



VI
Instructions to the Registrar

INSTRUCTIONS TO THE REGISTRAR¹

SECTION ONE

Responsibilities of the Registry

Article 1²

1. The official opening hours of the Registry shall be from 9.00 to 12.00 and from 14.00 to 16.00 from Monday to Friday, except on the official holidays as decided by the EFTA Court.
2. In any event the Registry shall at every public hearing held by the Court be open to the public half an hour before the hearing begins.

Article 2³

The Registrar shall be responsible for maintaining the files of pending cases and for keeping them fully up to date. He shall arrange for translation of documents as provided for in the Rules of Procedure.

Article 3⁴

1. The Registrar shall be responsible for drawing up minutes of decisions pursuant to the Rules of Procedure. He shall submit them to the responsible Judges for their signatures.
2. The Registrar shall ensure that where the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, the Rules of Procedure or any other act giving powers to the Court provide for a document to be served, a notice to be given or a communication to be made the steps are carried out in accordance with the Rules of Procedure; unless otherwise provided in Article 75(1) or by decision of the Court, all documents, notices and communications shall be sent by registered post, accompanied by a note signed by the Registrar giving the number of the case and the registration number of the document, together with a brief indication as to its nature. A copy of the note shall be appended to the original document.
3. The parties shall be served with the pleadings and other documents relating to the proceedings.

¹ Adopted by the EFTA Court on 7 April 1994. Subsequently amended by the Decision of the EFTA Court to amend its Instructions to the Registrar of 22 August 1996.

² Amended by a Decision of the EFTA Court of 22 August 1996.

³ Amended by a Decision of the EFTA Court of 22 August 1996.

⁴ Amended by a Decision of the EFTA Court of 22 August 1996.

Where a document is very bulky and only one specimen of it is lodged at the Registry, the Registrar shall, after consulting the Judge-Rapporteur, inform the parties by registered letter that the document may be inspected by them at the Registry.

Article 4

1. A party who has lodged a procedural document at the Registry shall, if he so requests, be given a receipt.
2. Unless otherwise expressly authorized by the President or the Court, the Registrar shall decline to accept or, as the case may be, shall without delay return by registered post any pleading or other document not provided for in the Rules of Procedure or not worded in the language referred to in Articles 25-27 of the Rules of Procedure.
3. On a procedural document which has been lodged on a date other than the date of its registration, a note shall be made stating that it has been so lodged.

Article 5⁵

The Registrar shall, after consulting the President and the Judge-Rapporteur, take all measures necessary for implementing Article 33(6) of the Rules of Procedure.

He shall prescribe the period mentioned in that Article and shall communicate it to the person concerned by registered letter with a form for acknowledgement of receipt.

If the person concerned does not comply with the directions of the Registrar, the latter shall refer the matter to the President.

Article 6

Where a decision is delivered in open court a note to that effect shall be made at the foot of the text; the note shall read as follows:

'Delivered in open court in..... on (date)

(Signature)
Registrar

(Signature)
President'

⁵ Amended by a Decision of the EFTA Court of 22 August 1996.

Article 7⁶

1. Before every public hearing of the Court the Registrar shall draw up a list for the hearing.

This list shall contain:

- the date, hour and place of the hearing,
- the references to the cases which will be called,
- the names of the parties,
- the names and descriptions of the parties' agents, advisers and lawyers.

The list shall be displayed at the entrance to the courtroom.

2. The Registrar shall draw up minutes of every public hearing as provided in Articles 48(2), 52(7) and 59(2) of the Rules of Procedure.

The minutes shall thus contain:

- the date and place of the hearing,
- the names of the Judges and Registrar present,
- the reference to the case,
- the names of the parties,
- the names and addresses of the parties' agents, advisers and lawyers,
- the names, forenames, descriptions and permanent addresses of the witnesses or experts examined,
- an indication of the evidence produced at the hearing,
- an indication of the documents lodged by the parties in the course of the hearing,
- the decisions of the Court or the President of the Court given at the hearing.

If the oral procedure in the case extends over several successive hearings, it may be reported in a single set of minutes.

This provision shall apply *mutatis mutandis* in cases where a Judge, pursuant to the Rules of Procedure, is designated by the President to provide for the minutes.

Article 8

The Registrar shall ensure that a person or body responsible for making an investigation or giving an expert opinion in accordance with Article 53 of the Rules of Procedure is in possession of the material necessary for carrying out his task.

⁶ Amended by a Decision of the EFTA Court of 22 August 1996.

Article 9

Certificates as provided for in Article 29(b) of the Rules of Procedure shall be delivered to the adviser or lawyer concerned if he so requests, where this step is required for the proper conduct of proceedings.

The certificates shall be drawn up by the Registrar.

SECTION TWO

Keeping of the register

Article 10

The Registrar shall be responsible for keeping up to date the register of cases brought before the Court.

Article 11

When an application initiating proceedings is registered, the case shall be given a serial number and a statement of either the name of the applicant or the subject-matter of the application. Cases shall be referred to by their serial numbers.

An application for the adoption of interim measures shall be given the same serial number as the principal action, followed by the letter "R".

Article 12

The pages of the register shall be numbered in advance.

At regular intervals the President and the Registrar shall check the register and initial it in the margin against the last entry.

Article 13

The procedural documents in cases brought before the Court, including documents lodged by the parties and documents served by the Registrar, shall be entered in the register.

An annex which has not been lodged at the same time as the procedural document to which it relates shall be separately registered.

Article 14

1. Entries in the register shall be made chronologically in the order in which the documents to be registered are lodged; they shall be numbered consecutively.

2. Procedural documents shall be registered as soon as they are lodged at the Registry.

Documents drawn up by the Court shall be registered on the day of issue.

3. The entry in the register shall contain the information necessary for identifying the document and in particular:

- the date of registration,
- the reference to the case,
- the nature of the document,
- the date of the document.

4. Where a correction is made in the register a note to that effect, initialled by the Registrar, shall be made in the margin.

Article 15

The registration number of every document drawn up by the Court shall be noted on its first page.

A note of the registration, worded as follows, shall be stamped on the original of every document lodged by the parties:

‘Registered at the EFTA Court under No.....

..... day of 19... ‘

This note shall be signed by the Registrar.

SECTION THREE

Scale of charges of the Registry of the Court

Article 16

No Registry charges may be imposed save those referred to in this section.

Article 17

Registry charges may be paid either in cash to the cashier of the Court or by bank transfer to the Court account at the bank named in the demand for payment.

Article 18

Where the party owing Registry charges has been granted legal aid, Article 72(8) of the Rules of Procedure shall apply.

Article 19

Registry charges shall be as follows:

- (a) for an authenticated copy of any decision, a certified copy of a procedural document or set of minutes, an extract from the Court register, a certified copy of the Court register or a certified copy made pursuant to Article 68(b) of the Rules of Procedure as well as other copies: S.Frs. 3.00 a page;
- (b) for a translation made pursuant to Article 68(b) of the Rules of Procedure: the actual costs incurred by the Court; however not more than S.Frs. 150.00 a page.

Article 20

1. Where pursuant to Articles 52(3), 57(1) and 72(8) of the Rules of Procedure an application is made to the cashier of the Court for an advance payment, the Registrar shall direct that particulars of the costs for which the advance payment is required be delivered.

Witnesses must supply evidence of their loss of earnings and experts must supply a note of fees for their services.

2. The Registrar shall order payment by the cashier of the Court of sums payable pursuant to the preceding paragraph, against a receipt or other proof of payment.

Where he is of the opinion that the amount applied for is excessive, he may of his own motion reduce it or order payment by instalments.

3. The Registrar shall order the cashier of the Court to refund the costs of letters rogatory payable in accordance with Article 58(4) of the Rules of Procedure to the authority designated by the competent authority referred to in Article 58(3) of those rules, in the currency of the State concerned against proof of payment.

4. The Registrar shall order the cashier of the Court to make the advance payment referred to in the first and second paragraphs of Article 72(8) of the Rules of Procedure, subject to the second subparagraph of paragraph (2) of this Article.

Article 21

1. Where sums paid out by way of legal aid pursuant to Article 72(8) of the Rules of Procedure are recoverable, payment of the sums shall be demanded by registered letter, signed by the Registrar. The letter shall state not only the amount payable but also the method of payment and the period prescribed.

The same provision shall apply to the implementation of Article 68(a) of the Rules of Procedure and Article 20(1), (3) and (4) of these Instructions.

2. If the sums demanded are not paid within the period prescribed by the Registrar, he shall request the Court to make an enforceable decision and to order its enforcement in accordance with Article 110 of the Agreement on the European Economic Area.

Where a party is by a judgment or order directed to pay costs to the cashier of the Court, the Registrar shall, if the costs are not paid within the period prescribed, apply for payment of the costs to be enforced.

SECTION FOUR

Publications of the Court

Article 22

The Registrar shall be responsible for the publications of the Court.

Article 23⁷

There shall be published Reports of Cases before the EFTA Court which shall, subject to a decision to the contrary, contain the judgments and advisory opinions of the Court as well as the interim orders made in the course of the calendar year.

⁷ Amended by a Decision of the EFTA Court of 22 August 1996.

Article 24

The Registrar shall cause the following to be published in the EEA Section of and the EEA supplement to the Official Journal of the European Union:

- (a) the Rules of Procedure, and amendments and corrections thereto;
- (b) notices on lodging of cases, as referred to in Article 14(6) of the Rules of Procedure;
- (c) notices of the removal of cases from the Register;
- (d) subject to a decision by the Court to the contrary, the operative part of every judgment, including advisory opinions, and interim orders;
- (e) the composition of the Court;
- (f) the appointment of the President of the Court;
- (g) the appointment of the Registrar;
- (h) the appointment of the Assistant Registrar.

Final provisions

Article 25⁸

These Instructions, which are authentic in the English language, shall be officially translated by the Court into the German, Icelandic and Norwegian languages. They shall be published in the EEA Section of and the EEA Supplement to the Official Journal of the European Union.

⁸ Amended by a Decision of the EFTA Court of 22 August 1996.