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Practice directions to parties concerning cases brought before the Court

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(References are to the relevant numbered points)

THE COURT OF JUSTICE,

Having regard to the Rules of Procedure and, in particular, Article 208 thereof,

Whereas:

(1) On 10 December 2019, the Court of Justice adopted, on the basis of Article 208 of its Rules of Procedure, new Practice directions to parties concerning cases brought before the Court ([1]). Those directions were intended to take account of the experience gained in the implementation of the Rules of Procedure, seven years after their entry into force on 1 November 2012, as well as to reflect certain important legislative developments, in particular in the area of personal data protection or procedure, following the establishment of a mechanism for prior determination as to whether certain categories of appeal should be allowed to proceed.

(2) Since the entry into force of those directions on 1 March 2020, there have, however, been a number of further important technical and legislative developments.

(3) First, in the context of the health crisis linked to the COVID-19 pandemic, the Court adopted the necessary tools and technical means to enable its hearings to be broadcast via the internet and to offer the parties or the interested persons referred to in Article 23 of the Statute who would be prevented from participating in such a hearing in person the possibility of taking part in it by videoconference, subject to compliance with a certain number of legal and technical conditions.

(4) Second, the Protocol on the Statute of the Court of Justice of the European Union and the Rules of Procedure of the Court of Justice have been amended to provide, inter alia, for the publication by the Court of statements of case or observations lodged in preliminary ruling cases, unless their author raises an objection within a reasonable time after the case has been closed ([2]).

(5) In the interests of the proper administration of justice and for the purposes of greater clarity, it is appropriate, therefore, to adopt new practice directions that take these developments into account and, moreover, provide the parties with additional clarification concerning a number of practical issues relating to the written or oral part of the procedure.

(6) Like the directions which they replace, these new directions, which apply to all categories of cases brought before the Court, are not intended to replace the relevant provisions of the Statute and of the Rules of Procedure. Their purpose is to afford the parties and their representatives a better understanding of the implications of those provisions and to outline in greater detail the conduct of proceedings before the Court and, in particular, the constraints on the Court, particularly those associated with the processing and translation of procedural documents or the simultaneous interpretation of observations submitted in the course of a hearing. Observing and taking into account these directions constitutes, both for the parties and for the Court, the best guarantee that the Court will be able to deal with cases with optimal efficiency.

HEREBY ADOPTS THESE PRACTICE DIRECTIONS:

I. GENERAL PROVISIONS

The stages in the procedure before the Court and their essential characteristics

1. Subject to special provisions laid down in the Protocol on the Statute of the Court of Justice of the European Union ('the Statute') or in the Rules of Procedure, the procedure before the Court consists, as a general rule, of a written part and an oral part. The purpose of the written part of the procedure is to put before the Court the claims, pleas and arguments of the parties to the proceedings or, in preliminary rulings, the observations which the interested persons referred to in Article 23 of the Statute intend to submit concerning the questions put by the courts and tribunals of the Member States of the European Union. Where necessary, the written part of the procedure is supplemented by an oral part, which is intended to allow the Court to complete its knowledge of the case by hearing the submissions of the parties or interested persons referred to in Article 23 of the Statute at an oral hearing and/or by hearing the Opinion of the Advocate General.

([1]) OJ L 42 I, 14.2.2020, p. 1.

([2]) See 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 (OJ L, 2024/2019, 12.8.2024, ELI: http://data.europa.eu/eli/reg/2024/2019/oj) and the Amendments to the Rules of Procedure of the Court of Justice (OJ L, 2024/2094, 12.8.2024, ELI: http://data.europa.eu/eli/proc_internal/2024/2094/oj).

Representation of the parties before the Court

2. In accordance with Article 19 of the Statute, *parties to proceedings before the Court must be represented by a person who is duly authorised to represent them*. With the exception of the Member States, other States which are parties to the Agreement on the European Economic Area ('the EEA Agreement'), the European Free Trade Association ('EFTA') Surveillance Authority and the institutions of the European Union, which are generally to be represented by an agent appointed for each case, other parties to the proceedings must be represented by a lawyer authorised to practise before a court of a Member State or of another State which is a party to the EEA Agreement. The evidence of that capacity must be capable of being produced, on request, at any stage of the proceedings. University teachers who are nationals of a Member State whose law accords them a right of audience are treated as lawyers by virtue of the seventh paragraph of Article 19 of the Statute.

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

4. In direct actions and appeals, the agents and lawyers representing a party are also required, in accordance with Articles 119(2) and 168(2) of the Rules of Procedure, to lodge at the Registry an official document or a recent authority to act certifying that they are authorised to represent that party in the proceedings before the Court.

Costs of proceedings before the Court and legal aid

5. Subject to the provisions set out in Article 143 of the Rules of Procedure, proceedings before the Court are to be free of charge, no charge or tax being payable to the Court on account of the initiation of proceedings or the lodging of a procedural document. The costs referred to in Article 137 et seq. of the Rules of Procedure include only 'recoverable' costs, that is, any sums payable to witnesses and experts, and expenses necessarily incurred by the parties for the purpose of the proceedings before the Court, in connection with the remuneration of their representative and the expenses of his or her travel to and subsistence in Luxembourg, if a hearing is arranged. The Court rules on the amount of those costs, and the party ordered to pay them, in the judgment or order which closes the proceedings, whereas in preliminary rulings it is for the referring court or tribunal to rule on the costs of the proceedings.

6. A party or, in preliminary ruling proceedings, a party to the main proceedings who is wholly or in part unable to meet the costs of the proceedings before the Court may, at any time, apply for legal aid. In order for such applications to be considered, they must, however, satisfy the conditions provided for, respectively, in Articles 115 to 118 (references for a preliminary ruling) and 185 to 189 (appeals) of the Rules of Procedure and be accompanied by all the information and supporting documents necessary to enable the Court to assess the true financial situation of the applicant for legal aid. From this perspective, it is therefore important that a party intending to rely on legal aid communicate to the Court not only the documents setting out the various types of income and allowances received (such as a payslip, a bank statement, or a certificate issued by a public authority or a social security body) but also the documents relating to the expenses which that party is required to pay (such as, for example, a rental or loan agreement, a statement relating to school fees for a dependent child, an invoice or bills).

7. Since, in preliminary rulings, the 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 Court being only subsidiary to the aid granted at national level.

8. It is worth noting that, if it grants the application for legal aid, the Court is responsible, where applicable within the limits that it sets, solely for costs involved in the assistance and representation before the Court of the applicant for legal aid. In accordance with the rules set out in the Rules of Procedure, those costs can be recovered subsequently by the Court in the decision ending the proceedings and ruling on costs, and the formation of the Court which gave a decision on the application for legal aid may, moreover, withdraw that legal aid at any time if the circumstances which led to its being granted change during the proceedings.

Protection of personal data

9. In order to ensure optimal protection of personal data, in particular in connection with material published by the Court concerning the cases that are brought before it, *the Court as a general rule deals with preliminary ruling cases on an anonymised basis*. This approach means in practice that, where the referring court or tribunal has anonymised the request for a preliminary ruling or has decided to omit data relating to natural persons or entities concerned by the main proceedings, the Court will respect that anonymisation or omission in the proceedings pending before it. Otherwise – and unless there are special circumstances – the Court will itself 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. In order to ensure that the measures taken in that regard are effective, all interested persons referred to in Article 23 of the Statute must refrain from disclosing in their written statements of case or observations and oral submissions any data redacted from the request for a preliminary ruling.

10. The same applies in relation to appeals. Unless there are special circumstances, the Court will respect the anonymity granted by the General Court, and the parties to the proceedings are requested also to respect that anonymity in the proceedings before the Court of Justice.

11. In any event, where a party does not wish for his or her identity or for certain details concerning him or her to be disclosed in a case brought before the Court – or, conversely, where that party wishes for his or her identity and those details to be disclosed in that case – that party may apply to the Court for a decision as to whether or not to anonymise the relevant case, in whole or in part, or to maintain the anonymity previously conferred. To be effective, however, such an application must be made as quickly as possible. On account of the widespread use of new information and communication technologies, any anonymity conferred is rendered entirely redundant if the notice relating to the case concerned has already been published in the *Official Journal of the European Union* or, in preliminary ruling proceedings, if the request for a preliminary ruling has already been served on the interested persons referred to in Article 23 of the Statute, approximately one month after the request has been lodged at the Court.

Identification of anonymised preliminary ruling cases

12. As a general rule, a fictitious name is assigned by the Court to preliminary ruling cases which have been anonymised. *That fictitious name will not correspond to the real name of any of the parties to the proceedings; nor, in principle, will it correspond to any existing names*. Its sole purpose is to facilitate the designation and identification of anonymised cases.

II. THE WRITTEN PART OF THE PROCEDURE

The purpose of the written part of the procedure

13. The written part of the procedure plays an essential role in the Court's understanding of the case. It must allow the Court, by reading the written pleadings, statements of case or observations lodged, to acquire a detailed and accurate idea of the subject matter of the case before it and the issues raised by that case. Although this is the Court's objective when dealing with any case brought before it, the conduct and the pattern of the written part of the procedure differ depending on the nature of the action. Whereas in direct actions or appeals the parties are requested to adopt a position on the written pleadings lodged by the other parties to the proceedings, the written part of the procedure in references for a preliminary ruling is characterised by the absence of adversarial proceedings, the interested persons referred to in Article 23 of the Statute being merely requested to submit any observations they may make on the questions referred by a national court or tribunal, without as a general rule knowing the position adopted by the other interested persons on those questions. This gives rise to different requirements as regards both the form and content of those observations and also the subsequent conduct of the procedure, although it must be borne in mind that most of the written pleadings, statements of case or observations lodged during the written part of the procedure will have to be translated. *Short and simple sentences should always be used, therefore, and the parties' arguments must appear in their written pleadings, statements of case or observations, and not in any annexes thereto.*

The written part of the procedure in references for a preliminary ruling

14. On account of the non-adversarial nature of preliminary ruling proceedings, the lodging of statements of case or written observations by the interested persons referred to in Article 23 of the Statute does not involve any specific formalities. Where a request for a preliminary ruling is served on them by the Court, those persons may thus, if they so wish, submit a written statement in which they set out their point of view on the request made by the referring court or tribunal. The purpose of that written statement – which must be lodged within a time limit of two months from service of the request for a preliminary ruling, extended on account of distance by a single period of 10 days but which may not otherwise be extended – is to *provide clarification for the Court as to the scope of that request and in particular as to the answers that should be given to the questions raised* by the referring court or tribunal.

15. Although that statement must be complete and must include, in particular, the arguments on which the Court may base its answer to the questions referred, it is not necessary to repeat the factual and legal background to the dispute as set out in the order for reference, unless it requires further comment. Subject to special circumstances or to specific provisions of the Rules of Procedure restricting the length of documents because of the urgency of the case, written observations lodged in a preliminary ruling case should not exceed 20 pages.

16. As is clear from Article 96(3) of the Rules of Procedure, statements of case or written observations lodged in preliminary ruling cases are to be published on the website of the Court of Justice of the European Union after delivery of the judgment or service of the order ruling on the questions raised by the referring court or tribunal, unless any of the interested persons referred to in Article 23 of the Statute raises objections to the publication of that person's statement of case or observations. In view of this, it is therefore *essential that statements of case or observations lodged do not contain personal data*.

17. 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 abovementioned website, 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 delivery of the judgment or service of the order closing the proceedings.

The written part of the procedure in direct actions

The application

18. On account of its adversarial nature, the written part of the procedure in direct actions follows stricter rules. These are set out in Article 119 et seq. (Title IV) of the Rules of Procedure and concern both the obligation for the parties to be represented by an agent or lawyer and the formal requirements linked to the content and the submission of written pleadings. It is apparent, in particular, from Article 120 of the Rules of Procedure, that the application initiating proceedings must, in addition to stating the name and address of the applicant and the name of the party against whom the application is made, state accurately the subject matter of the proceedings, the pleas in law and arguments relied on supported, as appropriate, by any evidence produced or offered, and the form of order sought by the applicant. *Failure to comply with those requirements renders the application inadmissible. Unless there are special circumstances, the application should not exceed 30 pages.*

19. As is apparent from Article 120(c) of the Rules of Procedure, the application must also include a summary of the pleas in law relied on. That summary – which must not exceed two pages – is intended to facilitate the drafting of the notice, in respect of each case brought before the Court, which must be published in the *Official Journal of the European Union* in accordance with Article 21(4) of the Rules of Procedure.

The defence

20. The defence, to which Article 124 of the Rules of Procedure relates, is essentially subject to the same formal requirements as the application and must be lodged within two months of service thereof. That time limit – extended on account of distance by a single period of 10 days – may otherwise be extended only exceptionally and where a duly reasoned request setting out the circumstances capable of justifying such an extension has been submitted within the prescribed time limit.

21. As the legal framework of the proceedings is fixed by the application, the structure of the arguments developed in the defence must, so far as is possible, reflect that of the pleas in law or complaints put forward in the application. No new plea in law may be introduced in the course of the proceedings unless it is based on matters of law or of fact which come to light in the course of the procedure. The factual and legal background is to be recapitulated in the defence only in so far as its presentation in the application is disputed or calls for further particulars. *As in the case of the application, unless there are special circumstances, the defence should not exceed 30 pages.*

The reply and rejoinder

22. If they consider it necessary, the applicant and the defendant may supplement their arguments, the former by a reply and the latter by a rejoinder. Those written pleadings are subject to the same formal rules as the application and the defence but, since they are optional and supplementary, they must necessarily be shorter than those documents. 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 only purpose of the reply and the rejoinder is to allow the applicant and the defendant to make clear their position or to refine their arguments on an important issue*, the President also being able, pursuant to Article 126 of the Rules of Procedure, to specify the matters to which those documents should relate. Unless there are special circumstances, a reply or a rejoinder should therefore be no more than approximately 10 pages long. Those documents must be lodged at the Registry within the time limits set by the Court, an extension of those time limits being granted by the President only in exceptional circumstances and on a duly reasoned request.

Request for an expedited procedure

23. Where the nature of the case requires it to be dealt with within a short time, the applicant or defendant may request the Court to deal with the case under an expedited procedure derogating from the provisions of the Rules of Procedure. That possibility, which is provided for in Article 133 of those Rules, is nevertheless subject to the submission, by a separate document, of an express request to that effect setting out in detail the circumstances capable of justifying the use of such a procedure, and involves, where such a request is granted, an adjustment to the written part of the procedure. The ordinary time limits for the submission of written pleadings may be reduced, as may the length of those pleadings, and, pursuant to Article 134 of the Rules of Procedure, a reply, a rejoinder or a statement in intervention may be submitted only if the President considers this to be necessary.

Applications for suspension of operation or for interim measures (Interim proceedings)

24. A direct action may also be accompanied by an application for suspension of operation of the contested measure or by an application for interim measures, as referred to in Articles 278 and 279, respectively, of the Treaty on the Functioning of the European Union (TFEU). In accordance with the provisions of Article 160 of the Rules of Procedure, such an application is, however, admissible only if it is made by the applicant who has challenged the measure at issue before the Court or a party to the case before the Court, and it must be made by a separate document stating the subject matter of the proceedings and the circumstances giving rise to urgency as well as the pleas of fact and law establishing a prima facie case for the measure applied for (*fumus boni juris*). As a general rule, the application is then served on the other party to the proceedings, and the President prescribes a short period within which that other party may submit written or oral observations. In cases of extreme urgency, the President may grant the application provisionally even before such observations have been submitted.

The written part of the procedure in appeals

25. The written part of the procedure in an appeal is similar in many respects to the conduct of that part of the procedure in direct actions. The relevant rules are in Article 167 et seq. (Title V) of the Rules of Procedure, which state both the mandatory content of the appeal and of the response and the scope of the forms of order sought.

The appeal

26. As is apparent from Articles 168 and 169 of the Rules of Procedure (which supplement, in this respect, Articles 56 to 58 of the Statute), an appeal cannot be brought against a measure of an institution, a body, an office or an agency of the European Union, but must be directed against the decision of the General Court ruling on the action brought against that measure. It is apparent from that point that the form of order sought in the appeal must necessarily seek to have set aside, in whole or in part, the decision of the General Court as set out in the operative part of that decision, and not the annulment of the measure challenged before the General Court. It is only if the appeal is declared well founded that the Court may grant, in whole or in part, the form of order sought at first instance, but not a different form of order. If they are not to be held inadmissible, the pleas in law and legal arguments relied on in the appeal – which, unless there are special circumstances, should not exceed 25 pages – must therefore *identify precisely those points in the grounds of the decision of the General Court that are contested and set out in detail the reasons for which that decision is alleged to be vitiated by an error of law*.

27. In order to facilitate the drawing-up of the notice to be published in the *Official Journal of the European Union*, in accordance with Article 21(4) of the Rules of Procedure, the appellant must also attach to the appeal a summary of those pleas in law, which should be no more than two pages long.

28. The appeal must also be accompanied by documents that demonstrate compliance with the requirements set out in Article 19 of the Statute and Article 119 of the Rules of Procedure. The documents concerned are, first, a certificate that the lawyer acting for the appellant is authorised to practise before a court of a Member State or of another State which is a party to the EEA Agreement, and, second, an official document or a recent authority to act issued by the appellant certifying that that lawyer is authorised to represent the appellant in the proceedings before the Court of Justice. A document or authority to act produced in proceedings before the General Court will be taken into account only if it explicitly states that it also covers any subsequent proceedings before the Court of Justice.

29. In the situations referred to in Article 58a of the Statute, the appellant must also annex to the appeal *a request that the appeal be allowed to proceed, which should be separate from the appeal itself*. That request must be no more than seven pages long and must contain all the information necessary to enable the Court to rule on whether the appeal should be allowed to proceed and to determine, where the appeal is to be allowed to proceed in part, the pleas in law of the appeal to which the response must relate.

30. The request that the appeal be allowed to proceed must, in any event, set out clearly and in detail the grounds on which the appeal is based, identify with equal clarity and detail the issue of law raised by each ground of appeal and state, specifically, how that issue is significant with respect to the unity, consistency or development of European Union law.

31. In accordance with Article 170a(1) of the Rules of Procedure, the absence of such a request renders the appeal as a whole inadmissible.

The response

32. Within a time limit of two months from service of the appeal – extended on account of distance by a single period of 10 days but which may not otherwise be extended – any party to the relevant case before the General Court having an interest in the appeal being allowed or dismissed may submit a response. If the case under appeal before the Court of Justice was joined to one or more other cases in the proceedings before the General Court, the parties in those other cases will not automatically become parties before the Court of Justice. They will not be able to submit a response unless they are also parties to the case under appeal.

33. The content of the response is subject to the requirements fixed in Article 173 of the Rules of Procedure and, in accordance with Article 174 of those Rules, the form of order sought in the response must seek to have the appeal allowed or dismissed, in whole or in part. *The structure of the legal arguments in the response must, so far as is possible, reflect the pleas in law put forward by the appellant*, but it is not necessary to reiterate in the response the factual and legal background to the proceedings, unless its presentation in the appeal is disputed or calls for further particulars. On the other hand, any challenge to the admissibility, in whole or in part, of that appeal must be included in the actual body of the response, since the possibility – provided for in Article 151 of the Rules of Procedure – of raising a plea of inadmissibility in relation to the proceedings by a separate document is not applicable to appeals. As in the case of the appeal, and subject to special circumstances, the response should not exceed 25 pages.

The cross-appeal

34. If, when the appeal has been served on the parties to the relevant case before the General Court, one of those parties intends to dispute that court's decision on an aspect which was not mentioned in the appeal, that party must bring a cross-appeal against the General Court's decision. That cross-appeal must be introduced by a separate document, within the same time limit – which may not be extended – as the time limit for submission of the response, and must meet the requirements set out in Articles 177 and 178 of the Rules of Procedure. *The pleas in law and legal arguments which it contains must be separate from those relied on in the response*.

The response to the cross-appeal

35. Where such a cross-appeal is brought, the appellant, or any other party to the relevant case before the General Court having an interest in the cross-appeal being allowed or dismissed, may submit a response, which must be limited to the pleas in law relied on in that cross-appeal. In accordance with Article 179 of the Rules of Procedure, that response must be submitted within a time limit of two months from service of the cross-appeal (extended on account of distance by a single period of 10 days but which may not otherwise be extended).

The reply and rejoinder

36. Both in the case of a main appeal and a cross-appeal, the appeal and the response may be supplemented by a reply and a rejoinder, in particular in order to allow the parties to adopt a position on a plea of inadmissibility or on new matters raised in the response(s). Unlike the rules applicable to direct actions, *that possibility is, however, subject to the express authorisation of the President of the Court*. To that effect, the appellant (or the party having brought the cross-appeal) is requested to submit, within a time limit of seven days from service of the response(s) (or of the response(s) to the cross-appeal), extended on account of distance by a single period of 10 days, a duly reasoned application setting out the reasons for which, in that party's opinion, a reply is necessary. That application – which should not exceed three pages – must be intelligible in itself, without necessitating reference to the appeal or to the response.

37. Due to the special nature of appeals, which are restricted to the examination of points of law, the President may also, if granting the application to lodge a reply, limit the number of pages and the subject matter of that reply and of the rejoinder submitted subsequently. Compliance with those instructions is essential for the proper conduct of the procedure, and *exceeding the number of pages authorised or raising other points in the reply or the rejoinder will lead to the pleadings being sent back to their author*.

Appeals brought under Article 57 of the Statute

38. The rules set out in points 25 to 37 of these directions are nevertheless not applicable in their entirety to appeals brought against decisions of the General Court dismissing an application to intervene or adopted following an application for interim measures submitted under Article 278 or 279 TFEU. Pursuant to the third paragraph of Article 57 of the Statute, such appeals are subject to the same procedure as an application for interim measures made directly to the Court of Justice. The parties are therefore set a short period for the submission of any observations on the appeal and the Court rules on that appeal without any additional written part of the procedure and without an oral part of the procedure.

Confidentiality in appeals

39. As is apparent from the foregoing provisions, the appeal and the pleadings lodged subsequently are to be served on all the parties to the relevant case before the General Court, irrespective of their procedural status before that court (applicant, defendant or intervener). Since appeals are, in accordance with Article 58 of the Statute, to be limited to points of law, the parties must refrain from mentioning secret or confidential matters in their written pleadings. Should, exceptionally, confidential treatment of certain elements of a written pleading nevertheless be sought, the author of that pleading is requested to submit, by a separate document, a duly reasoned application for confidential treatment (specifying both the scope of the confidentiality requested and the parties to the case to whom that application relates), together with a non-confidential version of the pleading that can be served on those other parties. As regards information included in the case file before the General Court, the scope of such an application cannot, in any event, go beyond the scope of confidential treatment already approved by the General Court in relation to interveners.

40. Where the Court grants an application for confidentiality, the non-confidential version of the written pleading concerned is to be served on the other parties to the relevant case. In the event that that application is approved in part, the party claiming confidential treatment is requested to produce, without delay, a new non-confidential version of that party's written pleading, which will be served on the other parties as soon as it is received by the Court.

Intervention in direct actions and appeals

The application to intervene

41. In accordance with Article 40 of the Statute, the Member States and institutions of the European Union, on the one hand, and, in the circumstances provided for in the second and third paragraphs of that article, non-Member States party to the EEA Agreement, the EFTA Surveillance Authority, the bodies, offices and agencies of the European Union and any other natural or legal person, on the other hand, may intervene in cases before the Court for the purpose of supporting, in whole or in part, the form of order sought by one of the parties. In order to be considered, the application to intervene must satisfy the conditions set out in Article 130(2) to (4) of the Rules of Procedure and be submitted within six weeks (in the case of applications submitted in a direct action) or one month (in the case of applications submitted in an appeal). That time limit, extended on account of distance by a single period of 10 days, starts to run on the date of publication in the *Official Journal of the European Union* of the notice referred to in Article 21(4) of the Rules of Procedure.

Observations on the application to intervene

42. After the application to intervene has been served, the main parties are invited, in accordance with Article 131(1) of the Rules of Procedure, to put forward any observations they may wish to make on that application within 10 days after such service. If, within that time limit, extended on account of distance by a single period of 10 days, those parties identify secret or confidential items or documents which, if communicated to the applicant for leave to intervene, the parties claim would be prejudicial to them, they are requested to produce a non-confidential version of the items or documents concerned that can be served on the applicant for leave to intervene should the application to intervene be granted.

The statement in intervention

43. If the application to intervene is granted and the intervener receives a copy of every procedural document served on the parties except, where applicable, for secret or confidential items or documents, the intervener has one month and 10 days from receipt of those items or documents to submit a statement in intervention. Although that statement must meet the requirements set out in Article 132(2) of the Rules of Procedure, its content is necessarily more succinct than the written pleadings of the party supported and it should not exceed 10 pages in length. *Since the intervention is ancillary to the main proceedings*, the intervener must refrain from repeating in that statement the pleas in law and arguments in the written pleadings of the party which the intervener is supporting and must set out only additional pleas in law or arguments which bear out that party's submissions. Recapitulation of the factual or legal background to the case is not necessary, except in so far as its presentation in the written pleadings of the main parties is disputed or calls for further particulars.

Observations on the statement in intervention

44. After the statement in intervention has been lodged, the President may, if it is considered necessary, prescribe a time limit for the submission of brief observations on that statement. The lodging of those observations, which should not exceed five pages in length, is nevertheless optional. The purpose of such observations is merely to enable the main parties to respond to certain claims made by the intervener or to adopt a position on new pleas in law or arguments raised by the intervener. Where there are no such matters, it is recommended that the parties desist from lodging such observations and inform the Court accordingly, in order to avoid unnecessarily prolonging the written part of the procedure.

Applications to intervene made out of time

45. In so far as it satisfies the conditions set out in Article 130(2) to (4) of the Rules of Procedure, an application to intervene made after the expiry of the six-week time limit prescribed in Article 130(1) of the Rules of Procedure or of the one-month time limit prescribed in Article 190(2) of the Rules of Procedure may also be given consideration by the Court, provided, however, that that application reaches the Court before the decision to open the oral part of the procedure provided for in Article 60(4) of those Rules is adopted. In that event, pursuant to Article 129(4) of the Rules of Procedure, the intervener will be able to submit observations during the hearing, if a hearing is arranged in the case concerned.

Intervention in the context of an application for interim measures or an expedited procedure

46. The same is true, in principle, in the context of an application for interim measures or where a case is to be dealt with under an expedited procedure. If there are no special circumstances that warrant the lodging of written observations, the person or entity authorised to intervene in the context of such a procedure may submit observations only orally, if a hearing is arranged.

No intervention in references for a preliminary ruling

47. The above rules relating to intervention are, by contrast, not applicable to references for a preliminary ruling. Due to the non-adversarial nature of that category of case and the special function of the Court when it is called upon to give a preliminary ruling on the interpretation or validity of European Union law, only the interested persons referred to in Article 23 of the Statute – and any institutions, bodies, offices and agencies of the European Union called upon under the second paragraph of Article 24 of the Statute – are authorised to submit observations, written or oral, on the questions submitted to the Court by the courts and tribunals of the Member States.

The form and structure of procedural documents

48. Irrespective of the foregoing matters and the requirements relating to the content of procedural documents resulting from the provisions of the Statute and the Rules of Procedure, written pleadings, statements of case and observations lodged before the Court must meet certain additional requirements intended to facilitate the reading and processing of those documents by the Court and, in particular, their translation into one or more languages. Those requirements concern the form and the presentation of procedural documents as well as their structure or their length.

49. As to the formal conditions, first of all, it is essential that the written pleadings, statements of case or observations lodged by the parties or interested persons referred to in Article 23 of the Statute are presented in a form in which they can be processed electronically by the Court. To that end, *the following requirements must be taken into account*:

— written pleadings, statements of case or observations are to be drawn up on white, unlined and A4-size paper, with text on one side of the page only (recto), and not on both sides of the page (recto-verso);

— the text is to be in 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 line spacing and horizontal and vertical (upper, lower, left and right) margins of at least 2,5 cm;

— all the paragraphs of the written pleadings, statements of case or observations are to be numbered consecutively;

— the same is true for the pages of the written pleadings, statements of case or observations, including any annexes to them and their schedule, which are to be numbered consecutively, in the top right-hand corner;

— the pages of the written pleadings, statements of case or observations are not to exceed 1 500 characters per page, excluding spaces;

— lastly, where they are not sent to the Court by electronic means, pages of written pleadings, statements of case or observations are to be fastened by means which can be undone easily, and not by fixed means of fastening such as glue or staples.

50. In addition to these formal requirements, procedural documents lodged before the Court must be drafted in such a way that the structure and scope of the document can be grasped from the first few pages. Besides stating, on the first page of the written pleading, statement of case or observations concerned, the title of the document, the case number (if this has already been communicated by the Registry) and the parties concerned or their initials (if the case has been anonymised), *written pleadings, statements of case or observations are to begin with a brief summary of the schema adopted by the author or with a table of contents* and *must end with the form of order sought by the author or, in preliminary ruling proceedings, with the author's proposed answers* to the questions put by the referring court or tribunal.

51. Although the documents which are sent to the Court are not subject, as regards their content, to any requirement other than those resulting from the Statute and the Rules of Procedure, it must nevertheless be borne in mind that such documents constitute the basis for the Court's study of the file and that they must, as a general rule, be translated by the Court or the institution which produced them. In the interests of the proper conduct of the procedure and in the interests of the parties themselves, *written pleadings, statements of case or observations must therefore be drafted in clear, concise language*, without the use of technical terms specific to a national legal system. Repetition must be avoided and short sentences must, as far as possible, be used in preference to long and complex sentences that include parenthetical and subordinate clauses.

52. When, in their written pleadings, statements of case or observations, the parties refer to a specific text or piece of legislation, of national or of European Union law, *the references to that text or 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.

53. Lastly, it must be pointed out that *the legal argument of the parties or of the interested persons referred to in Article 23 of the Statute must appear in the written pleadings, statements of case or observations, and not in any attached annexes*, which are generally not translated. Only documents mentioned in the actual body of written pleadings, statements of case or observations and necessary in order to prove or illustrate their contents may be submitted as annexes. Annexes are furthermore not accepted, pursuant to Article 57(3) of the Rules of Procedure, unless they are accompanied by a schedule of annexes. That schedule is to indicate, for each document annexed, the number of the annex, a short description of the document and the page or paragraph of the written pleading, statement of case or observations in which the document is cited and which justifies its production.

54. If a procedural document manifestly does not comply with the above requirements and, in particular, the instructions relating to the presentation and length of that document, the Registry will return the document to its author and request that it be put in order within a short period of time.

The lodging and transmission of procedural documents

55. Only the documents expressly provided for by the procedural rules are to be placed on the case file. Documents not provided for by those rules will not be taken into account by the Court and will be returned to their author by the Registry.

56. Procedural documents must be lodged within the prescribed time limits and in compliance with the requirements set out in Article 57 of the Rules of Procedure. In accordance with Article 57(5) of those Rules, *only the date and time of lodging of the original at the Registry are to be taken into account in the calculation of procedural time limits*. The rule set out in Article 49(2) of the Rules of Procedure is applicable only if the time limit for lodging a procedural document, extended on account of distance by a single period of 10 days, ends on a Saturday, Sunday or an official holiday. The list of official holidays is 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_7031/en/).

57. Where provided for by the Rules of Procedure, the time limits prescribed by those Rules may be extended. Requests for time limits to be extended must always be reasoned and submitted, in good time, before the expiry of the time limit prescribed for lodging the document concerned.

58. *The safest and quickest method of lodging a procedural document is by means of the e-Curia application*. This application, which is simple and convenient to use, allows procedural documents to be lodged and served by electronic means only, without the need for transmission to be duplicated by post. The procedure for access to the e-Curia application and conditions of use are contained in the Decision of the Court on the lodging and service of procedural documents by means of e-Curia and in the Conditions of Use to which that decision refers. Those documents are available on the website of the Court of Justice of the European Union (https://curia.europa.eu/jcms/jcms/P_78957/en/).

59. If it is not transmitted to the Court by means of the abovementioned application, a procedural document may also be sent to the Court *by post*. The envelope containing that document must be sent to the Court Registry at the following address: Rue du Fort Niedergrünewald, L-2925 Luxembourg. In this connection, it is appropriate to mention that, pursuant to Article 57(5) of the Rules of Procedure, only the date and time of lodging of the original at the Registry are taken into consideration in the calculation of procedural time limits. To prevent any time-barring, it is therefore strongly recommended 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 Court Registry or, outside the opening hours of the Registry, at the reception of the Court buildings where the attendant member of staff will acknowledge receipt of the document by recording on it the date and time of lodging.

60. At present, a copy of the signed original of a procedural document may also be transmitted to the Registry as an attachment to an *email* (ecj.registry@curia.europa.eu) or *by fax* (+352 433766), but both means of transmission should be used only exceptionally, in so far as they have a number of technical limitations and do not offer the same advantages and guarantees as the e-Curia application. It should also be noted that a procedural document lodged by email or fax will be treated as complying with the relevant time limit only if the signed original itself, together with any annexes thereto, reaches the Registry at the latest 10 days after the copy of that signed original was sent by email or fax 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 signed original and the copy previously transmitted, only the date on which the signed original was lodged at the Registry will be taken into consideration.

61. In addition to sending to the Registry the original of written pleadings, statements of case or observations using the means of transmission referred to above, *an editable version* ([3]) *of those documents must be sent to the following email address* to facilitate the Court's processing of those documents and, in particular, their translation into one or more official languages of the European Union: editable-versions@curia.europa.eu.

([3]) The editable version corresponds to the document drawn up using word-processing software such as Microsoft Word, Open Office, Google Docs or Pages (Mac environment). Unlike image-based software such as PDF, this editable format allows the text to be directly extracted so that it can be used in the case processing cycle, in particular at the translation stage.

III. THE ORAL PART OF THE PROCEDURE

62. As is apparent from the fourth paragraph of Article 20 of the Statute, the oral part of the procedure consists, in essence, of two distinct stages: the hearing of the parties or interested persons referred to in Article 23 of the Statute, and the delivery of the Opinion of the Advocate General. Under the fifth paragraph of Article 20 of the Statute, the Court may nevertheless decide, where it considers that the case raises no new point of law, that the case is to be determined without a submission from the Advocate General. A hearing will not automatically be arranged.

The purpose of the hearing

63. Having regard to the importance of the written part of the procedure in cases brought before the Court, and subject to the application of Article 76(3) of the Rules of Procedure, according to which a hearing is to be arranged, in preliminary ruling proceedings, where a request, stating reasons, has been submitted by an interested person who did not participate in the written part of the procedure, the decisive criterion for holding a hearing is not so much whether an express request has been made to that effect as the assessment made by the Court itself as to the added value of that hearing and its potential contribution to the outcome of the dispute or to determining the answers which the Court could provide to the questions referred by a court or tribunal of a Member State. *A hearing is therefore arranged by the 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 submitted by the parties or the interested persons referred to in Article 23 of the Statute*.

The request for a hearing

64. Where those parties or those interested persons consider that a hearing must be arranged in a case, the onus is on them, in any event, as soon as they have been served notification of the close of the written part of the procedure, to *inform the Court of the precise reasons why they wish to be heard* by the Court. That reasoning – which is not to be confused with a written pleading, statement of case or observations and must 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 file or arguments which that party or person considers it necessary to develop or refute more fully at that hearing. It is not sufficient to provide a general statement of reasons referring, for example, to the importance of the case or of the questions to be decided by the Court.

The notice to attend the hearing and the need for a prompt and comprehensive response to that notice

65. When the Court decides to arrange a hearing in a particular case, it fixes the exact date and time, and the parties or interested persons referred to in Article 23 of the Statute are immediately sent a letter of notice to attend by the Registry, which also notifies them of the composition of the formation to which the case has been assigned, of any measures of organisation of procedure decided on by the Court and, where applicable, that there is to be no Advocate General's Opinion. In order to enable the Court to arrange that hearing in the best possible conditions, *the parties or the abovementioned interested persons are requested to reply to the Registry's letter within a short period* stating whether they do in fact intend to participate in the hearing. If so, those parties or interested persons are requested to provide the Registry with the following information:

— the full name, title and precise status of each of the persons who will be representing them at the hearing;

— the full name, title and precise status of the person called upon to speak on behalf of that party or interested person at the hearing;

— the speaking time requested by that person, taking into account the indications given in point 76 of these Practice Directions; and

— any other measure that would facilitate access to the Court's premises and the proper organisation of the hearing, both from a logistical and technical point of view and, where appropriate, from a linguistic point of view.

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

66. If the hearing which the parties or interested persons referred to in Article 23 of the Statute have been given notice to attend is likely to be broadcast on the website of the Court of Justice of the European Union and one of those parties or interested persons considers that that hearing should not be broadcast, that party or interested person is to inform the Court of this as soon as possible, setting out in detail the circumstances that justify a decision not to broadcast the hearing. In accordance with Article 80a(4) of the Rules of Procedure, the President will then decide on that request as soon as possible, after hearing the Judge-Rapporteur and, if applicable, the Advocate General responsible for the case.

The steps to be taken prior to the hearing

67. *Persons called upon to present oral argument before the Court*, irrespective of their qualifications or the capacity in which they appear, *are required to wear gowns*. Agents, lawyers and, in preliminary ruling proceedings, any other persons permitted to represent a party to the main proceedings under national procedural rules are therefore requested to bring a gown when participating in a hearing arranged by the Court. In the event that they do not have a gown, a number of gowns may be made available by the Court but, in view of the limited number of gowns and variable sizes, the representatives concerned are requested to inform the Court of any such requirement in advance, in the response to the letter of notice to attend the hearing.

68. In the context of that response, and with a view to ensuring the best possible organisation of the hearing, the parties and their representatives are also requested to inform the Court of any particular measures that would facilitate their actual participation in the hearing, in particular in *cases of disability or reduced mobility*.

69. On account of traffic conditions in Luxembourg and the security measures in place for access to the Court buildings, it is advisable to take the steps necessary to be present in the room in which the hearing is to take place at least 20 minutes before the hearing is due to start. Before the hearing, the Members of the formation of the Court and, as the case may be, the Advocate General usually hold a short meeting with the representatives of the parties or the interested persons referred to in Article 23 of the Statute about the organisation of the hearing. At that meeting the Judge-Rapporteur and the Advocate General may invite those representatives to provide, at the hearing, further information on certain questions or to develop one or more specific aspects of the case at issue.

Participation in the hearing by videoconference

70. As is apparent from Article 78 of the Rules of Procedure, the representative of a party or, in a preliminary ruling case, a party to the main proceedings who is permitted to bring or defend court proceedings without being represented by a lawyer may be authorised to take part in a hearing of oral argument by videoconference if prevented from participating in that hearing in person for health, security or other serious reasons linked, for example, to that individual's state of health, a strike in the transport sector, or the sudden cancellation of a flight which the individual concerned was due to take, shortly before the hearing.

71. In order to ensure that that request is taken into account, it must be submitted, by a separate document, as soon as the reason for the impediment is known and must state both the nature of the impediment claimed and the contact details of the person to be contacted in the event that the request is granted by the Court. Those particulars are intended to enable the Court to carry out in advance the technical and interpretation tests necessary to ensure the highest sound and image quality and a perfectly stable internet connection.

72. The 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 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, 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 (https://curia.europa.eu/jcms/jcms/Jo2_7031/en).

73. If the abovementioned tests prove to be successful, the party or representative concerned will be able to participate in the hearing by videoconference under the same conditions as those prevailing when those tests were carried out. If the tests are unsuccessful – or if the request to participate by videoconference is refused – the party or representative concerned will be invited to arrange for a replacement to participate in person, subject to any decision by the Court to adjourn the hearing.

The normal procedure at a hearing

74. While the procedure at a hearing before the Court may vary depending on the circumstances of each case, in general it consists of three separate parts: the oral submissions proper, questions from the Members of the Court and final replies. Oral submissions are made from the lectern, while answers to questions put by the Members of the Court and final replies are, as a rule, given by parties' representatives from the place assigned to them in the courtroom.

First stage of the hearing: oral submissions

The purpose of the oral submissions

75. Subject to any special circumstances, the hearing usually starts with the oral submissions of the parties or of the interested persons referred to in Article 23 of the Statute. In the light of the knowledge which the Court already has of the case following the written part of the procedure, it is not the purpose of those submissions to recall the content of the written pleadings, statements of case or observations. They *are intended, above all, to* enable the parties or the abovementioned interested persons to *respond to any requests to concentrate on specified issues in the oral submissions, or to answer the questions which the Court put to them before the hearing*. As far as possible, participants in the hearing who are advocating the same line of argument or adopting the same position are, moreover, requested to liaise before the hearing in order to avoid unnecessary repetition.

Speaking time and its possible extension

76. The speaking time is fixed by the President of the formation of the Court, after consulting the Judge-Rapporteur and, if applicable, the Advocate General responsible for the case. As a general rule, the speaking time is fixed at 15 minutes, irrespective of the formation of the Court to which the case has been assigned. However, that time may be extended or reduced depending on the nature or the particular complexity of the case, the number and procedural status of the participants in the hearing and any measures of organisation of procedure decided on by the Court. An extension of the speaking time allocated may, exceptionally, be granted by the President of the formation of the Court on the *duly reasoned application* of a party or one of the interested persons referred to in Article 23 of the Statute. In order to be taken into account, such an application must nevertheless be made by the party or interested person concerned in the reply to the letter of notice to attend the hearing.

The number of persons presenting oral argument

77. For reasons connected with the proper conduct of the hearing, the oral submissions of the parties or of the interested persons present at the hearing must, for each of them, be made by a single person. In exceptional circumstances, a second person may nevertheless be authorised to present oral argument where this is warranted by the nature or the particular complexity of the case, provided a *duly reasoned application* to this effect has been submitted in the reply of the party or interested person concerned to the letter of notice to attend the hearing. If it is granted, that authorisation does not, however, include any extension of the speaking time, and the two persons presenting oral argument must share the speaking time allocated to the party concerned.

Second stage of the hearing: questions from Members of the Court

78. Without prejudice to the questions which may be asked by the Members of the Court before or during the oral submissions, the persons presenting oral argument may be requested, at the end of the oral submissions, to answer additional questions from the Members of the Court. The purpose of those questions is to supplement the Members' knowledge of the file and to allow the persons presenting oral argument to explain or elaborate on certain points on which additional information may still be required.

79. Unless there are special circumstances, the answers to questions put by the Members of the Court must be given by the persons presenting oral argument. If a party or an interested person considers that another person should answer questions that may be put by the Court, for example because of the individual's expertise in a particular field, that party or interested person must make a specific request to that effect, in the reply to the letter of notice to attend the hearing.

Third stage of the hearing: final replies

80. After that exchange with the Members of the Court, the persons presenting oral argument have a final opportunity, if they consider it necessary, to reply briefly. Those final replies, which should last no longer than five minutes each, do not constitute a second round of oral submissions. Their sole purpose is to enable the persons presenting oral argument to react succinctly to observations made or answers given during the hearing by the other participants or by the Members of the Court. If two or more individuals were authorised to speak during the hearing for a party or an interested person referred to in Article 23 of the Statute, only one of them is authorised to reply.

Preserving the protection of personal data

81. At all stages of the hearing concerned, the persons presenting oral argument and those authorised to speak during the hearing are required to respect any anonymity that may have been conferred in advance by the referring court or tribunal or by the Court. They must therefore refrain, in their oral submissions, responses or final replies, from revealing the identity of the persons thus anonymised or from referring to personal data which may help to (re)identify them.

Languages used at the hearing

82. Without prejudice to the possibility, for a Member State, of using its own official language when taking part in a hearing and the possibility, for third States, of using one of the languages mentioned in Article 36 of the Rules of Procedure when taking part in preliminary ruling proceedings or intervening in a case before the Court, the other parties to the proceedings are required to present oral argument in the language of the case, as determined in accordance with the rules laid down in Article 37 of the Rules of Procedure.

83. In preliminary ruling proceedings, the parties to the main proceedings may, exceptionally, request that the Court authorise the use of a language other than that of the referring court or tribunal for the oral part of the procedure. That request – which must be submitted in the reply of the party concerned to the letter of notice to attend the hearing – must be *duly substantiated* and explain the reasons why the use of another language is sought and those militating in favour of that other language, of those mentioned in Article 36 of the Rules of Procedure. Under Article 37(4) of those Rules, the decision on that request is, depending on the circumstances, a matter for the President of the formation of the Court to which the case was referred or for the Court, after the other party to the main proceedings and the Advocate General have been heard with respect to the request. If the request is granted, the requested language may be used during the hearing by all the interested persons referred to in Article 23 of the Statute ([4]).

84. The exception referred to in the preceding point is, however, applicable only to preliminary ruling proceedings. Except in the cases referred to in point 82 of these Practice Directions, the parties to the proceedings in a direct action or an appeal are obliged to present oral argument, to make submissions in reply and to answer any questions put by the Court in the language of the case ([5]).

The implications and constraints of simultaneous interpretation

85. Whether in their oral submissions, their replies or their responses to questions from the Court, the persons presenting oral argument must bear in mind that, very often, the Members of the formation of the Court, the Advocate General and the interested persons referred to in Article 23 of the Statute will listen to their argument in another language by means of simultaneous interpretation. In the interests of the proper conduct of the hearing and in order to guarantee the quality of the work of the interpreters – who must themselves sometimes rely on interpretation into another language before interpreting a speaker's remarks into the language of the listener – the representatives of the parties or of the interested persons referred to in Article 23 of the Statute are therefore requested, *if they have a text available, however short, of notes for the oral submissions or an outline of their argument, to send it as soon as possible before the hearing to the interpretation directorate by email* (Interpretation@curia.europa.eu). That text or those notes for the oral submissions are intended solely for the interpreters and are destroyed after the hearing. They are neither transmitted to the Members of the formation of the Court or the Advocate General responsible for the case, nor are they included in the case file.

86. To facilitate interpretation and, therefore, comprehension of the oral submissions both by the Members of the formation of the Court and the Advocate General responsible for the case and by the other parties present at the hearing, it is essential, during the hearing, to *speak directly into the microphone, at a natural and measured pace*. It is helpful for the purposes of the interpretation if the person presenting oral argument states in advance the outline of his or her argument and uses short and simple sentences as a matter of course. When referring in his or her oral submissions to a decision of the Court of Justice or of the General Court, the person presenting oral argument is also requested to specify the date of that decision and the number and name of the case concerned.

The procedure following the hearing

87. The active participation of the parties or of the interested persons referred to in Article 23 of the Statute comes 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 83 of the Rules of Procedure, the parties or abovementioned interested persons are no longer authorised to put forward written or oral observations, in particular in response to the Advocate General's Opinion, once the President of the formation of the Court has declared the hearing closed.

([4]) Where permission has been given by the Court for a language other than the language of the case to be used for the purpose of replying to any questions that may be put at the hearing, that permission is to apply only to those replies. The initial oral submissions of the party concerned must be made, and the final reply given, in the language of the case.

([5]) In the case of infringement proceedings, the defendant Member State is entitled to use, during the oral part of the procedure, a language other than that used during the written part, provided, however, that that other language is one of the official languages of that State and that a request to that effect has been submitted in good time, if possible in the reply to the letter of notice to attend the hearing. If the request is granted, the requested language may be used by all the parties to the proceedings.

88. Where the hearing has been broadcast, it will 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 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 Court to that effect, setting out the circumstances that justify that removal. If that request is granted, the video recording concerned will be removed from the website forthwith.

The reading of the Opinion of the Advocate General and delivery of the judgment closing the proceedings

89. 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 or her Opinion in their case, they will not be required to travel to Luxembourg. The reading of Advocates General's Opinions and the delivery of judgments of the Court are broadcast live via the website of the Court of Justice of the European Union.

90. The full text of the Opinion and of the judgment is served by the Registry on the parties or on the interested persons concerned and will subsequently appear on the abovementioned website in the languages available.

IV. FINAL PROVISIONS

91. The Practice directions to parties concerning cases brought before the Court of 10 December 2019 are hereby repealed and replaced by these Practice Directions.

92. These Practice Directions shall be published in the *Official Journal of the European Union*. They shall enter into force on the first day of the month following that of their publication.

Adopted at Luxembourg, 2 July 2024.