

## AMENDMENT FORM

### Suggestion for amendment of Article : 259 (ex Article 225), part III of the Constitution

By Ms / Mr : Teija Tiilikainen, Antti Peltomäki, Kimmo Kiljunen, Jari Vilén, Hannu Takkula and Esko Helle

Status :      **Tiilikainen, Kiljunen, Vilén - Members**  
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#### Article III-259 (ex Article 225)

1.            The ~~High~~ **General** Court shall have jurisdiction to hear and determine at first instance actions or proceedings referred to in [Articles III-266, III-269, III-272, III-273 and III-275 (ex 230, 232, 235, 236 and 238)], with the exception of those assigned to a judicial panel and those reserved in the Statute for the European Court of Justice. The Statute may provide for the ~~High~~ **General** Court to have jurisdiction for other classes of action or proceeding.

Decisions given by the ~~High~~ **General** Court under this paragraph may be subject to a right of appeal to the European Court of Justice on points of law only, under the conditions and within the limits laid down by the Statute.

2.            The ~~High~~ **General** Court shall have jurisdiction to hear and determine actions or proceedings brought against decisions of the judicial panels set up under [Article III-260 (ex 225(a))].

Decisions given by the ~~High~~ **General** Court under this paragraph may exceptionally be subject to review by the European Court of Justice, under the conditions and within the limits laid down by the Statute, where there is a serious risk of the unity or consistency of Union law being affected.

3.            The ~~High~~ **General** Court shall have jurisdiction to hear and determine questions referred for a preliminary ruling under [Article III-271 (ex 234)], in specific areas laid down by the Statute.

Where the ~~High~~ **General** Court considers that the case requires a decision of principle likely to affect the unity or consistency of Union law, it may refer the case to the European Court of Justice for a ruling.

Decisions given by the ~~High~~ **General** Court on questions referred for a preliminary ruling may exceptionally be subject to review by the European Court of Justice, under the conditions and within the limits laid down by the Statute, where there is a serious risk of the unity or consistency of Union law being affected.

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**Explanation (if any) :**

*Translations of the names of courts into different languages must not create any danger of confusion. Such a danger exists with the proposed 'High Court'. The other alternative, 'the General Court', also reflects better the role of the Court of First Instance as agreed in Nice.*