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'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Amendments to the Rules of Procedure of the General Court
- Approval by the Council

1. Pursuant to Article 254, fifth paragraph TFEU, "*the General Court shall establish its Rules of Procedure in agreement with the Court of Justice. Those Rules shall require approval of the Council.*"
2. With reference to the aforementioned provision, the President of the General Court of the European Union submitted, by letter dated 5 March 2018, two sets of draft amendments to the Rules of Procedure of the General Court for the approval of the Council (document 7068/18). The first set of amendments are intended to enable the Vice-President of the General Court to exercise a function and a competence with which he is not currently vested. The second set of amendments seeks to make use of the e-Curia IT application mandatory for the lodging of procedural documents and the service of documents by the Registry in connection with proceedings before the General Court.
3. These two sets of draft amendments to the Rules of Procedure were examined by the Working Party on Court of Justice at its meeting on 20 April 2018. Following subsequent written consultations, the Working Party on Court of Justice reached agreement on the text of both sets of draft amendments to the Rules of Procedure of the General Court.

4. The second set of amendments the Rules of Procedure concerning the mandatory use of e-curia, as set out in document 9851/18, was approved as a I/A item (document 9916/18) by Coreper on 20 June 2018 and by the General Affairs Council on 26 June 2018 (document 10350/18).
5. However, due to a clerical error, the first set of draft amendments to the Rules of Procedure concerning the functions of the Vice-President of the General Court was not submitted to Coreper and Council for approval together with the above-mentioned second set of draft amendments.
6. The Committee of Permanent Representatives is therefore invited to
 - confirm the agreement on the first set of draft amendments to the Rules of Procedure of the General Court concerning the functions of the Vice-President of the General Court as set out, after legal-linguistic finalisation, in document ST 10911/18, and
 - recommend that the Council approve these draft amendments as an A-item in one of its next meetings.