



ОБЩ СЪД НА ЕВРОПЕЙСКИЯ СЪЮЗ
TRIBUNAL GENERAL DE LA UNIÓN EUROPEA
TRIBUNÁL EVROPSKÉ UNIE
DEN EUROPÆISKE UNIONS RET
GERICHT DER EUROPÄISCHEN UNION
EUROOPA LIIDU ÜLDKOHUS
ΓΕΝΙΚΟ ΔΙΚΑΣΤΗΡΙΟ ΤΗΣ ΕΥΡΩΠΑΪΚΗΣ ΕΝΩΣΗΣ
GENERAL COURT OF THE EUROPEAN UNION
TRIBUNAL DE L'UNION EUROPÉENNE
CÚIRT GHINEARÁLTA AN AONTAIS EORPAIGH
TRIBUNALE DELL'UNIONE EUROPEA
EIROPAS SAVIENĪBAS VISPĀRĒJĀ TIESA

EUROPOS SAJUNGOS BENDRASIS TEISMAS
AZ EURÓPAI UNIÓ TÖRVÉNYSZÉKE
IL-QORTI ĠENERALI TAL-UNJONI EWROPEA
GERECHT VAN DE EUROPESE UNIE
SAJĀ UNII EUROPEJSKIEJ
TRIBUNAL GERAL DA UNIÃO EUROPEIA
TRIBUNALUL UNIUNII EUROPENE
VŠEOBECNÝ SŮD EURÓPSKEJ ÚNIE
SPLOŠNO SODIŠČE EVROPSKE UNIJE
EUROOPAN UNIONIN YLEINEN TUOMIOISTUIN
EUROPEISKA UNIONENS TRIBUNAL

APPLICATION FOR LEGAL AID

COMPULSORY FORM AND GUIDE FOR APPLICANTS

I. LEGAL AID APPLICATION FORM

The provisions concerning legal aid are contained in the Rules of Procedure of the General Court.

In particular, they provide as follows.

- Any natural person who, because of his economic situation, is wholly or partly unable to meet the costs involved in legal assistance and representation by a lawyer in proceedings before the General Court is to be entitled to legal aid (Art. 94(1) and (2) of the Rules of Procedure of the General Court).
- The economic situation is to be assessed, taking into account objective factors such as income, capital and the family situation (Art. 94(2) of the Rules of Procedure).
- Legal aid is to be refused if the action in respect of which the application is made appears to be manifestly inadmissible or manifestly unfounded (Art. 94(3) of the Rules of Procedure).
- An application for legal aid may be made before or after the action has been brought. The application need not be made through a lawyer (Art. 95(1) of the Rules of Procedure).
- The introduction of an application for legal aid is to suspend the period prescribed for the bringing of the action until the date of notification of the order making a decision on that application or, where no lawyer is designated in that order to represent the person concerned, until the date of service of the order designating the lawyer instructed to represent the applicant (Art. 96(4) of the Rules of Procedure).

The compulsory use of this application form for legal aid is provided for by Article 95 of the Rules of Procedure.

LEGAL AID APPLICATION FORM

APPLICATION FOR LEGAL AID

APPLICANT FOR LEGAL AID

Mrs

Ms

Miss

Mr

Surname (at birth):

Married name, if applicable:

First name(s):

Date of birth (dd / mm / yyyy): / /

Place of birth:

Address:

Postcode: Town/City:

Country:

Telephone (optional):

Fax (optional):

Email (optional):

Occupation or current position:

LEGAL AID APPLICATION FORM

PARTY AGAINST WHOM YOU PROPOSE TO BRING AN ACTION ¹

The applicant's attention is drawn to the fact that the General Court has jurisdiction to hear and determine disputes between natural persons and institutions, bodies, offices or agencies of the European Union. The Court cannot review the lawfulness of decisions taken by:

- other international bodies, in particular those of the European Court of Human Rights;
- Member States;
- national courts or tribunals.

Details of the party/parties against whom you propose to bring the action:

DEFENDANT(S)	ADDRESS

Continue, if necessary, on a blank sheet of paper which should be attached to your application.

¹ This section should not be completed if the action has already been brought.

LEGAL AID APPLICATION FORM

Description of the subject-matter of the action which you wish to bring, the facts of the case and the arguments in support of the action: ²

Any supporting document that is relevant for the purposes of assessing whether the proposed action is admissible and well founded must be annexed to this form and included in the list of supporting documents.

Any original supporting documents lodged will not be returned.

² 'If the application is made before the action has been brought, the applicant must briefly state the subject-matter of the proposed action, the facts of the case and the arguments in support of the action. The application must be accompanied by supporting documents in that regard.' (second subparagraph of Art. 95(2) of the Rules of Procedure).

APPLICANT'S ECONOMIC SITUATION ³

FINANCIAL RESOURCES

- ☞ *If, at the time of your application, your financial resources have remained unchanged since last year, the resources taken into account will be those declared to the national authorities in respect of the period from 1 January to 31 December of last year.*
- ☞ *If your financial situation has changed, your current resources will be taken into account, from 1 January this year until the date of your application.*

	Your resources	Resources of your spouse or cohabitee	Resources of any other person who normally lives with you (child or other dependant) Specify:
a. No income	<input type="checkbox"/> ⁴	<input type="checkbox"/>	<input type="checkbox"/>
b. Taxable net salary/wage (as shown on your pay slips)			
c. Non-salaried income (agricultural, industrial, commercial or non-commercial income)			
d. Family allowances			
e. Unemployment benefits			
f. Daily allowances (sickness benefit, maternity benefit, occupational sickness benefits, industrial accident)			
g. Pensions, retirement allowances, annuities and early retirement pensions			
h. Maintenance allowances (amount actually paid to you)			
i. Other resources (e.g. rent received, income from capital, income from securities, stocks and shares, etc.)			

Continue, if necessary, on a blank sheet of paper which should be attached to your application.

³ 'The economic situation shall be assessed, taking into account objective factors such as income, capital and the family situation' (second subparagraph of Art. 94(2) of the Rules of Procedure).

⁴ If this box is ticked, the applicant must provide details of means of support.

LEGAL AID APPLICATION FORM

Please state:

- the nature and value of any movable property (shares, liabilities, capital, etc.) and the address and value of any immovable property (buildings, land, etc.), including non-income-producing property, which you own:

OUTGOINGS

Please provide:

- details of children and other persons who are dependent on you or who normally live with you:

Surname(s) and first name(s)	Relationship to you (e.g. son, nephew, mother)	Date of birth (dd / mm / yyyy)
..... / ... /
..... / ... /
..... / ... /
..... / ... /

Continue, if necessary, on a blank sheet of paper which should be attached to your application.

LEGAL AID APPLICATION FORM

- details of maintenance payments which you make to third parties:

Any additional information about your situation (resources or outgoings):

The information above must be substantiated by supporting documents making it possible to assess your economic situation (Art. 95(2) of the Rules of Procedure).

The list of supporting documents, including, where appropriate, a certificate issued by a competent national authority attesting to your economic situation, must be annexed to this form.

Any original supporting documents lodged will not be returned.

LEGAL AID APPLICATION FORM

PROPOSED LEGAL REPRESENTATION

If you have chosen a lawyer who is authorised to practise before a court of a Member State or of another State which is a party to the EEA Agreement, the following information will be required:

Title (e.g. Maître) and name:

Address:

Postcode: Town/City:

Country:

Telephone:

Fax (optional):

Email (optional):

SOLEMN DECLARATION

I, the undersigned, hereby declare that the information contained in this application for legal aid is correct:

Date: / /

Signature of the applicant/applicant's lawyer:

LIST OF SUPPORTING DOCUMENTS

Supporting documents enabling your economic situation to be assessed:

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If the action has not yet been brought, supporting document(s) relevant for the purposes of assessing whether the proposed action is admissible and well founded:

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II. GUIDE FOR LEGAL AID APPLICANTS ⁵

In order to bring an action before the General Court, the applicant must be represented by a lawyer authorised to practise before a court of a Member State or of another State which is a party to the Agreement on the European Economic Area.

A natural person who, because of his economic situation, is unable to meet the costs involved in legal assistance and representation by a lawyer in proceedings before the General Court may apply for legal aid. Legal aid may not be granted to a legal person.

The legal aid application itself may be submitted with or without the assistance of a lawyer.

1) Procedure for submission of an application for legal aid

The application for legal aid:

- must be made using the form prescribed for that purpose. The use of this form is compulsory. No consideration will be given to a request for legal aid made in any other way;
- may be made before or after the action to which it relates has been brought;
- may be submitted with or without the assistance of a lawyer.

The application for legal aid may be lodged by fax or by electronic mail. An application lodged by either means will, however, be processed only upon receipt of the original at the General Court.

In the event of transmission by electronic mail, only a scanned copy of the signed original will be accepted.

The original of the application for legal aid must be signed by the applicant himself or by his lawyer, failing which the application will not be processed and the document will be returned.

2) Effect of proper lodgment of an application for legal aid before the action has been brought

Where an application for legal aid is properly lodged before the action has been brought, the period prescribed for the bringing of the action will be suspended until the date of notification of the order making a decision on that application. Time for bringing an action will not run, therefore, while the application for legal aid is being considered by the General Court.

⁵ This guide is an integral part of the legal aid application form. The information which it contains is taken from the Rules of Procedure of the General Court and the provisions of the Practice Directions to parties concerning applications for legal aid.

If the original of the application for legal aid is received at the Registry of the General Court within a period of 10 days after any lodgment by fax or by electronic mail, the date of lodgment by fax or by electronic mail will be taken into account in the suspension of the time-limit for bringing an action.

If the original application for legal aid is received at the General Court more than 10 days after lodgment by fax or by electronic mail, the date of lodgment of the original application will be taken into account.

3) Contents of the application for legal aid and supporting documents

If the application for legal aid is lodged before the action is brought, the applicant must briefly state the subject-matter of the action, the facts of the case and the arguments he proposes to submit in support of the action. A section for that purpose is included in the form.

A copy of any supporting document relevant for the purposes of assessing whether the proposed action is admissible and well founded must be attached – for example, correspondence with the prospective defendant or, in the case of an action for annulment, the decision which is to be contested as to its lawfulness.

The application must be accompanied also by supporting documents enabling the applicant's economic situation to be assessed, such as documents or certificates issued by a public authority or third party – for example, a certificate issued by a competent national authority attesting to the applicant's economic situation, together with, for example, tax returns, proof of salary, certificates issued by social security or unemployment benefit authorities, bank statements. Sworn statements made and signed by the applicant himself are not sufficient proof of lack of means.

The information given on the form concerning the applicant's economic situation and the documents lodged in support of the information provided should give a complete picture of the applicant's economic situation.

An application which does not establish to the requisite legal standard the applicant's inability to meet the costs of the proceedings will be rejected.

For information:

- no original documents will be returned;
- an application may not be supplemented by the subsequent lodgment of addenda. Such addenda will be returned, unless they have been lodged at the request of the General Court. It is essential, therefore, to include all necessary information on the form and to attach copies of any documentary proof of the information provided. In exceptional cases, supporting documents intended to establish the applicant's lack of means may nevertheless be accepted subsequently, subject to the delay in their production being adequately explained.

4) Refusal to grant legal aid

Legal aid will be refused if the action in respect of which the application is made appears to be manifestly inadmissible or manifestly unfounded.

The applicant's attention is drawn to the fact that the General Court has jurisdiction to hear and determine disputes between natural persons and institutions, bodies, offices or agencies of the European Union. The Court cannot review the lawfulness of decisions taken by:

- other international bodies, in particular those of the European Court of Human Rights;
- Member States;
- national courts or tribunals.

Thus, for example, an application for legal aid submitted in connection with an action for annulment of a measure by a Member State will be refused, since the General Court does not have jurisdiction to hear and determine disputes between natural persons and Member States.

Similarly, an application which is made before the action to which it relates is brought, but after expiry of the time-limit for bringing that action, will be rejected since the proposed action will then be dismissed as inadmissible on the ground of delay.

5) Address

The form may be:

- completed electronically (www.curia.europa.eu)
- obtained by telephoning (+352) 4303 3477 or by writing to the address below or sending an email to GeneralCourt.Registry@curia.europa.eu, giving your name and address.

The duly completed and signed form, together with any supporting documents referred to, should be sent to the following address:

Registry of the General Court of the European Union
Rue du Fort Niedergrünewald
L-2925 Luxembourg

Tel.: (+352) 4303 1

Fax: (+352) 4303 2100

Email: GeneralCourt.Registry@curia.europa.eu