such an application must be made as quickly as possible, and in any event before the publication of the notice relating to the case in the *Official Journal of the European Union* or the service of the request for a preliminary ruling on the interested persons referred to in Article 23 of the Statute.

71. In order to facilitate the designation and identification of anonymised cases, as a general rule, a fictitious name shall be assigned by the General Court to preliminary ruling cases which have been anonymised. That fictitious name shall not correspond to the real name of any of the parties to the proceedings; nor, in principle, shall it correspond to any existing names.

D. Representation

72. Member States, other States which are parties to the EEA Agreement, the EFTA Surveillance Authority, and institutions shall be represented by an agent appointed for each case; the agent may be assisted by an adviser or lawyer. Other parties must be represented by a lawyer in accordance with the conditions laid down in Article 19 of the Statute and Article 51 of the Rules of Procedure. University teachers who are nationals of a Member State whose law accords them a right of audience shall have the same rights before the General Court as are accorded to lawyers in accordance with Article 19 of the Statute.

73. The representative must satisfy all the requirements laid down in Article 19 of the Statute and must, if he is a lawyer or university teacher, have the requisite independence from the party he represents.

74. In preliminary ruling cases, the General Court shall take account, so far as concerns the representation of the parties to the main proceedings, of the procedural rules applicable before the referring court or tribunal. Any person empowered to represent a party before that court or tribunal may therefore also represent that party before the General Court and, if this is permitted under national procedural rules, the parties to the main proceedings shall be entitled to submit their own written observations or oral submissions. In the event of uncertainty in this respect, the General Court may, at any time, request those parties, their representatives or the referring court or tribunal to provide the relevant information.

E. Joinder

75. Where cases are joined, a party or an interested person referred to in Article 23 of the Statute who so requests shall be served with the documents and decisions in the files of the joined cases which are relevant to that party or interested person's participation in the proceedings, if necessary in a non-confidential version. The party or interested person shall also receive an extract from the register, drawn up in the language of the case, concerning that case and may ask to be served with documents or decisions which initially were not served on that party or interested person.

76. Subsequently, a party or an interested person referred to in Article 23 of the Statute shall be served with all the procedural documents lodged and decisions taken in the joined cases, if necessary in a non-confidential version.

F. Intervention

77. In so far as the intervener accepts the case as he finds it at the time of his intervention, in accordance with Article 142(3) of the Rules of Procedure, he shall, at the time he is granted leave to intervene, be served with the documents and decisions in the case file which are relevant to his participation in the proceedings, if necessary in a non-confidential version. The intervener shall also receive an extract from the register, drawn up in the language of the case, concerning that case and may ask to be served with documents or decisions which initially were not served on him.

78. Subsequently, the intervener shall be served with all the procedural documents lodged and decisions taken which have been served on the main parties, if necessary in a non-confidential version, in accordance with Article 144(7) of the Rules of Procedure.

79. The preceding points, relating to intervention, shall not be applicable to preliminary ruling cases. Only the interested persons referred to in Article 23 of the Statute – and, where appropriate, the institutions, bodies, offices and agencies of the Union requested to do so under the second paragraph of Article 24 of the Statute – shall be authorised to submit written observations or oral submissions in preliminary ruling cases.

G. Confidential treatment in direct actions

G.1. General

80. In accordance with Article 64 and subject to the provisions of Article 68(4), Article 104, Article 105(8) and Article 144(7) of the Rules of Procedure, 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.

81. It follows that, without prejudice to the provisions of Articles 103 to 105 of the Rules of Procedure, no consideration may be given to an application by the applicant for certain information on the case file to be treated as confidential in relation to the defendant. Likewise, no such application may be made by the defendant in relation to the applicant.

82. Nevertheless, a main party may apply for certain confidential information on the case file to be excluded from the documents to be communicated to an intervener in accordance with Article 144(7) of the Rules of Procedure.

83. Each party may also request that a party to joined cases not be given access to certain information in the files concerned by the joinder on account of its alleged confidentiality, in accordance with Article 68(4) of the Rules of Procedure.

84. Not communicating a piece of information from the case file to a party shall constitute a derogation from the adversarial nature of the proceedings as set out in Article 64 of the Rules of Procedure and from the public nature of the judicial proceedings. That derogation must therefore be applied strictly.

G.2. Confidential treatment where an application to intervene has been made

85. Where an application to intervene is made in a case, the main parties must state, within the time limit prescribed by the Registrar to that effect, whether they intend to submit, should the application to intervene be granted, an application for confidential treatment vis-à-vis the applicant for leave to intervene in respect of certain information included in the procedural documents and items already placed on the case file. If the application to intervene is granted, the main parties which have declared such an intention are requested to submit an application for confidential treatment. If none of the main parties has declared such an intention, the procedural documents and items lodged will be communicated to the intervener under the conditions laid down in point 77 above.

86. The main parties must submit any application for confidential treatment that may be required in respect of any procedural document or item that they may lodge after notification that the application to intervene has been granted simultaneously with the procedural document or item concerned. In the absence of such an application, the procedural documents and items lodged will be communicated to the intervener under the conditions laid down in point 77 above.

87. Any application for confidential treatment must be made by separate document. It may not be lodged as a confidential version and must not, therefore, contain confidential information, in so far as it is served on all the parties.

88. An application for confidential treatment must specify the party in relation to whom confidentiality is requested.

89. An application for confidential treatment must be limited to what is strictly necessary and may not in any event cover the entirety of a procedural document; only exceptionally may it extend to the entirety of an annexed document. It should usually be possible to furnish a non-confidential version of a procedural document and items in which certain passages, words or figures have been deleted without affecting the interests concerned.

90. An application for confidential treatment must be duly justified. It must accurately identify the particulars or passages to be excluded. It must provide an adequate, precise and comprehensive statement of the reasons for which each of those particulars or passages is regarded as confidential. Such an application must not be limited to a description of the nature of the information. The main parties must ensure that the grounds put forward correspond to the information alleged to be confidential.

91. The main parties are requested to ensure that the reasons on which they rely in support of an application for confidential treatment continue to be justified. In particular, an application for confidential treatment must not concern information already made public or already known by the interveners or information likely to be known by them, inter alia because the information is provided elsewhere in the file or because it is possible easily to deduce it from other material in the file and other lawfully accessible information. A main party must not confine himself to stating that the information concerned is neither public nor known by third parties, or that a document has been provided by a third party who has not responded to his request to indicate whether the document could be communicated to interveners.

92. An application for confidential treatment must not, in principle, concern commercial, financial or industrial information which is outdated, inter alia because it dates back five or more years, save where the person applying for confidential treatment demonstrates that, owing to particular circumstances, it has retained its confidential nature.

93. On lodging an application for confidential treatment in respect of one or more procedural documents, a party must produce a full non-confidential version of the procedural document concerned and all the annexes thereto, with the confidential particulars or passages redacted. In duly justified cases, a party may be authorised to produce that non-confidential version after the lodging of the application for confidential treatment, within a time limit to be set by the General Court. If several main parties apply for confidential treatment in respect of the same procedural document, they may be requested to consult with each other in order to draw up a common non-confidential version of that document, with the confidential particulars or passages redacted, in accordance with point 94 below.

94. Elements which the main parties wish to remain confidential vis-à-vis intervening parties must not simply be redacted in the non-confidential versions of the documents in which they appear. In all cases where this is possible, confidential information must be replaced, between square brackets, with a short description or statement enabling the nature and, where appropriate, the extent of that information to be understood (for example, the following phrases may be used: name of a natural person, contractual clause protected as a trade secret). For figures, the statement should enable their order of magnitude to be known by means of a range of values. It is only in exceptional cases that information may be simply redacted, provided that the context of the elements remaining in the non-confidential version enables the nature of that information to be understood.

95. A failure to provide, or a failure to provide sufficient statements to demonstrate that the application for confidential treatment is legitimate may result in that application being refused by the General Court.

96. Where an application for confidential treatment does not comply with points 87, 88, 93 and 94 above, the Registrar shall request the party concerned to put that application in order. If, despite such a request, the application for confidential treatment is not made to comply with the requirements of these Practice Rules, it will not be possible for it to be properly processed, and a copy of every procedural document and item concerned will be communicated to the intervener under the conditions laid down in points 77 and 78 above.

97. No application for confidential treatment vis-à-vis the other parties to the proceedings may be made by an intervener.

G.3. Confidential treatment where cases are joined

98. Where it is envisaged that several cases will be joined, the parties are requested to state, within the time limit prescribed by the Registrar to that effect, whether they wish to seek confidential treatment in respect of certain information included in the procedural documents and items already placed on the files of the cases concerned by the joinder.

99. The parties must submit simultaneously with any procedural document or item that they may lodge subsequently any application for confidential treatment that may be required in respect of the procedural document or item concerned. In the absence of such an application, the procedural documents and items lodged will be made available to the other parties in the joined cases.

100. Points 87 to 96 above shall apply to applications for confidential treatment submitted where cases are joined.

G.4. Confidential treatment under Article 103 of the Rules of Procedure

101. The General Court may, pursuant to the measures of inquiry referred to in Article 91(b) of the Rules of Procedure, order a party to produce information or material relating to the case.

102. Where such a measure of inquiry has been ordered and the party concerned claims that certain information or material relating to the case is confidential, the treatment of that information or material shall be governed by Article 103 of the Rules of Procedure. The regime in question does not provide, as between main parties, for any derogation from the principle of the adversarial nature of the proceedings, but lays down the rules for the implementation of that principle.

103. In accordance with that provision, the General Court shall examine the relevance of the information or material to the outcome of the proceedings and verify the confidential nature of that information or material. The General Court shall not be bound by the fact that confidential treatment has previously been granted by another authority. It shall examine whether the information or material is indeed confidential. Thus:

— If it considers that the information or material concerned is not relevant, that information or material shall be removed from the file and the parties shall be informed of that removal;

— If it considers that the information or material concerned is relevant to the outcome of the proceedings, but is not confidential, as claimed, or that the requirements relating to observance of the adversarial principle take precedence over the protection of confidentiality, that information or material shall be served on the other main party by decision of the General Court;

— If it considers that the information or material concerned is relevant to the outcome of the proceedings and that the confidential nature of that information or material must, as far as possible, be preserved, the General Court will have two options as regards communicating that information or material to the other main party while respecting both the confidential nature of the information or material and the adversarial principle:

  i. Where the General Court considers that it is desirable, in order to observe the adversarial principle, that information or material be brought to the attention of the other main party, notwithstanding its confidential nature, it may, by way of a measure of organisation of procedure, request the representatives of parties other than the party who produced the confidential information to give an undertaking to preserve the confidentiality of the information or material by not communicating to their respective clients or to a third party the information that is to be disclosed to them. That undertaking shall be voluntary, and no representative can be compelled to give it. However, once the undertaking has been given, any breach of that undertaking may result in Article 55 of the Rules of Procedure being applied;

  ii. Where the General Court considers that communicating only part of a piece of information or material could be sufficient to ensure observance of the adversarial principle or where there is a refusal to give a confidentiality undertaking, it may decide to communicate the essence of the confidential information to the other main party. In order to do so, the General Court shall, in accordance with Article 103(3) of the Rules of Procedure, order the main party who produced the confidential information to communicate certain particulars in such a way as to enable the preservation of the confidentiality of the information to be reconciled with the adversarial nature of the proceedings. It will, for example, be possible for the information to be transmitted in summarised form. There are then two alternatives:

    a. The General Court considers that the communication of information to the other main party in accordance with the procedures prescribed by one or more orders made under Article 103(3) of the Rules of Procedure, where appropriate in return for the undertaking referred to in point (i), enables that party to present his views effectively. In this case, only that information shall be taken into consideration by the General Court in the determination of the case. The confidential information or material which has not been brought to the attention of that party shall not, by contrast, be taken into consideration and shall be removed from the file, with the parties being informed accordingly;

b. The General Court considers that the communication of information to the other main party in accordance with the procedures prescribed by one or more orders made under Article 103(3) of the Rules of Procedure does not enable that party to present his views effectively. In this case, neither the original version of the information or material nor any of the versions produced subsequently shall be taken into consideration by the General Court and all of those versions shall be removed from the file, with the parties being informed accordingly.

G.5. Confidential treatment under Article 104 of the Rules of Procedure

104. In the context of its review of the legality of a measure adopted by an institution denying access to a document, the General Court may order, by way of a measure of inquiry under Article 91(c) of the Rules of Procedure, that the document be produced.

105. The document produced by the institution shall not be communicated to the other parties, as the action would otherwise be devoid of purpose.

G.6. Confidential treatment under Article 105 of the Rules of Procedure

106. In accordance with Article 105(1) and (2) of the Rules of Procedure, a main party to the proceedings may, on his own initiative or following a measure of inquiry ordered by the General Court, produce information or material pertaining to the security of the European Union or to that of one or more of its Member States or to the conduct of their international relations. Article 105(3) to (10) lays down the procedural rules applicable to such information or material.

107. In view of the sensitive, confidential nature of information or material pertaining to the security of the Union or to that of one or more of its Member States or to the conduct of their international relations, the application of the body of rules established by Article 105 of the Rules of Procedure requires a suitable security framework to be set up in order to ensure a high level of protection for that information or material. That framework is documented in the decision of the General Court of 14 September 2016.

IV. PROCEDURAL DOCUMENTS AND THE ANNEXES THERETO IN DIRECT ACTIONS

A. Presentation of procedural documents and annexes

A.1. Procedural documents lodged by the parties

108. The following information must appear on the first page of each procedural document:

(a) the case number (T-…/..), where it has already been notified by the Registry;

(b) the title of the procedural document (application, defence, response, reply, rejoinder, application to intervene, statement in intervention, plea of inadmissibility, observations on …, replies to questions, etc.);

(c) the names of the applicant, of the defendant, of the intervener, if any, and of any other party to the proceedings in cases relating to intellectual property rights;

(d) the name of the party on whose behalf the procedural document is lodged.

109. In order to facilitate the electronic management of procedural documents, these must be submitted:

(a) on a white, unlined background in A4 format;

(b) with a commonly used font (such as Times New Roman, Courier or Arial) in at least 12 point in the body of the text and at least 10 point in the footnotes, with single line spacing, and upper, lower, left and right margins of at least 2.5 cm;

(c) with each paragraph numbered consecutively;

(d) with consecutive page numbering (for example: pages 1 to 50).

110. Each procedural document must contain the form of order sought by the party concerned, where this is required by the Rules of Procedure, or the request being made by the party and, where the length of the document exceeds five pages, a brief summary of the schema or a table of contents.

111. The legal arguments of the parties must be set out in the body of the text of the procedural document and not in the footnotes, the main purpose of which is to include references to documents cited in the procedural document.

112. In the interests of the proper conduct of the procedure and in the interests of the parties, procedural documents must, for the purposes of translation, be drafted in clear, concise language, without the use, where this is not essential, of technical terms specific to a national legal system. Repetition must be avoided and short sentences should, as far as possible, be used in preference to long and complex sentences that include parenthetical and subordinate clauses.

113. When, in their documents, the parties refer to a specific text or piece of legislation, of national or European Union law, the references to that text or piece of legislation must be accurately cited, both so far as concerns the date of adoption and, where possible, the date of publication of that document and so far as concerns its temporal applicability. Likewise, when citing an extract or a passage of a judicial decision or of an Advocate General's Opinion, the parties are requested to specify both the name and number of the case concerned and the ECLI (European Case Law Identifier) of the decision or Opinion and the exact references of the extract or the passage at issue.

A.2. **Schedule of annexes**

114. Where a procedural document is accompanied by annexes, a schedule of annexes must appear at the end of the procedural document with or without pagination. Annexes submitted without a schedule of annexes will not be accepted.

115. The schedule of annexes must indicate, for each annex:

(a) the number of the annex (using a letter and a number; for example: A.1, A.2, … for annexes to the application; B.1, B.2, … for annexes to the defence or to the response; C.1, C.2, … for annexes to the reply; D.1, D.2, … for annexes to the rejoinder; E.1, E.2, … for annexes to replies to questions);

(b) a short description of the annex (for example: 'letter of' [date], from [author] to [addressee]);

(c) the page numbers of the first and last pages of each annex, according to the consecutive page numbering of the annexes (for example: pages 43 to 49 of the annexes);

(d) the number of the paragraph in which the annex is first mentioned and its relevance described.

116. In order to facilitate handling by the Registry, any annexes that are in colour must be clearly indicated as such in the schedule of annexes.

A.3. **Annexes**

117. Only those documents mentioned in the actual text of a procedural document which are referred to in the schedule of annexes and which are necessary in order to prove or illustrate its contents may be submitted as annexes to that procedural document.

118. Annexes to a procedural document must be submitted in such a way as to facilitate the electronic management of documents by the General Court and to avoid any possibility of confusion. Accordingly, the following requirements must be complied with:

(a) each annex must be numbered in accordance with point 115(a) above;

(b) it is recommended that each annex be introduced by means of a specific cover page;

(c) annexes to a procedural document must be paginated consecutively (for example: 1 to 52) from the first page of the first annex (not of the schedule of annexes), including cover pages and any annexes to the annexes;

(d) the annexes must be easily legible.

119. Each reference to an annex produced must include the annex number as stated in the schedule of annexes and indicate the procedural document with which the annex has been produced (for example: Annex A.1 to the application).

120. The legal arguments of the parties must be set out in the procedural document and not in any annexes thereto, which are generally not translated.

B. Lodging of procedural documents and annexes via e-Curia

121. All procedural documents must be lodged at the Registry by exclusively electronic means using the e-Curia application (https://curia.europa.eu/e-curia) in compliance with the decision of the General Court of 10 July 2024 and the Conditions of Use of e-Curia, save for those cases referred to in points 123 to 125 below. The latter two documents shall be available on the website of the Court of Justice of the European Union.

122. Procedural documents and annexes thereto lodged by means of the e-Curia application shall be presented in the form of files. In order to assist the Registry in handling them, it is recommended to follow the practical guidance given in the e-Curia User Guide available online on the website of the Court of Justice of the European Union, namely:

— names of files must clearly identify the procedural document (Pleading, Annexes Part 1, Annexes Part 2, Covering letter, etc.);

— the text of the procedural document can be saved in PDF directly from the word-processing software without the need for scanning;

— the procedural document must include the schedule of annexes;

— the annexes must be contained in one or more files separate from the file containing the procedural document. A file may contain several annexes. It is not obligatory to create one file per annex. It is recommended that annexes be added in ascending order when they are lodged, and that they be sufficiently clearly named (for example: Annexes 1 to 3, Annexes 4 to 6, etc.).

C. Lodging of documents by a means other than e-Curia

123. The general rule according to which all procedural documents must be lodged at the Registry via e-Curia shall be without prejudice to those cases referred to in Article 105(1) and (2) and Article 147(6) of the Rules of Procedure.

124. In addition, annexes to a procedural document, which are mentioned in the body of that document and which by their nature cannot be lodged via e-Curia, may be sent separately by post or delivered to the Registry in accordance with Article 72(4) of the Rules of Procedure, provided that they are mentioned in the schedule of annexes to the document lodged via e-Curia. The schedule of annexes must identify which annexes are to be lodged separately. Those annexes must reach the Registry no later than 10 days after the lodging of the procedural document via e-Curia. They must be lodged at the address indicated in point 3 above.

125. Where it is technically impossible to lodge a procedural document via e-Curia, the representative must follow the procedure laid down in Article 8 of the decision of the General Court of 10 July 2024. The copy of the document lodged by a means other than e-Curia in accordance with Article 8, second paragraph, of the decision of the General Court of 10 July 2024 must include the schedule of annexes and all the annexes referred to therein. It is not necessary for the copy of the procedural document thus lodged to be signed by hand.

D. Non-acceptance of procedural documents and items

126. The Registrar shall refuse to enter in the register and to place on the case file, in whole or in part, procedural documents and, where appropriate, items which are not provided for by the Rules of Procedure. If in doubt, the Registrar shall refer the matter to the President in order for a decision to be taken.

127. Save in the cases expressly provided for by the Rules of Procedure and subject to point 135 below, procedural documents drawn up in a language other than the language of the case shall neither be entered in the register nor be placed on the case file. By contrast, items appended to a procedural document which are not accompanied by a translation into the language of the case shall be entered in the register and placed on the case file. However, if the President decides that the translation of those items is necessary for the proper conduct of the procedure, the Registrar shall request that those items be put in order and shall remove them from the case file if this is not done.

128. Where a party challenges the Registrar's refusal to enter all or part of a procedural document or item in the register and to place it on the case file, the Registrar shall submit that issue to the President for a decision on whether the document or item in question is to be accepted.

E. Regularisation of procedural documents and annexes

E.1. General

129. The Registrar shall ensure that procedural documents placed on the case file and the annexes thereto are in conformity with the provisions of the Statute and the Rules of Procedure, and with these Practice Rules.

130. If necessary, he shall allow the parties a period of time for making good any formal irregularities in the procedural documents lodged.

E.2. Regularisation of applications

131. If an application does not comply with the requirements specified in Annex 2 to these Practice Rules, the Registry shall not serve it and a reasonable time limit shall be prescribed for the purpose of putting it in order. Failure to put the application in order may result in the action being dismissed as inadmissible, in accordance with Article 78(6) and Article 177(6) of the Rules of Procedure.

132. If an application does not comply with the procedural rules specified in Annex 3 to these Practice Rules, service of the application shall be delayed and a reasonable time limit shall be prescribed for the purpose of putting the application in order.

133. If an application does not comply with the procedural rules specified in Annex 4 to these Practice Rules, the application shall be served and a reasonable time limit shall be prescribed for the purpose of putting it in order.

E.3. Regularisation of other procedural documents

134. The instances of regularisation referred to in points 131 to 133 above shall apply as necessary to procedural documents other than the application.

135. Where an application to intervene originating from a third party other than a Member State is not drawn up in the language of the case, the Registrar shall require that application to be put in order before it is served on the parties. If a version of such an application drawn up in the language of the case is lodged within the time limit prescribed for this purpose by the Registrar, the date on which the first version was lodged in a language other than the language of the case shall be taken as the date on which the procedural document was lodged.

V. PROCEDURAL DOCUMENTS AND THE ANNEXES THERETO IN PRELIMINARY RULING CASES

A. Presentation of procedural documents and annexes

A.1. Procedural documents lodged by the interested persons referred to in Article 23 of the Statute

136. The following information must appear on the first page of each procedural document:

(a) the case number (T-…/..), where it has already been notified by the Registry;

(b) the title of the procedural document (statement of case or written observations, replies to questions, etc.);

(c) the names of the parties to the proceedings before the referring court or tribunal or their initials (where the case has been anonymised), as well as any fictitious name given to the case;

(d) the name of the interested person referred to in Article 23 of the Statute on whose behalf the procedural document is lodged.

137. In order to facilitate the electronic management of procedural documents, these must be submitted:

(a) on a white, unlined background in A4 format;

(b) with a commonly used font (such as Times New Roman, Courier or Arial) in at least 12 point in the body of the text and at least 10 point in the footnotes, with 1.5 spacing, and upper, lower, left and right margins of at least 2.5 cm;

(c) with each paragraph numbered consecutively;

(d) with consecutive page numbering (for example: pages 1 to 20).

138. Statements of case or written observations must contain the answers which the interested person referred to in Article 23 of the Statute proposes to give to the questions put by the referring court or tribunal and, if the length of those statements of case or written observations exceeds five pages, a brief summary of the schema or a table of contents.

139. The legal arguments of the interested persons referred to in Article 23 of the Statute must be set out in the body of the text of the procedural document and not in any annexes thereto, which are generally not translated, or in the footnotes, the main purpose of which is to include references to documents cited in the procedural document.

140. Where procedural documents are not sent to the General Court via e-Curia or by other electronic means of transmission, they must be presented one-sided (recto) and fastened by means which can be undone easily, and not by fixed means of fastening such as glue or staples.

141. In the interests of the proper conduct of the procedure and in the interests of the interested persons referred to in Article 23 of the Statute, procedural documents must, for the purposes of translation, be drafted in clear, concise language, without the use, where this is not essential, of technical terms specific to a national legal system. Repetition must be avoided and short sentences should, as far as possible, be used in preference to long and complex sentences that include parenthetical and subordinate clauses.

142. When, in their documents, the interested persons referred to in Article 23 of the Statute refer to a specific text or piece of legislation, of national or European Union law, the references to that text or piece of legislation must be accurately cited, both so far as concerns the date of adoption and, where possible, the date of publication of that document and so far as concerns its temporal applicability. Likewise, when citing an extract or a passage of a judicial decision or of an Advocate General's Opinion, the interested persons referred to in Article 23 of the Statute are requested to specify both the name and number of the case concerned and the ECLI (European Case Law Identifier) of the decision or Opinion and the exact references of the extract or the passage at issue.

143. Where the interested persons referred to in Article 23 of the Statute consider that their statements of case or observations should not be published on the website of the Court of Justice of the European Union, pursuant to Article 202(3) of the Rules of Procedure, they must make explicit reference to this, either in the letter accompanying the statement of case or observations concerned or in a separate letter sent to the Registry at a later stage of the proceedings but, in any event, 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.

A.2. Schedule of annexes

144. Where the procedural document is accompanied by annexes, a schedule of annexes must appear at the end of the procedural document with or without pagination. Annexes submitted without a schedule of annexes will not, in principle, be accepted.

145. The schedule of annexes must indicate, for each annex:

(a) the number of the annex (using a letter and a number; for example: A.1, A.2, …);

(b) a short description of the annex (for example: 'letter of', [date], from [author] to [addressee]);

(c) the page numbers of the first and last pages of each annex, according to the consecutive page numbering of the annexes (for example: pages 43 to 49 of the annexes);

(d) the number of the paragraph in which the annex is first mentioned and its relevance described.

146. In order to facilitate handling by the Registry, any annexes that are in colour must be clearly indicated as such in the schedule of annexes.

A.3. Annexes

147. Only those documents mentioned in the actual text of a procedural document which are referred to in the schedule of annexes and which are necessary in order to prove or illustrate its contents may be submitted as annexes to that procedural document.

148. Annexes to a procedural document must be submitted in such a way as to facilitate the electronic management of documents by the General Court and to avoid any possibility of confusion. Accordingly, the following requirements must be complied with:

(a) each annex must be numbered in accordance with point 145(a) above;

(b) it is recommended that each annex be introduced by means of a specific cover page;

(c) annexes to a procedural document must be paginated consecutively (for example: 1 to 52) from the first page of the first annex (not of the schedule of annexes), including cover pages and any annexes to the annexes;

(d) the annexes must be easily legible.

149. Each reference to an annex produced must include the annex number as stated in the schedule of annexes and indicate the procedural document with which the annex has been produced (for example: Annex A.1 to the observations).

B. Lodging of procedural documents and annexes

150. Where a request for a preliminary ruling is sent to the Registry of the General Court, all procedural documents relating thereto must then be lodged at that registry:

— preferably by electronic means using the e-Curia application (https://curia.europa.eu/e-Curia) in compliance with the decision of the General Court of 10 July 2024 and the Conditions of Use of e-Curia, save for those cases referred to in points 123 to 125 above. The latter two documents shall be available on the website of the Court of Justice of the European Union; or;

— by post at the address indicated in point 3 above; or

— by an electronic means of transmission used by the General Court (in particular, a copy of the original procedural document may be lodged as an attachment to an email sent to the email address indicated in point 3 above, subject to compliance with the condition set out in point 153 below).

151. Only the documents expressly provided for by the procedural rules may be lodged at the Registry. Those documents must be lodged within the prescribed time limits and in compliance with the requirements set out in Article 205 of the Rules of Procedure.

152. In accordance with Article 205(3) of the Rules of Procedure, only the date and time of lodging of the original at the Registry shall be taken into consideration in the calculation of procedural time limits. To prevent any time-barring, it is therefore strongly recommended that e-Curia be used or that the document be sent by registered post or by express delivery, several days before the expiry of the time limit prescribed for lodging the document, or that the relevant document be lodged in person at the Registry of the General Court or, outside the opening hours of the Registry, at the reception of the buildings of the Court of Justice of the European Union where the attendant member of staff will acknowledge receipt of the document by recording on it the date and time of lodging.

153. The lodging of a procedural document by electronic means of transmission other than e-Curia is valid, for the purposes of compliance with procedural time limits, only if the original document, together with the annexes, reaches the Registry no later than 10 days after the dispatch of the copy of the original by those means. That original must therefore be sent or delivered without delay, immediately after the dispatch of the copy, without any corrections or amendments, even of a minor nature. In the event of any discrepancies between the original and the copy previously transmitted, only the date on which the original was lodged will be taken into consideration.

154. Point 122 above shall be applicable to the lodging of documents in preliminary ruling cases.

C. Regularisation of procedural documents and annexes

155. If a procedural document manifestly does not comply with the requirements set out in points 136 to 149 above and, in particular, the instructions relating to the length of that document set out in point 159 below, the Registry may request the author of the document to put it in order within a short period of time.

VI. THE WRITTEN PART OF THE PROCEDURE

A. Length of written pleadings

A.1. Direct actions

156. In direct actions within the meaning of Article 1 of the Rules of Procedure, the maximum number of pages shall be as follows.

1) In direct actions other than those brought pursuant to Article 270 TFEU and those relating to intellectual property rights:

— 50 pages for the application and for the defence;

— 25 pages for the reply and for the rejoinder;

— 20 pages for a plea of inadmissibility and for observations thereon;

— 20 pages for a statement in intervention and 15 pages for observations thereon;

— 30 pages for a statement of modification of the application and for observations thereon.

2) In direct actions brought pursuant to Article 270 TFEU:

— 25 pages for the application and for the defence;

— 15 pages for the reply and for the rejoinder;

— 10 pages for a plea of inadmissibility and for observations thereon;

— 10 pages for a statement in intervention and 5 pages for observations thereon;

— 20 pages for a statement of modification of the application and for observations thereon.

3) In cases relating to intellectual property rights, the maximum number of pages shall be as follows:

— 20 pages for the application and for responses;

— 15 pages for the cross-claim and for responses thereto;

— 10 pages for a plea of inadmissibility and for observations thereon;

— 10 pages for a statement in intervention and 5 pages for observations thereon;

— 15 pages for a statement of modification of the application and for observations thereon.

157. Authorisation to exceed those maximum lengths will be given only in cases involving particularly complex legal or factual issues.

158. The schedule of annexes and any table of contents shall not be taken into account in determining the maximum number of pages of a pleading.

A.2. Preliminary ruling cases

159. Save in exceptional circumstances, the number of pages of written observations submitted pursuant to Article 202 of the Rules of Procedure should not be greater than 20.

A.3. Regularisation of excessively long pleadings

160. A pleading comprising a number of pages which significantly exceeds the maximum number of pages prescribed in points 156 and 159 above, as the case may be, shall require regularisation, unless otherwise directed by the President.

161. Where a party is requested to put his pleading in order on account of its excessive length, service of the pleading which requires regularisation on account of its length shall be delayed.

B. Structure and content of written pleadings

B.1. Direct actions other than those relating to intellectual property rights

1) Application initiating proceedings

162. The mandatory information to be included in the application initiating proceedings is prescribed by Article 76 of the Rules of Procedure.

163. The introductory part of the application should be followed by a brief account of the facts giving rise to the dispute.

164. The precise wording of the form of order sought by the applicant must be stated either at the beginning or at the end of the application.

165. Legal arguments should be set out and grouped by reference to the particular pleas in law to which they relate. Each argument or group of arguments should generally be preceded by a summary statement of the relevant plea. In addition, it is recommended that the pleas in law relied on each be given a heading to enable them to be identified easily.

166. The documents referred to in Article 78 of the Rules of Procedure must be produced, where appropriate, together with the application. In addition, the documents referred to in Article 51(2) and (3) of the Rules of Procedure must be capable of being produced on request at any stage of the proceedings.

167. Each application must be accompanied by a summary of the pleas in law and main arguments relied on, designed to facilitate the drafting of the notice which must be published in the *Official Journal of the European Union* in accordance with Article 79 of the Rules of Procedure.

168. In order to assist the General Court in processing the summary of the pleas in law and main arguments relied on, it is requested that the summary:

— be produced separately from the body of the application and the annexes mentioned in the application;

— not exceed two pages;

— be prepared in the language of the case in accordance with the model available online on the website of the Court of Justice of the European Union;

— be transmitted via e-Curia when the application is lodged, with an indication of the case to which it refers.

169. Any application lodged by more than 10 applicants must be accompanied by a table setting out the list of those parties.

170. In order to assist the General Court in processing that table, it is requested that the table:

— indicate for each party, in separate columns, that party's first name, surname, town or city of residence and country of residence;

— be prepared in the language of the case in accordance with the example appended to the indicative model application available online on the website of the Court of Justice of the European Union;

— also be transmitted by email, as an ordinary electronic file produced using spreadsheet software, to the email address indicated in point 3 above, indicating the case to which it relates or the filing number assigned in e-Curia at the time of lodging of the application.

171. If the application is lodged after the submission of an application for legal aid, the effect of which, under Article 147(7) of the Rules of Procedure, is to suspend the time limit prescribed for the bringing of an action, this must be stated at the beginning of the application initiating proceedings.

172. If the application is lodged after service of the order making a decision on an application for legal aid or, where no lawyer is designated in that order to represent the applicant for legal aid, after service of the order designating the lawyer instructed to represent the applicant for legal aid, reference must also be made, in the application initiating proceedings, to the date on which the order was served on the applicant.

173. In order to facilitate formal preparation of the application, the parties' representatives may find it useful to consult the document entitled 'Aide-mémoire – Application' and the indicative model application available on the website of the Court of Justice of the European Union.

2) Defence

174. The mandatory information to be included in the defence is prescribed by Article 81(1) of the Rules of Procedure.

175. The precise wording of the form of order sought by the defendant must be stated either at the beginning or at the end of the defence.

176. Any fact alleged by the applicant which is contested must be specified and the basis on which it is contested expressly stated.

177. As the legal framework of the proceedings is fixed by the application, the legal arguments developed in the defence must, so far as is possible, be set out and grouped by reference to the pleas in law or complaints put forward in the application.

178. Point 166 above shall apply to the defence.

179. In cases brought pursuant to Article 270 TFEU, the institutions should preferably annex to the defence any acts of general application cited which have not been published in the *Official Journal of the European Union*, together with details of the dates of their adoption, their entry into force and, where applicable, their repeal.

3) Reply and rejoinder

180. The framework and the pleas in law or complaints at the heart of the dispute having been set out (or contested) in depth in the application and the defence, the purpose of the reply and the rejoinder shall be to allow the applicant and the defendant to make clear their position or to refine their arguments on an important issue, and to respond to new matters raised in the defence and in the reply.

181. Where, pursuant to Article 83(3) of the Rules of Procedure, the President specifies the matters to which those procedural documents should relate, the parties should focus on those matters.

B.2. Cases relating to intellectual property rights

1) Application initiating proceedings

182. The application must contain the information referred to in Article 177(1) to (3) of the Rules of Procedure.

183. The documents referred to in Article 177(3) to (5) of the Rules of Procedure must be produced together with the application.

184. Points 163 to 166 and 171 to 173 above shall apply to applications in cases relating to intellectual property rights.

2) Response

185. The mandatory information to be included in the response is prescribed by Article 180(1) of the Rules of Procedure.

186. The precise wording of the form of order sought by the defendant or by the intervener must be stated either at the beginning or at the end of the response.

187. The documents referred to in Article 177(4) and (5) of the Rules of Procedure must be produced together with the response lodged by the intervener, in so far as those documents have not already been lodged in accordance with Article 173(5) of the Rules of Procedure.

188. Points 166, 176 and 177 above shall apply to the response.

3) Cross-claim and responses to the cross-claim

189. If, when the application has been served on him, a party to the proceedings before the Board of Appeal other than the applicant intends to challenge the contested decision on a point not raised in the application, that party must introduce a cross-claim when lodging his response. That cross-claim must be introduced by separate document and meet the requirements set out in Articles 183 and 184 of the Rules of Procedure.

190. Where such a cross-claim is introduced, the other parties to the proceedings may submit a pleading in response confined to the form of order sought and the pleas in law and arguments relied on in the cross-claim.

B.3. Preliminary ruling cases

191. Each interested person referred to in Article 23 of the Statute, may, if that person so wishes, submit observations on the questions referred by a national court or tribunal. The purpose of those observations is to provide clarification for the General Court as to the scope of the request and in particular as to the answers that should be given to the questions raised by the referring court or tribunal. The observations thus lodged shall be served on all the persons concerned upon the close of the written part of the procedure.

192. Although those observations must be complete and must include, in particular, the arguments on which the General Court may base its answer to the questions referred, it is not necessary, by contrast, to repeat the factual and legal background to the dispute as set out in the order for reference, unless it requires further comment.

193. In view of the publication of statements of case or written observations on the website of the Court of Justice of the European Union pursuant to Article 202(3) of the Rules of Procedure, it is essential that those documents not contain personal data.

VII. THE ORAL PART OF THE PROCEDURE

A. Organisation of hearings

A.1. **Common provision**

194. A main party or an interested person referred to in Article 23 of the Statute who wishes to present oral argument must submit a reasoned request for a hearing within three weeks after service on the parties of notification of the close of the written part of the procedure. That reasoning – which is not to be confused with a written pleading, a statement of case or written observations and should not exceed three pages – must be based on a real assessment of the benefit of a hearing to the party or person in question and must indicate the elements of the case file or arguments which that party or person considers it necessary to develop or refute more fully at a hearing. In order better to ensure that the arguments remain focused at the hearing, the statement of reasons must not be in general terms merely referring, for example, to the importance of the case.

A.2. **Direct actions**

195. As is apparent from Article 106 of the Rules of Procedure, the General Court shall arrange a hearing either of its own motion or at the request of a main party.

196. If no reasoned request is submitted by a main party within the prescribed time limit, the General Court may decide to rule on the action without an oral part of the procedure.

A.3. **Preliminary ruling cases**

197. As is apparent from the fourth paragraph of Article 20 of the Statute, the oral part of the procedure shall consist, in principle, of two distinct stages: the hearing so that the interested persons referred to in Article 23 of the Statute may be heard and the delivery of the Opinion of the Advocate General. Under the fifth paragraph of Article 20 of the Statute, the General Court may, however, where it considers that the case raises no new point of law, decide to determine the case without a submission from the Advocate General.

198. A hearing will not automatically be arranged. A hearing shall be arranged by the General Court whenever it is likely to contribute to a better understanding of the case and the issues raised by it, whether or not a request to that effect has been made by the interested persons referred to in Article 23 of the Statute.

199. Where an interested person referred to in Article 23 of the Statute has not participated in the written part of the procedure, but wishes to be heard at a hearing and submits a reasoned request to that effect, a hearing shall be arranged by the General Court.

B. Preparation for the hearing

B.1. **Common provisions**

200. The President shall fix the date and time of the hearing and may, if necessary, adjourn it.

201. The parties or the interested persons referred to in Article 23 of the Statute shall be given notice to attend the hearing by the Registry at least one month before it takes place, provided always that, where the circumstances so require, a shorter period of notice may apply. Where the General Court decides to organise a joint hearing of two or more cases pursuant to Article 106a or Article 214 of the Rules of Procedure, the notice to attend the hearing shall specify the cases that will be dealt with at that hearing.

202. In accordance with Article 107(2) and Article 215(2) of the Rules of Procedure, a request for adjournment of a hearing shall be granted only in exceptional circumstances. Such a request may be lodged only by a main party or, in preliminary ruling cases, by an interested person referred to in Article 23 of the Statute, and must state adequate reasons, be accompanied, where necessary, by appropriate supporting documents, and be submitted to the General Court as soon as possible after notice to attend has been given.

203. Before each public hearing, the Registrar shall cause the following information to be displayed outside the courtroom: the date and time of the hearing, the competent formation of the Court, the case(s) which will be called and the names of the parties or of the interested persons referred to in Article 23 of the Statute.

204. A request to use particular technical means for the purposes of a presentation must be made at least two weeks before the date of the hearing. If the request is approved by the President, the arrangements for the use of such means should be made with the Registry, so that any technical or practical constraints can be taken into account. The sole object of the presentation shall be to illustrate the information contained in the case file and it must not, therefore, contain new pleas in law or new evidence. Supporting material for such presentations shall not be placed on the case file; nor, therefore, shall it be served on the other parties, unless the President decides otherwise.

205. In view of the security measures in place to control access to the buildings of the Court of Justice of the European Union, it is recommended that representatives and parties to the main proceedings who are permitted to bring or defend court proceedings without being represented by a lawyer take the necessary steps to ensure that they are present in the courtroom at least 20 minutes before the hearing is due to start.

206. The Members of the formation of the Court will normally wish to discuss the conduct of the hearing with the representatives and the parties to the main proceedings who are permitted to bring or defend court proceedings without being represented by a lawyer.

207. With a view to ensuring the best possible organisation of the hearing, the parties and their representatives are also requested to inform the General Court of any particular measures that would facilitate their actual participation in the hearing, in particular in cases of disability or reduced mobility.

208. In order to prepare for their participation in a hearing, the representatives and the parties to the main proceedings who are permitted to bring or defend court proceedings without being represented by a lawyer are requested to consult the document entitled 'Aide-mémoire – Hearing of oral argument' available on the website of the Court of Justice of the European Union.

B.2. **Direct actions**

209. If the representative of a party intends not to be present at the hearing, he is requested to inform the General Court of this shortly after notice to attend has been given.

210. The General Court will make every effort to ensure that the parties' representatives receive a summary report for the hearing three weeks before the hearing. The purpose of the summary report for the hearing is to enable the parties to prepare for the hearing.

211. Where the General Court decides to organise a joint hearing of two or more cases pursuant to Article 106a of the Rules of Procedure, the summary report for the hearing drawn up in each of the cases concerned shall be served, in the language of the case, on all other parties to whom notice to attend that hearing has been given.

212. The summary report for the hearing, drawn up by the Judge-Rapporteur, shall be confined to setting out the pleas in law and a succinct summary of the parties' arguments.

213. Any observations the parties may wish to make on the summary report for the hearing may be made at the hearing. In such cases, a reference to such observations shall be recorded in the minutes of the hearing.

214. The summary report for the hearing shall be made available to the public outside the courtroom on the day of the hearing, unless the case is to be entirely heard in camera.

215. If a party intends to request a derogation from the language arrangements in accordance with Article 45(1)(c) or (d) of the Rules of Procedure in order for a language other than the language of the case to be used at the hearing, the request must be submitted at least two weeks before the date of the hearing, in the interest of the proper organisation of that hearing.

B.3. **Preliminary ruling cases**

216. When notice is given to attend the hearing, the interested persons referred to in Article 23 of the Statute shall also be informed, where appropriate, of the fact that there will be no Opinion of the Advocate General.

217. Without prejudice to the possibility, for a Member State, of using its own official language(s) when taking part in a hearing and the possibility, for third countries, of using one of the languages mentioned in Article 44 of the Rules of Procedure when taking part in a preliminary ruling case, the other interested persons referred to in Article 23 of the Statute are required to present oral argument in the language of the case, as determined in accordance with the rules laid down in Article 45(4) of those Rules.

218. The interested persons referred to in Article 23 of the Statute are requested to indicate within a short period, in particular, whether they intend to participate in the hearing, as well as the name of the lawyer, agent or other person who will represent them at that hearing and the speaking time they wish to be allocated. The parties to the main proceedings are also requested to submit, if they wish to do so, within that same period, a request to derogate from the language arrangements pursuant to Article 45(4) of the Rules of Procedure. The derogation may be a derogation in part and may concern, inter alia, answers to any questions put at the hearing. In such cases, the initial oral submission of the party concerned and the final reply must be made in the language of the case.

219. A late or incomplete reply to the Registry's letters of notice to attend is likely to jeopardise the proper conduct of the hearing, in particular from a linguistic point of view, and, thus, the usefulness of that hearing in resolving the dispute brought before the General Court.

220. During the discussion referred to in point 206 above, the Judge-Rapporteur and, where appropriate, the Advocate General may request the representatives and the parties to the main proceedings who are permitted to bring or defend court proceedings without being represented by a lawyer to provide, at the hearing, further information on certain questions or to develop one or more specific aspects of the case in question.

C. Conduct of the hearing

221. Representatives of the parties or of the interested persons referred to in Article 23 of the Statute shall be required to appear before the General Court in gowns and are therefore requested to provide their own gowns. In the event that the representatives do not have gowns, a number of gowns may be made available by the General Court but, as these are limited in number and in terms of the sizes available, the representatives concerned are requested to inform the General Court of any such requirement in advance. Parties to the main proceedings who are permitted to bring or defend court proceedings without being represented by a lawyer shall not appear before the General Court in gowns.

222. A hearing before the General Court shall consist, as a general rule, of three separate parts:

— the oral submissions themselves, the purpose of which shall be:

  i. where necessary, to reiterate in condensed form the position taken by the parties, emphasising the key arguments advanced in writing;

  ii. to clarify, if necessary, certain arguments advanced during the written part of the procedure and to submit any new material arising from events occurring after the close of the written part of the procedure and which therefore could not have been set out in the pleadings;

  iii. to respond to questions put by the General Court prior to the hearing;

— any questions put by the General Court;

— any replies to observations made or questions raised, during the hearing, by the other participants in that hearing or by the Members of the General Court.

223. It will be for each party or each interested person referred to in Article 23 of the Statute to assess, in the light of the purpose of the hearing, as defined in point 222 above, whether oral argument is really necessary or whether it is sufficient simply to refer to the written observations or statements of case. The hearing can then concentrate on the replies to questions put by the General Court. If the representative does consider it necessary to address the Court, it is recommended that he confine himself to making specific points and referring to the pleadings or statements of case in relation to other points.

224. Where, before the hearing, the General Court has invited the parties or the interested persons referred to in Article 23 of the Statute, in accordance with Article 89(4) or Article 210(1) of the Rules of Procedure, to concentrate in their oral pleadings on one or more specified issues, those issues must be addressed as a matter of priority in the oral submissions.

225. In the interests of clarity and in order to enable the Members of the General Court to understand oral submissions better, it will generally be preferable for Counsel to speak freely on the basis of notes rather than to read out a written text. Representatives of the parties or of the interested persons referred to in Article 23 of the Statute are also requested to simplify their presentation of the case as far as possible and to use short sentences. In addition, the representatives are requested to structure their oral argument and to indicate, before developing it, the structure they intend to adopt.

226. In order to assist the General Court in relation to certain technical issues, the President of the formation of the Court may authorise representatives of the parties or of the interested persons referred to in Article 23 of the Statute to give the floor to individuals who, despite not having the status of representative, are best placed to comment. Those individuals shall intervene only in the presence of the representative of the party or interested person concerned and responsibility for them shall lie with him. Before addressing the Court, those individuals must identify themselves.

227. The time taken in presenting oral submissions may vary, depending on the nature or the particular complexity of the case, whether or not new facts have arisen, the number and procedural status of the participants in the hearing and whether there are any measures of organisation of procedure. Each main party or each interested person referred to in Article 23 of the Statute will be allowed 15 minutes and each intervener will be allowed 10 minutes to present oral submissions (in direct actions, at a hearing in joined cases or at a joint hearing, each main party will be allowed 15 minutes for each case and each intervener will be allowed 10 minutes for each case), unless the Registry has indicated otherwise. These limitations shall apply only to the oral submissions themselves and not to the time required to answer questions put at the hearing or for final replies.

228. If circumstances so require, a request for leave to exceed the speaking time normally allowed, giving reasons and indicating the speaking time considered necessary, may be made to the Registry, in direct actions, at least two weeks (or less, in duly substantiated exceptional circumstances) before the date fixed for the hearing or, in preliminary ruling cases, in the response to the letter of notice to attend the hearing. When such requests are made, representatives or parties to the main proceedings who are permitted to bring or defend court proceedings without being represented by a lawyer will be informed of the time which they will have for presenting their oral submissions.

229. When several representatives act for a party or for an interested person referred to in Article 23 of the Statute, only two of them may normally present oral argument, and their combined speaking time must not exceed the time limits indicated in points 227 and 228 above. However, representatives other than those who have addressed the Court may answer questions from Members of the General Court and make final replies.

230. Where two or more parties or interested persons referred to in Article 23 of the Statute are advancing the same argument before the General Court, their representatives are requested to confer with each other before the hearing in order to avoid any repetition. Representatives of the parties or of the interested persons concerned must, however, ensure that they adopt a position only on behalf of the parties or the interested persons whom they represent and that they comply, in direct actions, with Article 84 of the Rules of Procedure, which lays down the conditions under which a new plea in law may be introduced in the course of proceedings before the General Court.

231. When citing a decision of the Court of Justice, the General Court or the Civil Service Tribunal, representatives are requested to refer to it by the usual name of the case and the case number, and, where relevant, to specify the relevant paragraph(s).

232. Litigants and persons authorised to speak during the hearing are requested to respect any anonymisation, omission or redaction of data by the referring court or tribunal or by the General Court and to refrain from referring to personal data which may help to (re)identify the persons concerned.

233. In direct actions, in accordance with Article 85(3) of the Rules of Procedure, the main parties may, exceptionally, produce further evidence at the hearing. In such a situation, it is recommended that sufficient copies (including, where appropriate, in a non-confidential version for interveners) be made available. The other parties will be heard on the admissibility and content thereof at the hearing or, as the case may be, if the oral part of the procedure remains open after the hearing is closed, in writing after the hearing.

234. The active participation of the parties or of the interested persons referred to in Article 23 of the Statute shall come to an end at the end of the hearing. Subject to the exceptional situation in which the oral part of the procedure is reopened, pursuant to Article 113 or Article 222 of the Rules of Procedure, the parties or interested persons referred to above shall no longer be authorised to submit written observations or oral submissions, in particular in response to the Opinion of the Advocate General, once the President has declared the hearing closed.

D. Participation in a hearing by videoconference

D.1. Request for the use of videoconferencing

235. If the representative of a party or 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 is prevented from participating in person in a hearing which he has been given notice to attend, whether for health reasons (for example, an impediment of an individual medical nature or resulting from travel restrictions linked to an epidemic), or on security or other serious grounds (for example, a strike in the air transport sector), the representative or the party concerned must lodge, by separate document, a reasoned request to participate in the hearing by videoconference.

236. In order to ensure that the request can be properly processed by the General Court, it must be submitted as soon as the reason for the impediment is known and contain:

— precise and substantiated details of the nature of the impediment relied on;

— the contact details of a person with whom any necessary technical and interpretation tests may be carried out in advance of the hearing;

— if applicable, the case number of the last case in which the representative or the party participated in a hearing by videoconference before the General Court or the Court of Justice.

237. The Registry shall serve the party or the interested person referred to in Article 23 of the Statute requesting the use of videoconferencing with the decision taken by the President on the request. That request and that decision shall also be served on the other parties to the case or interested persons referred to in Article 23 of the Statute.

238. If that decision is favourable, the person whose contact details will previously have been supplied by the representative or the party to the main proceedings who is permitted to bring or defend court proceedings without being represented by a lawyer in his request will be contacted by the technical support services of the Court of Justice of the European Union so that the mandatory technical and interpretation tests involving the representative or the party can be organised as quickly as possible.

239. If the tests prove to be successful, the party or the interested person referred to in Article 23 of the Statute can actually participate in the hearing by videoconference, and the other parties or interested persons shall be notified accordingly. If the tests prove to be unsuccessful, the parties or interested persons shall be notified of the consequences as regards proceeding with the hearing or adjourning it.

D.2. **Technical conditions**

240. The use of videoconferencing for oral hearings requires high sound and image quality and a perfectly stable connection, which are tested prior to the hearing.

241. The General Court reserves, in that regard, the right to decide on the technical solution that offers a suitable level of security and reliability to enable a good connection and, thus, effective participation by the parties to the hearing under conditions similar to those prevailing during an in-person hearing. The use of specific videoconferencing equipment or any other virtual meeting system cannot be authorised until it has been validated by the General Court and all the necessary guarantees regarding the quality and stability of the connection have been obtained. The parties are requested, in that regard, to consult the website of the Court of Justice of the European Union (https://curia.europa.eu/jcms/jcms/Jo2_7040/), both as regards the technical requirements with which the parties are requested to comply and as regards the practical recommendations to be taken into account when participating in a hearing by videoconference.

242. Where the representative or the party to the main proceedings who is permitted to bring or defend court proceedings without being represented by a lawyer participates in the hearing by videoconference, he may use only the language in which he is authorised to plead under the Rules of Procedure and may, without prejudice to future developments, have access only to interpretation into that language.

D.3. **Practical recommendations**

243. Practical recommendations for representatives or for parties to the main proceedings who are permitted to bring or defend court proceedings without being represented by a lawyer making oral submissions by videoconference can be found on the website of the Court of Justice of the European Union.

E. Interpretation

244. In order to facilitate interpretation, representatives or parties to the main proceedings who are permitted to bring or defend court proceedings without being represented by a lawyer are requested to send any text or written notes for their submissions to the Interpretation Directorate in advance by email (interpretation@curia.europa.eu).

245. Any notes for submissions thus transmitted will be treated in the strictest confidence. In order to avoid any misunderstanding, the name of the party or of the interested person referred to in Article 23 of the Statute must be stated. Notes for submissions will not be placed on the case file and will be destroyed after the hearing.

246. Representatives and parties to the main proceedings who are permitted to bring or defend court proceedings without being represented by a lawyer are reminded that, depending on the case being heard, only some of the Members of the General Court may be following the oral argument in the language in which it is being presented; the other Members will be listening to the simultaneous interpretation. In the interests of the better conduct of the hearing and of maintaining the quality of the simultaneous interpretation, those representatives and those parties are strongly advised to speak slowly and directly into the microphone.

247. Where representatives or parties to the main proceedings who are permitted to bring or defend court proceedings without being represented by a lawyer intend to cite verbatim passages from certain texts or documents, particularly passages not appearing in the case file, it would be helpful if they would indicate the passages concerned to the interpreters before the hearing. Similarly, it may be helpful to draw the interpreters' attention to any terms which may be difficult to translate.

F. Minutes of the hearing

248. The Registrar shall draw up in the respective language of each case the minutes of every hearing. Those minutes shall contain:

— an indication of the case;

— the date, time and place of the hearing;

— an indication, where applicable, that the case was heard in camera or was broadcast;

— the names of the Judges, the Registrar and, where applicable, the Advocate General present;

— the names and status of the representatives of the parties or of the interested persons referred to in Article 23 of the Statute present;

— a reference to any observations, in direct actions, on the summary report for the hearing;

— the surnames, first names, status and permanent addresses of any witnesses or experts examined;

— an indication, where applicable, of the procedural documents or items produced at the hearing and, in so far as is necessary, the statements made at the hearing;

— the decisions taken at the hearing by the General Court or by the President.

249. Where a joint hearing of two or more cases is organised in accordance with Article 106a or Article 214 of the Rules of Procedure, minutes of the hearing, the content of which shall be identical for all the cases concerned, shall be placed on the file for each case in the language of the case.

G. Broadcasting of hearings

250. Following the entry into force of the decision referred to in Article 110a(4) and Article 219(4) of the Rules of Procedure, hearings of the General Court may be broadcast, in accordance with the conditions laid down in those articles.

251. Where a party or an interested person referred to in Article 23 of the Statute considers that the hearing which that party or person has been given notice to attend should not be broadcast, the party or person concerned shall inform the General Court of this in writing, setting out in detail the circumstances that justify that position. That reasoning – which is not to be confused with a written pleading, a statement of case or written observations and should not exceed three pages – must be based on a real assessment of the inappropriateness of broadcasting the hearing. In order better to guide the General Court in its decision, the statement of reasons must not be in general terms merely referring, for example, to the sensitivity of the case for the party or interested person concerned.

252. The parties or the interested persons referred to in Article 23 of the Statute shall be informed of the decision of the General Court in good time before the hearing.

253. Where the hearing has been broadcast, it 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. Where a party or an interested person referred to in Article 23 of the Statute considers that the video recording of a hearing in which that party or person took part should be removed from that website, the party or person concerned may submit a request to the General Court to that effect, setting out the circumstances that justify that removal. If that request is granted, the video recording concerned shall be removed from the website forthwith.

H. Reading of the Opinion of the Advocate General and delivery of the judgment closing the proceedings

254. Where the parties and the interested persons referred to in Article 23 of the Statute are informed by the Registry of the date of delivery of the judgment closing the proceedings and, as the case may be, of the date on which the Advocate General will deliver his Opinion in the case which concerns them, they shall not be required to travel to Luxembourg.

255. The text of the Opinion and of the judgment shall be served on the parties and on the interested persons referred to in Article 23 of the Statute by the Registry and shall be published on the website of the Court of Justice of the European Union in the languages available.

VIII. LEGAL AID

A.1. Direct actions

256. In accordance with Article 147(2) of the Rules of Procedure, the use of a form in making an application for legal aid shall be compulsory. The form is available, in all the official languages of the Union, on the website of the Court of Justice of the European Union.

257. An applicant for legal aid who is not represented by a lawyer when the legal aid form is lodged may, in accordance with Article 147(6) of the Rules of Procedure, lodge the duly completed and signed paper form at the Registry by post or physically deliver it to the address indicated in point 3 above. Forms not bearing a handwritten signature will not be processed.

258. Where the applicant for legal aid is represented by a lawyer when the legal aid form is lodged, the form shall be lodged in accordance with Article 72(1) of the Rules of Procedure, taking into account the requirements of point 121 above.

259. The legal aid form is intended to provide the General Court, in accordance with Article 147(3) and (4) of the Rules of Procedure, with the information required to give an effective decision on the application for legal aid. The information required concerns:

— the financial situation of the applicant for legal aid;

and

— where the action has not yet been brought, the subject matter of that action, the facts of the case and the arguments relating thereto.

260. In order to ensure that his application can be taken into account, the applicant for legal aid shall be required to produce, together with the legal aid form, documentary evidence to substantiate the information referred to in point 259 above.

261. Where applicable, the documents referred to in Article 51(2) and (3) and Article 78(4) of the Rules of Procedure must be produced together with the legal aid form. In addition, the documents referred to in Article 51(2) and (3) of the Rules of Procedure must be capable of being produced on request at any stage of the proceedings.

262. The duly completed legal aid form and supporting documents must be intelligible in themselves.

263. If the applicant for legal aid repeats his application without the new application being based on new evidence, that application shall not be registered and the applicant for legal aid shall be informed accordingly.

264. Without prejudice to the power of the General Court to request information or the production of further documents under Articles 89 and 90 of the Rules of Procedure, the application for legal aid may not be supplemented by the subsequent filing of additional material. Such material shall be rejected, unless it has been lodged at the request of the General Court. In exceptional cases, supporting documents intended to establish the lack of means of the applicant for legal aid may nevertheless be accepted subsequently, subject to the delay in their production being adequately explained.

265. The lodging of an application for legal aid has the effect of suspending, and not of interrupting, the time limit prescribed for bringing an action until service of the order making a decision on that application or, where no lawyer is designated in that order to represent the applicant for legal aid, until the date of service of the order designating the lawyer instructed to represent him. The remaining period within which the application initiating proceedings may be lodged may thus be very short. Recipients of legal aid who are duly represented by a lawyer are therefore advised to pay particular attention to compliance with the legal time limit.

A.2. Preliminary ruling cases

266. 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 in accordance with the conditions laid down in Articles 239 to 241 of the Rules of Procedure.

267. An applicant for legal aid who is not represented by a lawyer may lodge his application for legal aid in paper form at the Registry by post or physically deliver it to the address indicated in point 3 above. Applications for legal aid not bearing a handwritten signature will not be processed.

268. Where the applicant for legal aid is represented by a lawyer or by a person authorised to do so who is not a lawyer when his application for legal aid is lodged, the application shall be lodged in accordance with the procedure laid down in Article 205 of the Rules of Procedure.

269. In order for it to be possible for applications for legal aid to be taken into account, they must be accompanied by all the information and supporting documents necessary to enable the General Court to assess the true financial situation of the applicant for legal aid. From this perspective, it is therefore important that the applicant for legal aid communicate to the General Court not only the documents setting out the various types of income and allowances which he receives (such as a payslip, a bank statement, or a document issued by a public authority or a social security body) but also the documents relating to the expenses he is required to pay (such as a rental or loan agreement, a statement relating to school fees for a dependent child, an invoice or bills). As, in preliminary rulings, the General Court gives its ruling at the request of a court or tribunal of a Member State, the parties to the main proceedings must, first of all, apply for any legal aid from that court or tribunal or from the competent authorities of the Member State concerned, the aid granted by the General Court being only subsidiary to the aid granted at national level. In accordance with Article 239(3) of the Rules of Procedure, if the applicant for legal aid 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.

270. Where it grants the application for legal aid, the General Court is responsible, where applicable within the limits set by the formation of the Court, solely for costs involved in the assistance and representation before the General Court of the applicant for legal aid.

IX. URGENT PROCEDURES

A. Expedited procedure

A.1. Direct actions

1) Request for an expedited procedure

271. In accordance with Article 152(1) of the Rules of Procedure, a request for an expedited procedure must be made by separate document lodged simultaneously with the application initiating proceedings or the defence, as the case may be, and contain a statement of reasons specifying the particular urgency of the case and any other relevant circumstances.

272. In order to facilitate immediate processing by the Registry, the request for an expedited procedure must state on the first page that it is lodged under Articles 151 and 152 of the Rules of Procedure.

273. The application or defence lodged by the party requesting the expedited procedure must not, in principle, exceed 25 pages. That application or defence must be submitted in accordance with the requirements set out in points 162 to 172 above or in points 174 to 179 above.

274. It is recommended that the party requesting the expedited procedure specify in his request the pleas in law, arguments or passages of the pleading in question (application or defence) which are put forward only in the event that the case is not decided under the expedited procedure. That information, referred to in Article 152(2) of the Rules of Procedure, must be clearly specified in the request, indicating the numbers of the paragraphs concerned.

2) Abridged version

275. It is recommended that an abridged version of the relevant pleading be annexed to any request for an expedited procedure which contains the information referred to in point 274 above.

276. In order to ensure that it is dealt with as expeditiously as possible, that abridged version must comply with the following directions:

(a) the abridged version shall be in the same format as the original version of the pleading in question, with omitted passages being identified by the word 'omissis' in square brackets;

(b) paragraphs which are retained in the abridged version shall keep the same numbering as in the original version of the pleading in question;

(c) if the abridged version does not refer to all the annexes to the original version of the pleading in question, the schedule of annexes accompanying the abridged version shall identify each annex omitted by the word 'omissis';

(d) annexes which are retained in the abridged version must keep the same numbering as in the schedule of annexes in the original version of the pleading in question;

(e) the annexes referred to in the schedule accompanying the abridged version must be attached to that version.

277. Where the production of an abridged version of the pleading is requested by the General Court under Article 151(3) of the Rules of Procedure, the abridged version must be prepared in accordance with the above directions, unless otherwise specified.

3) Defence

278. The defendant must respond, within a period of one month, to:

— the application initiating proceedings, if the applicant has not specified in his request for an expedited procedure the pleas in law, arguments or passages of the application initiating proceedings which are to be taken into consideration only in the event that the case is not decided under the expedited procedure;

— the pleas in law and arguments advanced in the application, in the light of the information provided in the request for an expedited procedure, if the applicant provides such information;

— the pleas in law and arguments contained in the abridged version of the application initiating proceedings if such an abridged version is attached to the request for an expedited procedure.

279. If the General Court decides to refuse the request for an expedited procedure before the defendant has lodged his defence, the period of one month for the lodging of the defence prescribed by Article 154(1) of the Rules of Procedure shall be extended by a further month.

280. If the General Court decides to refuse the request for an expedited procedure after the defendant has lodged his defence within the period of one month prescribed by Article 154(1) of the Rules of Procedure, the defendant shall be allowed a further period of one month from the date of service of the decision refusing the request for an expedited procedure, in order to supplement his defence.

4) Oral part of the procedure

281. Under the expedited procedure, as the written part of the procedure is, in principle, limited to one exchange of pleadings, the emphasis shall be on the oral part of the procedure and a hearing shall be organised promptly after the written part of the procedure has been closed. The General Court may nevertheless decide to rule without an oral part of the procedure where the main parties indicate, within a period prescribed by the President, that they have decided 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.

282. Where the General Court has not authorised the lodging of a statement in intervention, the intervener may submit his observations only orally, if a hearing is organised.

A.2. Preliminary ruling cases

283. In accordance with Articles 237 and 238 of the Rules of Procedure, at the request of the referring court or tribunal or of the General Court's own motion, a preliminary ruling case may be dealt with under an expedited procedure.

B. Suspension of operation or enforcement and other interim measures in direct actions

284. In accordance with Article 156(5) of the Rules of Procedure, an application for suspension of operation or enforcement or other interim measures must be made by separate document. It must be intelligible in itself, without necessitating reference to the application lodged in the main proceedings, including the annexes thereto.

285. In order to facilitate immediate processing by the Registry, the application for suspension of operation or enforcement or other interim measures must state on the first page that it is lodged under Article 156 of the Rules of Procedure and, where appropriate, that it contains an application based on Article 157(2) of the Rules of Procedure.

286. The application for suspension of operation or enforcement or other interim measures must state, first, the subject matter of the proceedings and, clearly and concisely, the pleas of fact and law on which the main action is based, establishing a prima facie case on the merits in that action. It must state, secondly, precisely the measure(s) applied for. It must state, thirdly, giving reasons with documentary evidence, the circumstances giving rise to urgency.

287. In accordance with the second sentence of Article 156(4) of the Rules of Procedure, the application for interim measures must contain all the evidence and offers of evidence available to justify the grant of interim measures. Thus, the judge hearing the application for interim measures must have specific and precise information, supported by detailed and, where appropriate, certified documentary evidence or offers of evidence showing the situation in which the party seeking the interim measures finds itself and enabling the probable consequences, should the measures sought not be granted, to be assessed.

288. As an application for interim measures requires the existence of a prima facie case to be assessed for the purposes of a summary procedure, it need not set out in full the text of the application in the main proceedings.

289. In order that an application for interim measures may be dealt with urgently, the number of pages it contains must not, in principle, exceed a maximum of 25 pages, taking into account the subject matter and the circumstances of the case.

X. ENTRY INTO FORCE OF THESE PRACTICE RULES

290. The Practice Rules of 20 May 2015 (OJ 2015 L 152, p. 1), as amended on 13 July 2016 (OJ 2016 L 217, p. 78), 17 October 2018 (OJ 2018 L 294, p. 23) and 1 February 2023 (OJ 2023 L 73, p. 58), and rectified on 17 October 2018 (OJ 2018 L 296, p. 40), are hereby repealed and replaced by these Practice Rules.

291. These Practice Rules shall be published in the *Official Journal of the European Union* and shall enter into force on 1 September 2024.

Done at Luxembourg, 10 July 2024.

Registrar	*President*
V. DI BUCCI	M. VAN DER WOUDE

ANNEX 1

List of references (points 15, 16 and 18 of these Practice Rules)

AJ	Legal aid
DEP	Taxation of costs
Int, followed by a number in Roman numerals indicating the chronological order in which applications to intervene have been lodged	Intervention
INTP	Interpretation
OP	Application to set aside a judgment by default
OST	Failure to adjudicate
R	Interim proceedings
REC	Rectification
RENV	Referral (following setting aside on appeal)
REV	Revision
TO	Third-party proceedings

ANNEX 2

Requirements non-compliance with which is grounds for not serving the application (point 131 of these Practice Rules)

Failure to put the following points in order may result in the action being dismissed as inadmissible, in accordance with Article 78(6) and Article 177(6) of the Rules of Procedure.

	Direct actions other than cases relating to intellectual property rights	**Cases relating to intellectual property rights**
a)	production of the document referred to in Article 51(2) of the Rules of Procedure unless such a document has already been lodged for the purpose of opening an account giving access to e-Curia (Article 51(2) of the Rules of Procedure)	production of the document referred to in Article 51(2) of the Rules of Procedure unless such a document has already been lodged for the purpose of opening an account giving access to e-Curia (Article 51(2) of the Rules of Procedure)
b)	production of proof of the existence in law of a legal person governed by private law (Article 78(4) of the Rules of Procedure)	production of proof of the existence in law of a legal person governed by private law (Article 177(4) of the Rules of Procedure)
c)	production of authority to act if the party represented is a legal person governed by private law (Article 51(3) of the Rules of Procedure)	production of authority to act if the party represented is a legal person governed by private law (Article 51(3) of the Rules of Procedure)
d)	production of the contested measure (action for annulment) or of the documentary evidence of the date on which the institution was requested to act (action for failure to act) (second paragraph of Article 21 of the Statute; Article 78(1) of the Rules of Procedure)	production of the contested decision of the Board of Appeal (Article 177(3) of the Rules of Procedure)
e)	production of the complaint within the meaning of Article 90(2) of the Staff Regulations and the decision responding to the complaint (Article 78(2) of the Rules of Procedure)	
f)	production of a copy of the contract containing the arbitration clause (Article 78(3) of the Rules of Procedure)	
g)		indication of the names of all the parties to the proceedings before the Board of Appeal and the addresses which they had given for the purposes of notifications, if the circumstances so require (Article 177(2) of the Rules of Procedure)
h)	indication of the dates on which the complaint within the meaning of Article 90(2) of the Staff Regulations was submitted and the decision responding to the complaint notified (Article 78(2) of the Rules of Procedure)	indication of the date on which the decision of the Board of Appeal was notified (Article 177(3) of the Rules of Procedure)

ANNEX 3

Procedural rules non-compliance with which justifies delaying service (point 132 of these Practice Rules)

a)	indication of the applicant's permanent address (first paragraph of Article 21 of the Statute; Article 76(a) and Article 177(1)(a) of the Rules of Procedure)
b)	indication of the address of the applicant's representative (Article 76(b) and Article 177(1)(b) of the Rules of Procedure)
c)	new original of the application the length of which will have been reduced (points 160 and 161 of these Practice Rules)
d)	new original of the application with identical content but with numbered paragraphs (point 109(c) of these Practice Rules)
e)	new, paginated original of the application with identical content (point 109(d) of these Practice Rules)
f)	production of a schedule of annexes containing the mandatory information (Article 72(3) of the Rules of Procedure; point 115 of these Practice Rules)
g)	production of the annexes mentioned in the application but not produced (Article 72(3) of the Rules of Procedure)
h)	production of paginated annexes (point 118(c) of these Practice Rules)
i)	production of numbered annexes (point 118(a) of these Practice Rules)

ANNEX 4

Procedural rules non-compliance with which does not prevent service (point 133 of these Practice Rules)

a)	production of the document referred to in Article 51(2) of the Rules of Procedure in respect of any additional lawyer, unless such a document has already been lodged for the purpose of opening an account giving access to e-Curia (Article 51(2) of the Rules of Procedure)
b)	in cases other than those relating to intellectual property rights, production of the summary of pleas in law and main arguments (points 167 and 168 of these Practice Rules)
c)	production of a translation into the language of the case of material drawn up in a language other than the language of the case (Article 46(2) of the Rules of Procedure)
d)	production of the table setting out the list of applicants where there are more than 10 applicants (points 169 and 170 of these Practice Rules)
e)	submission of a brief summary of the schema or a table of contents (point 110 of these Practice Rules)