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The rules on the transfer from the Court of Justice to the General Court of part of the jurisdiction to give preliminary rulings become applicable

As announced when Regulation 2024/2019 amending Protocol No 3 on the Statute of the Court of Justice of the European Union was published in the *Official Journal of the European Union* ¹, **today the provisions on the transfer from the Court of Justice to the General Court of part of the jurisdiction to give preliminary rulings become applicable**. For reasons of legal certainty and expedition, all requests for preliminary rulings will continue to be submitted to the Court of Justice, which will carry out a preliminary analysis of their subject matter, but as soon as that analysis is done, requests which come exclusively within one or more of the specific areas referred to in the first paragraph of Article 50b of the Statute ² will be transferred to the General Court.

Subject to some adjustments linked to the General Court's own structure and internal organisation, the General Court will handle requests for a preliminary ruling transferred to it by the Court of Justice in the same way as the Court of Justice and will apply the same procedural rules. The decisions of the General Court on questions referred for a preliminary ruling will also have the same value as those of the Court of Justice.

However, in so far as the Treaty on the Functioning of the European Union and the Staff Regulations provide that, exceptionally, decisions of the General Court on questions referred for a preliminary ruling may, on a proposal from the First Advocate General, be subject to review where there is a serious risk of the unity or consistency of EU law being affected, it is only in the absence of such a proposal – which must be made within one month of the General Court's decision – that the decision of the General Court will become final. If, however, a proposal to review that decision were to be made by the First Advocate General, it will be necessary to wait until the Court of Justice has ruled on that proposal in order for the decision of the General Court to become final or for the decision of the Court of Justice to replace that of the General Court.

As a result of this major reform, the Recommendations to national courts and tribunals in relation to the initiation of preliminary ruling proceedings have been updated. They are available in all the official languages of the European Union and accessible by following [this link](#).

Unofficial document for media use, not binding on the Court of Justice.

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¹ [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 (see also [PR 125/24](#)).

² As a reminder, these six areas are: the common system of value added tax (VAT); excise duties; the Customs Code; the tariff classification of goods

under the Combined Nomenclature; compensation and assistance to passengers in the event of denied boarding or of delay or cancellation of transport services and the system for greenhouse gas emission allowance trading.