



## Reports of Cases

### Order of the General Court (Ninth Chamber) of 16 September 2019 – Poland v Commission

(Case T-703/18)

(Action for annulment — European Social Fund — Operational programme ‘Knowledge Education Development’ — Letter notifying a final audit report — Act not amenable to review — Preparatory act — Inadmissibility)

*Action for annulment — Actionable measures — Meaning — Measures producing binding legal effects — Preparatory measures — Not included — Letter notifying a final audit report relating to an operational programme co-financed by the European Social Fund — Measure not definitively laying down the position of the competent institution — Taken into account by the receiving Member State in order to adopt internal measures — Irrelevant — Inadmissibility*

*(Art. 263 TFEU; European Parliament and Council Regulation No 1303/2013)*

*(see paras 34-38, 62, 63, 68)*

#### Re:

Action under Article 263 TFEU for the annulment of the decision of the Commission allegedly contained in its letter of 17 September 2018 notifying the Republic of Poland of the final audit report relating to the operational programme ‘Knowledge Education Development’.

#### Operative part

1. The action is dismissed.
2. It is not necessary to adjudicate on the Czech Republic’s application to intervene.
3. The Republic of Poland and the European Commission shall bear their own costs.

4. The Czech Republic shall bear its own costs relating to the application for leave to intervene.