

21.10.2015

A8-0296/16

Amendment 16

António Marinho e Pinto

on behalf of the ALDE Group

Report

A8-0296/2015

António Marinho e Pinto

Court of Justice of the European Union: number of judges at the General Court
09375/1/2015 – C8-0166/2015 – 2011/0901B(COD)

Position of Council at first reading

Recital 5

Council position

(5) Taking into account the likely evolution of the workload of the General Court, the number of Judges should be fixed at **56 at the end of a three-stage process, it being understood that at no point of time can there be more than two Judges sitting at the General Court appointed upon a proposal by the same Member State.**

Amendment

(5) Taking into account the likely evolution of the workload of the General Court, the number of Judges should be fixed at **40.**

Or. en

21.10.2015

A8-0296/17

Amendment 17

António Marinho e Pinto

on behalf of the ALDE Group

Report

A8-0296/2015

António Marinho e Pinto

Court of Justice of the European Union: number of judges at the General Court

09375/1/2015 – C8-0166/2015 – 2011/0901B(COD)

Position of Council at first reading

Recital 7

Council position

Amendment

(7) In September 2016, first instance jurisdiction in Union civil service cases, and the seven posts of the Judges sitting at the European Union Civil Service Tribunal, should be transferred to the General Court, on the basis of a future legislative request by the Court of Justice.

(7) The statute should also provide a permanent solution to the question of judges' Member States of origin, since the current arrangement, under which judges are appointed per Member State, cannot apply where there are more judges than Member States.

Or. en

21.10.2015

A8-0296/18

Amendment 18

António Marinho e Pinto

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Report

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António Marinho e Pinto

Court of Justice of the European Union: number of judges at the General Court

09375/1/2015 – C8-0166/2015 – 2011/0901B(COD)

Position of Council at first reading

Recital 8

Council position

(8) In September 2019, the remaining nine additional Judges should take office. In order to ensure cost effectiveness, this should not entail the recruitment of additional legal secretaries or other support staff. Internal re-organisation measures within the institution should ensure that efficient use be made of existing human resources.

Amendment

(8) Pursuant to Article 19(2) of the Treaty on European Union, the General Court includes at least one judge per Member State. As that already ensures an appropriate geographical balance and representation of national legal systems, additional judges should be appointed exclusively on the basis of their professional and personal suitability, taking into account their knowledge of the legal systems of the European Union and of the Member States.

Or. en

21.10.2015

A8-0296/19

Amendment 19

António Marinho e Pinto

on behalf of the ALDE Group

Report

A8-0296/2015

António Marinho e Pinto

Court of Justice of the European Union: number of judges at the General Court

09375/1/2015 – C8-0166/2015 – 2011/0901B(COD)

Position of Council at first reading

Article 1 – point 2

Protocol on the Statute of the Court of Justice

Article 48

Council position

Amendment

The General Court shall consist of:

In the General Court, there shall be one Judge per Member State and 12 additional Judges as from ...*.

(a) 40 Judges as from ...*;

(b) 47 Judges as from 1 September 2016;

(c) two Judges per Member State as from 1 September 2019.

**** OJ: insert "1 September 2015", or the date of entry into force of this Regulation if that date is after 1 September 2015.***

**** OJ: insert date of entry into force of this Regulation.***

Or. en

21.10.2015

A8-0296/20

Amendment 20

António Marinho e Pinto

on behalf of the ALDE Group

Report

A8-0296/2015

António Marinho e Pinto

Court of Justice of the European Union: number of judges at the General Court
09375/1/2015 – C8-0166/2015 – 2011/0901B(COD)

Position of Council at first reading

Article 1 – point 2 a (new)

Protocol on the Statute of the Court of Justice

Article 48 a (new)

Council position

Amendment

2a. The following Article is inserted:

'Article 48a

***In respect of the Judges to be appointed
per Member State, the right of nomination
shall lie with the government of the
Member State in question.'***

Or. en

21.10.2015

A8-0296/21

Amendment 21

António Marinho e Pinto

on behalf of the ALDE Group

Report

A8-0296/2015

António Marinho e Pinto

Court of Justice of the European Union: number of judges at the General Court

09375/1/2015 – C8-0166/2015 – 2011/0901B(COD)

Position of Council at first reading

Article 1 – point 2 b (new)

Protocol on the Statute of the Court of Justice

Article 48 b (new)

Council position

Amendment

2b. The following Article is inserted:

'Article 48b

1. The additional Judges shall be appointed regardless of nominees' Member States of origin.

2. During a procedure to appoint one or more of the 12 additional Judges, all Member State governments may submit nominations. Such nominations shall only be admissible if they concern a candidate of the opposite sex to that of any Judge already sitting in the General Court upon the proposal of that Member State under Article 48 a.

3. Furthermore, Judges retiring from the General Court may nominate themselves in a written submission to the chair of the panel referred to in Article 255 of the Treaty on the Functioning of the European Union.

4. During a procedure to appoint one or more of the 12 additional Judges, the panel referred to in Article 255 of the Treaty on the Functioning of the European Union shall give an opinion on nominees' suitability to perform the duties of Judge of the General Court. The panel

shall append to its opinion on candidates' suitability a list of candidates having the most suitable high-level experience, by order of merit.'

Or. en

21.10.2015

A8-0296/22

Amendment 22

António Marinho e Pinto

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António Marinho e Pinto

Court of Justice of the European Union: number of judges at the General Court

09375/1/2015 – C8-0166/2015 – 2011/0901B(COD)

Position of Council at first reading

Article 2 – point b

Council position

Amendment

(b) The term of office of three of the seven additional Judges to be appointed as from 1 September 2016 shall end on 31 August 2019. Those three Judges shall be chosen by lot. The term of office of the other four Judges shall end on 31 August 2022;

deleted

Or. en

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A8-0296/23

Amendment 23

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Report

A8-0296/2015

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Court of Justice of the European Union: number of judges at the General Court

09375/1/2015 – C8-0166/2015 – 2011/0901B(COD)

Position of Council at first reading

Article 2 – point c

Council position

Amendment

(c) The term of office of four of the nine additional Judges to be appointed as from 1 September 2019 shall end on 31 August 2022. Those four Judges shall be chosen by lot. The term of office of the other five Judges shall end on 31 August 2025.

deleted

Or. en