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THE COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES

INSTRUCTIONS TO THE REGISTRAR

THE COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES,

Having regard to Articles 14, 15 (5) and 72 of the Rules of Procedure;

Acting on a proposal from the President of the Court;

Acting on a proposal from the Registrar on the Registry scale of charges;

HAS ADOPTED THESE INSTRUCTIONS TO THE REGISTRAR:

Section one — Responsibilities of the Registry

Article 1

1. The Registry shall be open to the public from Monday to Friday from 10 am to 12 noon and from 3 pm to 6 pm, and on Saturdays from 10 am to 12 noon, except on the official holidays listed in Annex I to the Rules of Procedure.

Outside the opening hours of the Registry procedural documents may be validly lodged by being deposited in the Court letter box. The letter box shall be cleared every day on the opening of the Registry.

2. In any event the Registry shall at every public hearing held by the Court or a Chamber be open to the public half an hour before the hearing begins.

Article 2

The Registrar shall be responsible for maintaining the files of pending cases and for keeping them fully up to date.

Article 3

1. The Registrar shall be responsible for drawing up minutes of judgments, orders and other decisions. He shall submit them to the responsible Judges for their signatures.

2. The Registrar shall ensure that, where the ECSC, EEC or EAEC Treaty, the ECSC, EEC or EAEC Statute or the Rules of Procedure provide for a document to be served, a notice to be given or a communication to be made, the steps are carried out in accordance with the Rules of Procedure; the documents, notices and communications shall be sent by registered post, accompanied by a note signed by the Registrar giving the number of the case and the registration number of the document, together with a brief indication as to its nature. A copy of the note shall be appended to the original document.

3. The parties shall be served with the pleadings and other documents relating to the proceedings.

Where a document is very bulky and only one specimen of it is lodged at the Registry, the Registrar shall, after consulting the Judge-Rapporteur, inform the parties by registered letter that the document may be inspected by them at the Registry.

4. Where in the submission in the application originating proceedings it is contended that an act of a Community institution not being a party to the action is illegal, the Registrar shall transmit a copy of the application to the institution in accordance with the second paragraph of Article 18 of the Statutes of the Court of Justice of the EEC and the EAEC and the second paragraph of Article 21 of the Statute of the Court of Justice of the ECSC.

Article 4

1. A party who has lodged a procedural document at the Registry shall, if he so requests, be given a receipt.

2. Unless otherwise expressly authorized by the President or the Court, the Registrar shall decline to

accept or, as the case may be, shall without delay return by registered post any pleading or other document not provided for in the Rules of Procedure or not worded in the language of the case.

3. On a procedural document which has been lodged on a date other than the date of its registration, a note shall be made stating that it has been so lodged.

Article 5

1. The Registrar shall, after consulting the President and the Judge-Rapporteur, take all measures necessary for implementing Article 38 (7) of the Rules of Procedure.

He shall prescribe the period mentioned in that Article and shall communicate it to the person concerned by registered letter with a form for acknowledgment of receipt.

If the person concerned does not comply with the directions of the Registrar, the latter shall refer the matter to the President of the Court.

2. Requests to the Registrar of the Arbitration Committee pursuant to Article 101 (3) of the Rules of Procedure shall be sent by registered letter with a form for acknowledgment of receipt.

The papers shall be returned to the Registry of the Arbitration Committee after the decision of the Court is pronounced or after the case is removed from the Court Register.

Article 6

1. Where a decision or order is delivered in open court a note to that effect shall be made at the foot of the text; the note shall be in the language of the case and shall read as follows:

'delivered in open court at ..... (date)

The Registrar — The President

(Signature) — (Signature)'

2. The notes in the margins to judgments, as required by Articles 66 (4), 94 (6), 97 (3) and 102 (2) of the Rules of Procedure, shall be made in the language of the case; the President and the Registrar shall initial them.

Article 7

1. Before every public hearing of the Court or a Chamber the Registrar shall draw up a cause list in the respective language of each case.

This list shall contain:

— the date, hour and place of the hearing;

— the references to the cases which will be called;

— the names of the parties;

— the names and descriptions of the parties' agents, advisers and lawyers.

The cause list shall be displayed at the entrance to the courtroom.

2. The Registrar shall draw up in the respective language of each case the minutes of every public hearing.

The minutes shall contain:

— the date and place of the hearing;

— the names of the Judges, Advocates-General and Registrar present;

— the reference to the case;

— the names of the parties;

— the names and descriptions of the parties' agents, advisers and lawyers;

— the names, forenames, descriptions and permanent addresses of the witnesses or experts examined;

— an indication of the evidence produced at the hearing;

— an indication of the documents lodged by the parties in the course of the hearing;

— the decisions of the Court, the Chamber or the President of the Court or Chamber, given at the hearing.

If the oral procedure in the case extends over several successive hearings, it may be reported in a single set of minutes.

Article 8

The Registrar shall ensure that a person or body responsible for making an investigation or giving an expert opinion in accordance with Article 49 of the Rules of Procedure is in possession of the material necessary for carrying out his task.

Article 9

Certificates as provided for in Article 33 (b) of the Rules of Procedure shall be delivered to the adviser or lawyer concerned as soon as the opening date of the oral procedure is fixed or, if he so requests, at any other time after his instrument of authority has

been lodged at the Registry, where this step is required for the proper conduct of proceedings.

The certificates shall be drawn up by the Registrar.

Article 10

For the purposes of Article 32 of the Rules of Procedure, an extract from the cause list shall be transmitted in advance to the Minister of Foreign Affairs of the place where the Court is sitting.

Section two — Keeping of the Register

Article 11

The Registrar shall be responsible for keeping up to date the Register of cases brought before the Court.

Article 12

When an application originating proceedings is registered, the case shall be given a serial number, followed by a mention of the year and a statement of either the name of the applicant or the subject matter of the application. Cases shall be referred to by their serial numbers.

An application for the adoption of interim measures shall be given the same serial number as the principal action, followed by the letter 'R'.

Article 13

The pages of the Register shall be numbered in advance.

At regular intervals the President and the Registrar shall check the Register and initial it in the margin against the last entry.

Article 14

The procedural documents in cases brought before the Court, including documents lodged by the parties and documents served by the Registrar, shall be entered in the Register.

An annex which has not been lodged at the same time as the procedural document to which it relates shall be separately registered.

Article 15

1. Entries in the Register shall be made chronologically in the order in which the documents to be registered are lodged; they shall be numbered consecutively.

2. Procedural documents shall be registered as soon as they are lodged at the Registry.

Documents drawn up by the Court shall be registered on the day of issue.

3. The entry in the Register shall contain the information necessary for identifying the document and in particular:

— the date of registration;

— the reference to the case;

— the nature of the document;

— the date of the document.

The entry shall be made in the language of the case; numbers shall be written in figures and usual abbreviations shall be permitted.

4. Where a correction is made in the Register a note to that effect, initialled by the Registrar, shall be made in the margin.

Article 16

The registration number of every document drawn up by the Court shall be noted on its first page.

A note of the registration, worded as follows, shall be stamped on the original of every document lodged by the parties:

'Registered at the Court of Justice under No ....

Luxembourg, ... day of ..... 19 ..'

This note shall be signed by the Registrar.

Section three — Scale of charges of the Registry and of the Court

Article 17

No Registry charges may be imposed save those referred to in this Section.

Article 18

Registry charges may be paid either in cash to the Cashier of the Court or by bank transfer to the Court account at the bank named in the demand for payment.

Article 19

Where the party owing Registry charges has been granted legal aid, Article 76 (5) of the Rules of Procedure shall apply.

Article 20

Registry charges shall be as follows:

(a) for an authenticated copy of a judgment or order, a certified copy of a procedural document or set of minutes, an extract from the Court Register, a

certified copy of the Court Register or a certified copy made pursuant to Article 72 (b) of the Rules of Procedure: Lux Fr 30 a page;

(b) for a translation made pursuant to Article 72 (b) of the Rules of Procedure: Lux Fr 200 a page;

No page shall contain more than 40 lines.

This scale applies to the first copy; the charge for further copies shall be Lux Fr 5 for each page or part of a page.

Article 21

1. Where pursuant to Articles 47 (3), 51 (1) and 76 (5) of the Rules of Procedure an application is made to the Cashier of the Court for an advance payment, the Registrar shall direct that particulars of the costs for which the advance payment is required be delivered.

Witnesses must supply evidence of their loss of earnings and experts must supply a note of fees for their services.

2. The Registrar shall order payment by the Cashier of the Court of sums payable pursuant to the preceding paragraph, against a receipt or other proof of payment.

Where he is of the opinion that the amount applied for is excessive, he may of his own motion reduce it or order payment by instalments.

3. The Registrar shall order the Cashier of the Court to refund the costs of letters rogatory payable in accordance with Article 3 of the Supplementary Rules to the authority designated by the Minister referred to in Article 2 of those Rules, in the currency of the State concerned against proof of payment.

4. The Registrar shall order the Cashier of the Court to make the advance payment referred to in the second paragraph of Article 5 of the Supplementary Rules of Procedure, subject to the second subparagraph of paragraph 2 of this Article.

Article 22

1. Where sums paid out by way of legal aid pursuant to Article 76 (5) of the Rules of Procedure are recoverable, payment of the sums shall be demanded by registered letter, signed by the Registrar. The letter shall state not only the amount payable but also the method of payment and the period prescribed.

The same provision shall apply to the implementation of Article 72 (a) of the Rules of Procedure and Article 21 (1), (3) and (4) of these Instructions.

2. If the sums demanded are not paid within the period prescribed by the Registrar, he shall request the Court to make an enforceable decision and to order its enforcement in accordance with Articles 44 and 92 of the ECSC Treaty, 187 and 192 of the EEC Treaty or 159 and 164 of the EAEC Treaty.

Where a party is by a judgment or order directed to pay costs to the Cashier of the Court, the Registrar shall, if the costs are not paid within the period prescribed, apply for payment of the costs to be enforced.

Section four — Publications of the Court

Article 23

The Registrar shall be responsible for the publications of the Court.

Article 24

There shall be published in the official languages 'Reports of Cases before the Court' which shall, subject to a decision to the contrary, contain the judgments of the Court together with the submissions of the Advocates-General and the opinions given and the interim orders made in the course of the calendar year.

Article 25

The Registrar shall cause the following to be published in the *Official Journal of the European Communities:*

(a) notices of applications originating proceedings, as referred to in Article 15 (6) of the Rules of Procedure;

(b) notices of the removal of cases from the Register;

(c) subject to a decision by the Court to the contrary, the operative part of every judgment and interim order;

(d) the composition of the Chambers;

(e) the appointment of the President of the Court;

(f) the appointment of the Registrar;

(g) the appointment of the Assistant Registrar and the Administrator.

FINAL PROVISIONS

Article 26

These instructions, drawn up in the official languages, shall be published in the *Official Journal of the European Communities,* the four texts being authentic.

Done at Luxembourg, 23 June 1960.