

AMENDMENTS TO THE RULES OF PROCEDURE OF THE GENERAL COURT

THE GENERAL COURT,

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

Having regard to the Treaty establishing the European Atomic Energy Community and Protocol No 2 annexed to the Treaty of Lisbon amending the Treaty establishing the European Atomic Energy Community,

Having regard to Article 63 of the Protocol on the Statute of the Court of Justice of the European Union,

Having regard to the agreement of the Court of Justice,

Whereas the necessary amendments should be made to its Rules of Procedure following the entry into force of the Treaty of Lisbon,

With the Council's approval given on 8 March 2010,

HAS ADOPTED THE FOLLOWING AMENDMENTS TO ITS RULES OF PROCEDURE:

Article 1

The Rules of Procedure of the Court of First Instance of the European Communities of 2 May 1991 (OJ L 136 of 30 May 1991, p. 1, with corrigendum OJ L 317 of 19 November 1991, p. 34) ⁽¹⁾ are hereby amended as follows:

1. The title of the Rules shall be replaced by 'Rules of Procedure of the General Court'.

2. Throughout the Rules, the words 'Court of First Instance' shall be replaced by 'General Court'.

3. Throughout the Rules, the words 'Statute of the Court of Justice' shall be replaced by 'Statute'.

⁽¹⁾ Amended on 15 September 1994 (OJ L 249 of 24 September 1994, p. 17), 17 February 1995 (OJ L 44 of 28 February 1995, p. 64), 6 July 1995 (OJ L 172 of 22 July 1995, p. 3), 12 March 1997 (OJ L 103 of 19 April 1997, p. 6, with corrigendum OJ L 351 of 23 December 1997, p. 72), 17 May 1999 (OJ L 135 of 29 May 1999, p. 92), 6 December 2000 (OJ L 322 of 19 December 2000, p. 4), 21 May 2003 (OJ L 147 of 14 June 2003, p. 22), 19 April 2004 (OJ L 132 of 29 April 2004, p. 3), 21 April 2004 (OJ L 127 of 29 April 2004, p. 108), 12 October 2005 (OJ L 298 of 15 November 2005, p. 1), 18 December 2006 (OJ L 386 of 29 December 2006, p. 45), 12 June 2008 (OJ L 179 of 8 July 2008, p. 12), 14 January 2009 (OJ L 24 of 28 January 2009, p. 9), 16 February 2009 (OJ L 60 of 4 March 2009, p. 3) and 7 July 2009 (OJ L 184 of 16 July 2009, p. 10).

4. (Does not apply to the English version.)

5. The first paragraph of Article 1 shall be replaced by the following:

Throughout these Rules:

— provisions of the Treaty on the Functioning of the European Union are referred to by the number of the article concerned followed by "TFEU",

— provisions of the Treaty establishing the European Atomic Energy Community are referred to by the number of the article followed by "TEAEC",

— "Statute" means the Protocol on the Statute of the Court of Justice of the European Union,

— "EEA Agreement" means the Agreement on the European Economic Area.'

6. The first indent of the second paragraph of Article 1 shall be replaced by the following:

— "institution" or "institutions" means the institutions of the Union and the bodies, offices and agencies established by the Treaties, or by an act adopted in implementation thereof, and which may be parties before the General Court;

7. In Article 4(1), the words 'Court of Justice of the European Communities' shall be replaced by 'Court of Justice'.

8. In Article 7(1), the words 'immediately after the partial replacement provided for in Article 224 of the EC Treaty and Article 140 of the EAEC Treaty' shall be replaced by 'immediately after the partial replacement provided for in Article 254 TFEU'.

9. In Article 14(2)(1):
- under (a), the words ‘cases brought pursuant to Article 236 of the EC Treaty and to Article 152 of the EAEC Treaty’ shall be replaced by ‘cases brought pursuant to Article 270 TFEU’;
 - under (b), the words ‘cases brought pursuant to the fourth paragraph of Article 230, the third paragraph of Article 232 and Article 235 of the EC Treaty and to the fourth paragraph of Article 146, the third paragraph of Article 148 and Article 151 of the EAEC Treaty’ shall be replaced by ‘cases brought pursuant to the fourth paragraph of Article 263 TFEU, the third paragraph of Article 265 TFEU and Article 268 TFEU’;
 - under (c), the words ‘cases brought pursuant to Article 238 of the EC Treaty and Article 153 of the EAEC Treaty’ shall be replaced by ‘cases brought pursuant to Article 272 TFEU’.
10. In Article 24(7), the word ‘Commission’ shall be replaced by ‘European Commission’.
11. In Article 24(7), the words in the first sentence ‘to enable it to assess whether the inapplicability of one of its acts is being invoked under Article 241 of the EC Treaty or Article 156 of the EAEC Treaty’ shall be replaced by ‘to enable it to assess whether the inapplicability of one of its acts is being invoked under Article 277 TFEU’.
12. In Article 24(7), the words in the second sentence ‘is being invoked under Article 241 of the EC Treaty’ shall be replaced by ‘is being invoked under Article 277 TFEU’.
13. In Article 44(5a):
- the words ‘the Community’ shall be replaced by ‘the Union’;
 - the words ‘under Article 238 of the EC Treaty or Article 153 of the EAEC Treaty’ shall be replaced by ‘under Article 272 TFEU’.
14. In Article 46(2), the words ‘between the Communities and their servants’ shall be replaced by ‘between the Union and its servants’.
15. In Article 51(1), second subparagraph, and (2), second subparagraph, the words ‘an institution of the European Communities’ shall be replaced by ‘an institution of the Union’.
16. In the third subparagraph of Article 67(3), the words ‘a Community institution’ shall be replaced by ‘an institution’.
17. In Article 69(4), the words ‘in accordance with Articles 244 and 256 of the EC Treaty and Articles 159 and 164 of the EAEC Treaty’ shall be replaced by ‘in accordance with Articles 280 TFEU and 299 TFEU and Article 164 TEAEC’.
18. In Article 88, the words ‘between the Communities and their servants’ shall be replaced by ‘between the Union and its servants’.
19. In the second paragraph of Article 98, the sentence ‘This provision shall not apply to proceedings under Articles 230 and 232 of the EC Treaty and Articles 146 and 148 of the EAEC Treaty’ shall be replaced by ‘This provision shall not apply to proceedings under Articles 263 TFEU and 265 TFEU’.
20. In the first subparagraph of Article 101(1), the words ‘Any period of time prescribed by the EC and EAEC Treaties, the Statute of the Court of Justice or these Rules for the taking of any procedural step’ shall be replaced by ‘Any period of time prescribed by the Treaties, the Statute or these Rules for the taking of any procedural step’.
21. In Article 104(1):
- in the first subparagraph, the words ‘pursuant to Article 242 of the EC Treaty and Article 157 of the EAEC Treaty’ shall be replaced by ‘pursuant to Article 278 TFEU and Article 157 TEAEC’;
 - in the second subparagraph, the words ‘referred to in Article 243 of the EC Treaty and Article 158 of the EAEC Treaty’ shall be replaced by ‘referred to in Article 279 TFEU’.
22. In the first paragraph of Article 110, the words ‘pursuant to Articles 244 and 256 of the EC Treaty and Articles 159 and 164 of the EAEC Treaty’ shall be replaced by ‘pursuant to Articles 280 TFEU and 299 TFEU and Article 164 TEAEC’.

Article 2

These amendments to the Rules of Procedure, which are authentic in the languages referred to in Article 35(1) of these Rules, shall be published in the *Official Journal of the European Union* and shall enter into force on the day of their publication.

Done at Luxembourg, 26 March 2010.

E. COULON
Registrar

M. JAEGER
President
