

Case C-59/91

French Republic
v
Commission of the European Communities
(Inadmissibility)

Order of the Court, 5 February 1992 I - 526

Summary of the Order

1. *Procedure — Period allowed for commencing proceedings — Calculation (Rules of Procedure, Arts. 80 and 81)*
2. *Procedure — Period allowed for commencing proceedings — Unforeseeable circumstances or force majeure (Statute of the Court of Justice of the EEC, Art. 42, second para.)*

1. A period of time allowed for commencing proceedings which is expressed in calendar months expires at the end of the day which, in the month indicated by the time-limit, bears the same number as the day from which time was set running.
2. No derogation from the application of the Community rules on procedural time-limits may be made save where the circumstances are quite exceptional, in the sense of being unforeseeable or amounting to force majeure, in accordance with the second paragraph of Article 42 of the Statute of the Court of Justice of the EEC since the strict application of Community rules on procedural time-limits serves the requirements of legal certainty and the need to avoid discrimination or arbitrary treatment in the administration of justice.