



Luxembourg, 10 February 2022

DECISION OF THE COURT

on participation in oral hearings via video conference equipment

The Court,

Having regard to the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice (SCA), and,

Having regard to Article 148 of the Court's Rules of Procedure,

HAS DECIDED AS FOLLOWS

Advisory Opinion

1. Parties in the main proceedings and interested persons participating in oral hearings in Advisory Opinion cases, pursuant to Article 34 SCA, may participate in the hearing via video conference equipment or similar, provided that such participation is technically feasible.

Direct Action

2. The applicant, defendant, and interveners in Direct Action cases, pursuant to Articles 31 and 36 SCA, are, if they intend to participate in the oral hearing, required to plead in person. Interested persons may participate under the same condition as laid down in Article 1 of this Decision.
3. On a reasoned application by a party, made by a separate document, the President may, after the hearing the Judge-Rapporteur, permit a party in a Direct Action case to participate in an oral hearing via video conference equipment or similar, provided that such participation is technically feasible.

Exceptional Circumstances

4. In exceptional circumstances, including for reasons of public health, the Court may, on a proposal of the President, adopt temporary rules on participation in oral proceedings.

Entry into Force and Review

5. This decision shall enter into force on 1 August 2022 and applies to all cases pending at the Court at that time. This decision is valid for two years and a review of its application shall be carried out before 1 August 2024. This decision shall be published on the Court's website.