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The EU melting pot of languages: how the language of the case (English, French, Polish) influences the language of the CJEU's Polish Judgments

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Słowa kluczowe

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The EU melting pot of languages: how the language of the case (English, French, Polish) influences the language of the CJEU's Polish Judgments

Table of content

| | |
|---|----|
| Abbreviations and acronyms | 9 |
| Acknowledgments | 11 |
| Introduction | 12 |
| Chapter 1. Translating legal instruments..... | 13 |
| 1.1. Legal Language as Specialised Language | 13 |
| 1.1.1. Features of Legal Language | 14 |
| 1.1.1.1. The Systemic nature of specialised lexis..... | 14 |
| 1.1.1.2. Formulaicity | 15 |
| 1.1.2. Classification of Legal Language | 16 |
| 1.1.2.1 Judgments as a genre..... | 17 |
| 1.1.2.2. Hybridity | 19 |
| 1.2. Legal Translation..... | 21 |
| 1.2.1. Communicative Purpose (<i>skopos</i>)..... | 22 |
| 1.2.2. Status of Translation..... | 23 |
| 1.2.3. Proximity of Languages | 23 |
| 1.2.4. Proximity of Legal Systems | 24 |
| 1.2.5. Translating EU law..... | 26 |
| Chapter 2. Judgments of the ECJ | 28 |
| 2.1. The place of judicial pronouncements in EU law..... | 28 |
| 2.2. History of the European Court of Justice, its Jurisprudence and jurisdiction | 29 |
| 2.2.1. History of the ECJ..... | 29 |
| 2.2.2. Jurisprudence | 30 |
| 2.2.3. Jurisdiction..... | 31 |
| 2.3. Outline of the Procedure..... | 32 |
| 2.3.1. Written Procedure | 33 |
| 2.3.2. Oral Stage..... | 34 |
| 2.3.3. Opinion, Deliberation, Judgment and Full Report..... | 35 |

| | |
|---|----|
| 2.4. Composition..... | 35 |
| 2.4.1 Cabinets..... | 36 |
| 2.4.1.1 Judge Rapporteur: the Preliminary Report..... | 36 |
| 2.4.1.2. Advocate General: the Opinion..... | 37 |
| 2.4.1.3. Judges: the Collegiate Judgment (drafted by the Judge Rapporteur)..... | 38 |
| 2.5. Languages of the EU and the ECJ..... | 48 |
| 2.5.1. Court French and Judgments of the ECJ..... | 50 |
| 2.6. Interpretative Practice..... | 51 |
| Chapter 3. Aims of the Study..... | 54 |
| 3.1. Translation Universals..... | 54 |
| 3.2. Genre specific patterns, collocations and corpus linguistics..... | 56 |
| 3. 3. Hypotheses and research questions..... | 60 |
| Chapter 4. Methodology..... | 61 |
| 4.1. Research method..... | 61 |
| 4.1.1. Qualitative analysis..... | 61 |
| 4.1.2. Quantitative analysis..... | 62 |
| 4.1.2.1. Corpus design..... | 62 |
| 4.1.2.1.1. Software..... | 63 |
| 4.1.2.2. Structure of corpora..... | 66 |
| Chapter 5. Qualitative analysis..... | 69 |
| 5.1. Interdiscursivity: the mingling of genres..... | 69 |
| 5.1.1 Neutral/purely informative style..... | 69 |
| 5.1.2. Reported/direct speech..... | 71 |
| 5.1.3 Academic style..... | 73 |
| 5.2. The mingling of languages and methods employed..... | 74 |
| 5.2.1. Intertextuality: an interdependence of texts..... | 74 |
| 5.2.2. Maintaining terminological coherence..... | 76 |

| | |
|---|-----|
| 5.2.3. Indirect translation | 83 |
| 5.2.4. Syntax and TL acceptability | 86 |
| 5.2.5. Errors..... | 92 |
| 5.2.6. T-Universals: explicitation, normalisation, textual fit | 96 |
| 5.2.7. Textual fit/ TL acceptability | 99 |
| Chapter 6. Quantitative Analysis | 106 |
| 6.1. Mental models of legal reasoning..... | 106 |
| 6.1.1. The if-then mental model..... | 106 |
| 6.1.2. Patterns of purpose..... | 111 |
| 6.1.3. Causal relations | 113 |
| 6.1.4. The distribution of mental models | 118 |
| 6.2. Deontic modality: communicating rights and obligations..... | 119 |
| 6.2.1. Obligation | 119 |
| 6.2.2. Permission and prohibition | 122 |
| 6.3. Passive Voice and impersonal patterns | 126 |
| 6.3.1. Auxiliary verbs..... | 126 |
| 6.3.2. Passive Voice | 127 |
| 6.3.3. The <i>-no/to</i> impersonal pattern | 128 |
| 6.3.4. The <i>się</i> impersonal pattern | 129 |
| 6.3.4.1. Top L1 collocates of <i>się</i> in the judgments..... | 130 |
| 6.3.4.2. Impersonal and passive variants of <i>stosować</i> [to apply] | 132 |
| 6.3.4.3. Patterns used in definitions | 134 |
| 6.4. Logical relations between discourse units and structuration of legal rules | 136 |
| 6.4.1. Parataxis..... | 137 |
| 6.4.2. Hypotaxis | 140 |
| 6.5. Qualification and cohesion: adverbials and participles | 146 |
| 6.5.1. Adverbials | 146 |

| | |
|---|-----|
| 6.5.1.1. Addition and enumeration | 146 |
| 6.5.1.2. Exclusion and contrast | 152 |
| 6.5.1.3. Epistemic stance | 154 |
| 6.5.2. Participles..... | 159 |
| 6.6. Deixis: pointing devices | 163 |
| Chapter 7. Conclusions | 168 |
| Bibliography..... | 173 |
| Appendix | 180 |
| List of Figures | 307 |
| List of Tables..... | 307 |

Abbreviations and acronyms

| | |
|-----------|---|
| SL | source language |
| ST | source text |
| TL | target language |
| TT | target text |
| BT | back translation |
| RF | raw frequency |
| NF | normalised frequency |
| RC | reference corpus |
| AG | Advocate General |
| JR | Judge-Rapporteur |
| ECJ | the European Court of Justice |
| LOC | language of the case |
| E-LOC | corpus of judgments of the ECJ in Polish with English as the language of the case |
| F-LOC | corpus of judgments of the ECJ in Polish with French as the language of the case |
| P-LOC | corpus of judgments of the ECJ in Polish with Polish as the language of the case |
| E/F/P-LOC | corpus of judgments of the ECJ in Polish with English/French/Polish as the language of the case |
| JUDGPL | corpus of non-translated polish judgments |
| PLC15 | the Polish Law Corpus from the years 2011-2015 |
| 2011KP | the post-accession section of PLC containing codes and law-type statutes |
| NKJP | the National Corpus of Polish |

Glossing abbreviations

| | |
|-----|-----------|
| ADJ | adjective |
|-----|-----------|

| | |
|-------|---------------------------------|
| FEM | feminine gender |
| FORM | formal register |
| FUT | future tense |
| GEN | genitive case |
| IFORM | informal register |
| INT | instrumental case |
| MASC | masculine gender |
| MID | middle voice |
| NEUT | neutral register, neuter gender |
| NOM | nominative case |
| PASS | passive voice |
| IMPRS | impersonal |
| INF | infinitive |
| PAST | past tense |
| PFV | perfective participle |
| POSS | possessive pronoun |
| PP | past participle |
| PRES | present tense |
| PRO | pronoun |
| PURP | purposive |
| REFL | reflexive |
| REL | relative pronoun |

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Introduction

This dissertation sets out to investigate how translation affects the textual fit (naturalness, acceptability) of the rulings of the European Court of Justice (ECJ) translated into Polish. The objective of the study is to discover whether and to what extent different languages of the case (LOC) influence the Target Language (TL), i.e. whether the distortions that appear in translation are universal or depend on a range of factors such as language-pairs. It is assumed that, firstly, the language of translated judicial pronouncements differs from that of non-translated Polish judgments and, secondly, that different SLs influence the TL differently. To verify (or to falsify) these hypotheses, the study has adopted a corpus-based approach (a type of bottom-up analysis), which allows for sifting through large swathes of data and unravelling the most frequent and pervasive lexico-grammatical patternings (both typical and untypical). Knowing what the most salient patterns are, in turn, allows the researcher to determine constitutive features of a given genre and observe how particular language varieties compare. The statistical analysis of frequencies has been combined with a top-down analysis of translation strategies, methods and errors, which has resulted in a comprehensive, detailed study of the linguistic features of the translated judgments of the ECJ.

Chapter 1. Translating legal instruments

1.1. Legal Language as Specialised Language

The broadest understanding of the term **specialised language** is extremely inclusive, as it covers virtually everything, including the whole of Arts and Humanities (Rogers 2015: 21). Narrowing the meaning of the term necessarily entails some kind of exclusion. This is why specialised language is sometimes conceptualised in binary categories as e.g. “non-literary prose” (Durrell 2003: 43). Alternatively, specialised (technical) texts might be analysed in opposition to scientific texts, as the objective of the latter is to *discuss* the reality, while the former attempt to *inform* the reader (Byrne 2012: 2). However, it is also possible to view it in non-binary categories as a continuum accounting for various degrees of specialisation and **communicative purposes** (Asensio 2007: 49). The communicative ends are shaped *in* and *by* a community of specialists, who conventionalise the cumulative knowledge, stemming from extensive experience and training, in different **genres** (see subchapter 1.1.2.1.), which determine the structure of texts (Bhatia 1993: 14). The **institutionalisation** of language allows for communication to take place between experts (irrespective of their area of expertise, whether they specialise in academic or technical fields) and recipients, be it other experts or laypersons (Rogers 2015: 25). As different participants discuss different subject matters, specialised texts can be placed on two clines: a **horizontal, extensive axis** accounting for the subject matter of the text and a **vertical, intensive axis** corresponding to the grade of specialisation of the text (Asensio 2007: 48). The degree of specialisation varies thus “*horizontally* from subject field to subject field (and [is] hence lexically differentiated through different sets of terms/meanings), and *vertically* on a cline of expertise involving both authors and readers” (Rogers 2015: 25, emphasis added). The second axis is more subjective, as the perceived difficulty of the text depends on how acquainted with the subject the reader is (Asensio 2007: 52). This is naturally born in mind by competent writers who take their target audience into account and try to “second-guess” their “state of background knowledge and their potential immediate processing problems”; likewise, competent readers try to guess authors’ intentions, which means that there is “reciprocity of semantic effort” on both sides (Swales 1990: 62-63).

Applied to legal language, the model of continuum accounts both for various areas of legal communication (criminal law, civil law, etc., and various fields regulated: business, agriculture, navigation, etc.) and for the differences in register between instruments addressed

to other experts (e.g. to other judges) and to laymen (e.g. the external communication of the EU with citizens). The judgments of the ECJ show a great variation on both axes described above, i.e. the cline of expertise required on the reader's part and the subject matter can change from one recital to another. This is because each recital deals with a separate issue: the purpose of some recitals is to explain how e.g. paraffin waxes are made, whereas the objective of the other is to report a witness testimony. This is reflected on the surface linguistic features, i.e. in the phraseology, terminology and syntax (see subchapter 5.1.1.).

1.1.1. Features of Legal Language

1.1.1.1. The Systemic nature of specialised lexis

Arguably, one of the most salient features of specialised language is its lexicon. Sometimes the boundaries of specialised language are delineated exclusively on the basis of subject-matter knowledge, as in the case of German *Fachsprache* (Rogers 2015: 26). When not treated as the sole criterion, the **lexical density**, i.e. the degree of saturation of the texts with **terms** (technical words), is considered nonetheless as one of the distinctive features of specialised discourse. **Lexis** forms conceptual systems, where terms are precisely defined by virtue of being interrelated with other terms. Their most prototypical characteristics are **monoreferentiality** (i.e. only one meaning in a specified context), **lack of emotion** (i.e. purely denotative use), **precision** (i.e. each term is conceptualised), **transparency** (i.e. the surface form should reveal the meaning), **conciseness** (i.e. shortest possible form) and **conservatism** (i.e. preservation of the terms) (Gotti 2005: 33-46)¹.

Legal terminology forms conceptual systems, where the units of legal knowledge tend to have the functional properties of specialised terms, i.e. they are **transparent, concise, consistent, appropriate, derivable, system specific** rather than language specific (see subchapter 1.2.) and have **standardised and artificially fixed meaning** (Biel 2014: 39-42).

¹ Traditionally, scholars took two sides on the subject of specialised lexis, that is its terminology. Objectivist theories of lexicology, such as the General Theory of Terminology, embodied an **onomasiological** perspective, that is a top-down approach, which worked from a concept to a term. This is a synchronic method resulting in unambiguous definitions of univocal terms (i.e. "one-to-one permanent assignment of a term to a concept") (Biel 2014: 33). This has been criticised by cognitivists and linguists, who advocate another manner of dealing with terms, i.e. the so called **semasiologic** approach. It is argued that "concepts are not discrete; terms are context-dependent, polysemous ambiguous and subject to variation" and, it follows, a bottom-up perspective should be adopted in order to arrive at the actual meaning of extracted terms (i.e. the way they are actually used in texts) (Biel 2014: 33).

They derive their meaning from the legal system where they are employed, called the **Source Legal System**, as opposed to the **Target Legal System** (in reference to translation) (Šarčević 2012: 8), which is not to be confused with the Target Language (TL, as opposed to the Source Language, SL). It so happens that the same languages might refer to different concepts under the same words (even when they are etymologically related like *dettes* and *debts*) (Šarčević 2012: 9) or may use words that denote the same object, but differ at the conceptual level (Sacco 2005: 14; Šarčević 2012:10). Consequently, inherent incongruities between legal systems are one of the major difficulties in legal translation (see subchapter 1.2.4). Furthermore, the consistent use of the appropriate terminology in a multilingual setting is a challenge responded to by quality assurance measures adopted by the ECJ (Koźbial 2017: 161).

1.1.1.2. Formulaicity

One prominent feature of specialised language is its syntax and lexico-grammatical patternings (that is certain phenomena observable on the sentence level, as opposed to word level). As regards English legal language², some of its most salient features are **omission of phrasal elements, expressive conciseness, premodification, nominalisation, lexical density, great sentence length, predominant use of present simple in active voice, passive voice and depersonalisation** (Gotti 2005: 67-102). Another distinctive trait of legal language, examined more closely within the scope of this study, is **formulaicity**, known also as a **lack of spontaneity, petrification, formality, conservatism** or **standardisation** (Biel 2014: 9). The tendency to use **fixed expressions**, which have the potential to have the length of a whole paragraph, stems from the repetitiveness of situations and is aimed at ensuring unambiguous interpretations (Biel 2014: 30), as it is “ultimately more satisfactory for a legal text to reveal clarity after detailed and expert study” rather than to be “immediately accessible” to a layperson at the cost of potential ambiguity upon second reading (Bhatia 1983 in Swales 1990: 63). Uniform language stabilises the meaning regardless of the instance establishing it, i.e. it is of no importance whether it has been fixed by courts (as in case-law), codes or by use. Albeit that this standardisation occurs in all fields of specialised language, it is “stronger” in legal instruments, which are not “free-standing”, but are “an adaptation of an earlier text, incorporating all data reflecting new conditions” (Gotti 2012: 60). **Formulaic expressions**

² Arguably, these features can be generalised to other languages, e.g. to Polish.

allow the reader to filter new and known elements, the latter being compressed in **formulae** and the former inserted in the blank spaces created by these “templates” (Biel 2014: 30). Undoubtedly, one of the factors contributing to the petrification of formulae and to the standardisation of legal language is computerisation (e.g. the development of Computer Assisted Translation, CAT, which has influenced not only legal translation, but translation in general), which curbs idiosyncrasy by allowing for the whole segments to be copied and pasted (Biel 2014: 30), especially in the context of the ECJ (see Chapter 2).

1.1.2. Classification of Legal Language

Polish scholars distinguish between language of law (*język prawny*) and its metalanguage (*język prawniczy*) (Wróblewski 1948). The former is the language of drafts, legal norms and legislation, whereas the latter is a tool used to analyse them by the judiciary in their decisions and pleadings. This distinction is not present in English, two terms of which, i.e. *language of law* and *legal language* are used interchangeably and do not conceptualise the difference between the standard level and the meta level. In the broadest sense, these two terms are used generically to cover all types of legal communication, and in the narrowest sense they pertain only to the metalanguage of law (or semi-legal language) (Biel 2014:19).

Legal language is known to be classified in numerous ways. Many bipartite divisions have been proposed. For instance, Gibbons (2003) divided language of law according to the nature of communication, i.e. into *interactive* (dynamic) and *monologic*. However, most often legal instruments are categorised according to legal effects they produce, namely into *regulatory/prescriptive* and *informative/descriptive* texts (Kelsen 1991: 149-155, cf. Šarčević 1997: 11). Šarčević (2012: 4) elaborated this model into a **tripartite division**, where she distinguishes **prescriptive** texts (“legislative texts such as laws and regulations, codes, treaties, and Conventions (...) [i.e.] normative instruments containing legally binding rules of conduct which prescribe a specific course of action”), **descriptive** texts (“purely descriptive texts constituting legal scholarship such as law textbooks, commentaries, and articles written by legal scholars”), and **hybrid** texts (“judicial decisions and litigation documents (...) such as trials, pleadings, briefs, appeals, as well as documents used as evidence such as witness statements, expert reports, records, and certificates.”), which are “primarily descriptive but also prescriptive” (Šarčević 1997: 11). Albeit that one advantage of such a division is its clarity, legal texts can also be described in other categories, e.g. as representing different genres.

1.1.2.1 Judgments as a genre

Defining legal language is like an attempt to find one distinctive feature that characterises each and every member of a large family. This is known as a **family resemblance** problem, a notion introduced by Ludwig Wittengstein in his *Philosophical Investigations* and published posthumously in 1953. As it is objectively hard to account for all the texts that at times have little or nothing in common by naming their common denominator or by giving a set of sufficient and necessary conditions, researchers often resort to other means of classifying legal communication. One such tool is the concept of a **genre**, a comprehensive definition of which was offered by Swales in his seminal book *Genre Analysis*:

A genre comprises a class of communicative events, the members of which share some set of communicative purposes. These purposes are recognized by the expert members of the parent discourse community, and thereby constitute the rationale for the genre. This rationale shapes the schematic structure of the discourse and influences and constraints choice of content and style. (...) In addition to purpose, **exemplars of a genre exhibit various patterns of similarity in terms of structure, style, content** and intended audience (emphasis added) (1990: 58).

As genre studies encompass various fields, ranging from linguistics to literary theory³, its notion eschews only one, clear-cut definition. Broadly speaking, genres are “conventionalised and socially recognised textual forms” that render all possible linguistic choices of authors and translators “limited and highly conventionalised” (Rogers 2015: 31). Most definitions take into account “a strong emphasis on a repeated use of relatively stable, recognisable patterns in a particular discourse community for a specific communicative purpose to realise a social goal.” (Biel 2017: 151). In order to arrive at these goals, some researchers use the framework of the so-called **move analysis** (Swales 1981, 1990), where texts, representative of its genre, are divided into sequences of moves, i.e. parts of texts “serving a particular communicative [semantic] function” (Upton 2009: 588). These, in turn, are analysed in a top-down approach to “provide adequate information about the way communicative purpose is accomplished in a particular genre” (Bhatia 1993: 25). For instance, in the case of legal case reports, there are four distinguishable moves: (i) identifying the case; (ii) establishing facts of

³ And translation studies, where **translation-oriented genre analysis** has “(...) focused on identifying differences in generic structures, conventions and expectations across languages and cultures” (Biel 2017: 155).

the case; (iii) arguing the case (giving a history of the case, presenting arguments and deriving *ratio decidendi* i.e. “the principles of law derived by the judge for application to subsequent cases”); and (iv) pronouncing judgments (Gotti 2012: 60) (see subchapters 2.4.1.3. and 3.2.).

Legal communication by nature is intertextual and covers a wide variety of fields. Consequently, legal instruments form a multitude of genres with their own phraseology, terms and conventions, as each distinguishable genre depends, among others, on its communicative purposes, the settings and contexts in which it functions, the communicative events it is associated with, and the background knowledge of participants (Bhatia 1987: 227). Individual genres are by no means organised haphazardly, as one of the defining features of the language of law is the hierarchical structure of its interdependent genres (i.e. legal language is intertextual) (Biel 2014: 21). Some scholars, for instance Bhatia, regard the genre of legislation as the central, most prominent and prototypical genre (**primary genre**) and other as peripheral genres, called **secondary genres** (judgments, cases, etc.), **enabling genres** (textbooks, moots, pleadings, etc.) and **target genres** (contracts, court case documents etc.) (Bhatia 2006: 6-7).

A “pure” genre is thought to serve only one communicative purpose (Bhatia 2002: 10). Arguably, the main purpose of a judgment is to settle a dispute. In order to do so, judgments are known to fulfil many objectives, such as to provide faithful and comprehensive records of, among others, all the facts of the case, the reasoning, arguments and decision of the judge, and the grounds on which the present case has been distinguished from the preceding cases (Bhatia 1993: 119). Consequently, judicial rulings settle a dispute and in doing so they set a legal precedent for subsequent cases and serve as “evidence in favour of or against a particular line of argument or decision” (Bhatia 1993: 119) (see also subchapter 2.1.). In order to arrive at this communicative purpose, expert participants use different strategies, which, in the framework of genre studies, are divided into **non-discriminative** and **discriminative strategies**. The former do not alter the “essential communicative purpose of the genre” and exploit the conventions “for the purpose of greater effectiveness in a very specific socio-cultural context, originality or very special reader considerations” (Bhatia 1993: 20). Conversely, the latter modify the “nature of the genre” by introducing new or additional considerations in the communicative purpose of the texts” (Bhatia 1993: 21). Arguably, whenever the purpose of the texts changes, i.e. major changes are introduced, a new genre emerges. On the other hand, when participants modify the conventions only slightly, i.e. the text shares the communicative purpose with others, but realises it differently, the text forms a **sub-genre** (Bhatia 1993: 13). Admittedly, the distinction is fuzzy, as it is virtually not possible to give a set of criteria which would allow to satisfactorily distinguish sub-genres from genres (Bhatia 1993: 13). It appears

that regardless of the surface level differences between the judgments of the ECJ and the non-translated Polish judgments (e.g. lexico-grammatical patternings), all the texts seem to have been written with the same communicative purpose in mind, thus it would be unsubstantiated to treat them as belonging to different sub-genres.

It often happens that texts are not representative of one genre exclusively, as they are designed to “achieve a mix of communicative purposes” or to “communicate private intentions within the context of socially recognised communicative purposes” (Bhatia 2002: 10). These **embedded genres** exploit the “generic resources (...) established in the professional community” in order to establish communication that is “tactically superior and effective” (Bhatia 1997: 636). Although the judgments of the ECJ do constitute a genre and are intertextual, in that they refer extensively to *acquis* (see subchapter 2.1), it cannot be argued that they are an embedded genre, since they do not purposely introduce new communicative purposes, nor do the judges intend to communicate any personal meaning. Therefore, in order to fully grasp the nature of the EU legal instruments, a different theoretical framework appears to be better suited to describe these rulings, namely the notion of **hybridity**⁴.

1.1.2.2. Hybridity

The concept of **hybridity** in translation studies was introduced by Trosborg (1997), who divided translation into four categories, based on the relation to cultural norms and to the degree of adaption to the TL:

1. Source culture-bound translation (texts applying foreignizing strategy)
2. Target culture-bound translation (texts applying domesticating strategy)
3. Hybrid texts (texts that are a result of a “compromise” between two or more cultures)
4. International texts (texts that are not culture specific) (1997: 147).

Hybrid texts are a product of a “supranational multicultural discourse community where there is no linguistically neutral ground” (Trosborg 1997: 145-146). Used as a sort of *lingua franca*, they are shaped by translation and are, forcedly, a result of compromise. Consequently, they “clash with target language conventions” and read strangely, as their features are perceived in the receiving culture as “out of place” or “unusual” (Trosborg 1997: 146-51).

⁴ Not to be confused with tripartite division introduced by Šarčević (see above).

Garzone (2000) applied the notion of hybridity to the field of legal translation. She substituted the attitude towards cultural conventions with the number of legal systems in force:

1. Documents drawn up within a single national legal system
2. Documents drawn up in bi-lingual and/or bi-juridical countries
3. Hybrid texts
4. International documents⁵ (2000: 6–7) (see subchapter 1.2.5).

As regards the EU, its legal framework is often as a workable compromise between the dissenting Member States that had not functioned in congruent legal systems (on the national level) prior to the accession and that to this day use their own national languages. Given the sheer number of languages and national legal systems in use, it is not rare for incongruities to occur. Therefore, the EU tries to find the common ground by, firstly, imposing **uniform terminology** (be it by means of borrowings or by neologisms) on all official languages (see subchapter 2.5.) and, secondly, by forcing “conceptual coincidence” upon terms that are not inherently equivalent (Garzone 2000: 7).

As a consequence, “a special language that has been described as Euro-legalise is being [gradually] generated”, which is supposed to make translation “much easier” (Garzone 2000: 7). Called *Eurofog* by the English and *brouillard linguistique* by the French (Koskinen 2000: 53)⁶, **Eurolect** is a result of a compromise between numerous legal systems and of assimilation thereof. It is sometimes described as a (hybrid) language variety of its own, the most salient features of which are the **generic structure** (e.g. recitals and citations establishing the legal basis of a given legal instrument in the case of legislation; see subchapter 2.4.1.3.), **interdiscursivity** and **embedding** in other genres (cf. Biel 2014: 77-78). *Eurolect* is a vehicle of EU laws, which, on the whole, do not read well in the target language and are generally perceived as bad translation (which is a prototypical feature of a hybrid language), especially in smaller countries, like Finland, that are not used to non-natives using their language (Koskinen 2000: 53).

On the other hand, some scholars dismiss the very concept of *Eurolect* as an entity *per se*, treating it as a language fully dependent on other languages. The argument is that the

⁵Insofar as the status of translation is concerned, only legal instruments drawn up in bi-lingual and/or bi-juridical countries use authoritative translation, i.e. the translated documents have legal effect (see subchapter 1.2.). The translation of documents drawn up within a single national legal system is commissioned solely for informative purposes. Furthermore, as regards the EU, there is no translation of legislation, as all documents are authentic and have the same binding force (Garzone 2000: 6-8).

⁶Also dubbed *Eurospeak*, *Union legalese*, *EU legal language*, *Euro-Legalese* by scholars (cf. Biel 2014: 76)

supranational instruments exist only because of individual national legal systems, from which these instruments derive their terminology (irrespective of the fact that terms used into two documents are sometimes at odds) (Šarčević 2012: 9, Kjær 2007: 79). However, it cannot be argued that terminology alone shapes the language of EU legal instruments. *Acquis* is also affected by a variety of other factors, such as the interplay between the EU intraculture and national cultures, and a set of institutional settings and practices, like the complex drafting process involving multilingual translation (often done by non-native speakers), standardisation of textual patterns and terminology accompanied by semantic and syntactic simplification of the language (Biel 2014: 77).

1.2. Legal Translation

Historically, legal translation, both in theory and in praxis, was “dominated by the principle of fidelity to the source text” (Felici 2010: 98) as “the primary task of legal translators was to preserve **the letter** and form of the original by faithfully reproducing the words and even syntax as closely as possible, often resulting in a translation that could be understood only by reference to the source text” (Šarčević 2012: 6). No sooner than in the twentieth century did the “dissident translator”, firstly, began to “demand equal language rights for lesser-used official languages” and, secondly, to “reconstruct the target text in **the spirit** of the target language, provided the substance remains unaltered” (Šarčević 2012: 6-7). Thus, at the same time, legal translation has ceased to be source-oriented and has started investigating how to preserve the spirit of the law even when the letter cannot be. This paradigm shift has coincided with the so-called cultural shift in Translation Studies and the *corpus revolution*, both more focused on the Target Language, with its norms and culture, than on the Source Language (see also subchapter 3.2.). This led, among others, to the identification of linguistic “routines” (in Hatim & Mason’s terms or **routine formulae**; see also subchapters 1.1.1.2. and 2.4.1.3.) i.e. “conventions which translators either know or simply do not know: frozen patterns of a formulaic nature which are typical of legal texts and which can be translated only resorting to parallel routines in the target language” (1990: 190).

Although the translation of legal documents is typically “marked by a strong conflict between accuracy and naturalness”, even today the scales are tipped in favour of lexical and **terminological equivalence**, which is “of primary importance in legal translation and takes

precedence over stylistic considerations” (Biel 2014: 49). While it is impossible for the translated text to produce full legal equivalence, understood as a “synthesis of content, intent, and legal effect, with the main emphasis on legal effect”, authenticated or **authoritative translation** is “expected to be as accurate as possible and, above all, legally reliable, that is **produce the same legal effects in practice**” (Šarčević 2012: 7-8). However, the quest for legal equivalence, the Holy Grail of legal translation, is set with traps, since virtually every word might produce different legal effects. For instance, the level of specificity, i.e. explicitation or implicitation of the text, is potentially a factor to be considered, as ambiguity is known to be a “legal tactic” (Felici 2010: 98). In the case of judicial genres, it allows the judges to interpret the law and apply it according to changing circumstances. Therefore, translators are “required to maintain the same degree of ambiguity whether it is intentional or unintentional” (Akehurst 1972: 26, as quoted in Biel 2014: 61). Resolving, even unintentionally on the translator’s part, ambiguities is to be avoided, as it “contribute[s] to the interpretation of the source text” (Felici 2010: 98).

Arguably, some documents might be perceived as “easier” to translate than others. In respect of legal translation, four major factors can be used to assess the degree of difficulty of the task:

1. Communicative purpose of translation (also known as *skopos*)
2. Status of translation
3. Proximity of languages
4. Proximity of legal systems.

1.2.1. Communicative Purpose (*skopos*)

Skopos, a Greek word denoting *purpose*, was proposed by Hans J. Vermeer as a name of a functionally and culturally oriented “framework for a general theory of translation” (Nord 2012: 26-27; cf. de Leon 2008: 1). Although the concept itself was not new at the time, it was integrated with other approaches, notably with Katharina Reiss’ text-types and language functions in co-authored with her *Grundlegung einer allgemeinen Translationstheorie* (1984) (Nord 2012: 27). This book assumes that the identification of target audience, its expectations and needs, as well as the institutional settings (the **communicative purpose**) should take place before the translation process itself begins, as the aforementioned factors influence the handling of the text. Noteworthy, target texts (TTs) and source texts (STs) may have different

communicative purposes and, as a result, “the same text may be translated in different ways” (Reiss and Vermeer 1984: 101, as quoted in Šarčević 2012: 5).

As it has been observed, legal communication (and consequently legal translation) covers, firstly, different thematic fields reflecting lawyers’ (and legal translators’) areas of expertise and, secondly, is addressed to different recipients (cf. Asensio’s **horizontal** and **vertical axes**). Moreover, **indirect receivers** of the law (i.e. people affected by it) should be discerned from its **direct receivers** (i.e. lawyers whose task is to interpret and apply the law, including judges) (Šarčević 2012: 8). As legal translation serves primarily as a means of communication between specialists, “the success of a legal translation is measured by its interpretation and application by the direct receivers, particularly by the judiciary of the target legal system(s)” (Šarčević 2012: 8).

1.2.2. Status of Translation

In the case of legal translation, the communicative purpose differs according to the status of translated instruments. As it has been observed before, texts are either meant to be **authoritative (binding)** or **non-authoritative (non-binding)**. The former **have the force of law**, that is they are “equally authentic as the original” (Biel 2014: 52). As such, authoritative translation is, understandably, much more challenging, as it requires “the highest possible degree of accuracy and legal reliability, making [it] the most restrictive of all legal translations” (Šarčević 2012: 5). Consequently, the slightest error on the translator’s part might produce real life consequences. On the other hand, non-authoritative documents (such as the translated judgments of the ECJ; see subchapter 2.3.) do not have the force of law and serve only as a means of approximation, playing merely an informative role⁷. The fact that translated texts do not enjoy authoritative status does not free translators from responsibility, as they are still pressurised to translate the documents as accurately as possible.

1.2.3. Proximity of Languages

⁷ However, some judges still want to consult the translated text to get the gist of the text or to use it when interpreting the EU case-law (see subchapter 2.6.).

Legal instruments are prone and subject to all the typical distortions occurring when the language code (and cultural code) changes. Translators typically struggle with structural, semantic and pragmatic differences between languages (Biel 2014: 50). Arguably, the greater the linguistic proximity between the languages (measured e.g. by the fact of belonging to the same language family), the less problematic the translation process is (see also Chapters 5 and 6).

1.2.4. Proximity of Legal Systems

The degree of congruity of legal systems is more of a decisive factor than the degree of linguistic proximity insofar as the difficulty of translation (and transability itself) is concerned (Šarčević 2012: 3). Legal systems are like autonomous entities with their own “history, organising principles, axiology, and patterns of reasoning” (Biel 2014: 49) that **constitute** themselves (by means of e.g. statutes, rules of procedure and regulations), **describe** themselves (by means of textbooks and reports) and **reproduce** themselves (by means of pleadings or contracts) (Kjær 2000: 138–140). Consequently, legal texts, a product of these systems, are embedded in a particular **legal culture**, i.e. in its legal institutions, judicial systems, and courtroom procedures (Simonnæs 2013: 92), which more often than not differ between the SL culture and the TL culture. In general, the degree of congruity depends on the type of the system (legal systems based on the Civil law show more affinity among themselves than to legal systems based on the Common law) and the field. For instance, the Commercial Companies Code, due to a more intercultural nature of its contents, is more “universal” than the criminal code, which depends more on the axiology of a particular nation (Biel 2014: 50).

It must be noted that not only divergent types of legal systems (Civil vs Common law) struggle with the incongruity of terminology. Firstly, the fact that two legal systems are related, even closely, does not guarantee that the terms can be used interchangeably. For instance, French *decision* corresponds to two German terms (*Entscheidung* and *Beschluss*) and to three Dutch terms (*beschikking*, *besluit*, *beslissing*) (Šarčević 2012: 9). Secondly, even when the terms are lexicalised in the same language, each of them can be conceptualised differently in two legal systems, e.g. *domicile* denotes different objects according to English and American law (Šarčević 2012: 10). Conversely, the same concept can be expressed by a different term.

In order to compensate for incongruities, translators are expected to create “terminological bridges” (Weigand 2008: 248). To do so, they can, preferably, use **functional equivalents** or turn to **neologisms**, depending on the degree of incongruity of legal systems. Whenever the incongruity is “relatively small”, new words might be derived from legal terms already existing in the TL⁸ or modified by e.g. adding explicitions (cf. Biel 2014: 43-44). On the other hand, neologisms (in the broadest sense of the term, understood as comprising, among others, descriptive equivalents or literal equivalents) (Biel 2014: 43, cf. Weston 1991: 19–34) are resorted to when there is no other choice. They consist of **literal equivalents, borrowings, calques, naturalizations, descriptive paraphrases** and other neologisms used “in an attempt to partly convey the information content” (Šarčević 2012: 10).

On the whole, the degree of **semantic transfer** varies as regards the degree of discrepancies between legal systems. For instance, the civil law concept of *action directe* does not exist in the common law, but its literal equivalent, *direct action*, is transparent to lawyers (Šarčević 2012:10). Conversely, when incongruities are larger, calques or borrowings might not be transparent. In that case, translators may resort to **lexical expansion**, as did the draftsmen amending the Warsaw Convention by precisising under what circumstances will an act or omission qualify as *dol* (Šarčević 2012: 12). Using neologism (or linguistic equivalents in Šarčević’s terms) is the most foreignizing strategy and is often synonymous with admitting “defeat” (Weston 1991: 26, as quoted in Biel 2013: 43), since equivalents that “depart from standard TL terminology” (i.e. all except functional equivalents) are perceived as “a source of oddity” in translation (Biel 2014: 43-44). However, sometimes this strategy is used on purpose, as it leaves national courts “no choice but to apply the foreign concept in question” (Šarčević 2012: 13). This is the case of e.g. *force majeure* or the aforementioned *acquis communautaire*⁹ (see subchapter 2.1.).

Arguably, full legal equivalence is possible only when “parallel texts of a single instrument are interpreted and applied in the same manner by judges of the target legal system(s), thus achieving uniform interpretation and application of all language versions” (Šarčević 2012: 8). This happens when target legal systems are identical and the only variable is the official language, for instance in Switzerland or Belgium. As Member States of the EU do not share the same language, nor do they function in one legal system, translating EU law is inherently difficult, despite all the attempts to impose uniform terminology.

⁸ And finding them is an exercise in comparative law (Šarčević 2012: 11).

⁹ When necessary, the EU discourages functional equivalents in order to “signal a difference between a supranational EU term and a national term” (Biel 2014:43).

1.2.5. Translating EU law

Most of translation for the EU is done by in-house translators, each institution using its own translation services. For instance, in the case of the European Commission, the service is provided by the Directorate-General for Translation (DGT), one of the largest employers in the world. However, as regards the European Court of Justice, the situation is a bit more complex. The department responsible for translation, the **Directorate-General for Multilingualism**, is responsible for translation into French (the Court's only working language, see subchapter 2.5.) from all the official languages of the European Union. It comprises three Directorates: the **Directorate for Interpretation** (responsible for providing interpretation services during the hearings before the Court) and **Directorates A and B for Legal Translation**, jointly referred to as **Directorates for Legal Translation**. The directorates are shared between two judicial instances of **the Court of Justice of the European Union**, i.e. **the Court of Justice (ECJ)** and **the General Court (GC)**¹⁰ (see subchapter 2.2. for more details).

Translation of EU law is considered to be a special case of legal translation and a separate area of linguistic research, since the EU institutional settings form a *sui generis* culture, where texts “rotate and develop in a circular manner, the versions being redrafted and retranslated several times and in the process acquiring traces and fragments of earlier documents” (Koskinen 2000: 58-59). Within the EU legal framework, all language versions of legislation are *a priori* assumed to be authentic and equal. For instance, in the case of legislation, translation does not exist¹¹, as legislative texts are “drafted in one or two languages [and] then translated into the others, and the translation is considered an authentic primary legal instrument, equally binding as the source text” (Felici 2010: 99). In other words, there is no ST or TT, because according to “the principle of equal authenticity” all versions, after translation and authentication, “have the same weight and are equally authentic and authoritative”¹² (Šarčević 1997: 64).

¹⁰ https://curia.europa.eu/jcms/jcms/Jo2_10744/; https://curia.europa.eu/jcms/jcms/Jo2_10742/

¹¹ i.e. it is not referred to as *translation* by the institutions of the EU.

¹² This is not a precedent, as all international instruments, become authoritative after authentication, as provided by Article 33(1)¹² of the Vienna Convention on the law of treaties specifying “the text is equally authoritative in each language, unless the treaty provides or the parties agree that, in case of divergence, a particular text shall prevail”.

Conferred upon documents *a priori*, equality of all languages plays more of a symbolic function in the EU, as all language versions just “need to exist” (Šarčević 2000: 51). Consequently, the equivalence of legal instruments is their inherent, presupposed quality (Koskinen 2000: 55). This principle is believed to be imposed in order to compensate for the “the loss of sovereignty, ceded by member states in some political and economical (sic) areas” (Felici 2010: 96). Noteworthy, equality is often reduced to the **surface level similarity** of legal instruments, which “is assumed to guarantee that readers of the various translations all get the same message” (Koskinen 2000: 54). This “visual equivalence” entails division into the same paragraphs and headings along with subheadings being located in the same places even though it might deform the conventions of TL by, for example, forcing the use of “unnatural punctuation and preamble structures” in the case of Danish legislation (Koskinen 2000: 55-56).

In the case of the ECJ judgments, the status of translated pronouncements depends on the language of the document, as only one version, i.e. that corresponding to the language of the case, produces legal effects; the remaining language versions are alleged to serve purely informative functions. Insofar as the proximity of legal systems is concerned, translation of EU law might be considered as **intrasystemic** (albeit that the system is a result of compromise).

Chapter 2. Judgments of the ECJ

2.1. The place of judicial pronouncements in EU law

Not based on a constitution, the legal order of the EU relies on the cumulative and “constantly developing”¹³ body of laws known as *acquis* (previously known as *acquis communautaire*) that plays the central role in its legal system. It comes from seven sources:

1. The EU treaties, in particular the TEU and the TFEU (also known as primary legislation)
2. Secondary legislation made under the EU Treaties, i.e. regulations, directives, decisions, recommendations and opinions
3. “Soft law” i.e. “non-legally enforceable instruments which may aid the interpretation and/or application of EU law” (Fairhurst 2014: 56, e.g. guidelines¹⁴, standards, instructions (Terpan 2015: 9)
4. Treaties made between the Member States
5. International Treaties negotiated by the Union under powers conferred on it by the EU Treaties
- 6. Decisions of the Court of Justice of the European Union**
7. General Principles of law¹⁵ and fundamental rights upon which the constitutional laws of the Member States are based (Fairhurst 2014: 56) (emphasis added).

Primary legislation consists of the Treaty on the Functioning of the European Union (TFEU) and the Treaty on European Union (TEU) (amended by the Treaty of Lisbon) under Article 1 of which the EU is founded (Fairhurst 2014: 57). Secondary legislation is derived from the Treaties and comprises, pursuant to the article 288 of the TFEU, regulations, directives, decisions, recommendations and opinions (see Appendix A.1.). The legislation passed by the EU is enacted in Member States and has supremacy over domestic law in individual Member States (Felici 2010: 100).

¹³ <https://www.eurofound.europa.eu/observatories/eurwork/industrial-relations-dictionary/acquis-communautaire>

¹⁴ <https://www.eurofound.europa.eu/observatories/eurwork/industrial-relations-dictionary/soft-law>

¹⁵ For example the principle of the direct effect of Community law established in the case *Van Gend & Loos* in 1963 “which now enables European citizens to rely directly on rules of European Union law before their national courts” or the primacy of Community law over domestic law established in 1964 by the *Costa* judgment. (https://curia.europa.eu/jcms/jcms/Jo2_7024/en/)

The interpretative practice of the Court of Justice is the third most important part of *acquis*. Its main goal (under Article 19(1) of the TEU) is to “ensure that in the interpretation and application of the Treaties the law is observed” (see Appendix A.2.). In practice, however, the Court of Justice “put[s] flesh on the legislative bones” by providing “an exhaustive statement of the relevant law” (Fairhurst 2014: 68). Since EU jurisprudence has the characteristics of a case-law, the ECJ was able to lay down in its preliminary rulings some of the most important principles and doctrines of EU law (e.g. the principles of direct effect, supremacy or state liability)¹⁶. This has constitutionalised the Treaty of Rome, thus granting the EU a “framework for quasifederal structure” (McAuliffe 2012: 3). Thanks to those judgments, EU law no longer has to rely solely on the treaties or international law/conventions (Foster 2009: 112) and is able to maintain the balance of power between, firstly, the Community and its Member States, and, secondly, between different EU institutions (the Council, the Commission and the European Parliament) (Brown 2000: 11). This is because judicial decisions have superiority over legislation, as the judgments of the ECJ cannot be reversed by acts of the Council, whereas the Court of Justice can annul measures made by the Council (Brown 2000: 6).

2.2. History of the European Court of Justice, its Jurisprudence and jurisdiction

2.2.1. History of the ECJ

The Court of Justice (along with other institutions) was created by the Treaty establishing the European Coal and Steel Community (ECSC) signed in Paris on April 18, 1951. Its judicial structure was “strongly influenced by ideas derived from continental, especially French, administrative law” (Brown 2000: 1) (see also subchapter 2.4.1.2.). **The Court of Justice of the ECSC** soon (after 1957, when the Treaties of Rome were signed) became **the Court of Justice of the European Communities**, as the six founding states wanted to create a broader framework for cooperation (Brown 2000: 2).

In the 1980’s, due to the number of the cases on the docket of the Court of Justice and the amount of time it took for a verdict to be passed (in 1988, the average procedure took 18 months for a preliminary ruling and 24 months for a direct action (Bobek 2014: 4)), the Court

¹⁶ https://curia.europa.eu/jcms/jcms/Jo2_7024/en/

needed to be unburdened by another institution. As a result, the **Court of First Instance** was established in 1986 by the Single European Act and began operation in 1989 (Millet 1989: 811). Initially, its jurisdiction was narrow, but it has gradually become a **General Court**. While the Court of First Instance was attached to the Court of Justice, the latter remained “the single institution exercising judicial authority within the Communities, although the specific tasks assigned to it [were] (...) divided between the two Courts which together make up the institution as a whole” (Brown 2000: 2). Despite the efforts to minimise the ever-increasing workload, the CFI did not succeed at relieving the Court of Justice. The Nice Treaty “replicated the same formula as in 1988”, that is it established “‘specialized courts’, previously referred to as ‘judicial panels’, to be attached to the CFI itself” (Bobek 2014: 4). Consequently, the **Civil Service Tribunal**, that was the name of the newly established judicial instance, formed the third level of the EU judiciary.

This state of affairs was recognised by the Treaty of Lisbon in 2009, as it changed the nomenclature of the European Union judiciary (Wägenbaur 2013: 201). The provisions of the aforementioned Article 19(1) TEU as amended by the ToL refer to **the institution of the EU judiciary as the Court of Justice of the European Union (CJEU)**, and its **three judicial instances** were given the following names: **the Court of Justice (ECJ)**, **the General Court (GC; formerly Court of First Instance)** and **the Civil Service Tribunal (CST)**, the CST being attached to the GC, and the GC attached to the ECJ (Wägenbaur 2013: 201, Bobek 2014: 3). In 2016, the jurisdiction of the Civil Service Tribunal was transferred to the GC and the CST ceased to operate¹⁷.

2.2.2. Jurisprudence

The jurisprudence of the Court of Justice of the European Union, that is its case-law, comprises all formal decisions, as well as the aforementioned principles of law formulated in its judgments and opinions (Fairhurst 2014: 68). Publications of the ECJ (available in all official languages) consist of judgments, orders, opinions, rules of procedure and annual reports (Wägenbaur 2013: 245).

The general procedure is that the documents are drafted in French (the Court’s only working language for internal operations or proceedings) by the cabinets of **judges** and

¹⁷ https://curia.europa.eu/jcms/jcms/Jo2_6999/en/

Advocate Generals (AGs), assisted by their **référéndaires**, i.e. legal secretaries), and then translated by **lawyer-linguists** (see subchapter 2.4.1.) working for Director-General for Multilingualism¹⁸ (see also subchapter 1.2.5.). Since not all *référéndaires* and not all lawyer-linguists are native speakers, “the case law of the ECJ is [potentially] shaped by [Court French] in which it is drafted” (McAuliffe 2012: 4) (see subchapter 2.5.1.).

2.2.3. Jurisdiction

The jurisdiction of the ECJ is “expressly conferred upon it by the Treaties”, i.e. it enjoys only a *compétence d’attribution* (Brown 2000: 19) limited by Article 19(1) TEU to the interpretation of the Treaties (Fairhurst 2014: 72). Function-wise, 3 types of cases can appear on the docket:

1. **References for a preliminary ruling**, submitted under Article 267 TFEU (see Appendix A.4.) by Member States, whose national courts refer to the Court of Justice in order to clarify the interpretation of EU law, e.g. to decide whether national legislation is in compliance with *acquis*. This allows for a uniform application of EU legislation in all Member States¹⁹. The Court of Justice responds in the form of a **judgment** or a **reasoned order**, its decision being binding on the national court that has submitted the reference.
2. **Judicial reviews**. Article 263 TFEU (see Appendix A.5.) provides that the ECJ is entitled, directly or on appeal, to review the legality of acts passed by EU institutions.
3. **(Inter-)Institutional disputes**. Under Articles 60, 258 and 265 of the TFEU, the ECJ reviews actions that oppose EU institutions and Members States, such as infringement proceedings and actions for failure to act (Bobek 2014: 6-7).

Insofar as the procedure is concerned (see the following subchapter), the ECJ deals with two types of cases:

1. **References for preliminary rulings**
2. **Direct actions** (actions for failure to fulfil obligations, actions for annulment, actions for failure to act) and **appeals**²⁰.

¹⁸ As provided by Article 42 (see Appendix A.3.) of the Rules of Procedure of the Court of Justice.

¹⁹ https://curia.europa.eu/jcms/jcms/Jo2_7024/en/

²⁰ https://curia.europa.eu/jcms/jcms/Jo2_7024/en/

2.3. Outline of the Procedure

The procedure of the ECJ is regulated by the Statute of the Court of Justice and the Rules of Procedure of the Court of Justice, a type of derived legislation “implementing and supplementing” the primary law (Wägenbaur 2013: 203). The establishment of the Rules of Procedure is provided for by Article 253 of the TFEU (see Appendix A.6.). Noteworthy, the General Court operates under different procedures (Fairhurst 2014: 156).

Typically, there are three stages (see Figure 1): the written proceedings (the moment when the preliminary report is drafted, and the Court decides upon measures of organisation and measures of inquiry), the oral stage/hearings (after which the **AG** gives his/her opinion), and finally the delivery of the judgment (Fairhurst 2014: 163).

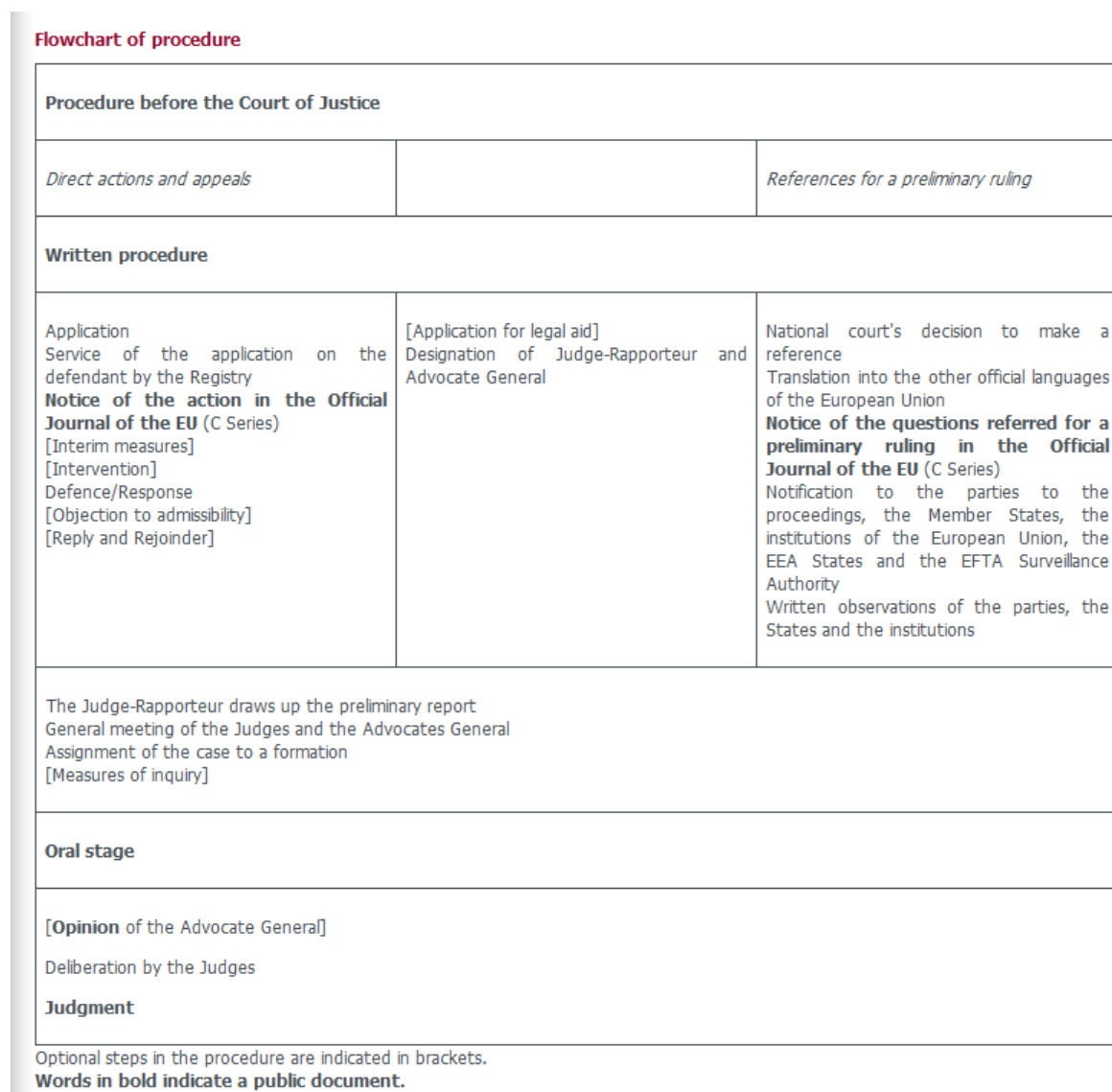


Figure 1: A flowchart of the procedure of the ECJ, source: https://curia.europa.eu/jcms/jcms/Jo2_7024/en/

2.3.1. Written Procedure

Commencements of the procedures are different for preliminary rulings and for direct actions and appeals, although both paths have the obligatory written stage and an optional oral stage:

1. In the case of **preliminary rulings**, a question (typically in the form of a judicial decision) is submitted to the ECJ. The request is translated into all the official languages and a notice is published in the Official Journal, reporting the content of the question and the names of the parties. The parties have two months to respond²¹.
2. In the case of **direct actions** and **appeals**, an action is brought before the Court by application addressed to the Registry. A notice of the action is published in the Official Journal, reporting the arguments and claims of the applicant. The parties have two months to lodge a defence or a response²².

Irrespective of the type of the case, at this stage the **Judge-Rapporteur (JR)** and **AG** are designated²³. The President assigns one of his/her colleagues to act as a **JR** and then the three-judge Chamber to which the JR belongs carries out investigative and preparatory inquiry (Brown 2000: 276-277). Meanwhile, the **First Advocate General** (whose role is assumed in turn for one judicial year by one of the AGs)²⁴ (Brown 2000: 65, 277) designates the AG for the case.

After the distribution of the files, the case is studied closely by the JR and the AG to whom the case is assigned (and their teams of référendaires/legal secretaries, see subchapter 2.5. for more details) (Brown 2000: 277). When the pleadings are closed, the Court begins to actively participate in the proceedings, i.e. the procedure changes from **adversarial**, or *contradictoire*²⁵, to **inquisitorial**, especially if the Court decides that *instruction* is needed.

The preliminary report (*rapport préalable*) drafted by the JR is the first milestone. As regards the date of its submission, Article 59 of the Rules of Procedure provides that each time “the President shall fix a date on which the Judge-Rapporteur is to present a preliminary report to the general meeting of the Court” (see Appendix A.7.). The preliminary report, unlike the report for the hearing, is an internal document: “it is neither furnished to the parties, nor in any

²¹ https://curia.europa.eu/jcms/jcms/Jo2_7024/en/

²² https://curia.europa.eu/jcms/jcms/Jo2_7024/en/

²³ https://curia.europa.eu/jcms/jcms/Jo2_7024/en/

²⁴ https://curia.europa.eu/jcms/jcms/Jo2_7024/en/

²⁵ A type of procedure where “the arguments and evidence of each party are made available to, and can be commented upon by, the other” and the Court plays the mere role of an impartial judge (Brown 2000: 279).

other way made public, meaning that no party or third person has any right whatsoever to access, let alone to comment upon, this document” (Wägenbaur 2013: 281). Additionally, in his report, the JR may propose to dispense with the AG’s Opinion pursuant to Article 20 of the Statute of the Court of Justice of the European Union (see Appendix A.8.) “as the Court can decide to determine the case without an Advocate-General’s Opinion if the Court considers that the case raises no new point of law” (Fairhurst 2014: 163-165).

Measures of organisation and measures of inquiry are decided upon after the confidential preliminary report²⁶ has been submitted to the full Court at one of its regular General Meetings²⁷ and after the views of the Advocate General have been heard (Nowak 2014: 763, Fairhurst 2014: 163, Brown 2000: 279). Judges discuss to which chamber the case should be assigned. Under Article 251 of the TFUE the Court may sit as a full court, in a Grand Chamber of 15 Judges or in Chambers of three or five Judges (historically, a chamber of nine judges was called a “Petit Plenum” and full court was known as “Grand Plenum”, Brown 2000: 279). Initially, the judgments were passed during plenary sittings, but after the 2005 reform of the Rules of Procedure, larger configurations have not been used (Malecki 2013: 72). Cases are most often decided by formations of only 5 or 3 judges, depending on the type of the case, which “could pose a threat to the consistency of the case-law” (Bobek 2014: 5). Furthermore, during these discussions, judges also decide whether and when a hearing should be held for oral argument²⁸.

2.3.2. Oral Stage

This is an optional, “external level” of the procedure (Wägenbaur 2013: 238), when the language of the procedure is used in the Court (as opposed to the internal stage, when the communication in the ECJ takes place in French). During this stage, lawyers of both parties put their case to the judges and AGs and may question the parties²⁹.

²⁶ Containing proposals on the formation which should head the case pursuant to Article 60 of the Rules of Procedure of the Court of Justice.

²⁷ The Judges and the AGs meet with the Registrar, as provided by Article 25 of the Rules of Procedure.

²⁸ https://curia.europa.eu/jcms/jcms/Jo2_7024/en/

²⁹ https://curia.europa.eu/jcms/jcms/Jo2_7024/en/

2.3.3. Opinion, Deliberation, Judgment and Full Report

If the Court decides that a case raises new questions of law, the AG shall give his/her opinion during weeks following the hearing³⁰. In his opinion, the AG analyses the case in detail and gives his independent response on how the Court should decide the case. This document marks the end of the oral stage (pursuant to Article 82 of the Rules of Procedure).

The Bench, unassisted by interpreters, goes into secret deliberation and discusses the draft judgment prepared by the **JR** in French, pursuant to Articles 88 to 92 of the Rules of Procedure of the Court of Justice. As the judges assigned to the case are obliged to deliver a single judgment, deliberations may last many months (Fairhurst 2014: 165). After the judgment is agreed upon, it is then verified by a reader of judgments (when French was the language of procedure) or by a member of the Chamber to which the case was assigned, who is a native speaker of the language of the case (Brown 2000: 24) (see also subchapter 2.5.).

Ultimately, the full report is released, containing a summary of the judgment and the report for the hearing drafted by the JR, the Opinion of the AG, the reasons and grounds for the judgment, and the ruling of the Court (Foster 2009: 68).

2.4. Composition

In 1952, the Court of Justice housed seven judges and two AGs. The number has gradually grown and reached (in 2017) 2,168 posts, including 28 Judges (increased from 15 to 28 in 2004 during the accession of new Member States (Bobek 2014: 5)) and 11 AGs³¹. Together with the number of judges rose the number of their cabinets (see below), legal assistants and translators. Today, 904 posts are occupied by people working in linguistic services, including 609 lawyer-linguists³² and 74 interpreters³³.

³⁰ https://curia.europa.eu/jcms/jcms/Jo2_7024/en/

³¹ https://curia.europa.eu/jcms/jcms/P_80908/en/

³² The division into lawyers and linguists might not be substantiated in the case of the ECJ, as the staff are not only highly qualified linguists, but lawyers at the same time, referred to as lawyer-linguists (Wägenbaur 2013: 246).

³³ https://curia.europa.eu/jcms/jcms/P_80908/en/; Figures as of 31.12.2017

2.4.1 Cabinets

All the AGs and judges have their own cabinets. They are assisted by *référéndaires*, also known as legal assistants or secretaries, responsible for drafting documents. Although the latter are not members of the ECJ, in practice they do “anything between researching the case law and writing memoranda down to the function of a ghost writer, drafting but never signing a judgment or opinion” (Bobek 2014: 14). However, whereas one prerequisite for the position is being knowledgeable in law (of their State and in the EU law), a perfect command of French is not (McAuliffe 2012: 4) and few of them are francophones. Furthermore, due to the computerisation of drafting and the need to reproduce exactly case law, legal assistants are “constrained in their use of language and style of writing” and rely on stock phrases, which makes the texts “stilted and awkward” (McAuliffe 2012: 13). This and the fact that they draft in a foreign language was one of the reasons behind the emergence of the Court French (see subchapter 2.5.).

2.4.1.1 Judge Rapporteur: the Preliminary Report

After all the relevant submissions have been lodged and translated into French, *référéndaires* working for the JR begin drafting (in French) a preliminary report (*rapport préalable*) and the report for the hearing to be sent to the parties before the oral stage (Gálvez 2006: 391), McAuliffe 2012: 5). Both reports contain a brief and dry summary of all the facts and all the relevant arguments. The latter is made public; its copies are sent to the parties and translated into the language of the case (McAuliffe 2012: 5). Conversely, the former, i.e. the preliminary report, is an internal, unpublished document, intended only for the General Meeting. It contains proposals concerning measures of organization and procedure, states whether requests for clarification should be made, proposes the formation to which the case should be assigned, and suggests whether to dispense with the oral hearing and/or the opinion of the AG (Nowak 2014: 763). It also contains a section with “the judge rapporteur's opinion on the case and his or her recommendations as to how the Court should rule” (McAuliffe 2012: 5).

Linguistic point of interest: The preliminary report is always drafted in French, irrespective of the language of the case. This is one of the two stages, when every text is mediated through

the so-called **Court French** (see subchapter 2.5.1.), the second stage being the deliberation stage, which results in a draft judgment (see subchapter 2.4.1.3).

2.4.1.2. Advocate General: the Opinion

The AGs are impartial and independent assistants of the judges, whose responsibility is to present their opinion on the case, as provided by Article 252 of the TFUE³⁴ (see Appendix A.9.). They are modelled after legal representatives for the public interest in higher courts in continental legal systems³⁵ and especially after *commissaire du gouvernement* in *Conseil d'Etat*, who attends the deliberations of the judges, but does not participate in the voting on the decision (Brown 2000: 66). Despite being called advocates, they “represent no one and [do] not present a case on anyone’s behalf” (Fairhurst 2014: 160). They are what is called in some continental legal systems the standing judiciary (*la magistrature debout*), a body advising those who sit in the judgment (*la magistrature assise*, the Bench) on how the Court should decide the case on the docket (Brown 2000: 19).

The AGs’ cabinets are responsible for drafting the Opinion (*conclusion*), typically up to three weeks after the case has been heard. The AG expresses his/her own opinion in the form of a document, where he or she, independently of the Court of Justice, reviews the facts of the case and the relevant law, deals with the submission of the parties, and critically considers all the arguments of the parties who have taken part in the proceedings (McAuliffe 2012: 7, Brown 2000: 65). Although not binding, these opinions “carry considerable weight on account of the very high standard of legal analysis which they contain, and they are frequently cited in the Court as well as in legal writing as persuasive sources of authority” (Fairhurst 2014: 160). Because of the importance of the role they play in the procedure, AGs have “the luxury of working on detailed background preparation for his or her opinion in a case from the moment that case is lodged (...)” (McAuliffe 2012: 8).

AGs enjoy equal status with judges (Fairhurst 2014: 160), i.e. they vote on all procedural issues and matters of administration with judges, but, unlike their French counterpart, they do not attend judges’ deliberations “even in a consultative capacity” (Brown 2000: 64). Even though their opinions cannot question the judgment (it is always the other way round), they

³⁴ https://curia.europa.eu/jcms/jcms/Jo2_7024/en/

³⁵ E.g. *ministère public* who has the capacity of interposing his/her conclusions in civil cases before *Cour de Cassation*, *Cours d’appel* and *Tribunaux de grande instance* (Brown 2000: 66).

always express themselves in writing in the first person and their individuality distinguishes them from “somehow collegiate and anonymous bench” from which “no individual judicial faces emerge (...) at least in the judicial capacity” (Bobek 2014: 13-17). Therefore, an AG, in a sense, enjoys “a greater independence than a judge since he is free, and indeed obliged, to speak his mind in public and in his own language” (Brown 2000: 67).

Linguistic point of interest: Until 2004 opinions were written in AG’s mother tongues, but since 2004 many of them have been drafting their opinions in pivot languages (McAuliffe 2008: 816). Given the freedom they enjoy in expressing their point of view, opinions should be the most idiosyncratic and natural (as regards the language) of all the documents issued during the proceedings (in comparison with e.g. the preliminary report).

2.4.1.3. Judges: the Collegiate Judgment (drafted by the Judge Rapporteur)

After the AG has delivered his or her Opinion in the open court³⁶, the *référéndaire* assigned to the case begins to draft the first version of the judgment in the name of the judge rapporteur (McAuliffe 2012: 6). Pursuant to Article 87 of the Rules of Procedure (see Appendix A.10.), judgments have a fixed structure (a well-defined macrostructure, as opposed to microstructure, i.e. phraseology; see subchapter 1.1.) organised by means of **routine formulae**, i.e. “recurring lexical sequences, of different length, that develop in the case-law tradition and are usually collected in formularies” (Kjær 1990: 28-29) typically grouped into five **moves**, i.e. stretches of text serving a particular communicative function (Pontrandolfo 2015: 151): **heading** (e.g. all the names of the officials), **facts** and **legal background** (arguments used and legal framework of the EU and national law) and the most important, **operative part** of the judgment with **final provisions**, i.e. the grounds for the decision and the summary of the facts (Wägenbaur 2013: 312).

As it can be observed (see Figure 2), the first page contains the following **routine formulae**:

- (a) a statement that it is the judgment of the Court,
- (b) an indication as to the formation of the Court,

³⁶ https://curia.europa.eu/jcms/jcms/Jo2_7024/en/

- (c) the date of delivery,
- (d) the names of the President and of the Judges who took part in the deliberations, with an indication as to the name of the Judge-Rapporteur,
- (e) the name of the Advocate General,
- (f) the name of the Registrar,
- (g) a description of the parties or of the interested persons referred to in Article 23 of the Statute who participated in the proceedings,
- (h) the names of their representatives,
- (i) in the case of direct actions and appeals, a statement of the forms of order sought by the parties,
- (j) where applicable, the date of the hearing,
- (k) a statement that the Advocate General has been heard and, where applicable, the date of his Opinion



Reports of Cases

JUDGMENT OF THE COURT (Sixth Chamber)

5 February 2015*

(Failure of a Member State to fulfil obligations — Article 45 TFEU — Regulation (EU) No 492/2011 — Freedom of movement for workers — Access to employment — Local public service — Linguistic knowledge — Means of proof)

In Case C-317/14,

ACTION under Article 258 TFEU for failure to fulfil obligations, brought on 2 July 2014,

European Commission, represented by J. Enegren and D. Martin, acting as Agents, with an address for service in Luxembourg,

applicant,

v

Kingdom of Belgium, represented by L. Van den Broeck, J. Van Holm and M. Jacobs, acting as Agents,

defendant,

THE COURT (Sixth Chamber),

composed of S. Rodin, President of the Chamber, A. Borg Barthet and M. Berger (Rapporteur), Judges,
Advocate General: P. Cruz Villalón,

Registrar: A. Calot Escobar,

having regard to the written procedure,

having decided, after hearing the Advocate General, to proceed to judgment without an Opinion,

gives the following

Judgment

- 1 By its application, the European Commission asks the Court to declare that, by requiring candidates for posts in the local services established in the French-speaking or German-speaking regions, whose diplomas or certificates do not show that they carried out their studies in the language concerned, to obtain the certificate issued by the selection office of the Federal Public Staff and Organisation Service

* Language of the case: French.

EN

ECLI:EU:C:2015:63

1

Figure 2: A typical judgment of the ECJ- heading

Further parts (see Figure 3) comprise a **summary of the facts, legal background and the grounds for the decision**:

JUDGMENT OF 5. 2. 2015 — CASE C-317/14
COMMISSION v BELGIUM

(SELOR), after passing the examination conducted by that body, and by making that certificate the only way in which those persons can prove that they have the language skills needed in order to access those posts, the Kingdom of Belgium has failed to fulfil its obligations under Article 45 TFEU and Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union (OJ 2011 L 141, p. 1).

Law

EU law

- 2 Council Regulation (EEC) No 1612/68 of 15 October 1968 on freedom of movement for workers within the Community (Official Journal, English Special Edition 1968 (II), p. 475), referred to in the letter of formal notice and in the reasoned opinion issued by the Commission in the context of the present case, was repealed and replaced by Regulation No 492/2011 as from 16 June 2011, subsequent to the expiry of the period referred to in the reasoned opinion. Nevertheless, the wording of Article 3(1) of Regulation No 492/2011 is identical to that of Article 3 of Regulation No 1612/68 and provides:

'Under this Regulation, provisions laid down by law, regulation or administrative action or administrative practices of a Member State shall not apply:

- (a) where they limit application for and offers of employment, or the right of foreign nationals to take up and pursue employment or subject these to conditions not applicable in respect of their own nationals; or
- (b) where, though applicable irrespective of nationality, their exclusive or principal aim or effect is to keep nationals of other Member States away from the employment offered.

The first subparagraph shall not apply to conditions relating to linguistic knowledge required by reason of the nature of the post to be filled.'

Belgian law

- 3 The Belgian Constitution defines four linguistic regions, that is to say, four different parts of the national territory in which uniform rules are applied as regards the use of languages, particularly in relation to administrative matters: the French-speaking region, the Dutch-speaking region, the German-speaking region and the bi-lingual Brussels-Capital region.
- 4 The provisions laid down in Chapter III of the consolidated laws on the use of languages in administrative matters (lois coordonnées sur l'emploi des langues en matière administrative) of 18 July 1966 (*Moniteur belge*, 2 August 1966, p. 7799, 'the consolidated laws'), subsequently amended, govern inter alia the use of languages in local services, which are defined in Articles 1(2) and 9 of those laws as natural or legal persons which are concessionaires managing a public service or which are charged with a task in the public interest entrusted to them by law or by the public authorities, the scope of which is limited to one locality.
- 5 Section II of the consolidated laws concerns their application to the French-speaking, Dutch-speaking and German-speaking regions. In that respect, Article 15(1) of those laws provides:

'In the local services established in the French-speaking, Dutch-speaking or German-speaking regions, no person may be appointed or promoted to an office or post if he does not know the language of the region.'

Figure 3: A typical judgment of the ECJ- legal background

The last part (see Figure 4) is **the operative part of the judgment**, which includes, where appropriate, the decision as to costs.

in its domestic legal system, even its constitutional system, to justify failure to observe obligations arising under EU law (see, *inter alia*, *Commission v Hungary*, C-288/12, EU:C:2014:237, paragraph 35 and case-law cited).

- ³⁴ It must be added that, in any event, the question whether a Member State has failed to fulfil obligations must be determined by reference to the situation prevailing in the Member State at the end of the period laid down in the reasoned opinion and the Court cannot take account of any subsequent changes (see, *inter alia*, *Commission v United Kingdom*, C-640/13, EU:C:2014:2457, paragraph 42 and the case-law cited).
- ³⁵ In those circumstances, it must be held that, by requiring candidates for posts in the local services established in the French-speaking or German-speaking regions, whose diplomas or certificates do not show that they were educated in the language concerned, to provide evidence of their linguistic knowledge by means of one particular type of certificate, issued only by one particular Belgian body following an examination conducted by that body in Belgium, the Kingdom of Belgium has failed to fulfil its obligations under Article 45 TFEU and Regulation No 492/2011.

Costs

- ³⁶ Under Article 138(1) of the Rules of Procedure, the unsuccessful party must be ordered to pay the costs if they have been applied for in the other party's pleadings. Since the Commission has applied for costs and the Kingdom of Belgium has been unsuccessful, the latter must be ordered to pay the costs.

On those grounds, the Court (Sixth Chamber) hereby:

1. Declares that by requiring candidates for posts in the local services established in the French-speaking or German-speaking regions, whose diplomas or certificates do not show that they were educated in the language concerned, to provide evidence of their linguistic knowledge by means of one particular type of certificate, issued only by one particular Belgian body following an examination conducted by that body in Belgium, the Kingdom of Belgium has failed to fulfil its obligations under Article 45 TFEU and Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union;
2. Orders the Kingdom of the Belgium to pay the costs.

[Signatures]

Figure 4: A typical judgment of the ECJ- operative part

Insofar as the **routine formulae** are concerned, they are as follows:

Table 1: Selected routine formulae in the judgments of the ECJ

| (a) a statement that it is the judgment of the Court, (b) an indication as to the formation of the Court, and (c) the date of delivery | | |
|--|--|--|
| JUDGMENT OF THE COURT (Sixth Chamber) 5 February 2015 (*1) | ARRÊT DE LA COUR (sixième chambre) 5 février 2015 (*1) | WYROK TRYBUNAŁU (szósta izba) z dnia 5 lutego 2015 r. (*1) |
| *Failure of a Member State to fulfil obligations — Article 45 TFEU — Regulation (EU) No 492/2011 — Freedom of movement for workers — Access to employment — Local public service — Linguistic knowledge — Means of proof | «Manquement d’État — Article 45 TFUE — Règlement (UE) no 492/2011 — Libre circulation des travailleurs — Accès à l’emploi — Service public local — Connaissances linguistiques — Mode de preuve» | „Uchybienie zobowiązaniom państwa członkowskiego — Artykuł 45 TFUE — Rozporządzenie (UE) nr 492/2011 — Swobodny przepływ pracowników — Dostęp do zatrudnienia — Lokalna administracja publiczna — Znajomość języków — Środek dowodowy” |
| In Case C-454/13, | Dans l’affaire C-454/13, | W sprawie C-454/13 |
| ACTION under Article 258 TFEU for failure to fulfil obligations, brought on 2 July 2014, | ayant pour objet un recours en manquement au titre de l’article 258 TFUE, introduit le 2 juillet 2014, | mającej za przedmiot skargę o stwierdzenie, na podstawie art. 258 TFUE, uchybienia zobowiązaniom państwa członkowskiego, wniesioną w dniu 2 lipca 2014 r., |
| (g) a description of the parties or of the interested persons referred to in Article 23 of the Statute who participated in the proceedings and (h) the names of their representatives | | |
| European Commission, represented by J. Enegren and D. Martin, acting as Agents, with an address for service in Luxembourg, | Commission européenne, représentée par MM. J. Enegren et D. Martin, en qualité d’agents, ayant élu domicile à Luxembourg, | Komisja Europejska, reprezentowana przez J. Enegrena oraz D. Martina, działających w charakterze pełnomocników, z adresem do doręczeń w Luksemburgu, |
| applicant, | partie requérante, | strona skarżąca, |
| v | contre | przeciwko |
| Kingdom of Belgium, represented by L. Van den Broeck, J. Van Holm and M. Jacobs, acting as Agents, | Royaume de Belgique, représenté par Mmes L. Van den Broeck, J. Van Holm et M. Jacobs, en qualité d’agents, | Królestwu Belgii, reprezentowanemu przez L. Van den Broeck, J. Van Holm oraz M. Jacobs, działające w charakterze pełnomocników, |

| | | |
|---|--|---|
| defendant, | partie défenderesse, | strona pozwana, |
| (b) an indication as to the formation of the Court | | |
| THE COURT (Sixth Chamber), | LA COUR (sixième chambre), | TRYBUNAŁ (szósta izba), |
| (d) the names of the President and of the Judges who took part in the deliberations, with an indication as to the name of the Judge-Rapporteur | | |
| composed of S. Rodin, President of the Chamber, A. Borg Barthet and M. Berger (Rapporteur), Judges, | composée de M. S. Rodin, président de chambre, M. A. Borg Barthet et Mme M. Berger (rapporteur), juges, | w składzie: S. Rodin, prezes izby, A. Borg Barthet i M. Berger (sprawozdawca), sędziowie, |
| (e) the name of the Advocate General | | |
| Advocate General: P. Cruz Villalón, | avocat général: M. P. Cruz Villalón, | rzecznik generalny: P. Cruz Villalón, |
| (f) the name of the Registrar | | |
| Registrar: A. Calot Escobar, | greffier: M. A. Calot Escobar, | sekretarz: A. Calot Escobar, |
| (k) a statement that the Advocate General has been heard and, where applicable, the date of his Opinion | | |
| having decided, after hearing the Advocate General, to proceed to judgment without an Opinion, | vu la décision prise, l'avocat général entendu, de juger l'affaire sans conclusions, | podjąwszy, po wysłuchaniu rzecznika generalnego, decyzję o rozstrzygnięciu sprawy bez opinii, |
| gives the following Judgment | rend le présent Arrêt | wydaje następujący Wyrok |
| (l) a summary of the facts and (m) the grounds for the decision | | |
| (...) | (...) | (...) |
| (n) the operative part of the judgment, including, where appropriate, the decision as to costs | | |
| Costs | Sur les dépens | W przedmiocie kosztów |
| On those grounds, the Court (Sixth Chamber) hereby: | Par ces motifs, la Cour (sixième chambre) déclare et arrête: | Z powyższych względów Trybunał (szósta izba) orzeka, co następuje: |
| 1. Declares that by requiring candidates for posts in the local services established in the French-speaking or German-speaking regions (...) | 1) En exigeant des candidats aux postes dans les services locaux établis dans les régions de langue française ou de langue allemande (...) | Wymagając od kandydatów na stanowiska pracy w lokalnej administracji publicznej w regionach francuskojęzycznym i niemieckojęzycznym (...) |
| 2. Orders the Kingdom of the Belgium to pay the costs. | 2) Le Royaume de Belgique est condamné aux dépens. | 2) Królestwo Belgii pokrywa koszty postępowania |
| [Signatures] | Signatures | Podpisy |
| (*1) Language of the case: French. | (*1) Langue de procédure: le français. | (*1) Język postępowania: francuski. |
| (2) Confidential material removed. | (2) Données confidentielles occultées. | (2) Pominięte informacje poufne. |

Typically, the **routine formulae** vary according to the type of the case (for example direct actions and references for preliminary rulings) and the circumstances of the case (whether or not a hearing took place, have the AG submitted his/her Opinion etc.). Occasionally, they diverge as regards the orthography (see also subchapter 5.2.1.). Some of the examples are as follows:

Table 2: Selected variants of routine formulae in the judgments of the ECJ

| the date of the hearing (where applicable) and a statement that the Advocate General has been heard (where applicable) and the date of his Opinion | | |
|---|---|---|
| having regard to the written procedure and further to the hearing on 3 September 2015, | vu la procédure écrite et à la suite de l'audience du 3 septembre 2015, | uwzględniając pisemny etap postępowania i po przeprowadzeniu rozprawy w dniu 3 września 2015 r., |
| after considering the observations submitted on behalf of: | considérant les observations présentées: | rozważywszy uwagi przedstawione: |
| after hearing the Opinion of the Advocate General at the sitting on 8 July 2015, | ayant entendu l'avocat général en ses conclusions à l'audience du 8 juillet 2015, | po zapoznaniu się z opinią rzecznika generalnego na posiedzeniu w dniu 8 lipca 2015 r., |
| type of case: | | |
| REQUEST for a preliminary ruling under Article 267 TFEU from the cour d'appel de Mons (Belgium), made by decision of 7 June 2013, received at the Court on 25 June 2013, in the proceedings | ayant pour objet une demande de décision préjudicielle au titre de l'article 267 TFUE, introduite par la cour d'appel de Mons (Belgique), par décision du 7 juin 2013, parvenue à la Cour le 25 juin 2013, dans la procédure | mającej za przedmiot wniosek o wydanie, na podstawie art. 267 TFUE, orzeczenia w trybie prejudycjalnym, złożony przez cour d'appel de Mons (Belgia) postanowieniem z dnia 7 czerwca 2013 r., które wpłynęło do Trybunału w dniu 25 czerwca 2013 r., w postępowaniu: |
| REFERENCE for a preliminary ruling under Article 267 TFEU from the High Court of Justice of England and Wales, Chancery Division (Patents Court) (United Kingdom), made by decision of 8 December 2010, received at the Court on 5 January 2011, in the proceedings | ayant pour objet une demande de décision préjudicielle au titre de l'article 267 TFUE, introduite par la High Court of Justice (England & Wales), Chancery Division (Patents Court) (Royaume-Uni), par décision du 8 décembre 2010, parvenue à la Cour le 5 janvier 2011, dans la procédure | mającej za przedmiot wniosek o wydanie, na podstawie art. 267 TFUE, orzeczenia w trybie prejudycjalnym, złożony przez High Court of Justice (England & Wales), Chancery Division (Patents Court) (Zjednoczone Królestwo) postanowieniem z dnia 8 grudnia 2010 r., które wpłynęło do |

| | | |
|--|---|--|
| | | Trybunału w dniu 5 stycznia 2011 r., w postępowaniu: |
| APPLICATION for annulment of Commission Decision C(2008) 5955 of 15 October 2008 relating to a proceeding under Article 81 [EC] (Case COMP/39188 - Bananas) and, in the alternative, for a reduction of the fine | ayant pour objet une demande d’annulation de la décision C (2008) 5955 de la Commission, du 15 octobre 2008, relative à une procédure d’application de l’article 81 [CE] (affaire COMP/39188 - Bananes), et, à titre subsidiaire, une demande de réduction du montant de l’amende | mającej za przedmiot skargę o stwierdzenie nieważności decyzji Komisji C (2008) 5955 z dnia 15 października 2008 r. dotyczącej postępowania na podstawie art. 81 [WE] (sprawa COMP/39188 - Banany) oraz tytułem żądania pomocniczego wniosek o obniżenie kwoty grzywny |
| the operative part of the judgment, including, where appropriate, the decision as to costs | | |
| On those grounds, the Court (Third Chamber) hereby rules: | Par ces motifs, la Cour (troisième chambre) dit pour droit: | Z powyższych względów Trybunał (trzecia izba) orzeka, co następuje: |
| On those grounds, the Court (Sixth Chamber) hereby: | Par ces motifs, la Cour (sixième chambre) déclare et arrête: | Z powyższych względów Trybunał (szósta izba) orzeka, co następuje: |

During the deliberation phase, each judge may propose changes to the draft judgment as they go through the judgment “sentence by sentence, voting on individual sentences” (Fairhurst 2014: 165). Pursuant to Article 32 of the Rules of Procedure (see Appendix A.11.), the ECJ observes the principle of secrecy of deliberation: neither AGs, nor Registrars are admitted to the Deliberation Room³⁷ (Brown 2000: 283). Only judges attend the deliberations and they discuss the details of the case without interpreters (this is one of the reasons why French became the internal working language, since all judges are assumed to understand it (Brown 2000: 283)). The collegiate nature of the judgments means that the decision is voted by majority and no dissenting opinions are released. In case of a difference of opinion, only the majority view emerges and “[t]he outside world has no way of knowing whether the judgment was unanimous or by a majority” (Brown 2000: 284). As the judges are sometimes forced to compromise in order to reach unanimity and pass a single judgment, “the minority might be successful in introducing some of their ideas into the judgment, even if the majority solution stands”, which might affect the flow of argumentation and cause “gaps in the reasoning of the ECJ” (Bobek 2014: 16).

³⁷ https://curia.europa.eu/jcms/jcms/Jo2_7024/en/

As regards the linguistic aspects of the rulings, the judgments are supposed to be drafted, discussed, and deliberated on in French³⁸ regardless of the language of the proceedings (Derlén 2015: 58). Nevertheless, several référendaires reported “drafting half in [their own mother tongue] and half in French” (McAuliffe 2012: 6). Moreover, legal assistants feel obliged to cite word for word past judgments, as it is one of the prerequisites of **maintaining consistent terminology** in the case-law. On the level of microstructure (the macrostructure being a rigid template, the overall structure) the Court relies extensively on the so called ‘**cluster citations**’, i.e. entire sentences (or even entire paragraphs) reproduced from previous decisions, either verbatim or with minor changes (Bobek 2014: 16). The rigidity of style and reliance on stock phrases is also a means to adapting to a multi-lingual working environment: “[i]f there is an international, multi-lingual court the decisions of which are to be translated into a further 23 languages and the task of which is to provide, certainly on preliminary rulings, general statements of the law and not to solve a concrete case, then having decisions that are rather abstract, succinct, with a fixed structure, and speaking with one voice can hardly be said to be that shocking” (Bobek 2014: 17).

On the one hand, collegiate judgments create a framework for common EU law, diminish the reliance on the national laws of the Member States and constitute the case-law for its future decisions. However, on the other hand, they are perceived as “terse and cryptic with little evidence of reasoning, [stifling] true legal argument, and [inhibiting] judges and the development of law” (Foster 2009: 68). This is counterweighted by the Opinions of AGs, a part and parcel of EU law, the style of which is different from that of collegiate judgments. While judgments are drafted in a rigid, formulaic style and focus exclusively on finding solutions to a particular problem, opinions are written in a more academic, investigative style, allowing for some personal expression and criticism of the previous decisions (McAuliffe 2012: 8-9). Both judgments and the Opinions of AGs are published, first, on the CURIA internet site on the same day and, typically, later in the European Court Reports³⁹.

Linguistic point of interest: Irrespective of the language of the proceedings, French is used during the deliberation stage. The judgment is always drafted in French and pronounced when agreed upon. Since 1980, judgments have been verified by a Reader of Judgments (*lecteur d’arrêts*) whose responsibility is “to peruse the French drafting of the judgments of the Court and its Chambers in order to ensure consistency of style, correctness of citations and clarity of

³⁸ According to the Rules of Procedure.

³⁹ https://curia.europa.eu/jcms/jcms/Jo2_7024/en/

drafting” (Brown 2000: 24). Whenever French is not the language of the case, the authentic version of the document (i.e. the one that produces legal effect; see subchapter 1.2.) is always a translation of the French draft judgment into the language of the hearing (Fairhurst 2014: 165, Šarčević 1997:126), which is then reviewed by the judge whose native language is that of the case (Brown 2000: 284) and who is, at the same time, a member of the Chamber to which the case was assigned.

2.5. Languages of the EU and the ECJ

The EU distinguishes between **official languages**, **procedural languages** and **pivot languages**⁴⁰. Article 1 (with amendments) of Council Regulation No 1 states that every official language used by a Member State becomes one of the official languages of the EU and one of the **working languages** (the **languages of procedure**)⁴¹. Under Articles 2 and 3 of the aforementioned regulation, every EU citizen and institution have the right to address the EU and receive a response from it in their own language (see Appendix A.12.). Although in the European Parliament all the working languages are in use, some EU institutions have in fact fewer working languages in order to “simplify day-to-day activities”. For instance, the Commission uses for internal communication English, French and German, the European Central Bank only English (Derlén 2015: 55) and the ECJ only French. Consequently, as the Court’s only uses one working language for internal operations or proceedings, the language regime and working environment becomes essentially monolingual (Foster 2009: 67, Derlén 2015: 57). It is in spite of the fact that the majority of EU citizens are fluent in English and this language would be a “more natural choice” (Schübel-Pfister 2004: 72). However, French was chosen historically as the working language of the Court, since it was the official language of France, Belgium and Luxembourg, three out of six founding Member States (Fairhurst 2014: 162).

The language regime in the Court of Justice of the European Union is not regulated by Regulation 1/1958 like in other institutions, but by its Statute, Article 64 of which provides that

⁴⁰ 1. Official languages: Bulgarian, French, Maltese, Croatian, German, Polish, Czech, Greek, Portuguese, Danish, Hungarian, Romanian, Dutch, Irish, Slovak, English, Italian, Slovenian, Estonian, Latvian, Spanish, Finnish, Lithuanian and Swedish.

2. Procedural languages: English, French, German.

3. Pivot languages: English, French, German, Italian, Spanish and Polish. (Biel 2014: 25).

⁴¹ Historically those were the languages of the Member States that negotiated the Treaty of Rome.

languages used in the ECJ are regulated by the Rules of Procedure of the ECJ (Derlén 2015: 56). As regards the language of procedure (i.e. the language in which the proceedings are conducted and not the working language of the Court), it depends on the type of the case. In direct actions, the language used in the application typically becomes the language of the case. In appeals, the language of the case is that of the language of the judgment under appeal (i.e. the language used before the General Court). With reference to preliminary rulings, the language of the national court becomes the language of the case⁴². On the other hand, ‘external’ oral proceedings and hearings are interpreted according to the needs: AGs and Judges are not bound by the language of the procedure and may use any language of their choosing (see subchapter 1.2.5.). During ‘internal’ hearings however, the judges deliberate, unassisted by interpreters, solely in French (Wägenbaur 2013: 238).

Parties are responsible for translation into the language of the case, under threat of untranslated documentation being rejected⁴³. Insofar as translating from the language of the case is concerned, the Court (specifically the **Directorate for Interpretation and Directorates for Legal Translation** placed under the direct responsibility of the **Directorate-General for Multilingualism**, see subchapter 1.2.5.) is responsible for this service under Article 40 of the Rules of Procedure (Derlén 2015: 58). Judgments are passed only in one authentic, authoritative version, namely in that of the language of procedure. This is because the parties in question (or the respective court) “must be able to access [the judgment] in their own language” (Gallo 2006: 181). After the delivery, a paper version of the original judgment and its French translation are “made available for the public in front of the hearing room respectively used” (Wägenbaur 2013: 245). Translations of the judgment into all official languages are published on www.curia.europa.eu, the ECJ’s official website.

Due to the status of French in the ECJ, the French translation division has much greater workload, as it translates all external documents drafted in new languages (i.e. that after 2004). Only some documents are translated with the help of the pivot system⁴⁴, such as orders for reference for a preliminary ruling, Member State observations and applications to intervene in

⁴² https://curia.europa.eu/jcms/jcms/Jo2_7024/en/

⁴³ https://curia.europa.eu/jcms/jcms/Jo2_7031/en/

⁴⁴ Pivot languages were introduced during the largest enlargement of the EU in 2004. After the accession the number of language pairs was supposed to rise from 110 to 506. In June 2001, Alfredo Calot-Escobar became the head of the DGT and in order to cope with the influx of new languages he introduced the pivot system that is still in use (McAuliffe 2008: 810-811). Pivot languages serve as an intermediary stage of translation, which is used alongside the direct translation system. In case there is no translator capable of providing translation service from language A into language B, texts in language A are translated into language C (serving as a pivot or relay language), and the text is then translated into language B. In 2017, there were 6 pivot languages (see footnote 39).

direct actions (McAuliffe 2012: 11, McAuliffe 2008: 808). Consequently, although it is provided by the Rules of Procedure that a judge or AG may demand translation of documents into a language of his or her choosing, “the members have been obliged to forgo that possibility in order not to increase the workload of the translation service” (McAuliffe 2012: 4).

2.5.1. Court French and Judgments of the ECJ

Institutional norms imposed by the EU, the monolingual language regime, a general lack of native-like fluency are some of the reasons behind the development of the so-called **Court French**, a variety of French used in the ECJ that is perceived as unnatural, which further “undergoes many permutations of translation into and out of up to 23 different languages” (McAuliffe 2012: 4). Although certain measures have been implemented to counter these deformations⁴⁵, overreliance on French runs the risk of not only “subconsciously employing French legal concepts, forgoing relevant legal concepts from other legal systems” (Schübel-Pfister 2004: 74), but also of distorting the conventions of other languages used in the ECJ. From 1960s to 1979, documents were heavily inspired by “the French drafting style”, as exemplified by the use of *attendu que*” (the so-called *attendus*, consideration reasons), which resulted in “a succinct, syllogistic structure, with a dry tone and abstract style” (Bobek 2014: 15). Each reason was introduced by the means of conjunction *attendu* and a list of subordinate *que* clauses, containing the constituent points. In consequence, **logical connectors** were not used explicitly (at times they were ambiguous or even omitted) and it was difficult to discern logical function of each of the reasons (Šarčević 1997: 126)⁴⁶. Another peculiarity was a *curieuse habitude* (Berteloot 1988: 14) of resorting to conditionals in order to formulate the arguments of the parties, which was a visible influence of German, where the subjunctive is used to render the reported speech. This violated the typical use of the subjunctive in French, where it is used to speak of facts that are doubtful, only possible, or not accounted for (Berteloot 1988: 14): “if an idea is not clearly substantiated or validated, the subjunctive may be used” (Batchelor 2000: 296). This can cause confusion, which, in turn, might have real repercussions, especially when mistakes appear in the most important part, *ratio decidendi* (reasons for

⁴⁵ For instance, “lawyer-linguists in pivot language divisions (...) tend to use ‘simple language’ in an effort to minimise the risk of mistranslation further down the line” (McAuliffe 2008: 814),

⁴⁶ Later on, the Court “thankfully gave up” *attendus*, and the style became more comprehensible due to single sentences being abandoned (Bobek 2014: 15).

deciding) in preliminary rulings. This happened in the judgment in Case 57/65 (of June 16, 1966), where two arguments were written in subjunctive and were thus taken as arguments of the parties and not the Court (Šarčević 1997:126).

As regards today's judicial style used in the ECJ, it can be briefly described as characterised by: (i) abstract and deductive reasoning; (ii) relatively succinct judgments, at least when seen from the common law world; (iii) an immutable and fixed structure of the judgments; and (iv) the absence of any dissenting or concurring opinions (Bobek 2014: 15).

2.6. Interpretative Practice

As observed before, the jurisdiction of the ECJ is limited to the interpretation of the treaties. Although judgments have a single, authentic version, this is not the case of primary and secondary legislation, where each language version is of **equal authenticity**⁴⁷ and a **single meaning** arises from the comparison of all the versions (i.e. all the languages are reportedly coherent and they create one meaning when compared (Derlén 2015: 54-55)). Furthermore, the principles of equal authenticity and a single meaning are applied differently by national courts and by the Court of Justice. Some national courts use the principle of equal authenticity, that is they find it satisfactory to compare only two to three language versions in order to arrive at the “common meaning”, as the versions consulted are allegedly equally authoritative as all the others (Derlén 2015: 65). For instance, the Financial Court in Munich consulted only two other language versions (the English and the French ones) of the German judgment in order to interpret Council Regulation 754/76 on the customs treatment applicable to goods returned to the customs territory of the Community (Derlén 2015: 64). The Court of Justice, on the other hand, consults all language versions while interpreting EU legislation trying to discern the “intended meaning (...) resulting from the comparison” (Felici 2010: 103).

However, the outcome of such an analysis can be influenced by the approach adopted. Depending on the method, the ECJ can “justify conflicting outcomes in legal cases” (Baaij 2012: 2) thus making the application of EU Law, especially the interpretation of the case-law, less uniform and predictable. The legal reasoning distinguishes between **first-order** and **second-order** arguments used when justifying a decision. The **interpretative method** chosen

⁴⁷ Pursuant to Article 55 TEU, Article 258 TFEU and Article 225 of the Euratom treaty.

is a first-order argument, whereas the **arguments** used to justify the choice of the interpretative method are a second-order argument.

The ECJ most often resorts to either a literal or teleological method as **the first-order argument**. The **teleological** or **purposive** interpretation aims to identify the purpose or the function of an underlying provision by “putting it in a broader context of surrounding law in the legal system” (Conway 2015: 199-200). The **literal** approach, on the other hand, can be understood as interpreting provision at face value, as what appears to be self-evident and obvious at first reading⁴⁸ (Conway 2015: 200). The ECJ typically uses either the **majority argument** (i.e. meaning is attributed to the majority of all the language versions of the legal instrument interpreted) or the **clarity argument** (Baaij 2012: 6) (i.e. some versions are clearer than other and more often than not the “clearer versions” were found in the majority). It follows then that literal approach is virtually synonymous with the majority argument in the ECJ’s interpretative practice (Baaij 2012: 6). As regards **second-order arguments**, used to justify the interpretative method, they are the same for both the teleological and the literal approach: “the need for the uniform interpretation and application of EU law” (Baaij 2012: 5). Since the second order argument can justify either of the approaches, “the legal reasoning of the ECJ fails to clearly explicate when it will choose one strategy or the other” (Baaij 2012: 7). It appears that the method depends on the **degree of technicality** and the **degree of congruity** of all the language versions. Firstly, the more technical the instrument is, e.g. the Regulations on Common Customs Tariffs, the more likely the ECJ is to choose the literal approach. Conversely, the less technical the document is, e.g. the recitals of the Preamble, the more likely the ECJ is to resort to the teleological method (Baaij 2012: 10). Secondly, insofar as the degree of congruity is concerned, the more language versions disagree with each other (especially when **a single language version differs** from other or when the **divergences are assumed to be caused by translation errors**), the more the ECJ is likely to use the **teleological interpretative method** (Baaij 2012: 14).

The role of translation in the functioning of the Court of Justice of the European Union can hardly be overestimated. Firstly, because of the sheer volume of documents translated (1,135,000 pages) and the number of people (44 % of the Institution's staff ⁴⁹) working for the Directorate-General for Multilingualism (see subchapter 2.2.) Secondly, because of the ideology adopted by the EU, where multilingualism is synonymous with equality (see

⁴⁸ i.e. “a straightforward literal interpretation that does not result in any ambiguity or absurdity” (Conway 2015: 199)

⁴⁹ https://curia.europa.eu/jcms/jcms/P_80908/en/

subchapter 1.2.5.) and the possibility to use one's mother tongue before the Court "guarantee[s] equal access to justice for all citizens"⁵⁰. Thirdly, because of the importance of judicial pronouncements of the Court in the EU's legal framework (see subchapter 2.1.), where the ECJ compares different language versions (see above) used when it interprets EU law.

⁵⁰ https://curia.europa.eu/jcms/jcms/Jo2_12357/

Chapter 3. Aims of the Study

3.1. Translation Universals

This dissertation sets out to investigate how different languages of the case influence the language of the Polish Judgments of the ECJ. The basic premise is that the **Source Language (SL)** affects the **Target Language (TL)** and, consequently, non-translated language differs from translated one. Dubbed *translationese* (Baker), *hybrid language*⁵¹, *third code* (Trosborg), *third language* (Duff), or *translanguage* (Al Khafaji) (Biel 2010: 7, Biel 2014: 96-97), translated language is a language variety, conventions, syntax or phraseology of which are affected by the SL “in an inappropriate way or to an undue extent” (Olohan 2004: 90). Allegedly, transformations the **Target Text (TT)**⁵² undergoes are **universal**, hence the **Translation Universals** hypothesis, the most radical version of which was formulated by Mona Baker (1993, 1996). She claimed the existence of 4 universal processes, inherent to translation and encompassing all linguistics levels of the TT (ranging from semantics and syntax to pragmatics):

1. **Explicitation:** “a marked rise in the level of explicitness compared to specific source texts and to original texts in general” (Baker 1993: 243).
2. **Simplification and disambiguation:** “a tendency towards disambiguation and simplification” (Baker 1993: 244).
3. **Normalisation/conservatism:** “a strong preference for conventional ‘grammaticality’”, “a tendency to avoid repetitions (...) and to exaggerate features of the target language” (Baker 1993: 244).
4. **Levelling out:** the tendency of translations “to gravitate towards the centre of a continuum”, as translations are less idiosyncratic and more similar to each other than original texts (Baker 1996: 185).

The strongest phrasing of the hypothesis has been criticised for its imprecise, not operationalizable definitions (Pym 2010), a limited scope of study (only one variable) and methodological constraints (c.f. Biel 2014: 108-110). Furthermore, Baker herself in 1999 changed her position on the issue, as she came to the conclusion that the actual degree of

⁵¹ In this dissertation, the hybrid language is understood narrowly as a specific type of language, i.e. the Eurolect, and not broadly as translated language in general. Furthermore, the judgments of the ECJ are referred to as either a hybrid genre or as belonging to a hybrid legal system (see subchapter 1.1.2.), which might be potentially ambiguous.

⁵² As opposed to the **Source Text (ST)**.

deformation of TTs depends on a variety of factors, such as **language pairs**⁵³, **genre conventions** and **the process of translation itself**. Therefore, Translation Universals proved not to be, strictly speaking, universal (Baker 1999: 292). This has been agreed upon by other scholars, for example Chesterman (2004) or House (2008: 12), who argues that the tendency to render TT more **explicit** (or **implicit**) is by no means a universal feature of the translation process, as it depends on languages pairs. For instance, while there is no trace of explicitation when translating from German into English, texts translated from English into German are made more explicit (House 2008: 12). Conversely, texts translated from Polish into English tend to be more implicit, since English syntax allows for easy noun modification and complementation (Biel 2014: 100), which, in turn, allows for more ambiguity as regards noun phrases. Another universal strategy, **simplification** (e.g. **lower lexical density, disambiguation, avoidance of repetitions, clarifying use of punctuation, a division of long sentences into shorter ones** (Baker 1996: 181–183)) in actuality might be intentionally abandoned by the translator, since a different structure of a text (e.g. “simplifying sentence structures by converting sentences into simple main clauses with few subordinate clauses” (Mauranen 2007: 40)) might impede the flow of sentences. Furthermore, **lower lexical density** of texts postulated under this hypothesis might make them even harder to read, as high frequency words, proved to be overrepresented in translated language (c.f. Laviosa-Braithwaite 1996), might “**combine differently, often with other frequent items**” (Mauranen 2000: 133), thus forming “**strange strings**” of unusual “collocations and multi-word strings” (Mauranen 2000: 19) (see also Chapters 5 and 6).

Because of the abovementioned criticism, some scholars advocated a softened, language-pair dependent version of the hypothesis. The “quest for typical features/tendencies/patterns/regularities of translations” (Biel 2014: 97) was continued⁵⁴ by, among others, Olohan or Chesterman, who (2004, 2010) proposed a distinction between **Source** and **Target Universals** (S- and T-universals). S-universals affect the “equivalence relation which holds between STs and TTs” whereas T-universals are responsible for “the textual fit (naturalness, acceptability) between translations and non-translations of the corresponding genre in the target language” (Biel 2014: 98):

⁵³ In the contexts of the judgments of the ECJ, the differences between language pairs become apparent as regards e.g. discourse markers (see subchapter 5.2.7.), as there is a marked tendency on the translator’s part to add them when translating into Polish from English, but not when translating from French, since the two languages have a similar distribution of these conjunctions.

⁵⁴ Albeit that only theoretically and not empirically.

1. **S-universals:** lengthening of TTs as compared to STs⁵⁵, interference, standardisation, dialect normalisation, reduction of complex narrative voices, explicitation, retranslation hypothesis, reduction of repetition
2. **T-universals:** simplification, conventionalisation, untypical lexical patterning, underrepresentation of TL-specific items (Chesterman 2010: 41–42).

This dissertation assumes that translated texts differ from non-translated texts. It sets out to discover, firstly, to what degree TTs (the translated judgments of the ECJ) converge and how much do they differ from non-translated texts (the non-translated Polish judgments) (i.e. in what areas the TL is **levelled out**, as postulated by Baker) and, secondly, how the TTs differ as regards different languages of the case (LOCs) (i.e. what **TL-specific items** are **underrepresented** and **overrepresented** in a given language pair, as postulated by Chesterman). The study is heavily TL-oriented, due to the mediation of the judgments through French on at least two occasions (see subchapter 2.4.1) and the so-called indirect translation (see subchapter 5.2.3.). However, it can be argued that in many cases there is no single Source Text, but rather Source Texts, indirect translation being a widespread phenomenon. Consequently, it seems time worthy to investigate the actual, empirically observable differences between the judgments of the ECJ as regards the textual fit of Polish versions and to see if the fact of an extra review affects the quality of the text.

3.2. Genre specific patterns, collocations and corpus linguistics

In order to arrive at typical features of translated and non-translated language (in terms of the **distribution** and the **frequency** of the most salient phrases and collocations), this dissertation examines corpora of texts assumed to be representative of their genres. It must be observed that some researchers disagree on the definition of **register** and **genre**⁵⁶ on the one hand, and the collocation on the other. It appears thus essential to briefly discuss the approach adopted in this study, as corpus linguistics or corpus translation studies (CTS) are not a school of thought, but only a tool to look at language, a “study of language through corpora” (Kenny 2001: 23).

⁵⁵ Lengthening of TTs as compared to STs is a phenomenon of a limited extent in the case of the judgments of the ECJ. This is because of the so-called **full sentence rule** (i.e. an emphasis on the sentence to sentence correspondence of the text) and the focus **on surface-level correspondence** (see subchapter 1.2.5. and Chapter 5). This, in turn, leads to an observation that the Translation Universals are not only language-pair dependent, but other factors, such as the institutional setting or the genre of the text are to be taken into account.

⁵⁶ And tools for studying genres within the framework of genre-analysis.

Genre is thought to be a “highly contested notion”, which can be either contrasted or used interchangeably with terms such as **register** or **style** (Handford 2010: 258), and has “only recently” been “disentangled from *register*” (cf. Swales 1990: 40-41). For instance, Biber claims that the *genre* perspective analyses **text-structuring patterns**, i.e. “conventional linguistic characteristics that usually occur only once in a text.” Conversely, the *register* perspective examines “pervasive linguistic characteristics of representative texts excerpts from the [language] variety [studied]” since the focus of the study is “on words and grammatical features that are frequent and pervasive” which are, according to him, “*register characteristics* rather than *genre characteristics*” (2010: 242). This is contrary to the theoretical framework of this dissertation, which views these **recurring patterns** as *genre characteristics*. However, it can be agreed upon that **frequency counts**, unravelled objectively by CTS, “point to interesting [linguistic] phenomena that deserve further investigation and interpretation” (Conrad 2010: 228) irrespective of the labels used to categorise them.

A **frequency-based approach**⁵⁷ is an inductive, empirical approach coinciding with what has been dubbed as a **paradigm shift** in Translation Studies, namely a shift from the Source Text to Target Text (Pym 2004). The contribution of CTS to contemporary linguistics is not limited to orienting the research towards the TL, as it has also added to the debate on the **minimum linguistic units** and **units of meaning** (Biel 2014: 88)⁵⁸ in that it was assumed that “**word combinations** [i.e. **patterns** or **chunks**] are more natural units of meaning than individual items on their own” (Mauranen 2007: 40). Discovering and analysing frequent patterns is particularly revealing in the case of **specialised languages**, which, unlike general language, are not saturated with easily identifiable strings such as idioms and proverbs. **Word clusters** typical of these genres, known in literature under the names of **formulae** or **petrified expressions**, are considered to be the most “central (...) typical, normal and expected (...) building blocks” of the language, and are, consequently, assumed to be “cognitively motivated” and salient (Stubbs 2004: 111).

Linguists who follow Firthian tradition (Firth 1957: 194-195) distinguish **collocations** from **colligations**. The former pertain to “characteristic co-occurrence of patterns of words”

⁵⁷ It is safer calling it a *frequency-based approach* rather than delving into debate, whether the study conducted for the purposes of this dissertation is **corpus-based** or **corpus-driven**, since the distinction is “fuzzy” (see McEnery et al. 2006: 11 for further discussion).

⁵⁸ This coincides with two approaches for studying **phraseology**. The first one is the traditional (or in Nesselhauf’s terms “phraseological”) approach, which views as the most prototypical elements idioms, collocations and proverbs, i.e. clusters that are “fixed to some degree but not completely” (Nesselhauf 2005: 12). The second one, the so-called frequency-based approach going back to J.R. Firth (Nesselhauf 2005: 12), uses **bottom-top** investigative methods to discover which patterns are frequent and “cognitively salient” (cf. Biel 2014: 30-31).

(McEnery et al. 2006: 82) on lexical level. Arguably, certain words have the tendency to be put together and it is the CTS's task to discover this "direct linguistic environment of a word" quantitatively (Biel 2014: 44-45), i.e. by means of using statistical algorithms such as KeyWords (Scott 2010: 149), albeit that it is sometimes a "tricky exercise" (Scott 2010: 140)⁵⁹. One particularly interesting example of fixed expressions are ready-made **boilerplate clauses** ("phrases, sentences to entire clauses or parts of documents" Tiersma 1999: 59) in the case of agreements and **routine formulae** in the case of other legal instruments, which provide **text-structuring patterns**, a sort of "highly repetitive and familiar textual template [which is then] filled with individualising elements (Biel 2014:37) (see also subchapter 1.1.1). Since the separation of new and known elements is explicit, as there exists only a "limited repertoire of standard formulae which are mandatory in certain sections of a document" (Biel 2014:37), prefabricated elements "cut down processing effort" (Partington 1998: 20). Another way to look at the text is to analyse its **colligations**, which, unlike collocations, are discernible on the syntactic level: "the collocation of a node word with a particular grammatical class of words (e.g. determiners) is normally referred to as *colligation*" (McEnery et al. 2006: 82). They do not pertain to "the repeated combination of concrete word forms, but to the way in which word classes co-occur or keep habitual company in an utterance" (Römer 2005: 13). For instance, the word "trial" in legal language is often used without an article and after a preposition: *on trial*, *detention without trial* (Atkins and Rundell 2008: 306).

The most frequent patterns (as opposed to terms) are believed to be one of the **constitutive features of a genre** (and not of a language *variety*; see above). This contrasts with what historically has been the main area of interest of researchers, i.e. lexicology⁶⁰. It follows that treating terms as minimal units might not do justice to specialised language, since some "word combinations which are significant for the legal domain do not contain terms" (Heid et al. 2008: 133). **Phraseology** goes beyond individual words and "charts collocational patterns" in order to study the differences between individual language varieties (Mikhailov 2016: 57) (or language genres). As regards **specialised genres**, there is a recognised need for "corpus-based studies of the prototypical lexico-grammatical patternings and discourse functions of lexical phrases" (Pontrandolfo 2015: 138). Arguably, judgments are a "fertile ground" for the phraseology, since "the frequent use of phraseological units is one of the most striking features

⁵⁹ Computers, unlike humans, need a rule (i.e. and algorithm) in order to recognise similar patterns. It happens that sometimes what is recognisable for humans is not recognised at all by a programme (see Scott 2010 for more discussion and subchapter 4.1.2).

⁶⁰ With some "notable exceptions" of the works of Kjær, Chroma and Goźdź-Roszkowski (cf. Biel 2014: 34; see also subchapter 1.1.1.1.)

of these judicial texts, a real “trademark” of legal texts” (Mortara Garavelli 2001: 154 qtd. in Pontrandolfo 2015: 138)

There are three additional observations to be made insofar as the nature of clusters in question is concerned. Firstly, collocations change over the course of time and depend on a multitude of variables, such as a genre, field, register, style and personal preference. Unlike idioms (a building block of language for the traditional approach), collocations are genre dependent and need to be discovered in a bottom-up analysis. Secondly, not all of them behave consistently, since there are two types of collocations: fixed and free. The former allow for no variation (proverbs, quotations, idioms, etc.) whereas the latter are characterised by “constituent and structural variation” (Biel 2014:45). Lastly, some collocations are hard to distinguish from multi-word terms and discerning them is “arbitrary to a certain degree”, as for example “a legal person” can be qualified as either a term or a collocation (Biel 2014:38). The main advantage of **bottom-up approach** is that it unravels patterns regardless of the working hypothesis of the researcher (for example whether a distinction between *genre* and *variety* is made). These patterns are **empirically testable**, i.e. they are objective pieces of data, and it is of no importance whether a cluster is believed to be a multi-word term, a collocation or an idiomatic expression, since frequency is all that is objectively important. At the same time a restriction has to be made that “surface features” alone do not reveal the communicative purpose of genre. This is done by **top-down approaches** (e.g. move analysis), which require more labour time, but at the same allow for better understanding of the identified surface level features (Upton 2009: 5). In fact, it is not a matter of either/or, as these two approaches are not mutually exclusive, but complement one another. Arguably, a top-down analysis, or “linguistic analys[is] of frequency of syntactic properties in different genres” provides the “necessary empirical evidence to confirm or disprove some of the intuitive and impressionistic statements” as concerns lexico-grammatical characteristics of a given text (Bhatia 1993: 25). However, this dissertation does not aim at describing the judicial genre in a comprehensive manner⁶¹, but it sets out to investigate differences in the translated judgments of the ECJ as regards the language of the case. To do so, this study resorts to both methods described above: a top-down analysis (qualitative; Chapter 5) and a bottom-up analysis (quantitative; Chapter 6).

⁶¹ Firstly, because it has already been done (see e.g. subchapter 2.4.1.3), Secondly, because this paper does not describe the judicial genre itself, but in turn studies translated judgments, which share the communicative purpose with the authentic text. This is why the tools of genre analysis are not fully compatible with this study.

3. 3. Hypotheses and research questions

This dissertation attempts to discover whether and to what extent the **language of the case** (LOC)⁶² affects the TL. One working hypothesis is that the process of translation distorts the **textual fit** of translated texts, i.e. they are assumed to read, to an extent, differently than non-translated ones, as they use unnatural phraseology, diverge as regards the distribution of TL-specific items (some might be overrepresented, whereas some underrepresented) and are in general characterised by untypical lexical patterning. Another assumption is that the judicial pronouncements of the ECJ form a specific genre (divergent from the Polish non-translated judicial genre), understood for the purposes of this study as a language variety that has distinct patterns of surface level linguistic features.

As regards potential difficulties, there might be a confounding factor of a pragmatic nature: no language (apart from French) is used exclusively in the ECJ throughout the case, which means that the judgments are a true **melting pot of languages**. Furthermore, another factor affecting the quality of translated judicial pronouncements is the function of a Judgment Reader, i.e. a professional who reviews the judgments passed in his or her mother tongue. This extra review might be one of the reasons behind the divergences between the texts translated from Polish as the LOC and from other languages, since other judgments have not undergone so much scrutiny (as concerns the Polish versions).

Thus, the objective of this dissertation is to examine how different languages of the case, despite strong mediation through French and an extra review the Polish judgments undergo, actually affect the end-product. The findings may contribute new data to partially answer the questions such as: Does the LOC affect the language of translated EU legal instruments, i.e. do E/F-LOC (see subchapter 4.1.2.1.) behave differently as P-LOC? And, in case of divergences, does P-LOC behave more like F-LOC (due to mediation through French) or like E-LOC? The analysis may additionally throw some light on the actual strategies employed by translators and types of errors committed. It might also unravel some traces of indirect translation and help to assess how the monolingual revision by a trained professional influences the quality of the text.

⁶² Which cannot be equalled with the SL, given the mediation through French and indirect translation.

Chapter 4. Methodology

4.1. Research method

The main objective of this dissertation is to examine whether and how the LOC affects the TL. In order to do so, the study adopts both quantitative and qualitative approaches. Quantitative methods are an empirical way to test initial impressions on the researcher's part. Sets of data, i.e. frequencies of specific items and patterns of distribution, help to identify "patterns of use that otherwise often go unnoticed by researchers" (Biber et al. 2004: 176, qtd. in Conrad 2010: 229) and are considered to be "indirect objective measures of the subjective concept of salience (which is what we really want)" (Stubbs 2004: 117). The objectivity of the results reduces "speculation and subjectivity" and allows to verify researchers' hypotheses in a more systematic manner, based on "extensive linguistic material" (Biel 2014: 89). However, a corpus analysis provides only the "what" part, and it is then the researcher's task to provide the "why" part. In other words, the findings are not to be presented as raw data, but they have to be followed by an explanation of why certain patterns or word clusters are more salient than others, which is a result of a qualitative analysis.

4.1.1. Qualitative analysis

The qualitative analysis, the results of which are presented in Chapter 5, had two objectives. The first one was to provide a list (annexed at the end of the dissertation) of expressions triggering in translation the markers analysed within the scope of this study and their translation equivalents⁶³. The second objective was to examine typical shifts and errors made in translation.

For the purposes of the analysis, 10 judgments were examined (the 5 longest judgments from E-LOC: T-587/08, T-655/11, T-588/08, T-541/08, T-190/12, and the 5 longest from F-LOC: T-299/08, T-90/11, T-566/08, T-370/09 and joined cases T-56/09 and T-73/09) in a trilingual view on EUR-Lex⁶⁴. The 5 abovementioned judgments translated from English into Polish have 231,039 words, whereas 5 judgments translated from French into Polish have 194,009 words. The sample size of all the texts combined is of a roughly half a million words (425,000).

⁶³ With the focus on "typical" strings, as opposed to the so-called **strange strings** (see subchapter 3.1.)

⁶⁴ <http://eur-lex.europa.eu/homepage.html>, the second page where the ECJ publishes its judgments.

4.1.2. Quantitative analysis

In order to recognise statistically important patterns, the study examines and compares seven comparable monolingual corpora through, among others, KeyWords, WordLists, and Concordance searches (see subchapter 4.1.2.1.1.). For the purposes of this dissertation, corpora are understood as machine-readable, authentic texts, sampled to be representative of a given language or language variety (or a genre) (McEnery et al. 2006: 5).

The study uses a set of **three translated corpora** comprising the **judgments of the ECJ** translated into Polish, which are compared to **four non-translated corpora**: a corpus consisting of the **non-translated Polish judgments**, a set of two corpora comprising the **non-translated Polish legislation**, and a corpus of (Polish) **general language**. The study aims at unravelling the divergences between, firstly, the translated corpora according to the LOC and, secondly, between the translated and the non-translated corpora.

4.1.2.1. Corpus design

This analysis is part of the project *The Eurolect: an EU variant of Polish and its impact on administrative Polish* (the National Science Centre, grant 2014/14/E/HS2/00782), which is a follow-up on the *Eurofog Project* led by Łucja Biel (and published in a book form: *Lost in the Eurofog: The Textual Fit of Translated Law*). The research looked at Polish (national) legal language and how it was influenced by years of translating and adopting EU Legislation. Having adopted the bottom-up approach, the research team discovered which elements distinguished the nontranslated legal documents from the translated ones and how the translation of *acquis* influenced national legislation. Three of the corpora used during this project (two comprising the **non-translated legislation**: Polish Law Corpus, **PLC15**⁶⁵, and Post-accession Polish Law Subcorpus, **2011KP**, and one consisting of **general language**, the National Corpus of Polish, **NKJP**) serve as **reference corpora**. The remaining reference corpus (**JUDGPL**), created by Dariusz Koźbiał for the Eurolect project, comprises 500 **non-translated judgments**, which are assumed to share generic features with the judgments of the ECJ.

⁶⁵ The results for the PLC corpus have been updated since the date of their publication. Older texts has been removed, so that the corpus is more representative of the 2011-2015 sampling frame. The small PLC reference corpus consists of 9 Codes and Laws from 2011-2015, and of 135 Standard statutes from 2011-2015.

The reference corpora are compared to three corpora comprising the **judgments of the ECJ translated into Polish** (also created by Dariusz Koźbiał), which consist of up to hundreds of pages, as they contain the summary of all the facts relevant for the case and grounds for the decision (see subchapter 2.4.1.3). The decisions were grouped accordingly to the language of the case, i.e. rulings with English as the LOC were dubbed **E-LOC** (464 judgments), with French- **F-LOC** (312 judgments), and with Polish- **P-LOC** (52 judgments). The uneven number of documents in the corpora⁶⁶ exposes potential disadvantages of using corpora, i.e. problems connected with their “availability, representativeness, balance and comparability” (Biel 2014: 89). This, however, can be overcome, at least partially, by means of e.g. **normalisation** (see subchapter 4.1.2.2.). Furthermore, the **translated corpora (E/F/P-LOC)** were accompanied by language versions corresponding to the LOC, but the analysis of corpora in other languages proved not to be feasible within the scope of this study. Thus, this dissertation aims only at comparing the translated texts with the non-translated texts as regards the textual fit of the former.

4.1.2.1.1. Software

The corpora were analysed with Wordsmith Tools version 7.0, created by Mike Scott (2017). Although the corpora were not lemmatised (i.e. all inflected forms were not grouped together and searched under one entry), this study nonetheless tried to search all the inflected forms, which at times can prove to be challenging, since all Polish verbs conjugate and all nouns, pronouns, adjectives, adverbs and numerals have their own declension patterns. In order to find all the inflected forms, **lemma lists** and **stop lists** (i.e. specific file formats listing all the inflected forms that are to be searched for by the programme) were created manually⁶⁷. As regards the procedure in the case of lemma lists, all the inflected forms were pasted into a text file and processed in Microsoft Word. Tags and spaces were removed through the find and replace command, every word was capitalized and, finally, commas were added where necessary. The lemma list for *który* [which] looked as follows:

KTÓRY -> KTÓRY, KTÓRA, KTÓRE, KTÓRZY, KTÓREGO, KTÓREJ, KTÓREGO, KTÓRYCH, KTÓREMU, KTÓREJ, KTÓRYM, KTÓRA, KTÓRYMI

⁶⁶ Which nonetheless reflects the real use of a given language in the ECJ in the sampling frame 2011-2015, since all the available judgments have been used.

⁶⁷ E.g. by means of consulting sources as <https://pl.wiktionary.org>

Words following the same inflectional patterns (be it adjectives, verbs or pronouns) were created through the find and replace command, e.g. *jaki, jaka, jakie* became *taki, taka, takie* after *jak* was replaced with *tak*. Lemma lists were loaded into Wordsmith, which allowed me to group all the word forms under one entry in **Wordlists**. For instance, *który* was lemmatised as follows in E-LOC:

Table 3: Lemmatised entries of który

| | |
|--------------|---------------|
| który | 3,714 |
| która | 3,057 |
| które | 10,340 |
| którego | 2,997 |
| której | 3,014 |
| któremu | 170 |
| których | 6,392 |
| którym | 4,240 |
| którymi | 475 |
| którzy | 706 |
| która | 1,230 |
| TOTAL | 36,335 |

Searching only for one form, i.e. masculine, nominative case (*który*) produced 3,714 results, only 10% of the total. All nominative cases (*który, która, które*) amounted only to 17,111, which is roughly only one third (36%) of all the results, when all the inflected forms are counted.

Stop lists were used decidedly more often in this study. The procedure was similar, i.e. all inflected forms were grouped together and processed in a word processor. However, the purpose of stop list is not to group the words under one entry in **Wordlists** (as is the case of lemma lists), but to display all forms in **Concordance**. This allows for replacing word chunks by asterisks (*), which, in turn, makes more complex searches possible. For instance, the following stop list was used to search for the present tense forms of the passive voice with the auxiliary *zostać* [to become]:

zostaj* *ta

zostaj* *te

zostaj* *ty

zostaj* *ona
zostaj* *one
zostaj* *ony
zostaj* *ana
zostaj* *ane
zostaj* *any

The results produced by lemma lists and stop lists were either the same or the differences were statistically insignificant. This, however, raises the issue of the relevance of the results, as at times it was difficult for the programme to correctly identify all the clusters in question. This is because Polish is an inflectional language that has a relative free word order. For instance, the cluster *jest stosowane* [to be applied] can have various **positions of collocates** or **collocate horizons** (L1, L2, L3, L4, R1, R2, etc.)⁶⁸, with different inflected forms of the verb *to be*, which are not picked by the algorithm:

- PL1: (...) *ustawy i przepisy (...) będą stosowane [L1] do statków powietrznych (...)*
PL2: (...) *że porozumienie zawarte w 1945 r. nie jest już stosowane [L2](...)*
PL3: *Są one stosowane [L2] w sposób przewidziany w prawie krajowym(...)*
PL4: (...) *celu porozumienia (...), w jakim ma być ono stosowane. [L2]*
PL5: (...) *odstępstwo z poziomem opodatkowania, które byłoby wobec niej stosowane [L3],(...)*
PL6: (...) *podwyżki cen (...) nie mogły co do zasady być w pełni stosowane [L3] wobec klientów (...)*
PL7: (...) *opierał się on na kryteriach, które są obiektywnie uzasadnione oraz stosowane [L4] (...)*
PL8: *Środki służące reorganizacji stosowane będą [R1] zgodnie z (...)*
PL9: (...) *dochodów osiągniętych w innym państwie członkowskim przez G. Imfelda, które (...) stosowane są [R1] jako podstawa dla przyznania korzyści podatkowych (...)*

Conversely, the algorithm could have produced some false positives as well:

- PL10: (...) *ryzyko w przypadku transportu na duże odległości, to jest kryterium stosowane [L2] [i.e. criterion applied, and not: it is applied] w ramach oceny TZO (...)*

⁶⁸ L1 denotes the first word to the left of, L2 the second to the left, etc. Conversely, R1 pertains to the first word to the right, whereas R2 to the second word to the right, etc.

PL11: (...) *gdy progi takie jak te przez nie stosowane są [R1] łączone z systemem* (...) [when thresholds, such as those applied by Tomra]

Another example of how the researcher's vigilance is needed are situations where the algorithm produces false positives and does not display all the correct results, e.g. perfective adverbial participles (forms ending with *-wszy/-wszy*, corresponding to the English *having done*). Roughly 50% of the entries had to be discarded, as the programme counted also the ordinal number *pierwszy* [first] (the same was true for present adverbial participles *-no/-to*, where some false hits were caused by the pronoun *ono* [it]). On the other hand, Concord did not display in Collocates tab entries that appeared only once; this technical restraint was the reason why only **types** (see below) with at least 2 instances could have been counted (see subchapter 6.5.2.)

When the number of results was between a couple of dozens to a hundred, it was possible to count the expressions by hand and sift out false hits (e.g. *r.*, an abbreviation for *in the year (roku)* was treated by the programme as the beginning of a new sentence, when forms such as **. X* were searched for). Whenever it was impossible to sift through all the data due to the sheer number of results, the same procedure was adopted for all the corpora, i.e. the same lemma lists or stop lists were used. This is supposed to produce comparable results after standardisation. Never has any of the corpora been treated differently than others because of its size. Consequently, the results are always comparable among E/F/P-LOC and JUDGPL, as the methods of scrutiny were employed consistently.

4.1.2.2. Structure of corpora

All the judgments (the translated and the non-translated ones) come from the same sampling frame, i.e. from the years 2011-2015. E/F/P-LOC were downloaded from the website <https://curia.europa.eu/> and copied to a .txt file format. JUDGPL was downloaded from the website http://www.sn.pl/orzecznictwo/SitePages/Baza_orzeczen.aspx and treated in the same manner. Each of the corpora has been checked for “intruders”, i.e. texts that were not written in Polish. As there were no tags in files (the judgments on the websites are already in a Unicode format), the texts were placed in folders and fed to the programme to create WordLists files (a

list arranging all the **types**⁶⁹, i.e. distinct words that appear in a given text, in the order of frequency) and Concordance searches. The statistics are as follows:

Table 4: Global statistics for the corpora analysed in the study

| | The translated judgments of the ECJ | | | The on-translated judgments | The non-translated legislation | | General language |
|-------------------------------|-------------------------------------|-----------|---------|-----------------------------|--------------------------------|-----------|------------------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Texts | 464 | 312 | 52 | 500 | 144 | 50 | -- |
| Tokens (running words) | 3,923,461 | 2,199,860 | 257,848 | 1,286,943 | 1,865,016 | 1,306,517 | 240,192,461 |
| Types (distinct words) | 63,452 | 47,594 | 15,100 | 38,741 | 34,940 | 34,859 | n.d. |
| Standardised type/token ratio | 43.01 | 42.95 | 42.80 | 43.92 | 33.77 | 38.61 | n.d. |
| Standard deviation | 56.97 | 56.88 | 56.39 | 56.04 | 66.21 | 60.50 | n.d. |
| Mean sentence length (words) | 27.88 | 27.51 | 26.94 | 23.37 | 27.31 | 20.06 | n.d. |
| Standard deviation | 23.32 | 23.88 | 23.39 | 19.94 | 39.86 | 30.71 | n.d. |

As it can be observed, all the judgments (translated and non-translated) have almost identical characteristics as regards the **standardised** (see below) **type/token ratio** and the **mean sentence length** in words⁷⁰. Thus, despite the differences in size, the corpora appear to

⁶⁹ As opposed to **tokens**, i.e. the sheer number of words that appear in a given text.

⁷⁰ It has to be noted that the results might be blurred by the fact that the algorithm treats all full stops as the end of a sentence. However, this is not always the case, as there are other full stops, e.g. after abbreviations such as *art.* [article] and *r.* [year] (in Polish *r.* is always added after the year: it is *2008* in English and French, but *2008 r.* in Polish). Yet, as all the results pertain to Polish texts, this should produce strikingly different results, as all the texts use the same abbreviations. Nonetheless, a restriction has to be made that the average sentence length is only to be treated as a means of approximation (see also subchapter 5.1.1. for more measures of assessing the text complexity).

be representative of the judicial genre. At this stage, however, it is difficult to draw any other conclusions as regards the differences between the translated and the non-translated judgments. Secondly, there appear to be discernible divergences between the judicial genre and the legislative genre, since the judicial pronouncements seem to be more lexically varied as regards the **standardised type/token ratio**, which is statistically higher in the judgments than in the non-translated Polish legislation. This is most likely due to the fact that the judgments feature more proper names, because they provide the summary of all the facts and name all the circumstances.

All the frequencies were **standardised (normalised)** in a Microsoft Excel spreadsheet, i.e. the number of occurrences of a given pattern in a corpus was divided by the number of tokens in the corpus used by the programme, and the result was multiplied by 1,000,000. This gave the so-called **frequency per million words** (or **normalised frequency, NF**), which makes the results comparable between the corpora. **None of the figures presented in this dissertation are raw frequencies (RF), i.e. all frequencies have already been normalised.** For example, in the case of the cluster *z przyczyn(y)*, the results are as follows:

Table 5: A comparison of raw and normalised frequencies

| | Translated judgments of the ECJ | | | Non-translated judgments |
|----------------------------------|---------------------------------|-----------|---------|--------------------------|
| | E-LOC | F-LOC | P-LOC | JUDGPL |
| Frequency in corpus (RF) | 71 | 41 | 4 | 117 |
| Tokens used for Wordlists | 3,629,107 | 2,028,950 | 236,219 | 1,188,988 |
| Frequency per million words (NF) | 19,564 | 20,207 | 16,933 | 98,403 |

Chapter 5. Qualitative analysis

Previous chapters of this dissertation discussed the specificity of legal translation, with a special focus on EU legal instruments. As concerns the ECJ judgments, there are, arguably, three main groups factors, which affect their language and increase the internal variation of the rulings:

1. The mingling of styles (interdiscursivity: informative and academic styles; the reported speech [witness testimonies], etc.)
2. The mingling of methods and strategies employed during the translation process (**cluster citations; indirect translation**; diverse ways of ensuring use of the **appropriate terminology**: glossaries such as CuriaTerm or IATE, CAT tools, termbases and translation memories, etc.)
3. The mingling of languages (different LOCs [**normalising** idiosyncrasies in Polish], **pivot translation, mediation through French**, etc.)

For the purposes of this dissertation, the mingling of strategies and methods is discussed jointly with the mingling of languages, as it is not always possible to separate the two.

5.1. Interdiscursivity: the mingling of genres

5.1.1 Neutral/purely informative style

Chapter 1 discussed how legal documents presuppose some varying levels of knowledge on the part of the reader. In other words, some texts require little expertise, whereas some presuppose more familiarity with the subject matter in order to be comprehended. The divergent “difficulty” of texts can be explained by a varying **cline of expertise**. Insofar as the judgments of the ECJ are concerned, they display a considerable degree of internal variation as regards both the topics covered and the recipient’s presupposed expertise. Some recitals are written in more “academic” style (most likely due to the influence of the Opinion of the AG), some in more “neutral” style (e.g. recitals that explain how paraffin waxes are made) and some feature traces of colloquial (oral) language⁷¹. The difference between the following recitals (two of them written in the “neutral” style) of the same judgment is noticeable at first glance:

⁷¹ Noteworthy, this internal variation seems to be **levelled out** and **normalised** in Polish judgments.

EN1: *Paraffin waxes are manufactured in refineries from crude oil. They are used for the production of products such as candles, chemicals, tyres and automotive products as well as in the rubber, packaging, adhesive and chewing-gum industries (recital 4 of the contested decision).* [T-541/08, recital 3, LOC EN]

[mean sentence length: 21, tokens: 42, types: 34, type/token ratio: 80.95]

EN2: *Slack wax is the raw material required for the manufacture of paraffin waxes. It is produced in refineries as a by-product in the manufacture of base oils from crude oil. It is also sold to end-customers, to producers of particle boards for instance (recital 5 of the contested decision).* [T-541/08, recital 4, LOC EN]

[mean sentence length: 16.33, tokens: 49, types: 38, type/token ratio: 76]

EN3: ***Fourthly, in the light of the case-law cited in paragraph 451 above, the Court finds that the errors of assessment concerning the definition of the undertaking that committed the infringement during the joint venture period, in conjunction with the absence of a separate ceiling for the portion of the fine relating to that period, are capable of increasing the financial consequences for the applicants of the infringement committed directly by Schümann Sasol. This is because the part of the fine exceeding 10% of the turnover of Sasol Wax International is supposed to be payable by its parent companies, while, at the same time, the failure to find Vara and Mr Schümann jointly and severally liable is capable of affecting the final apportionment of the fine before a national court, to the detriment of the applicants and, in particular, Sasol Holding in Germany and Sasol Ltd.*** [T-541/08, recital 461, LOC EN]

[mean sentence length: 72.5 tokens: 145, types: 82, type/token ratio: 56.94]

The last recital uses different terms/lexemes (*infringement, applicant, etc.*) and collocations/phrasemes than the previous two. Furthermore, the sentences in recital 461 are three to almost five times longer in comparison with recitals 3 and 4. Typically, longer sentences are more repetitive as regards distinct words and feature more recurring segments (which translated to a lower type/token ratio), because they need to be organised; conversely, shorter paragraphs describing “new” facts and objects have consequently more types and less conjunctions. However, the mean sentence length⁷² and the mean word length do not always play a decisive role as regards the complexity and comprehensibility of texts (Jopek-Bosiacka

⁷² See subchapter 4.1.2 for more discussion on limitations of determining this parameter.

2006: 22). This can be also measured by e.g. Flesch Reading Ease Test Index⁷³ (48 for informative recitals as opposed to -9.8 for EN3) or Gunning Fog Index⁷⁴ (16.5 for informative recitals, as compared with 38 for the EN3), which both show that recital 461 is vastly more difficult to read than recitals 3 and 4.

The two “styles” show similar properties regardless of the language. Furthermore, the neutral style does not depend on the length of the recital. For instance, the following one is almost twice as long as the previous ones, but resembles closely the first two recitals:

EN4: *Sodium chlorate is a strong oxidising agent manufactured by the electrolysis of a sodium chloride water solution in a diaphragm-less cell. Sodium chlorate can be produced as a crystal product or as a solution product. Its largest application is for the manufacturing of chlorine dioxide, which is used in the pulp and paper industry for the bleaching of chemical pulp. Other applications include, to a lesser extent, drinking water purification, textile bleaching, herbicides and uranium refining (recital 2 to the contested decision).* [T-299/08, recital 2, LOC FR]

[mean sentence length: 20.5 tokens: 82, types: 57, type/token ratio: 69.51]

5.1.2. Reported/direct speech

Witness testimonies are part and parcel of hearings. In general, testimonies in civil actions are less colloquial than in criminal ones, due to the nature of the cases. Still, irrespective of their content, testimonies can be reported in many ways. Some recitals in the judgments of the ECJ merely make a reference to the words of the witness, whereas other report them almost in entirety:

EN5: *Seventh, as regards recital 207 to the contested decision and the related footnote 259, the Commission states there that ‘[i]t is to be noted that, in the context of the discussion between Finnish Chemicals and [Arkema France] regarding the customer MODO, Mr [L., Arkema France’s representative] called Mr [B.] (the representative of Quadrimex, Finnish Chemicals’ importing company in France) in*

⁷³ Calculated with the help of <http://www.readabilityformulas.com/free-readability-formula-tests.php>

⁷⁴ Calculated with the help of <http://www.readabilityformulas.com/free-readability-formula-tests.php>

order to discuss [Arkema France's] volume losses' and that '[d]uring these phone calls on 2 and 5 October 1998, Mr [L.] complained about the Scandinavian aggressivity and claimed volume compensations for [Arkema France]'. In that regard, it follows from the documents cited at footnote 257 and from point 4.3.1.20, entitled '1998 – Conflict concerning the customer MODO', at recitals 205 to 216 to the contested decision, that, in order to establish the precise nature of the contacts between competitors concerning supplies to the customer MODO, the dates of those contacts and the volumes allocated, the Commission relied wholly on the precise information which Finnish Chemicals had supplied to it. The Commission therefore did not make a manifest error of assessment in deciding that the information supplied by Arkema France in that regard did not have significant added value. [T-299/08, recital 365, LOC FR]

[mean sentence length: 47.75 tokens: 201, types: 102, type/token ratio: 53.40)

EN6: *The Chiquita employee states as follows: | 'Why did we move by 1.5 only, while Dole moved 2.0? | Yesterday we felt the market was heating somewhat, but more in the neighbourhood of 1.00 euro. | This morning, Dole did not take my call, and [without] consulting announced 2.00 (through [J.], so avoiding possible questions). What could be their motivation? | (1) | ... the Edeka promotion: Edeka is doing a one week 3rd label promotion "below the Aldi price" (normally their mix is 60 Dole, 30 CB, 20 DM plus some 3rds). They forced all their suppliers to help. Edeka had agreed with Dole to purchase 80K boxes at Aldi price. By moving the market and Aldi price up they [Dole] first get a better price for the 80K ... As we will participate with 50K CS, we might take some benefit out of this. | (2) | Dole knows we [Chiquita] have a lot of Dole plus deals and is using this more and more to push our real price up, while staying much lower. | Later, Dole called me, repeated their move and said "and the Aldi price will certainly move 2 also". | Through Weichert ... we know that they found Dole's move somewhat exaggerated. | All indicates to me that Dole is overdoing it, for their motives. We should not be perceived as all but too happy to follow, so we decided for 1.50, closing the gap to 2 with Dole and 4.50/5.00 with the 3rd.' [T-587/08, recital 473, LOC EN]*

[mean sentence length: 17 tokens: 240, types: 126, type/token ratio: 57.27)

Apart from the qualitative differences between the texts (as regards the register, the collocations used, etc.), these two recitals differ on a quantitative level. The mean sentence length is significantly higher in the first one, which uses more reported speech than direct

speech. Consequently, the text is written in a formal register. As regards the second recital (saturated with expressions typical of oral/colloquial language and written in a lower register), it appears to be a source of problems in translation. Lawyer-linguists, in their attempts to **naturalise** all idiosyncrasies of direct speech, have a preference for combining the most frequent legal phrasemes and lexemes with words that are not perceived as their natural collocates (see subchapter 5.2.7 for a detailed comparison of the English, French and Polish versions of recital 474).

5.1.3 Academic style

As observed in Chapter 2, Opinions of the AGs, written in their own, distinct style, are incorporated into the ECJ's judgments⁷⁵. Although it would take a considerable amount of both time and effort to verify which fragments were copied from the opinions, at times it is apparent. One of the tell-tale signs are unique collocations and phraseology:

EN7: *The Courts of the European Union have also stated that in this context the term 'undertaking' must be understood as designating an economic unit even if in law that economic unit consists of several natural or legal persons (Case C-217/05 Confederación Española de Empresarios de Estaciones de Servicio [2006] ECR I-11987, paragraph 40, and Elf Aquitaine v Commission, paragraph 51 above, paragraph 53). They have thus emphasised that, for the purposes of applying the competition rules, formal separation of two companies resulting from their having distinct legal identity is not decisive. The test is whether or not there is unity in their conduct on the market. Thus, it may prove necessary to establish whether two companies that have distinct legal identities form, or fall within, one and the same undertaking or economic entity adopting the same course of conduct on the market (Imperial Chemical Industries v Commission, paragraph 50 above, paragraph 140, and Case T-325/01 DaimlerChrysler v Commission [2005] ECR II-3319, paragraph 85). [T-587/08, recital 52, LOC EN]*

⁷⁵ And more often than not, the judges agree with the AG.

Insofar as the Polish judgments are concerned, there is a marked tendency to **naturalise** the language, i.e. to translate every paragraph and sentence without taking into account the idiosyncrasies discussed above (see also subchapter 5.2.5. for the comparison of the English, French and Polish versions of recital 52).

5.2. The mingling of languages and methods employed

5.2.1. Intertextuality: an interdependence of texts

Due to the inherent intertextuality of legal genres, the language of the judgments is influenced by the language of other legal documents (including legislation) and their translated versions. The judgments of the ECJ rely on **cluster citations** (see subchapter 2.4.1.) in order to use the appropriate terminology consistently. For the purpose of stating the legal basis for a decision, the pertinent passages from *acquis* are consulted and reproduced without changes⁷⁶. For instance, the following recital refers to and quotes several other instruments:

EN8: *Last, it must be observed that both Regulation No 314/2004 and Decision 2011/101 provide for exceptions to the restrictive measures which they establish. Thus, under Article 7(1) of Regulation No 314/2004, the competent authorities may authorise the release of funds or economic resources ‘**necessary for basic expenses, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums and public utility charges**’ or ‘**intended exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services**’. Further, Article 4(3) to (5) of Decision 2011/101 provides for derogations from the prohibition on entry into or transit through the territory of the Member States, inter alia ‘**where travel is justified on urgent and imperative humanitarian [sic] grounds**’. [T-190/12, 301, LOC EN⁷⁷]*

⁷⁶ Interestingly, whenever a document to be quoted is not published in all official languages, e.g. a statement of the Commission that is available only in French and English, the fragments translated for the purposes of the judgments are not authentic (see subchapter 1.2.). The passages are annotated with [*tłumaczenie nieoficjalne*] [unofficial translation]. In other words, in an authentic judgment of the ECJ (i.e. whenever Polish was the LOC), some parts of the recitals might contain fragments that are not authentic.

⁷⁷ This fragment is not taken from E-LOC (the translated Polish judgments with English as the language of the case), but from an English judgment with English as the language of the case.

Another means of maintaining coherence are **routine formulae** and phrases shaping the macrostructure, for instance:

EN: (...) *On those grounds, | THE GENERAL COURT (Eighth Chamber) | hereby: (...)*

FR: (...) *Par ces motifs, | LE TRIBUNAL (huitième chambre) | déclare et arrête : (...)*

PL: (...) *Z powyższych względów | SĄD (ósma izba) | orzeka, co następuje: (...)*

EN: *Dismisses the action as to the remainder;*

FR: *Le recours est rejeté pour le surplus.*

PL: *W pozostałym zakresie skarga zostaje oddalona.*

However, some **routine formulae** have variants, which causes the judgments to be less coherent:

EN: (...) *having regard to **the written procedure** and further to the hearing on 25 January 2012, (...)*

FR: (...) *vu **la procédure écrite** et à la suite de l'audience du 25 janvier 2012, (...)*

PL: (...) *uwzględniając **procedurę pisemną** i po przeprowadzeniu rozprawy w dniu 25 stycznia 2012 r., (...)* [T-588/08 LOC EN]

EN: (...) *having regard to **the written procedure** and further to the hearing on 4 November 2014, (...)*

FR: (...) *vu **la procédure écrite** et à la suite de l'audience du 4 novembre 2014, (...)*

PL: (...) *uwzględniając **pisemny etap postępowania** i po przeprowadzeniu rozprawy w dniu 4 listopada 2014 r. (...)* [T-655/11 LOC EN]

These formulae are not distributed evenly in Polish judgments, as **procedurę pisemną** is used slightly more often (see subchapter 6.5.2 for more details). This begs some interesting questions: is maintaining coherence possible, given the sheer number of legal instruments in use? What methods are employed to assure the quality of the text and how do they influence the language of judgments?

5.2.2. Maintaining terminological coherence

As observed, **cluster citations** are one of the ways to assure quality of the documents as regards the appropriate terminology. Using fragments of other texts means that translators have their hands tied. Consequently, tasks such as copying names of documents should not prove to be troublesome, at least in theory. However, translators are over-diligent or over-cautious at times and **explicitate** the texts by providing additional pieces of information:

- EN: *Article 5-1 was supplemented by **Law No 2005-882 of 2 August 2005 in favour of small and medium enterprises** (...)*
- FR: *L'article 5 1 a été complété par la loi no 2005 882, du 2 août 2005, en faveur des petites et moyennes entreprises (...)*
- PL: *Artykuł 5–1 został uzupełniony przez **loi no 2005 882, du 2 août 2005, en faveur des petites et moyennes entreprises (ustawę nr 2005 882 z dnia 2 sierpnia 2005 r. na rzecz małych i średnich przedsiębiorstw)** (...) [T-90/11, recital 69, LOC FR]*

Loi no 2005 882, du 2 août 2005, en faveur des petites et moyennes entreprises is not a proper name and copying it into the target text appears to be unsubstantiated. A situation where a translator combines “two, three or four (...) procedures respectively for dealing with a single problem” (Newmark 1988: 91) is called a **translation couplet**. Firstly, what was supposed to be a proper name was copied, and, secondly, the French name of the document was translated into Polish as well.

At other times, additional pieces of information are added in order to facilitate identifying the object referred to in the text (which is another way of **explicitating** the text):

- EN: *(...) shipping cooperation between Chiquita and Pacific in relation to the ports of Salerno (Italy) and **Aigio** (Greece) (...)*
- FR: *(...) une coopération en matière d'expédition entre Chiquita et Pacific en ce qui concerne les ports de Salerne (Italie) et d'**Aigion** (Grèce) (...)*
- PL: *(...) współpracy w dziedzinie wysyłki między spółkami Chiquita i Pacific w odniesieniu do portów Salerno (Włochy) i **Ejo [Aἴγιον]** (Grecja) (...) [T-655/11, recital 212, LOC EN]*

Segments are typically copied in CAT tools, which allows the translators' assistants to look how recurring fragments have been translated⁷⁸ and to consult glossaries (e.g. IATE or internal termbases such as CuriaTerm) in order to consistently use the appropriate terminology and focus more on new or potentially difficult parts (Koźbiał 2017: 161-166). However, one risk of an overreliance on suggestions made by CAT tools is that it might lead to creation of a text, the collocations and phrasemes of which will not be perceived as natural for the TL:

EN: (...) *the Commission gathered a body of documentary evidence* (...)

FR: (...) *la Commission a réuni un ensemble de preuves documentaires* (...)

PL: (...) *Komisja zgromadziła materiał dowodowy w postaci dowodów z dokumentów* (...)
[T-541/08, recital 304, LOC EN]

[The Polish version becomes **redundant** or **pleonastic**, as it repeats the word proof/evidence.]

Another risk of using CAT tools is that not always the most appropriate suggestions are approved and copied. For instance, the two following recitals (from the same case) reveal that the French and English versions differ slightly from the Polish one:

EN: (...) *'[t]his provision shall also apply to SELARLs, by means of shares allocated in return for a contribution in kind.'*

FR: (...) *«[c]ette disposition s'applique également aux SELARL, par le biais des parts d'industrie.»*

PL: (...) *„[p]rzepis ten ma zastosowanie również do SELARL za pośrednictwem udziałów przyznanych w zamian za wkład w postaci know-how, pracy lub usług”.* [T-90/11, recital 73, LOC FR]

EN: (...) *cases of a contribution in kind.*

FR: (...) *pour les cas de l'apport en industrie.*

PL: (...) *z wyjątkiem przypadku wkładów w postaci know-how, pracy lub usług.* [T-90/11, recital 96, LOC FR]

⁷⁸ CAT tools check automatically for similar clusters and store them as translation memories.

Albeit that the same fragment was not translated in the most faithful manner, at least its passages are coherent. The *contribution in kind* might have been translated as *wkład niepieniężny, wsparcie rzeczowe* or *wsparcie niefinansowe* (according to IATE⁷⁹). This was not the case, since instead of consulting glossaries, the translator has copied segments that had been translated before (which are to be found in the same recital):

EN: (...) *the scenario of a **contribution in kind**, which refers to a situation in which a partner makes his technical knowledge, his labour or his services available to the company* (...)

FR: (...) *Le cas de figure l'apport en industrie, qui concerne la mise à disposition par un associé de ses connaissances techniques, de son travail ou de ses services au profit de sa société* (...)

PL: *Nie ma jednak potrzeby bardziej szczegółowego badania w ramach niniejszej sprawy przypadku wkładu w postaci know-how, pracy lub usług* (...) [T-90/11, recital 96, LOC FR]

[This fragment is translated faithfully, as it refers to (i) knowledge; (ii) labour; (iii) services]

As demonstrated above, copying segments can be a source of problems. Worse still, when there are no segments to be copied, and the translator is faced with untypical expressions, two challenges present themselves: the first one is to translate it (by e.g. coining a new term or borrowing the original expression) and the second is to use it coherently as a **petrified equivalent/term**. At times, it can prove to be demanding, as exemplified by various translations of (i) the verb *vitiate* and (ii) a **neologism** (*banana trade*).

EN: *the contested decision is **vitiated** by a misuse of powers*

FR: *décision attaquée est **entachée** d'un détournement de pouvoir*

PL: *zaskarżona decyzja została wydana wskutek nadużycia władzy* [T-56/09 and T-73/09, recital 186, LOC FR]

⁷⁹ <http://iate.europa.eu/>

EN: *The Courts of the European Union thus hold that a measure is only **vitiated by misuse of powers***

FR: *Le juge de l'Union estime ainsi qu'un acte n'est **entaché de détournement de pouvoir** que si*

PL: *Sąd Unii uważa zatem, że dany akt jest **dotknięty wadą nadużycia władzy** [T-655/11, recital 139, LOC EN]*

EN: *This part of the contested decision is also **vitiated by a failure to state reasons***

FR: *Cette partie de la décision attaquée serait en outre **entachée d'un défaut de motivation***

PL: *Ta część zaskarżonej decyzji jest również **dotknięta brakiem uzasadnienia** [T-56/09 and T-73/09, recital 290, LOC FR]*

EN: *The applicant submits that the contested decision is **vitiated by a failure to state reasons***

FR: *La requérante soutient que la décision attaquée est **entachée d'un défaut de motivation***

PL: *Skarżąca utrzymuje, że zaskarżona decyzja **obarczona jest brakiem uzasadnienia**, [T-370/09, recital 116, LOC FR]*

EN: *the contested decision in that regard, that decision is **vitiated by an error of law***

FR: *la décision attaquée à cet égard, cette dernière est **entachée d'une erreur de droit***

PL: *decyzji w tym względzie – ta ostatnia jest **błędna pod względem prawnym** [T-56/09 and T-73/09, recital 321, LOC FR]*

The following set of examples pertains to a **banana business**:

EN: (...) *in **the banana trade*** (...)

FR: (...) *dans **le commerce des bananes*** (...)

PL: (...) *w **dziedzinie handlu bananami*** (...) [T-588/08, recital 542, LOC EN]

EN: (...) ***the banana market conditions*** (...)

FR: (...) *la situation du **marché de la banane*** (...)

PL: (...) *sytuacji **rynku bananów*** (...) [T-587/08, recital 710, LOC EN]

EN: (...) ***banana undertakings*** (...)

FR: (...) *des **entreprises bananières*** (...)

PL: (...) *przedsiębiorstwa prowadzące działalność w sektorze bananów* (...) [T-587/08, recital 390, LOC EN]

EN: *The banana business distinguished* (...)

FR: *L'activité bananière distinguait* (...)

PL: *W ramach działalności dotyczącej bananów rozróżniano* (...) [T-587/08, recital 12, LOC EN]

The last recital is worth quoting in its entirety, as it proves to be revealing of the processes at play:

EN: *The banana business distinguished three levels of banana brands, called 'tiers': premium Chiquita brand bananas, second-tier bananas (Dole and Del Monte brands) and third-tier bananas (also called 'thirds'), which included a number of other banana brands. This brand-division was reflected in banana pricing (recital 32 to the contested decision).*

FR: *L'activité bananière distinguait trois niveaux de marque de banane appelés «tiers»: les bananes de marque Chiquita de premier choix, les bananes du deuxième niveau (de marques Dole et Del Monte) et les bananes de troisième choix (également appelées «tierces»), qui incluaient plusieurs autres marques de bananes). Cette division en fonction des marques se reflétait dans la tarification de la banane (considérant 32 de la décision attaquée).*

PL: *W ramach działalności dotyczącej bananów rozróżniano trzy poziomy marki bananów, zwane „tiers”: banany **pierwszorzędne** marki Chiquita, banany **drugorzędne** (marki Dole i Del Monte) oraz banany **trzeciorzędne** (zwane także „**bananami trzeciej kategorii**”), które obejmowały wiele innych marek bananów. Ten podział na marki był odzwierciedlony w cenach bananów (motyw 32 zaskarżonej decyzji). [T-587/08, recital 12, LOC EN]*

The translator created new collocations, on the basis of the terms and phrasemes typically used in *acquis* (*w ramach działalności dotyczące bananów rozróżniono*) [BT: **in the framework of the activity** concerning bananas a distinction was made], inspired by the French *activité*, despite the fact that it was English that was the LOC. Although the translator was right to introduce syntactic changes and used impersonal constructions to make the phrase more

acceptable, the text is not coherent as regards the terminology. The English version mentions three *tiers*, whereas the Polish version not only borrows this term, but also (making it a **translation couplet**) produces **descriptive equivalents** and calls different types of bananas, interchangeably, *levels* (*poziomy*), *ranks* (*pierwszy rząd*) and *categories* (*banany trzeciej kategorii*). Since the terminology is used consistently within the same recital, it should not be a surprise that there are inconsistencies between different recitals in the same document, as well as between this document and other legal instruments. For instance, a different Polish judgment of the ECJ abandons altogether *banana business* and translates the French expression. This is a case in point of how prevalent French in the ECJ is and how the translators resort to consulting more than one source text (which, in theory should not take place, as only one text is the original legal instrument and produces legal effect; see subchapter 1.2.):

EN: (...) *a number of factual statements on the **banana business** can be verified due to the information being in the public domain (...)*

FR: (...) *un certain nombre de déclarations factuelles **sur le secteur de la banane** peuvent être vérifiées en raison d'informations accessibles au public (...)*

PL: (...) *szereg oświadczeń dotyczących okoliczności faktycznych **w sektorze bananów** może być zweryfikowany za pomocą informacji dostępnych publicznie (...)* [T-655/11, recital 219, LOC EN]

At times, instead of dealing with a gruelling task of coining new terms and expressions, the translator borrows the words from the SL (a weapon of last resort to be avoided, see subchapter 1.2.4.). In the context of the EU it proves to be most troublesome, since different strategies (borrowing or a calque) are employed depending on, *inter alia*, the LOC, which makes maintaining terminological coherence across the texts even more difficult. For example, a **metaphoric expression** can be translated differently:

EN: *It maintains that the information was presented in the usual form of MOL notes, which involved **'going round the table'** and collecting the information disclosed and exchanged by participants*

FR: *En effet, les informations auraient été présentées dans le style habituel des notes de MOL, à savoir **un «tour de table»** consistant à reprendre les informations divulguées et échangées par les participants.*

PL: *Informacje zostały bowiem przedstawione w stylu charakterystycznym dla notatek sporządzanych przez grupę MOL, czyli „tour de table”, polegającym na zanotowaniu ujawnianych i przedstawianych przez uczestników informacji.* [T-566/08, recital 101, LOC FR]

In the same judgment, in one of the earlier recitals, the very same expression is surrounded by different quotation marks:

EN: *Usually, Sasol would instigate the discussions about prices, but then prices and pricing strategies were discussed by all the attendees **in the form of a round table discussion.***

FR: *Généralement, Sasol examinait les discussions concernant les prix, mais ensuite les prix et les stratégies de politique de prix étaient discutés par tous les participants **sous la forme d'un tour de table.***

PL: *Ogólnie rzecz biorąc, grupa Sasol analizowała dyskusje dotyczące cen, a następnie ceny i cenowe strategie polityczne były omawiane przez wszystkich uczestników **w formie »tour de table«.*** [T-566/08, recital 51, LOC FR]

[Noteworthy, *cenowe strategie polityczne* is an erroneous rendering of the French expression and an example of a **strange string**.]

As it was mentioned above, the same expression can be either borrowed (above) or calqued (below) when e.g. the LOC changes:

EN: *After chairing the technical part of the meeting, Sasol usually started the discussion on prices, but pricing was then openly discussed and the pricing decisions were agreed upon by all participants **in an open ‘round table discussion’.***

FR: *Après avoir présidé la partie technique de la réunion, Sasol aurait lancé généralement la discussion sur les prix, mais la fixation des prix était ensuite discutée de manière ouverte et les décisions à ce sujet étaient prises par l'ensemble des participants sous la forme d'un «**tour de table**» ouvert.*

PL: *Grupa Sasol przewodniczyła części technicznej spotkania, po czym zwykle otwierała dyskusję na temat cen, jednak ustalanie cen było następnie omawiane w sposób otwarty, a decyzje w tym przedmiocie były podejmowane przez wszystkich uczestników **w ramach otwartej dyskusji „okrągłego stołu”.*** [T-541/08, recital 370, LOC EN]

[Noteworthy, *okrągły stół* in Polish refers mainly to the so called Polish Round Table Talks, a historic event that took place in 1989. Arguably, the equivalent chosen by the translator is very highly **culture-bound** and triggers an **inappropriate set of connotations**.]

When the language of the ST influences decisions regarding TL solutions, it seems appropriate to investigate whether lawyer-linguists translate only the judgments written in the language corresponding to the LOC, or whether they “peek” at other language versions (e.g. at the French draft judgments, see subchapter 2.4.1.3.).

5.2.3. Indirect translation

When the language versions diverge, it is possible to say which text was treated as the **ST** during translation. The fact that the translated version differs from the judgment written in the LOC is direct evidence⁸⁰ of indirect translation:

EN: (...) *in accordance with certain **aggravating and mitigating circumstances*** (...)

FR: (...) *en fonction de certaines **circonstances atténuantes*** (...)

PL: (...) *w zależności od pewnych **okoliczności łagodzących*** (...) [T-655/11, recital 548, LOC EN]

Further evidence is provided by the translation of the French *notamment* (see the following chapter for more details), which has two meanings: *między innymi* [inter alia] **and** *w szczególności* [in particular]⁸¹. In the following example, where English was the LOC, the judgments reads *inter alia*, which, as expected, was translated by the French translator as *notamment*. The Polish translator must have consulted the French version, as the English expression is unambiguous and could not have triggered in translation *w szczególności*:

EN: *Dole confirmed that its communications with Chiquita concerned ‘market conditions’ and that market condition assessments **included, inter alia,** ‘ripeners’ yellow stocks’ (recital 152 to the contested decision).*

⁸⁰ Or a smoking gun, to use the imagery of criminal law.

⁸¹ Which are not mutually exclusive, as they both have a similar, enumerating function (Wronkowska and Zieliński 2004: 140).

FR: *Dole a confirmé que ses communications avec Chiquita concernaient les «conditions de marché» et que les évaluations de la situation du marché **incluaient, notamment,** les «stocks jaunes chez les mûrisseurs» (considérant 152 de la décision attaquée).*

PL: *Spółka Dole potwierdziła, że wymienione przez nią ze spółką Chiquita informacje dotyczyły „warunków rynkowych” i że ocena sytuacji na rynku **obejmowała w szczególności** „znajdujące się w dojrzewalniach zapasy bananów żółtych” (motyw 152 zaskarżonej decyzji). [T-588/08, recital 215, LOC EN]*

In other cases, there is more circumstantial evidence rather than direct proof. In other words, it is possible to guess that collocations untypical for the TL were calqued from French rather than from English (when it was the LOC):

EN: *That factor must be assessed in **the light of the overall context of the case.***

FR: *Cette circonstance doit être appréciée **d’un point de vue global au regard du contexte de l’espèce***

PL: *Okoliczność tę należy oceniać z **całościowego punktu widzenia w świetle kontekstu sprawy.** [T-541/08, 357, LOC EN]*

[The Polish version is almost incomprehensible, since it is a word for word translation of the French *d’un point de vue global* [z *całościowego punktu widzenia*] instead of the English *the overall context*.]

Other, more subtle, examples of indirect translation are as follows:

EN: *In addition, the applicants **twist the words** of Mr C1 by claiming that **he** (...)*

FR: *En outre, les requérantes **déforment les propos** de M. C1 en prétendant que **ce dernier** (...)*

PL: *Ponadto skarżące **zniekształcają wypowiedź** pana C1 twierdząc, że **ten ostatni** (...)*
[T-655/11, recital 206, LOC EN]

[In the above example, the translator made a syntactic calque from French [*ce dernier/ten ostatni/the latter*] and used an untypical collocate (the typical would be *zniekształcać słowa/przeinaczyć wypowiedź*).]

Another example of how the French version might have inspired the translator is as follows:

- EN: (...) *the demand for which shows a slight seasonal variation* (...)
- FR: (...) *la demande varie légèrement en fonction de la saison* (...)
- PL: (...) *popyt na nie nieznacznie różni się w zależności od sezonu* (...) [T-655/11, recital 14, LOC EN]

Again, the translator made a calque of the French *en fonction de* instead of following the suggestions of e.g. IATE (*wahania sezonowe, zmienność sezonowa*). The same can be observed here:

- EN: (...) *secondary market in licences enabling importers to increase the banana volumes allocated to them by purchasing licences* (...)
- FR: (...) *un marché secondaire des licences permettant aux importateurs d'augmenter, par le biais de l'achat de licences, le volume des bananes qui leur était alloué* (...)
- PL: (...) *istnienia rynku wtórnego pozwoleń umożliwiającego importerom zwiększenie przyznanej im ilości bananów za pośrednictwem nabycia pozwoleń* (...) [T-587/08, recital 415, LOC EN]
[BT: by means of purchasing licenses.]

Another set of sentences demonstrates how pervasive French is in the ECJ:

- EN: (...) *importers relied on banana arrivals information available from various public and private sources through market intelligence.*
- FR: (...) *les importateurs se basaient sur les informations concernant les arrivages de bananes qui étaient disponibles auprès de diverses sources publiques et privées par le biais des services d'informations mercuriales.*
- PL: (...) *importerzy opierali się na informacjach dotyczących przyjęcia bananów, które można było uzyskać z różnych źródeł publicznych lub prywatnych za pośrednictwem zbierania informacji o rynku.* [T-587/08, recital 387, LOC EN] [BT: **information** might have been procured by means of **gathering information** about the market].

A similar expression has already been translated as *wywiad gospodarczy*⁸². This time, the translator appear to have been inspired by IATE glossary, which suggests *informacja o rynku pracy* or *badanie rynkowe* (which is a correct translation, although not in this context). The translator most likely had chosen the former and erased *pracy* [job/labour] part out of [the job/labour market information]. The effect is that the Polish sentence is **pleonastic**.

5.2.4. Syntax and TL acceptability

The purpose (*skopos*) of translating judgments of the ECJ is to convey the decision of the judges and the legal reasoning behind it, so that the **direct receivers** can apply the law. Thus, translators do not aim to translate the text word for word as regards its literary value, since what objectively counts is the content of the judgment, i.e. the facts, the legal background and the operative part of the judgment (this is why only lawyer-linguists are given this task; see subchapter 2.4.1.). In order to strike a balance between a **factual accuracy**, a **clause to clause correspondence** between different language versions and **target-language acceptability**, translators are obliged to introduce syntactic changes. It so happens that the judgments of the ECJ are on average longer than the non-translated judgments as regards the mean sentence length (with reservations made in subchapter 4.1.2; see also subchapter 6.4.), which, in itself, might lead to unnatural syntax of the translated rulings. The language of the Polish judgments might be further affected by translation, especially from positional languages, given that Polish is an inflexional language. Therefore, every line of text is not translated in CAT tools without any reflection on the part of the translator. On the contrary, lawyer-linguists are given some degree of liberty and are free to change the sentence structure of the original text. One such adjustment is changing the passive voice to the active voice, since “unjustified” use of passive voice reduces the readability of the text, according to *Vademecum Thumacza* (DJP 2016: 40), the official style guide for Polish translators published by the Directorate-General for Translation. Consequently, not every sentence is translated according to the so-called **full-sentence rule**, although **paragraph for paragraph** rule is to be obeyed at all times. One example of such syntactic changes comes from a **routine formula**:

⁸² Specifically, *business intelligence* in English, *veille économique* in French, and *wywiad gospodarczy* in Polish. Source: [https://eur-lex.europa.eu/legal-content/EN-FR-PL/TXT/?uri=CELEX:52014XC0301\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN-FR-PL/TXT/?uri=CELEX:52014XC0301(01)&from=EN)

- EN: *The allegedly disproportionate nature of the basic amount of the fine in that it is based on the incorrect finding that the conduct ‘concerned the fixing of prices’ and infringement of the obligation to state reasons (...)*
- FR: *Sur le caractère prétendument disproportionné du montant de base de l’amende en ce qu’il est fondé sur la conclusion erronée que le comportement «était relati[f] à la fixation des prix» et la violation de l’obligation de motivation (...)*
- PL: *W przedmiocie rzekomej nieproporcjonalności kwoty podstawowej grzywny, która ma taki charakter ze względu na to, że została oparta na błędnym wniosku, zgodnie z którym zachowanie „było związane z ustalaniem cen” oraz w przedmiocie naruszenia obowiązku uzasadnienia (...)* [T-588/08, C, LOC EN]
 [The Polish judgment has the same macrostructure as the French one, i.e. only the English judgment has disposed of the preposition at the beginning of the sentence.]

In the case of **routine formulae**, Polish in general tends to follow French. This can be exemplified by e.g. the way in which facts are enumerated:

- EN: *The applicant raised six pleas in law in favour of annulment of the contested decision in its written pleadings, alleging (i) infringement of Article 81 EC (...); (ii) infringement of Article 253 EC as a result of (...)*
- FR: *La requérante a, dans ses écritures, soulevé six moyens d’annulation de la décision attaquée, tirés, **premièrement**, d’une violation de l’article 81 CE (...), **deuxièmement**, d’une violation de l’article 253 CE, du fait que (...)*
- PL: *Skarżąca w pismach procesowych podniosła sześć zarzutów w zakresie stwierdzenia nieważności zaskarżonej decyzji dotyczących, **po pierwsze**, naruszenia art. 81 WE (...), **po drugie**, naruszenia art. 253 WE, ze względu na to, (...)* [T-587/08, recital 48, LOC EN]

However, syntactic changes are not limited to **discourse organising patterns** (the macrostructure level) and routine formulae. On the level of microstructure, i.e. on the level of individual sentences, it is often the translator’s choice. One of the least “interfering” methods of increasing the acceptability of a sentence is to rearrange its elements:

- EN: (...) *the Court must reject as being of no relevance to this plea in law, which concerns the absence of an adequate legal basis for the adoption of the contested acts, the applicants' arguments that (...)*
- FR: (...) *il y a lieu d'écarter comme dépourvus de pertinence dans le contexte du présent moyen, tiré de l'absence d'une base juridique appropriée pour l'adoption des actes attaqués, les arguments des requérants selon lesquels (...)*
- PL: (...) *argumentację skarżących, zgodnie z którą informacje dotyczące niektórych z osób objętych środkami ograniczającymi są niepoparte żadnymi dowodami bądź są mało precyzyjne, należy oddalić jako pozbawioną znaczenia w kontekście niniejszego zarzutu, który dotyczy (...)* [T-190/12, recital 82, LOC EN]

Another way of achieving better **readability** is splitting clauses in half and repeating the subject:

- EN: *In the first place, the Court would point out that, in the contested decision, **the Commission clearly defines the relevant sector and, in particular, the relevant product as fresh bananas, as well as the functioning of the relevant market.***
- FR: *En premier lieu, il importe de souligner que **la Commission définit clairement, dans la décision attaquée, le secteur en cause et, notamment, le produit en cause comme étant les bananes fraîches ainsi que le fonctionnement du marché concerné.***
- PL: *W pierwszej kolejności należy podkreślić, że **Komisja w zaskarżonej decyzji wyraźnie określa rozpatrywany sektor, a w szczególności – rozpatrywany produkt, czyli świeże banany; określa ona tam również sposób funkcjonowania rynku właściwego.*** [T-588/08, recital 139, LOC EN]

The same can be achieved by means of changing the passive voice to active, as recommended by the DGT:

- EN: *In so far as the Council essentially requested, by means of that document, the adoption of a measure of organisation of procedure, within the meaning of Article 64 of the Rules of Procedure of the General Court, **the applicants and the Commission were invited to submit written observations on that request, which they did on 29 and 25 October 2012 respectively.***

FR: *Dans la mesure où, par cet acte, le Conseil demandait en substance, à titre principal, l'adoption d'une mesure d'organisation de la procédure, au sens de l'article 64 du règlement de procédure du Tribunal, **les requérants et la Commission ont été invités à présenter leurs observations écrites afférentes à cette demande**, ce qu'ils ont fait, respectivement, les 29 et 25 octobre 2012.*

PL: *Uznawszy, że składając to pismo, Rada zwróciła się w istocie o zastosowanie środka organizacji postępowania na podstawie art. 64 regulaminu postępowania przed Sądem, **Sąd wezwał skarżących i Komisję do przedstawienia na piśmie wyjaśnień w przedmiocie tego wniosku**, co też uczestnicy ci uczynili w dniach, odpowiednio, 29 i 25 października 2012 r. [T-190/12, recital 22, LOC EN]*

The translator can also substitute passive voice with impersonal patterns (see also subchapter 6.3.):

EN: ***A second paragraph which was then added to Article 5-1 provides that the decrees of the French Conseil d'État may provide**, taking into account the needs specific to each profession other than the legal and judicial professions, that the first paragraph is not to apply when that exception is likely to harm the practice of the profession concerned, respect for the independence of its members or its own ethical rules.*

FR: ***Un deuxième alinéa a alors été introduit à l'article 5 1, selon lequel des décrets du Conseil d'État français pourront prévoir**, compte tenu des nécessités propres à chaque profession autre que les professions juridiques et judiciaires, que le premier alinéa ne s'applique pas lorsque cette dérogation serait de nature à porter atteinte à l'exercice de la profession concernée, au respect de l'indépendance de ses membres ou de ses règles déontologiques propres.*

PL: ***Do art. 5 1 dodano wówczas akapit drugi, zgodnie z którym Conseil d'État (francuska rada państwa) może postanowić w drodze dekretu**, że zważywszy na potrzeby właściwe dla danego zawodu innego niż zawody prawnicze i sądowe, akapitu pierwszego nie stosuje się, jeśli odstępstwo to mogłoby szkodzić wykonywaniu danego zawodu, poszanowaniu niezależności osób go wykonujących lub norm deontologicznych obowiązujących w zawodzie. [T-90/11, recital 69, LOC FR]*

However, sometimes syntactic changes can lead to a distortion of the TL:

EN: *The applicants' **proposition does not correspond to the reality of the relevant market** as it ensues from the Commission's findings in the contested decision, statements made by Dole and Chiquita during the administrative procedure and the applicants' own pleadings.*

FR: ***La thèse des requérantes ne correspond pas à la réalité du marché concerné** telle qu'elle résulte des constatations opérées par la Commission dans la décision attaquée, des déclarations de Dole et de Chiquita formulées au cours de la procédure administrative et des propres écritures des requérantes.*

PL: *To **twierdzenie** skarżących **nie odpowiada rzeczywistości rynkowej** w postaci opisanej przez Komisję w zaskarżonej decyzji **oraz realiom, jakie wynikają z oświadczeń** złożonych przez spółki Dole i Chiquita w trakcie postępowania administracyjnego oraz w ich własnych pismach procesowych. [T-588/08, recital 137, LOC EN]*

[In the example above, *the reality* is, in fact, split into two *realities* (*rzeczywistość*, the root of which comes from Slavic languages and *realia*, which has a Latin-based root). Furthermore, these *realities* are not accompanied by their natural collocates: *rzeczywistość rynkowa w postaci opisanej przez komisję* and *realia wynikające z oświadczeń*. This is another example of **strange strings** i.e. expressions typical of legal language, such as *w postaci* and *wynikać z*, which are accompanied by unnatural collocates.]

At other times, the TT syntax can be distorted due to the influence of the ST, as can be observed in the following recitals, where the Polish judgment copies French and English complex prepositions in relative clauses:

EN: (...) *the prices for weeks 13 and 15 in Italy, **on which Mr C1 and Mr P1 allegedly concerted*** (...)

FR: (...) *les prix des semaines 13 et 15 en Italie, **sur lesquels MM. C1 et P1 se seraient prétendument concertés***, (...)

PL: *Tymczasem ceny dla tygodni 13 i 15 we Włoszech, **co do których panowie C1 i P1 mieliby rzekomo dokonywać uzgodnień*** (...) [T-655/11, recital 454, LOC EN]

EN: (...) *[d]uring this meeting, **which [Mr L.] thinks to have taken place in the first quarter [of] 1999 in Finland*** (...)

FR: (...) *au cours de cette réunion, dont [M. L.] pense qu'elle s'est déroulée au premier trimestre de 1999 en Finlande (...)*

PL: (...) „w trakcie tego spotkania, **w odniesieniu do którego [L.] zdaje się przypominać sobie, że odbyło się** w pierwszym kwartale 1999 r. w Finlandii (...) [T-299/08, recital 353, LOC FR]

Additionally, an unnatural **word order** may **inhibit comprehension**:

EN: *The applicant maintains that the Commission breached point 20 of the 2006 Guidelines and the principle of proportionality in taking into consideration, **for the purposes of setting the fine**, 15% of the value of sales of slack wax and only 18% of the value of sales of paraffin waxes **when determining the gravity of the infringement**.*

FR: *La requérante estime que la Commission a violé le paragraphe 20 des lignes directrices de 2006 et le principe de proportionnalité en prenant en considération, **aux fins du calcul du montant de l'amende**, 15 % de la valeur des ventes du gatsch et seulement 18 % de la valeur des ventes des cires de paraffine **au titre de la gravité de l'infraction**.*

PL: *Skarżąca uważa, że Komisja naruszyła pkt 20 wytycznych z 2006 r. oraz zasadę proporcjonalności, **uwzględniając z tytułu wagi naruszenia przy obliczaniu wysokości grzywny** 15% wartości sprzedaży gaczu, a tylko 18% wartości sprzedaży wosków parafinowych. [T-566/08, recital 423, LOC FR]*

[The polish judgment has an adverbial phrase, which is hard to decode.]

Another way in which the SL affects the TTs is when there are no syntactic changes and sentences are translated too literally, which results in a “clumsy” language, where e.g. there is too much needless nominalisation or repetitions:

EN: (...) ***given that a handwritten note on a Shell-internal e-mail sent the following day refers to** “all producers”.*

FR: (...) ***au vu d'une note manuscrite sur un message électronique interne à Shell envoyé le lendemain et faisant référence à** ‘tous les producteurs’.*

PL: (...) ***biorąc pod uwagę odręczną notatkę na temat przesłanej następnego dnia pocztą elektroniczną w obrębie grupy Shell wiadomości zawierającej wzmiankę o** »wszystkich producentach«. [T-566/08, recital 317, LOC FR]*

- EN: (...) *after the technical meeting held on 26 and 27 June 2001, the applicant began to attend the technical meetings regularly again* (...)
- FR: (...) *à partir de la réunion technique des 26 et 27 juin 2001, la requérante a recommencé à assister régulièrement aux réunions techniques* (...)
- PL (...) *poczawszy od spotkania technicznego, które odbyło się w dniach 26 i 27 czerwca 2001 r., skarżąca ponownie rozpoczęła regularne uczestnictwo w spotkaniach technicznych*] (...) [T-566/08, recital 400, LOC FR]

5.2.5. Errors

Errors are undoubtedly an inherent part of the translation process. It is worth emphasizing that never is there only one factor at play, but a whole gamut, including the institutional settings and the human factor (workload, absent-mindedness, etc.). Sometimes errors are simple, as in the following example, where the translator chose a wrong complex preposition:

- EN: (...) *in spite of the fact that Arkema France's share of the sodium chlorate market in the EEA was smaller than EKA's and Finnish Chemicals' market shares* (...)
- FR: (...) *en dépit du fait qu'Arkema France disposait d'une part du marché du chlorate de sodium dans l'EEE inférieure à celle d'EKA et de Finnish Chemicals*, (...)
- PL: (...) *niezależnie od faktu że Arkema France miała mniejszy udział na rynku chloranu sodu w EOG niż EKA i Finnish Chemicals* (...) [T-299/08, recital 327, LOC FR]
[irrespective of]

On the other hand, some of the errors committed are more “elaborate”, in the sense that they are more revealing. The following examples, most likely caused by the fallibility of CAT tools, provides evidence of indirect translation:

- EN: *Leaving aside the fact that such a statement has little credibility given the nature of the information allegedly sought, it is significant to note that the person in question maintains that **the total quantity or the quantities of the individual companies** did not have any relevance in respect of the development of the market, whereas all the other*

customers claim that they used the information on weekly banana arrivals 'to better assess and compare the prices of suppliers, including Weichert'.

FR: *Outre le peu de crédibilité d'une telle déclaration au regard de la nature de l'information prétendument recherchée, il est significatif de relever que l'intéressé soutient **que la quantité totale ou les quantités individuelles pour chaque compagnie** n'avaient aucune pertinence au regard du développement du marché, alors même que l'ensemble des autres clients font valoir qu'ils utilisaient l'information sur les arrivages hebdomadaires de bananes «pour mieux apprécier et comparer les prix des fournisseurs, y compris Weichert».*

PL: *Oprócz niskiej wiarygodności takiego oświadczenia w świetle charakteru informacji, której rzekomo poszukiwano, należy podnieść, że zainteresowany utrzymuje, że **ilość całkowita lub indywidualne ilości w każdym roku gospodarczym** nie miały żadnego znaczenia w świetle rozwoju rynku, podczas gdy wszyscy pozostali klienci podnoszą, że wykorzystywali informacje na temat cotygodniowych przyjęć bananów, „aby dokładniej ocenić i porównać ceny dostawców, w tym spółki Weichert”. [T-587/08, recital 335, LOC EN]*

[Although English was the LOC, the French version was treated as the original, or at least some parts of the recital. This is because the translator could not have translated *the individual companies* as **w każdym roku gospodarczym** [in every marketing year], had he or she looked at the English version. Only *pour* could have triggered **w każdym** and never *of*. A rather reasonable guess is that having recognised the segment *pour chaque* CAT tools suggested (erroneously): *pour chaque année* [**w każdym roku gospodarczym**], as this expression occurred 13 times⁸³ in the French language version of the F-LOC corpus⁸⁴, whereas *pour chaque compagnie* occurred only once, in the above segment.]

Another type of an error, attributable to overreliance on CAT tools, occurs when a suggested term is not properly (syntactically) integrated into the sentence:

EN: (...) ***the specific arguments of the applicant*** mentioned in paragraph 244 above do not invalidate the conclusion that (...)

⁸³ Raw frequency, not normalised value.

⁸⁴ Created by me, although not analysed within the scope of this study.

FR: (...) *que l'argumentation spécifique de la requérante, mentionnée au point 244 ci-dessus, n'est pas de nature à infirmer la conclusion selon laquelle (...)*

PL: (...) *z powyższych ustaleń wynika, że za pomocą poszczególnych argumenty* [not inflected plural of *argument*] *skarżące wskazanych w pkt 244 powyżej nie można podważyć wniosku, zgodnie z którym (...)* [T-587/08, 251, recital LOC EN]

The problems with syntax are not limited to words lacking inflection markers. It has been observed (subchapters 5.1.1. and 5.2.4.) that recitals characterised by the highest cline of expertise are also the longest ones (they are even unnaturally long by Polish “standards”), as they contain numerous clauses. French and English are able to cope with longer sentences, since they are positional languages. However, Polish does not always tolerate longer sentences, as it is an inflectional language. Whenever the translator does not rearrange elements, change the passive voice to active or does not split sentences, he or she runs a risk of committing a syntactic error (especially taking into account the fact that smaller chunks are translated in CAT tools and they need to be integrated into the sentence), such as a sentence losing its subject:

EN: *It must be observed that the applicant does not put forward any specific arguments contradicting the Commission's findings on banana undertakings' latitude as regards the volume available on the market in a given week and those undertakings' awareness of forthcoming banana arrivals, prior to the pre-pricing communications, findings which mean that the applicant's claim regarding the predetermination of market shares is entirely unfounded.*

FR: *Force est de constater que la requérante ne présente aucune argumentation spécifique contredisant les constatations de la Commission sur la marge d'appréciation des entreprises bananières quant au volume disponible sur le marché au cours d'une semaine donnée et à la connaissance par ces entreprises des arrivages de bananes à venir, avant les communications de prétarification, constatations qui rendent dépourvue de tout fondement l'allégation de la requérante quant à la prédétermination des parts de marché.*

PL: *Należy stwierdzić, że skarżąca nie przedstawia żadnej szczególnej argumentacji, która podważałaby ustalenia Komisji dotyczące posiadanego przed poprzedzającą ustalenie cen wymianą informacji przez przedsiębiorstwa prowadzące działalność w sektorze bananów z zakresu swobodnego uznania co do ilości dostępnej na rynku w ciągu danego tygodnia i posiadanej przed tą wymianą informacji wiedzy na temat przyjęć*

bananów, które mają zostać wysłane, podczas gdy ustalenia te pozbawiają wszelkiej podstawy twierdzenie skarżącej co do określania z góry udziałów w rynku. [T-587/08, recital 390, LOC EN]

[The Polish clause needs a nominal subject in order to correspond to the English and French versions: *ustalenia Komisji dotyczące posiadanego (...) przez przedsiębiorstwa (...) zakresu* (inflected *zakres* [extent, scope; portée, étendue]) *swobodnego uznania* (cf. *the Commission's findings on banana undertakings' latitude as regards; les constatations de la Commission sur la marge d'appréciation des entreprises bananières quant au*). **Z zakresu** is a complex preposition that correspond to English *in the scope of, in* and French *en matière de, relevant de, relative à*. Consequently, due to substituting a complex preposition for a noun, the sentence has been left without a subject.]

At other times problems may arise due to **erroneous information decoding/transfer error** or a **disruption** of the process attributable to CAT tools (the translation memory made an incorrect suggestion, a wrong fragment was copied, etc.). The following recital is an instance of what has been dubbed the academic style, which seemingly poses problems to translators:

EN: *They have thus emphasised that, for the purposes of applying the competition rules, formal separation of two companies resulting from their having distinct legal identity is not decisive. **The test is whether or not there is unity in their conduct on the market***

FR: *Il a ainsi souligné que, aux fins de l'application des règles de la concurrence, la séparation formelle entre deux sociétés, résultant de leur personnalité juridique distincte, n'est pas déterminante, **ce qui s'impose étant l'unité ou non de leurs comportements sur le marché.***

PL: *Sąd Unii podkreślił również, iż w celu stosowania reguł konkurencji formalna rozdzielność dwóch spółek, przejawiająca się w ich odrębnych osobowościach prawnych, nie ma charakteru rozstrzygającego, **co jest widoczne w ich postępowaniu na rynku bez względu na to, czy działają jako jednostka czy nie.** [T-587/08, recital 52, LOC EN]*

This is yet another example of indirect translation, where the French version is treated as the ST. Apart from the obvious observation that the English judgment is composed of two sentences, and both the French and the Polish judgments of only one sentence, there are more subtle “giveaways”. For instance, *ce qui* is the equivalent of **co jest** [which is]. Furthermore,

s'imposer can be translated as either *essential/necessary/vital/a must* or as something *obvious/evident*⁸⁵. The Polish translator probably chose the latter sense and translated it as *widoczne* (visible, also *evident* to a degree). However, the gravest error is the abovementioned **erroneous information decoding**, which results in the Polish sentence not corresponding to the English version. **Back-translated**, it reads: (...) formal separation of two companies (...) is not decisive, **which is visible** in their conduct on the market, regardless of whether they act as a **unit** or not.

5.2.6. T-Universals: explicitation, normalisation, textual fit

Subchapter 3.1. of this dissertation discussed the hypothesis of Translation Universals, i.e. universal processes at play in translation regardless of the context such as **language-pairs**, **institutional settings** and **skopos**. Traces of these processes⁸⁶, e.g. of **explicitation**, were found throughout the judgments:

EN: *The applicant claims that Sasol's minute relates to an internal communication between two Sasol employees, Mr K. instructing Mr O. not to change prices (...)*

FR: *La requérante fait valoir que le compte rendu de Sasol porte sur une communication interne entre deux employés de Sasol, M. K. donnant l'instruction à M. O. de ne pas changer le prix (...)*

PL: *Skarżąca podnosi, że protokół sporządzony przez grupę Sasol dotyczy wewnętrznej komunikacji pomiędzy dwoma pracownikami tej grupy, czyli panem K. wydającym panu O. polecenia, aby ten nie zmieniał cen, (...) [T-566/08, recital 87, LOC FR]*

It must be noted that the syntax of the source text is potentially ambiguous because the coma might be understood as a **marker of coordination** or of **apposition**. Be it that the first interpretation is unlikely in the given context, the translator still decided to explicate the text by adding *czyli* [namely].

Another instance of Translation Universals is the so-called **normalisation** or **conventionalisation**. Although this part of the dissertation does not aim at studying how the

⁸⁵ See e.g. <http://www.wordreference.com/fren/s'imposer>

⁸⁶ A reservation has to be made that finding one example of explicitation (or a few of them) does not verify, nor does it falsify, the hypothesis under which such a change is a universal feature of the translation process itself (see also subchapter 3.1.).

French and the English judgments diverge from the Polish ones as regards the register, the analysis conducted for the purposes of this study may provide some sufficient linguistic material to imply that the Polish judgments do not allow such a **degree of linguistic variety** as the English and French do. For example, when a translator comes across a **metaphoric expression** or a pattern that does not function as a recognised term or phraseme, such expression is calqued and put into brackets or described with additional expressions such as *in the form of* or *like*. Some untypical calques are as follows:

EN: *Sasol also asserted that it had sent a ‘**chain letter**’ announcing a price increase of between EUR 5 and 7 per 100 kg on 14 June 2004 (...)*

FR: *Sasol a affirmé également qu’elle avait envoyé une «**lettre de chaîne**» annonçant une augmentation de prix de cinq à sept euros par 100 kg le 14 juin 2004 (...)*

PL: *Sasol stwierdziła, że wysłała **list w formie „łańcuszka”** zapowiadający podwyżkę cen z 5 do 7 EUR za 100 kg w dniu 14 czerwca 2004 r. (...) [T-566/08, recital 143, LOC FR]*

EN: *The Dole quote, that was originally increased by Euro 0.50 this morning, **is a green quote which will be materialised in yellow** only the week after next week, not before.’*

FR: *Le prix de référence de Dole, qui a initialement été augmenté de 0,50 euro ce matin, est **par contre une référence verte, qui ne deviendra jaune** que dans deux semaines et pas avant.»*

PL: *Cena referencyjna Dole, która tego ranka została początkowo podniesiona o 0,50 EUR, **jest natomiast zieloną ceną referencyjną, która »żółknie«** nie wcześniej niż za dwa tygodnie”. [T-587/08, 602, LOC EN]*

EN: *(...) arguments relating to the notion of ‘**Radio Banana**’, according to which information in the banana trade was quickly disseminated and ‘everybody’ knew that competitors were talking to ‘everybody’,*

FR: *(...) l’argumentation (...) relative au concept de «**radio banane**», selon lequel les informations du marché de la banane étaient rapidement propagées et que, selon elles, «tout le monde» savait que les concurrents parlaient avec «tout le monde».*

PL: *(...) argumentację dotyczącą pojęcia „**bananowego radia**”, zgodnie z którą informacje na rynku bananów rozchodziły się szybko, a „wszyscy” wiedzieli, że ich konkurenci prowadzą rozmowy „ze wszystkimi”. [T-588/08, recital 290, LOC EN]*

Another way of **normalising** the language is to allow only the highest register of the standard variety of the TL to be used (see also subchapter 6.5.2.). There is no room for colloquial expressions in witness testimonies, relaxed journalistic style or academic dissertations and metaphors. Although English is, at places, quite colloquial, Polish, conversely, has a marked tendency to **normalise all idiosyncrasies**:

EN: *Sasol wanted to **tap his in-depth knowledge of the HOS business** (...)*

FR: *Sasol souhaitait **exploiter sa connaissance approfondie des activités de HOS** (...)*

PL: *Sasol, chcąc **korzystać z jego rozległej wiedzy na temat działalności spółki HOS** (...)*

[T-541/08, recital 62, LOC EN]

[to benefit from]

EN: *(...) the first paragraph of Article 5-1 of Law No 90-1258, introduced at the end of 2001 by the Murcef Law, is **unambiguous as to the legality** of such a construction during the infringement period (...)*

FR: *(...) l'article 5 1, premier alinéa, de la loi no 90 1258, introduit à la fin de 2001 par la loi Murcef, est **dénué d'ambiguïté quant à la légalité** d'une telle construction pendant la durée de l'infraction (...)*

PL: *(...) 5 1 akapit pierwszy ustawy nr 90 1258, wprowadzony pod koniec 2001 r. przez ustawę Murcef, jest **jasny co do zgodności z prawem** takiej konstrukcji w okresie trwania naruszenia (...). [T-90/11, recital 84, LOC FR]*

[clear as regards]

EN: *(...) the applicant **takes issue with the Commission** on the ground that (...)*

FR: *(...) la requérante **reproche à la Commission** que (...)*

PL: *(...) skarżąca **zarzuca Komisji**, że (...)* [T-566/08, recital 28, LOC FR]

[it accuses]

As observed in subchapter 3.1., the hypothesis of Translation Universals is not easily testable. The sole fact that this study has discovered traces of certain processes, such as **explicitation** or **normalisation** does not mean that the hypothesis has been verified. In turn, it can be argued that certain processes are genre- and language(pairs) dependent. This is the case of e.g. **discourse markers**, which are used differently in English than in Polish and French (see subchapter 6.1.3.).

5.2.7. Textual fit/ TL acceptability

One of the ways in which the translator tries to make the texts more acceptable and accessible to the target reader (**direct receiver**), is by relying on the most frequent words, i.e. **exaggerating the TL features**. For instance, Polish native speakers are accustomed to conjunctions expressing logical relations such as *bowiem* [indeed, thus] or *zaś* [while], whereas English speakers do not seem to need as many of them (as implied by significantly lower number of these conjunctions in the judgments). Interestingly, this phenomenon seems to confirm the hypothesis that certain Translation Universals are **language-pair dependent** (see subchapter 3.1.), i.e. in the case of the English-Polish language pair, translators add these **discourse markers** to increase the TT's acceptability, whereas in the French-Polish language pair the number of these markers is roughly the same. In the Polish and the French judgments of the ECJ these conjunctions are added in order for the text to read well, even when they are not present in the ST (when English is the LOC). This explains why such expressions are distributed evenly regardless of the LOC (see subchapter 6.1.3.). The following recitals show places where these markers are typically added:

EN: *Not all bananas supplied by importers in Germany are necessarily consumed there ...'*

FR: *Or, toutes les bananes livrées en Allemagne par les importateurs ne sont pas nécessairement consommées dans ce pays [...]*»

PL: *Nie wszystkie **zaś** dostarczane do Niemiec banany muszą być spożywane w tym kraju [...]* [588/08, recital 347, LOC EN]

EN: *The applicants explain, in the application (paragraph 41), that DFFE sold green bananas by means of agreements negotiated on a weekly basis or of long-term supply agreements with a fixed price formula called 'Aldi plus agreements'*

FR: *En effet, les requérantes expliquent, dans la requête (point 41), que DFFE vendait des bananes vertes au moyen d'accords négociés sur une base hebdomadaire ou d'accords d'approvisionnement à long terme appliquant une formule de prix fixe dénommés «contrats Aldi plus».*

PL: *W skardze (pkt 41) skarżące wyjaśniają **bowiem**, że DFFE sprzedawała zielone banany na podstawie umów negocjowanych w cyklach tygodniowych czy też długoterminowych umów o dostawy, w których stosowano stałą formułę cenową zwaną „Aldi plus”.* [588/08, recital 205, LOC EN]

Another way in which the translator might adapt the text so that it meets **the expectations of the reader** is by using familiar phrasemes, which **domesticate** the text. However, not all collocations, are made equal, as some of them are questionable:

EN: *In this part of the plea, the applicant disputes the Commission's **analysis that the cartel could have a significant effect**, actual or potential, on trade in gas between France and Germany prior to August 2000.*

FR: *Dans le cadre de la présente branche, la requérante conteste **l'analyse de la Commission selon laquelle l'entente a pu avoir un effet sensible**, actuel ou potentiel, sur les échanges de gaz entre la France et l'Allemagne avant août 2000.*

PL: *W ramach badanej części zarzutu skarżąca kwestionuje **analizę Komisji, w świetle której kartel mógł mieć istotny, rzeczywisty lub potencjalny wpływ na handel gazem między Francją a Niemcami przed sierpniem 2000 r.** [T-370/09, recital 114, LOC FR] [Instead of writing **według której** [according to which], the translator chose the expression **w świetle której** [in light of which], typical of Polish legal language, accompanied by an unacceptable collocate.]*

It can so happen, that in the same sentence, one collocation is acceptable (**bez względu na** [regardless of], equivalent of the English cluster *must be disregarded*) and one is not (**jednym z pozytywnych skutków ~~wynikających z zasady~~**):

EN: *Thirdly, it must be added that one of the positive consequences of the rules according to which the formal separation between two companies must be disregarded and fines must be imposed jointly and severally on a subsidiary and its parent company forming the same undertaking (see paragraphs 31 and 36 above) is the elimination of the risk that (...)*

FR: *En troisième lieu, il y a lieu d'ajouter qu'une des conséquences positives des règles selon lesquelles il convient de faire abstraction de la séparation formelle entre deux sociétés et d'imposer des amendes solidairement à la filiale et à sa société mère formant la même entreprise (voir points 31 et 36 ci-dessus) est l'élimination du risque que (...)*

PL: *Po trzecie, należy dodać, że jednym z pozytywnych skutków wynikających z zasady, zgodnie z którą bez względu na formalną odrębność dwóch spółek grzywny należy nakładać na zasadzie odpowiedzialności solidarnej na spółkę zależną i jej spółkę*

dominującą, które tworzą jedno przedsiębiorstwo (zob. pkt 31 i 36 powyżej), jest eliminacja ryzyka, że (...) [T-541/08, recital 448, LOC EN]

Sometimes the translator changes the noun in order to use an acceptable collocation:

EN: (...) *and fixing as its **objective** the increase of prices of paraffin waxes above DEM 120 per 100 kg, which had not yet been **achieved**.* (...)

FR: (...) *et fixant comme **objectif** l'augmentation des prix des cires de paraffine au-delà de 120 DEM par 100 kg, qui n'était pas encore **atteint*** (...)

PL: (...) *którego celem było podwyższenie cen wosków parafinowych do poziomu powyżej 120 DEM za 100 kg, **który to poziom** nie został jeszcze **osiągnięty**.* [BT: attain/achieve a level] (...) [T-566/08, recital 121, LOC FR]

Whereas at times individual words are put together without re-reading a sentence in order to check whether the collocations are acceptable:

EN: (...) *despite the applicants' **arguments** during the administrative procedure concerning Vara's importance in the joint venture's management* (...)

FR: (...) *malgré les **arguments** des requérantes exprimés au cours de la procédure administrative en ce qui concerne l'importance de Vara dans la direction de l'entreprise commune* (...)

PL: (...) *pomimo zgłaszanych przez skarżące w toku postępowania administracyjnego **argumentów na rzecz roli spółki Vara w zarządzie** wspólnego przedsiębiorstwa,* (...) [T-541/08, recital 56, LOC EN]

[The two most common meanings of *na rzecz* (see Table 83) are (i) *for/ in favour of* (*en faveur de*) and (ii) *acting on behalf of* (*agissant pour*). Although the string *argument na rzecz* is theoretically acceptable, it becomes a **strange** (i.e. unacceptable) **string** because of the context in which it functions, i.e. here the argument is supposed to *pertain to* (*concerns*) something, not *argue in favour of* something. The correct choice would be *dotyczący* [concerning], and not the complex preposition *na rzecz*, which lacks equivalence.]

As observed before, some conjunctions (or complex prepositions), typically the most frequent ones, seem to be particularly fit to translate a remarkable range of structures, as implied by the number of the expressions that trigger them in translation. One such expression is *za*

pomocą [by means of], a complex preposition of “last resort”, used, among others, to change the passive voice to the active voice, change the subject or avoid calquing the syntax of the ST’s sentences. As it can be seen, some attempts are successful:

EN: *That line of argument does not alter the fact that there were significant movements of volumes from the Northern European region to other parts of the Union, and vice versa, demonstrated by data from Eurostat,*

FR: *Cette argumentation n’est pas de nature à remettre en cause la réalité des déplacements importants de volumes de la région de l’Europe du Nord vers d’autres parties de l’Union, et vice versa, démontrés par les données d’Eurosta*

PL: *Za pomocą tej argumentacji nie można zakwestionować wykazanych za pomocą danych Eurostatu* [T-587/08, recital 410, LOC EN]

Whereas some attempts are failed (even in the same judgment):

EN: *It is not inconsistent with the substantive and objective findings*

FR: *Elle n’est pas de nature à contredire les constatations matérielles et objectives*

PL: *Za pomocą tej sytuacji nie można podważyć uzasadnionych i obiektywnych ustaleń* [T-587/08, recital 243, LOC EN]

[The Polish expression reads: *by means of this situation*. Noteworthy, English was the LOC, but it was the French expression *n’est pas de nature à*, which was translated once correctly (recital 41), and once incorrectly (recital 243).]

Here follow examples showing a variety of structures translated by means of *za pomocą*:

EN: *By the fourth part, the applicant observes that **the economic analysis of sales prices which it supplied contradict** its alleged adherence to a price-fixing agreement.*

FR: *Par la quatrième branche, la requérante relève que **l’analyse économique des prix de vente qu’elle a fournie dément** sa supposée adhésion à un accord de fixation de prix*

PL: *W czwartej części zarzutu skarżąca podnosi, że **za pomocą przedstawionej przez nią analizy ekonomicznej cen sprzedaży można podważyć** zarzucane jej przystąpienie do porozumienia dotyczącego ustalania cen.* [T-566/08, recital 29, LOC FR]

- EN: *By the third part, the applicant takes issue with the Commission on the ground **that the evidence in the file does not show that the applicant participated in the second aspect of the infringement,***
- FR: *Par la troisième branche, la requérante reproche à la Commission que **les éléments de preuve figurant dans le dossier ne permettent pas d'établir** sa participation au deuxième volet de l'infraction*
- PL: *W trzeciej części zarzutu skarżąca zarzuca Komisji, że **za pomocą dowodów znajdujących się w aktach nie można wykazać** jej uczestnictwa w drugiej części naruszenia, [T-566/08, recital 28, LOC FR]*

The complex preposition *za pomocą* implies that lawyer-linguists enjoy some degree of liberty, which might lead to problems with coherence (see subchapter 5.2.2.) and the naturalness of the language, which tends to be standardised. This is particularly visible in the case of longer fragments, where many expressions can be **normalised** within the scope of one recital. For instance, in the aforementioned recital 473 in case T-587/08, there are several discrepancies between the English version and the Polish version. Furthermore, after comparing three versions, it becomes apparent that the translator has consulted the French and not the English (the LOC) judgment:

- EN: *This morning, Dole did not take my call, and [without] consulting announced 2.00 (through [J.], so avoiding possible questions). What could be their motivation? | (1) | ... the Edeka promotion: **Edeka is doing** a one week 3rd label promotion “**below the Aldi price**” (normally **their mix** is 60 Dole, 30 CB, 20 DM plus some 3rds). They **forced** all their suppliers **to help**. Edeka had agreed with Dole to purchase 80K boxes at Aldi price. By moving the market and Aldi price up they [Dole] first **get a better price** for the 80K ... **As we will participate** with 50K CS, we **might take some benefit out of this**. (2) | Dole knows we [Chiquita] have a lot of Dole plus deals and is using this more and more to push our real price up, while staying much lower. | Later, Dole called me, **repeated their move** and said “and the Aldi price will certainly move 2 also”. | Through Weichert ... we know that they found Dole’s move somewhat exaggerated. | **All indicates to me that Dole is overdoing it, for their motives. We should not be perceived as all but too happy to follow**, so we decided for 1.50, closing the gap to 2 with Dole and 4.50/5.00 with the 3rd.’*

- FR: *Ce matin, Dole n'a pas pris mon appel et sans nous consulter a annoncé 2,00 (par l'intermédiaire de J, ce qui permettait d'éviter les questions). Quelle pourrait être leur motivation ? | 1) [...] la promotion Edeka : Edeka **fait** une promotion d'une semaine sur les marques de 3e catégorie '**en-dessous du prix Aldi**' (normalement leur **assortiment est constitué** de 60 Dole, 30 CB, 20 DM plus quelques 3e catégorie). Ils ont **forcé** leurs fournisseurs à **les aider**, Edeka a accepté avec Dole d'acheter 80 K de boîtes au prix Aldi. En augmentant le prix du marché et celui d'Aldi, ils [Dole] obtiennent d'abord un meilleur prix pour les 80 K [...] Dans la mesure où nous participons avec 50 K CS, **il est possible que nous en tirions quelques bénéfices**. 2) Dole sait que nous [Chiquita] avons beaucoup d'affaires Dole plus et utilise [cela] de plus en plus pour pousser nos prix réels à la hausse, alors qu'ils restent beaucoup plus bas. | Plus tard, Dole m'a téléphoné, **a répété son mouvement** et a indiqué : 'et le prix Aldi évoluera certainement aussi de 2'. | Grâce à Weichert [...], nous savons qu'ils trouvaient que la progression de Dole était légèrement exagérée. | **Tout me donne à penser que Dole gonfle la situation et qu'elle a ses propres motifs. Comme il ne faudrait pas donner l'impression que nous ne sommes que trop heureux de suivre**, nous avons opté pour 1,50, laissant ainsi l'écart à 2 avec Dole et 4,50/5,00 avec les tiers.»*
- PL: *Dziś rano Dole nie odebrała mojego telefonu i bez konsultacji z nami ogłosiła cenę 2,00 (za pośrednictwem J, co pozwoliło uniknąć pytań). Jaka mogła być ich motywacja? | 1) | [...] promocja przedsiębiorstwa Edeka: Edeka **przeprowadza tygodniową promocję** na marki trzeciej kategorii »**poniżej ceny Aldi**« (normalnie **asortyment składa się** z 60 Dole, 30 CB, 20 DM oraz kilku trzeciej kategorii). **Wymusili** na swoich dostawcach **pomoc**, Edeka i Dole zgodziły się kupić 80 tysięcy skrzynek po cenie Aldi. Podwyższając cenę rynkową i cenę Aldi, po pierwsze, **uzyskują [Dole] lepszą cenę** za 80 tysięcy [...]. **Mając na uwadze, że uczestniczymy** z 50 tysiącami CS, możliwe, że **osiągniemy z tego jakieś zyski**.) | Dole wie, że prowadzimy [Chiquita] dużo interesów z Dole i wykorzystuje [to] w coraz większym stopniu do windowania naszych cen rzeczywistych, podczas gdy ich ceny pozostają dużo niższe. | Później zadzwonili z Dole, **powtórzyli swoje działanie** i powiedzieli: »a cena Aldi z pewnością również zmieni się o 2«. | Od Weichert [...] wiemy, że uznali podwyżkę Dole za nieco przesadzoną. | **To wszystko każe mi sądzić, że Dole nadmuchuje sytuację i działa z własnych pobudek. Ponieważ nie trzeba sprawiać wrażenia, że jesteśmy szczęśliwi, powielając ten ruch, postawiliśmy na 1,50, w wyniku czego różnica w porównaniu z Dole wynosi 2, a z innymi - 4,50/5,00**". [T-587/08, recital 473, LOC EN]*

As observed before, it is not an immediate priority of lawyer-linguists to translate the “literary” layer of the text, but rather to convey the factual content, e.g. to use the appropriate terminology coherently (see subchapter 2.4.1.3.). When there are no segments to be copied, longer fragments of witness testimonies (or Opinions of the AGs) may give rise to **strange strings**, as can in the recital above. Most of these expressions are calques from French, for instance *nadmuchiwać sytuację* is a **calque** of the French expression *gonfler la situation* (*to blow it out of proportion*), which points to the fact that the translator was **translating (indirectly)** from French rather than from English (the LOC). The same is true for the term *mix*, a colloquialism, which had been **normalised** as *assortiment* and repeated in the Polish version (*asortyment*) (this is one of the effects of mediation through French). However, some segments undergo different process, e.g. the English expression *take some benefit out of this* might mean either an *advantage* or *profit*, exactly like the French *en tirer quelques bénéfices*. Yet, this expression was **disambiguated** (see subchapter 3.1.) by the Polish translator who decided on one meaning (profit): *osiągnąć zyski*. Furthermore, some expressions might be considered as examples of **strange strings**, for instance *wymusić pomoc*, a calque of *force to help* (*forcer à aider*) or *przeprowadzić promocję* (*do a promotion; faire une promotion*). Lastly, some unnatural strings are most likely due to **CAT tools** and **indirect translation**. For instance, the English *as* (*As we will*) could not have been translated as *Mając na uwadze, że* had it not been for the French segment *Dans la mesure où*. Although *Dans la mesure où* and *Mając na uwadze, że* are equivalent as **routine formulae**, the Polish does not belong to the same register (or domain) as the English *as*, nor are they **equivalent** in this context (given that this is not a part of a routine formula, but a fragment of a witness testimony).

It appears thus that lawyer-linguists enjoy, at the same time, too much and too little liberty: they are forced to use **termbases** and to resort to **cluster citations**, but they are left on their own whenever the register or domain changes.

Chapter 6. Quantitative Analysis

The previous chapter investigated the actual strategies and methods employed by lawyer-linguists, the types of changes introduced to the TTs (e.g. explicitation), and the errors committed in translation (which are inevitable, given the Directorate-General for Multilingualism's workload). A general conclusion that can be drawn from the data is that translators are, on the one hand, constrained in the use of language in that they have to render the text as faithfully as possible, and, on the other, they are free to introduce syntactic changes or to phrase a sentence in a way they deem the most suitable. However, the qualitative analysis alone is not capable of showing whether and to what extent the language of Polish judgments of the ECJ differs as regards the LOC. One of the hypotheses is that the judgments having English or French as the LOC (E-LOC and F-LOC, respectively) will have different surface level linguistic features than, firstly, texts having Polish as the LOC (P-LOC) and, secondly, than the other non-translated texts (judgments and legislation). This might be due to the fact that lawyers have different backgrounds or the fact that the authentic judgments undergo an extra review by a judge, whose mother tongue is the LOC (see subchapter 2.4.1.3.).

Due to length requirements imposed on the dissertation, this chapter focuses almost exclusively on statistically significant differences between E/F-LOC and P-LOC. Although other differences were observed, such as those between the judgments of the ECJ and the non-translated judgments, they are not discussed in detail as it was not the primary objective of the study. Furthermore, not all data gathered for the purposes of this work is analysed in this chapter and is annexed to this dissertation. This is the case of e.g. "Complex prepositions as a special case of legal phrasemes" (see Tables 55-58 and 83) (cf. Biel 2015), where tables compare patterns overrepresented and underrepresented in P-LOC, E/F-LOC and JUDGPL. Another example are lists of KeyWords, which analyse the differences between the translated corpora as regards nouns, adjectives and adverbs, and various verbal forms (including a comparison of finite and non-finite variants of verbs) (see Tables 59-61).

6.1. Mental models of legal reasoning

6.1.1. The if-then mental model

The total number of the **markers of the if-then mental model** (see Tables 6 and 62) shows, firstly, that the legislative and the judicial genre diverge greatly, and, secondly, that the

judgments of the ECJ are characterised by unique frequencies of these conjunctions. The distribution of the if-then mental model markers seems to follow a cline, where the non-translated legislation is at one extreme (7,330 in PLC15 and 11,253 in 2011KP) and the non-translated judgments at the other (2,102). E/F-LOC use these markers around 1.55 times more often (3,566/3,604, respectively) than JUDGPL, whereas P-LOC 1.95 times more often (4,547). Although E/F/P-LOC behave more like the non-translated judgments rather than the non-translated legislation (in that the latter uses up to three times more conjunctions of this type than the judgments of the ECJ), the translated judgments are marked by a distinct distribution of markers, especially **topicalisers**.

Table 6: The if-then mental model

| | Judgments | | | | Legislation | | General |
|---|------------|------------|---------------------------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Prototypical markers of the if-then mental model | | | | | | | |
| <i>jeżeli</i> [if- form] | 943 | 916 | 1,524⁸⁷ | 665 | 2,696 | 5,702 | 437 |
| <i>jeśli</i> [if- neut] | 839 | 818 | 643 | 194 | 13 | 31 | 742 |
| TOTAL | 1,782 | 1,734 | 2,167 | 860 | 2,709 | 5,733 | 1,179 |
| Topicalisers | | | | | | | |
| <i>jeżeli chodzi o⁸⁸</i> [as regards] | 228 | 167 | 135 | 5 | 0 | 1 | 29 |
| <i>jeśli chodzi o</i> [as regards] | 347 | 355 | 212 | 8 | 0 | 0 | 75 |
| TOTAL | 576 | 522 | 347 | 13 | 0 | 1 | 104 |
| Other conditional patterns | | | | | | | |
| <i>o ile</i> [unless, if not] | 226 | 240 | 309 | 99 | 247 | 197 | 71 |
| <i>chyba że</i> [unless] | 78 | 94 | 135 | 67 | 240 | 805 | 41 |
| <i>z tym że</i> [however] | 24 | 26 | 34 | 21 | 146 | 131 | 40 |
| <i>kto</i> [who] | 12 | 23 | 34 | 49 | 198 | 786 | 569 |
| <i>pod warunkiem</i> [on condition] | 99 | 125 | 326 | 36 | 87 | 96 | 26 |
| <i>pod warunkiem że/iż</i> [on condition that] | 90 | 101 | 224 | 11 | 50 | 46 | 19 |

⁸⁷ Figures shown in bold (NFs) indicate frequencies that are significantly higher than other frequencies in the judgments of the ECJ.

⁸⁸ Entries in bold are used to calculate the totals. Entries in italics only show the complementation patterns of the main entry and their frequencies; they are not included in the totals.

| | | | | | | | |
|--|------------|------------|--------------|-------|-------|--------|-------|
| <i>wówczas, gdy</i> [at the time when] | 69 | 39 | 119 | 98 | 8 | 54 | 20 |
| <i>wtedy, gdy</i> [at the time when] | 77 | 71 | 127 | 154 | 24 | 175 | 72 |
| TOTAL | 586 | 619 | 1,084 | 524 | 949 | 2,244 | 839 |
| Equivalents of in the case of: w razie, w wypadku and w przypadku | | | | | | | |
| <i>w razie</i> [in the event] | 148 | 177 | 250 | 308 | 266 | 1,496 | 61 |
| <i>w razie potrzeby</i> [in the event of a need] | 47 | 46 | 64 | 11 | 41 | 100 | 8 |
| <i>w razie konieczności</i> [in the event of a necessity] | 4 | 13 | 0 | 1 | 10 | 15 | 2 |
| <i>w razie stwierdzenia</i> [in the event of determination] | 4 | 3 | 13 | 9 | 18 | 59 | 1 |
| <i>w razie gdy</i> [in the event when] | 6 | 2 | 17 | 1 | 1 | 25 | 1 |
| <i>w wypadku</i> [in the case/BT: in the accident] | 142 | 155 | 394 | 156 | 12 | 325 | 30 |
| <i>w wypadku gdy</i> [in the case when] | 33 | 42 | 119 | 3 | 0 | 69 | 1 |
| <i>w przypadku</i> [in the case] | 908 | 920 | 652 | 254 | 3,394 | 1,454 | 213 |
| <i>w przypadku gdy</i> [in the case when] | 244 | 274 | 191 | 4 | 796 | 254 | 17 |
| <i>w przypadku o którym mowa</i> [in the case (which) is referred to] | 0 | 2 | 17 | 0 | 240 | 106 | 2 |
| <i>w przypadku braku</i> [in the case of lack] | 27 | 22 | 30 | 5 | 70 | 43 | 3 |
| <i>w przypadku stwierdzenia</i> [in the case of determination] | 6 | 10 | 17 | 2 | 99 | 54 | 2 |
| TOTAL | 1,198 | 1,252 | 1,295 | 718 | 3,672 | 3,275 | 304 |
| GRAND TOTAL | 3,566 | 3,604 | 4,547 | 2,102 | 7,330 | 11,253 | 2,426 |

As regards the **prototypical markers of the if-then mental model**, E/F-LOC judgments tend to have a similar distribution of *jeżeli* (*if*-formal, *where; lorsque, si*)⁸⁹ and *jeśli* (*if*-neutral; *si*): 943 and 839 in E-LOC; 916 and 818 in F-LOC. In the case of P-LOC, *jeżeli* is used almost three times more often (1,524) than *jeśli* (643). Arguably, this discrepancy can be viewed as an example of **normalisation**, i.e. a means of **exaggerating the TL conventions**, as in the non-translated legislation *jeżeli* outnumbers *jeśli* 2,696 to 13 (PLC15) or even 5,702 to 31 (2011KP). The same pattern is visible in JUDGPL, which use decidedly more *jeżeli* (665) in comparison with *jeśli* (194). However, irrespective of the ratio, these markers are significantly overrepresented in the translated judgments, when compared with the non-translated ones, as, in total, P-LOC uses an average of 2,167 prototypical markers per million words, as compared with 1,782 in E-LOC and 1,734 in F-LOC (and only 860 in JUDGPL). One possible explanation for this is that the judgments of the ECJ often use *jeśli/jeżeli* as **topicalisers**: *jeśli chodzi o* and *jeżeli chodzi o* (*as regards, with respect to, in terms of, in so far as concerns, so far as sb is concerned, regarding, according to, in relation to, for the sth concerned, in respect of; en ce qui concerne, s'agissant de, pour ce qui est de, quant à, pour qqn concerné, au titre de, concernant*). In all the translated corpora, the preferred collocation is *jeśli chodzi, jeżeli* belonging to a more formal register and not deemed to be suitable for a topicaliser. Albeit *jeżeli* and *jeśli* are used less often in E/F-LOC, around 30% of these markers is used as **discourse organisers** in these corpora (576 and 522, respectively), whereas only around 16% (347) in P-LOC. In JUDGPL, on the other hand, *jeśli/jeżeli* do not function as topicalisers virtually at all (only 13 instances per million words; the same is true for the non-translated legislation). Consequently, after subtracting **topicalisers** from the total number of *jeśli/jeżeli*, it appears that E/F-LOC use around 43% more **prototypical markers of the if-then mental model** (1,206/1,211, respectively) than JUDGPL (847) and P-LOC more than twice as many (1,820). It follows that all the judicial pronouncements of the ECJ have a unique way of structuring the text, different from that of the non-translated Polish judgments (despite belonging to the same genre). Furthermore, P-LOC is characterised by a different pattern of distribution of top markers from that of E/F-LOC.

As regards various **equivalents of in the case**, some expressions like *w razie* [in the event], are used slightly more often in P-LOC (250) in comparison with E/F-LOC (148/177, respectively), arguably due to the fact that they are more frequent in the non-translated corpora (308 in JUDGPL, 266 in PLC15 and 1,496 in 2011KP). However, the corpora diverge the most

⁸⁹ Expressions in square bracket are backtranslations. Expressions in round brackets are expressions that trigger these patterns in translation; see the corresponding table in the appendix.

as regards the distribution of complex prepositions *w przypadku* [in the case] and *w wypadku* [in the case], which seems to be violating the TL conventions. Although, totalled, both forms occur roughly 1,050 times per million words in the translated judgments, the former (*w przypadku*) is used around six times more often in E/F-LOC than the latter (*w wypadku*) (908 to 142 in E-LOC, and 920 to 155 in F-LOC). In the case of P-LOC and JUDGPL, the former occurs only around 1.6 times more often (652 to 394 in P-LOC, and 254 to 156 in JUDGPL). This pattern of distribution is unexpected, since *w przypadku* has a much higher frequency than *w wypadku* in all the non-translated corpora (3,394 to 12 in PLC15, 1,454 to 325 in 2011KP, 213 to 30 in NKJP). This might be due to the fact that translators try to **normalise** the text by using the most frequent patterns, which, at least partially, explains the exaggerated use of this complex preposition. *W przypadku* is triggered in translation not only by prototypical conjunctions (*in a given case, in sb's case, in the case of, as regards; dans un cas donné, dans le cas de, dans un cas où, s'agissant de*), but is also used to translate a variety of structures, such as *on specific points (sur des points spécifiques; w przypadku kwestii szczególnych)* or *pour les infractions continues (in the case of continuing or repeated infringements; w przypadku ciągłych lub powtarzających się naruszeń)*. Conversely, *w wypadku* is not as versatile and is triggered by a rather limited number of conjunctions (*where; dans l'hypothèse, au cas où*).

Other conditional patterns appear to be distributed differently in the corpora. In total, the non-translated legislation uses more markers of this type (949 in PLC15 and 2,244 in 2011KP) than the judgments. Noteworthy, P-LOC uses almost twice as many markers (1,084) than any other judicial corpus (586 in E-LOC, 619 in F-LOC, 524 in JUDGPL). The judgments differ the most as regards the marker *pod warunkiem* (*subject to -ing, provided that, on condition that; sous réserve de, à la condition que, à condition que, sous condition de + nom, pourvu que + subj, pour autant que*), almost three times more frequent in P-LOC (326) than in E/F-LOC (99/125, respectively). Interestingly, this pattern is used less often with a noun phrase (NP) (*pod warunkiem*) than with a that-clause (*pod warunkiem że/iż*) [on condition that] in P-LOC (224 out of 326 occurrences) and in all the non-translated legal instruments (the ratio is 50 to 87 in PLC15, 46 to 96 in 2011KP and 11 to 36 in JUDGPL). E/F-LOC use almost exclusively the former complementation pattern (90 out of 99 in E-LOC and 101 out of 125 in F-LOC).

6.1.2. Patterns of purpose

As regards the **markers of purpose** (see Tables 7 and 63), E/F/P-LOC have a roughly similar total (3,137/3,369/3,031, respectively), which is three times higher than that of the non-translated legislation (around 1,300). Although, arguably, the discrepancies between the corpora might be caused by different **communicative purposes** of the texts (e.g. the primary objective of judicial pronouncements is to settle a dispute and to do so they have to reconstruct the course of action), the non-translated judgments, unexpectedly, have even fewer occurrences of conjunctions expressing purpose (925) than the non-translated legislation. Thus, these markers appear to be strongly overrepresented in the judgments of the ECJ. This might be due to the fact that lawyer-linguists have the tendency to **normalise** the language, by replacing SL expressions with markers of purpose in the TL (see below).

Table 7: Patterns of purpose

| | Judgments | | | | Legislation | | General |
|---|--------------|--------------|--------------|------------|--------------|--------------|------------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Patterns of purpose | | | | | | | |
| <i>Aby</i> [that- rel] | 955 | 938 | 745 | 335 | 115 | 194 | 658 |
| . <i>Aby</i> (fronted) | 60 | 55 | 72 | 7 | 1 | 2 | n.d. |
| <i>w celu</i> [in order to; for the purpose of] | 1,244 | 1,395 | 1,156 | 267 | 862 | 785 | 84 |
| . <i>W celu</i> (fronted) | 46 | 60 | 59 | 19 | 78 | 70 | n.d. |
| <i>do celów</i> [for the purposes of] | 189 | 209 | 415 | 3 | 101 | 72 | 8 |
| . <i>Do celów</i> (fronted) | 14 | 11 | 38 | 0 | 5 | 2 | n.d. |
| <i>na celu</i> [(has) the objective of] | 425 | 479 | 288 | 115 | 85 | 147 | 49 |
| <i>celem</i> (purpose-ins) | 324 | 348 | 428 | 206 | 70 | 72 | 94 |
| TOTAL | 3,137 | 3,369 | 3,031 | 925 | 1,317 | 1,270 | 893 |

Even though the totals are similar for E/F/P-LOC, the conjunctions expressing purpose appear to be distributed differently, i.e. some prepositions are overrepresented in E-LOC and F-LOC, whereas some are used more frequently in P-LOC. There are three expressions occurring more frequently in E/F-LOC than in P-LOC: *aby* (*to, in order to [have -ed], so that,*

to require that; pour + inf, dans le but de, visant à ce que qqch + subj, afin/aux fins [de + inf/qqch] [que +subj], exiger que + sub, pour que + subj) (955/938 in E/F-LOC, respectively, as compared to 745 in P-LOC; 115 in PLC15, 194 in 2011KP and 335 in JUDGPL), **w celu** (*[in order] to, [in] -ing, with the intention of, with the aim of, for the purpose[s] of, with a view to -ing; en vue de, pour + inf, visant à/ viser à, afin/aux fins [de + inf/qqch] [que +subj], dans une intention/le but de*) (1,244/1,395 in E/F-LOC, respectively, as compared to 1,156 in P-LOC; 862 in PLC15, 785 in 2011KP and only 267 in JUDGPL) and **na celu** (*intended to, have a purpose to, aimed at -ing, to be concerned with, the purpose of which is, for, the ultimate aim of which is, serve to, sb's task is to; visant à/ viser à, avoir but de, ayant/ avoir pour objet, tendre à +inf, tendant à qqch, le but de qqch est de, avoir vocation à + inf*) (425/479 in E/F-LOC, as compared with 288 in P-LOC, 85 in PLC15, 147 in 2011KP and 115 in JUDGPL). **Aby** is triggered in translation by similar prepositions as **w celu** and **na celu**. One possible explanation of why **w celu** is the preferred conjunction in the translated corpora is that it might help to preserve the nominal style of the STs, i.e. **w celu** allows for NPs, whereas **aby** requires VPs:

EN : (...) **for** deterrence (...)

FR : (...) **au titre de** l'effet dissuasive (...)

PL : (...) **w celu** zapewnienia skutku odstraszającego (...)
[for **the purpose** of deterrence]

At times, these conjunctions seem to be marked by the tendency to **exaggerate the TL features**:

EN: (...) **a holding company's task is to** consolidate the shareholdings in various companies (...)

FR : (...) **une société holding a vocation à** regrouper des participations dans diverses sociétés (...)

PL: (...) **spółka holdingowa ma na celu** gromadzenie udziałów w różnych spółkach (...)
[**the purpose** of a holding company's task is to]

As regards the conjunctions overrepresented in P-LOC, this corpus uses more often **do celów** (*in order to, in relation to, for the purpose[s] of; aux fins de + qqch / inf, dans des buts autres que*) (415, as compared with 189/209 in E/F-LOC, respectively) and **celem** (*the objective*

[of sth] is to, purpose thereof, the object is to, as a means of, with the desire of -ing; visant à/ viser à, ayant pour objet de + inf / qqch, la finalité de qqch, l'objectif est de, avoir pour but de + inf, dans un souci de qqch) (428, as compared with 324/348 in E/F-LOC). Again, as in case of other expressions, these conjunctions are also used to **normalise** the TTs, which can be observed in the following examples:

EN: (...) **the desire of protecting** the interest of a group (...)

FR: (...) **dans un souci de protection** de l'intérêt d'un groupe (...)

PL: (...) **celem ochrony interesu grupy** w sytuacji (...)

[for **the purpose** of protection]

EN: *The Commission's rejection of the indicia which the applicant supplied amounts to a de facto denial of that **mode of evidence as a means of rebutting** that presumption.*

FR: *En rejetant les indices que la requérante lui a fournis, la Commission lui aurait, de facto, dénié ce **mode de preuve pour renverser** ladite présomption*

PL: *Komisja de facto odmówiła jej możliwości skorzystania z tego **sposobu przeprowadzania dowodu, którego celem było obalenie** domniemania wywierania decydującego wpływu.*

[whose **purpose** was to]

As regards the variety of conjunctions in use, the judgments of the ECJ follow a unique pattern of distribution, albeit that they behave more like the non-translated judgments than the non-translated legislation. The top two conjunctions in E/F/P-LOC, **w celu** and **aby** account for roughly 40% and 25-30% of the total number of markers in E/F/P-LOC, which reminiscent of how the two behave in the non-translated judgments, but in reversed order (29% **aby** and 36% **w celu**). In the non-translated legislation, on the other hand, the top conjunction accounts for 63-65 % in 2011KP and PLC15 and 73% in NKJP; the second one for only around 10%.

6.1.3. Causal relations

Causal relations (see Tables 8 and 64) are an example of a **mental model**, where all the judgments (translated and non-translated) converge. The judicial pronouncement have roughly

a five to six times bigger total (7,363 in E-LOC, 7,362 in F-LOC, 6,278 in P-LOC and 7,605 in JUDGPL) than the non-translated legislation (944 in PLC15 and 1,261 in 2011KP), which is caused by different **communicative purposes** of the genres. As expected, the difference between E-LOC and F-LOC is smaller (0,1%) than that between E-LOC and P-LOC (17%). What might be unexpected, however, is the fact that the totals are more similar between E/F-LOC and JUDGPL, than between P-LOC and JUDGPL. This might be due to the tendency to **exaggerate the TL phraseology** on the translator's part in order to make the TT appear more natural. Another possible explanation, which incidentally is not at odds with the previous one, is that E/F/P-LOC have a roughly similar number of markers for all mental models, but a different distribution patterns of marker types. This might be attributable to a gamut of factors, be it a theoretical background of lawyers representing their clients or an extra review that P-LOC undergoes (see subchapters 2.4.1.3. and 6.1.4.).

Table 8: Causal relations

| | Judgments | | | | Legislation | | General |
|--|--------------|--------------|-------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Justification: ponieważ and gdyż | | | | | | | |
| <i>ponieważ</i> [because] | 1,072 | 1,006 | 648 | 419 | 3 | 2 | 298 |
| <i>gdź</i> [because - form] | 285 | 267 | 212 | 680 | 1 | 3 | 204 |
| TOTAL | 1,357 | 1,273 | 859 | 1,099 | 4 | 5 | 502 |
| Casual realations: additional expressions | | | | | | | |
| <i>albowiem</i> [for] | 13 | 12 | 0 | 70 | 0 | 0 | 17 |
| <i>bowiem</i> [for] | 978 | 1,032 | 1,050 | 1,028 | 0 | 0 | 317 |
| <i>jako że</i> [as] | 168 | 138 | 127 | 4 | 0 | 0 | 18 |
| <i>jako iż</i> [as] | 1 | 2 | 0 | 0 | 0 | 0 | 0 |
| <i>dlatego że</i> [because] | 8 | 3 | 0 | 1 | 0 | 6 | 121 |
| <i>dlatego iż</i> [because] | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| <i>z uwagi na</i> [in view of] | 260 | 244 | 174 | 358 | 31 | 31 | 26 |
| <i>z racji</i> [by virtue of] | 18 | 25 | 13 | 33 | 1 | 1 | 17 |
| <i>wszak</i> [indeed] | 0 | 0 | 0 | 5 | 0 | 0 | 25 |
| <i>przyczyną</i> | 13 | 9 | 8 | 82 | 7 | 13 | 4 |

| | | | | | | | |
|---|------------|------------|------------|-------|-----|-----|-------|
| [the purpose of .. is] | | | | | | | |
| TOTAL | 1,458 | 1,466 | 1,372 | 1,581 | 39 | 51 | 547 |
| Inference markers | | | | | | | |
| <i>zatem</i> [thus] | 1,163 | 1,251 | 1,113 | 1,131 | 1 | 0 | 165 |
| <i>dlatego</i> [therefore] | 107 | 92 | 68 | 184 | 0 | 6 | 479 |
| <i>więc</i> [so] | 306 | 315 | 356 | 848 | 0 | 0 | 911 |
| <i>tym samym</i> (excl. w tym samym) [hence] | 274 | 287 | 212 | 249 | 0 | 72 | 219 |
| <i>w związku z tym, czym, powyższym</i> [in connection with this, what, the foregoing] | 439 | 438 | 584 | 207 | 3 | 2 | 98 |
| <i>wobec tego, czego, powyższego</i> [in view of this, what, the foregoing] | 206 | 219 | 254 | 195 | 0 | 5 | 32 |
| <i>z tego względu</i> [for this reason] | 152 | 103 | 161 | 71 | 0 | 0 | 8 |
| <i>w konsekwencji</i> [in consequence] | 477 | 462 | 419 | 347 | 0 | 0 | 21 |
| <i>w rezultacie</i> [as a result] | 151 | 106 | 30 | 80 | 1 | 2 | 20 |
| TOTAL | 3,275 | 3,274 | 3,196 | 3,312 | 4 | 87 | 1,953 |
| Cause-effect complex prepositions | | | | | | | |
| <i>w wyniku</i> +NP [as a result of] | 170 | 141 | 80 | 391 | 285 | 200 | 82 |
| <i>wskutek</i> +NP [because of] | 60 | 53 | 93 | 226 | 78 | 191 | 29 |
| <i>na skutek</i> +NP [because of] | 15 | 33 | 4 | 320 | 56 | 91 | 31 |
| <i>ze względu na</i> +NP [in respect to] | 709 | 782 | 512 | 303 | 324 | 305 | 117 |
| <i>z powodu</i> [for the cause of] | 141 | 172 | 114 | 162 | 70 | 233 | 102 |
| <i>z przyczyn(y)</i> [for reason(s)] | 20 | 20 | 17 | 98 | 77 | 132 | 15 |

| | | | | | | | |
|---|--------------|--------------|-------|-------|-----|-------|-------|
| <i>w następstwie</i> +NP [as a consequence of] | 157 | 149 | 30 | 111 | 9 | 17 | 5 |
| TOTAL | 1,273 | 1,349 | 851 | 1,612 | 899 | 1,169 | 381 |
| GRAND TOTAL | 7,363 | 7,362 | 6,278 | 7,605 | 944 | 1,261 | 2,836 |

Insofar as expressions used for **justification** are concerned, three observations are to be made. Firstly, the top conjunctions are different in the translated and the non-translated judgments. In the non-translated judicial pronouncements, there are two main conjunctions: *ponieważ* [because] and *gdyż* [because - form]. Although both of them are virtually not present in the non-translated legislation, *gdyż* appears 680 times JUDGPL and *ponieważ* for 419. In the translated corpora the order is reversed, and the discrepancies are larger. Secondly, as regards the judgments of the ECJ, *ponieważ* is significantly overrepresented in E/F-LOC (1,072 and 1,006 respectively) in comparison with P-LOC (648). On the other hand, *gdyż* is four times less frequent than *ponieważ* in E/F-LOC (285 and 267, respectively) and only three times less frequent in P-LOC (212). Interestingly, in general language both prepositions have a similar frequency, *ponieważ* being slightly more popular (298 in comparison with 204). Thirdly, one conjunction expressing causal relation, *bowiem* (*indeed, thus; en effet, ainsi*), is a case apart, since it occurs roughly 1000 times per million words in all the judgments and does not seem to be influenced by the LOC. This is due to the fact that such **discourse markers** are added even when no ST structure triggers it in translation (with notable exception of French, which uses these conjunctions in an analogous way; see subchapter 5.2.7. and Table 64).

Most of **cause-effect complex prepositions** are distributed roughly evenly across the translated corpora. This is the case of *z powodu* [for the cause of] and *z przyczyn(y)* [for reason(s)], the former being more frequent (around 150 occurrences per million words on average) than the latter (around 20). Due to a relatively small number of occurrences, it is not possible to infer whether this is statistically significant. However, some expressions, such as *na skutek* +NP [because of], are used up to ten times more frequently in JUDGPL (320) than in the translated judgments (15/33/4 respectively). Furthermore, *na skutek* +N is more frequent in JUDGPL than *ze względu na* +NP [in respect to], a similar expression distributed differently across the translated corpora. *Ze względu na* +NP appears to be overrepresented in E/F-LOC (709/782, respectively) in comparison with P-LOC (512). Furthermore, it is used less frequently in both the non-translated legislation (324 in PLC15, 305 in 2011KP) and the non-translated judgments (303).

As regards the **inference markers**, in general, all the judgments (translated and non-translated) have almost identical totals, although the distribution patterns of individual conjunctions are different. The top marker, *zatem* [thus], is used around 1,100 times per million words in all judgments (while not being used at all in the non-translated legislation), which is roughly 10 times more often than *dlatego* [therefore], a conjunction preferred in general language (479 in NKJP). Some markers, e.g. *więc* [so], are used much more frequently in the non-translated judgments (848) in comparison with E/F/P-LOC (306/315/356, respectively). Conversely, patterns such as *w konsekwencji* [in consequence], are used less frequently in JUDGPL (347) than in E/F/P-LOC (477/462/419, respectively). On the other hand, the sole marker showing any significant variation across the translated corpora is *w związku z tym, czym, powyższym* (consequently, as it has been +ed, in that context, it follows that; partant, par conséquent, il s'ensuit que, dès lors, qqch étant + participe passé, dans ce cadre, dès lors que), which appears around 34% more often in P-LOC (584) than in E/F-LOC (439/438, respectively) and around 3 times more often than in JUDGPL (207).

As regards expressions triggering these conjunctions, it should be born in mind, firstly, that French uses a wider range of causal markers than English. For instance, *ponieważ* is triggered by only few English expressions and a whole gamut of French conjunctions (*as it/they + verb, in so far as, by -ing, since, in the absence of, because; dans la mesure où, dans le cadre de, étant donné que, car, puisque, dès lors que, [qqch] [en] -ant [+inf], Ayant/ étant + participe passé, qqch étant + participe passé, en raison du fait qu qqch se -ant, en ce que*). Secondly, some of these conjunctions are **polysemic**, e.g. *dans la mesure où* or *dans le cadre de* can also be translated *as in terms of/in the framework of* (*w ramach*). This would not be problematic, were judgments written and read by natives only in a monolingual environment. In the example analysed in subchapter 5.2.7, *dans la mesure où* was erroneously translated as *mając na uwadze* (*having regard to*):

EN: *As we will participate with 50K CS, we might take some benefit out of this.*

FR : *Dans la mesure où nous participons avec 50 K CS, il est possible que nous en tirions quelques bénéfices.*

PL: *Mając na uwadze, że uczestniczymy z 50 tysiącami CS, możliwe, że osiągniemy z tego jakieś zyski.*

Very rarely are conjunctions translated in a straightforward way, having seemingly limited expressions triggering it, as e.g. *zatem* (*therefore, it follows that, thus; dès lors, il en*

résulte, donc, ainsi). Conversely, many of the expressions, for instance *ze względu na*, are not only triggered by a variety of structures (*as a result of, having regard to, in respect of, on the ground that, in that sb + verb, on account of, because, given the nature of, with regard to; en raison de, eu égard à, au motif que, dans la mesure où, au vu de, au titre de, compte tenu de, au regard de*), but their use can **violate the TL conventions**, especially when the translator tries at all costs to preserve the syntax of the ST (noteworthy, French suffers from this to a lesser extent, since it is syntactically closer to English) or when he or she tries to erroneously **normalise** expressions belonging to different registers, as can be observed below:

EN: (...) *a company holding all the capital of a subsidiary can, **by dint of that shareholding alone**, exercise decisive influence over that subsidiary's conduct (...)*

FR: (...) *une société détenant la totalité du capital d'une filiale peut, **au vu de cette seule part de capital**, exercer une influence déterminante sur le comportement de cette filiale (...)*

PL: (...) *spółka posiadająca całość kapitału spółki zależnej może **ze względu tylko na ten udział w kapitale** wywierać decydujący wpływ na zachowanie tej spółki zależnej (...)*
[EN LOC]

[The conjunction chosen by translators (French and Polish ones) lack equivalence, as *by dint of* means by *means of*⁹⁰ and should be translated as *za pomocą* (Lewandowska-Tomaszczyk *et al.* 2014) or by *à force de*⁹¹. The Polish version appears to have been inspired by the French one (see also subchapter 5.2.3.).]

6.1.4. The distribution of mental models

It appears that the judgments of the ECJ converge as regards the **mental models**, i.e. the markers of the **if-then mental model**, **patterns of purpose** and **causal relations** (see Table 9). Although the totals are almost identical for all the translated judicial pronouncements (which might imply that they do in fact behave as a distinct genre), the LOC seems to have an impact on the way they are used.

⁹⁰ https://en.oxforddictionaries.com/definition/by_dint_of

⁹¹ <http://www.larousse.fr/dictionnaires/anglais-francais/dint/575640#575641>

Table 9: Grand Total of Mental Models

| | Judgments | | | | Legislation | | General |
|---------------------------------|--------------|--------------|--------------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| The if-then mental model | 3,566 | 3,604 | 4,547 | 2,102 | 7,330 | 11,253 | 2,426 |
| Patterns of purpose | 3,137 | 3,369 | 3,031 | 925 | 1,041 | 1,270 | 893 |
| Causal relations | 7,363 | 7,362 | 6,278 | 7,605 | 944 | 1,261 | 2,836 |
| GRAND TOTAL | 14,066 | 14,335 | 13,856 | 10,632 | 9,315 | 13,784 | 6,155 |

Whereas the **if-then mental model** accounts for roughly 75% of all the mental models' markers in the non-translated legislation (79% in PLC15 and 82% in 2011KP), it amounts to only 20% of the markers in the non-translated judgments. As regards the judgments of the ECJ, they seem to behave like the non-translated judgments in that they use decidedly fewer markers of this type. Furthermore, E/F-LOC have a different ratio of these markers (25%) than P-LOC (33%). This is echoed by the ratio of the combined **patterns of purpose** and **patterns of causal relations** to the **if-then mental model** on the other: E/F-LOC have almost identical ratios (2.94:1/2.98:1, respectively), which resembles neither the ratio typical of P-LOC (2.04:1) nor the ratio typical of the non-translated judgments (4.05:1). However, when compared with the non-translated legislation (0.27:1 in PLC15 and 0.22:1 in 2011KP), the ratios of the judgments appear to be convergent.

6.2. Deontic modality: communicating rights and obligations

6.2.1. Obligation

Unlike causal relations, **obligation** is one of those grammatical categories, the markers of which are used in a strikingly different manner in E/F/P-LOC and in the non-translated corpora (see Tables 10 and 66). Although **deontic modals and their substitutes** are slightly overrepresented in P-LOC (7,705) in comparison to E/F-LOC (7,046/7,134, respectively), the total for the translated judgments, in general, doubles that of the non-translated judgments (3,117) and the non-translated legislation (1,702 in PLC15 and 3,683 in 2011KP). As expected, the translated corpora are characterised by a unique distribution pattern of these markers, which does not resemble the distribution of neither the non-translated judgments nor the non-translated

legislation. Furthermore, E/F-LOC diverge from P-LOC as regards the distribution of individual expressions.

Table 10: Deontic modality: obligation

| | Judgments | | | | Legislation | | General |
|---|-----------|-------|--------------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Deontic modals | | | | | | | |
| <i>musi</i> [must] | 660 | 612 | 491 | 479 | 53 | 74 | 506 |
| <i>należy</i> [should-imprs] | 4,716 | 4,798 | 5,084 | 1,469 | 391 | 840 | 413 |
| <i>powinien</i> [should] | 1,253 | 1,291 | 1,541 | 947 | 317 | 1 427 | 503 |
| TOTAL | 6,629 | 6,700 | 7,116 | 2,896 | 762 | 2,341 | 1,422 |
| Phraseological substitutes of obligation modals | | | | | | | |
| <i>jest obowiązany</i> [is obliged dated] | 12 | 15 | 64 | 47 | 768 | 1,096 | 15 |
| <i>jest zobowiązany</i> (excl. główny) [is obliged] | 298 | 306 | 402 | 77 | 74 | 59 | 10 |
| <i>ma obowiązek</i> [has an obligation] | 64 | 74 | 76 | 0 | 45 | 77 | 49 |
| <i>jest wymagane</i> [is required] | 34 | 33 | 42 | 14 | 54 | 110 | 2 |
| TOTAL | 408 | 428 | 584 | 139 | 940 | 1,342 | 76 |
| GRAND TOTAL | 7,046 | 7,134 | 7,705 | 3,117 | 1,702 | 3,683 | 1,498 |

In Polish, there are three **deontic modals expressing obligation**. The single most important one, accounting for the vast majority of obligation markers, is *należy* (*must, should, to be necessary to, it is appropriate; il y a lieu de, il convient de, il appartient à qqn de, devoir + inf, il importe de*) which occurs slightly more often in P-LOC (5,084) than in E/F-LOC (4,716/4,798, respectively). This verb is used almost 3.4 times more often in the judgments of the ECJ than in JUDGPL (1,469), and 6 to 13 times more often than in the non-translated legislation (391 in PLC15 and 840 in 2011KP). *Należy* is triggered in translation by a small number of English expressions, including *must* (which triggers all 3 Polish deontic modals) and a wider range of French conjunctions.

The second most frequent modal verb, *powinien* (*must, have to, should, sth to be taken into account; devoir + inf, il y a lieu de, il convient de, il devrait, à + inf*), appears to be overrepresented in P-LOC (1,541) in comparison with E/F-LOC (1,253/1,291, respectively).

Interestingly, although in both the translated and the non-translated judgments *należy* is more, the non-translated legislation uses *powinien* decidedly more often.

The third modal verb, *musi* (*must, [does not] have to be, it is for sb to, be required to, find it necessary to, have to, it falls to sb to, to require sb to; devoir, incomber à qqn de, il faut que, devant + inf, être amené à, imposer que qqn + subj*), is slightly more frequent in E/F-LOC (660/612, respectively) than in both P-LOC (491) and JUDGPL (479). Insofar as the **phraseological substitutes of obligation modal verbs are concerned**, the most popular structure is *jest zobowiązany* (*to be required to, must do, it is for sb to, to be obliged to; être tenu à, être tenu de + inf, être obligé de + inf, il incombe à qqn de, avoir à + inf, (sans que qqn) ait à, il appartient à qqn de, il est nécessaire que +subj, devoir tenir compte de*), a cluster slightly overrepresented in P-LOC (402) in comparison with E/F-LOC (298/306, respectively), is used five times more often in the translated judgments than in the non-translated ones (77).

As regards the **markers of obligation** in the STs, English relies heavily on **deontic modals**, whereas French uses more **phraseological substitutes of obligation modals**; it is rarely the verb *devoir* (*must; musi*) that causes Polish modals to appear. Furthermore, French has a wider range of conjunctions and, in general, avoids repetition by means of using different expressions or by changing the word order (see Tables 66-67 for the collocates of *należy zauważyć*). Despite the differences between English and French, E-LOC and F-LOC (i.e. corpora of texts translated from these languages into Polish) converge insofar as the TL patterns are concerned.

The translated corpora, in general, converge as regards the top collocates of Polish modals expressing obligation (see Table 34). Nevertheless, the judgments of the ECJ and the non-translated judgments seem to diverge. Some collocations that do not appear at all in JUDGPL, such as *należy oddalić* (*must be dismissed/rejected in its entirety /rejected; doit être rejeté/ écarté dans son intégralité*), might be fairly frequent in E/F/P-LOC (here: 452/432/237, respectively). As regards the internal variation of the judicial pronouncements of the ECJ, two patterns appear to be distributed differently in E/F-LOC and P-LOC. *Należy interpretować* seems to be overrepresented in P-LOC (610) in comparison with E/F-LOC (148/327, respectively; 7 in JUDGPL). Conversely, *należy zauważyć* (*it must be observed that, it should be noted that, the Court notes that; il convient de relever que, il importe de relever, il importe d'observer que, il y a lieu de relever que, Il y a lieu d'observer que, il convient de noter que, il convient d'observer que, il y a lieu de noter que*), appears to be underrepresented in P-LOC (174, as compared with 334/269 in E/F-LOC, respectively).

6.2.2. Permission and prohibition

The markers of **permission and prohibition**, a type of **deontic modality**, appear to be distributed differently in the translated rulings (which also appear to be marked by great internal variation) and in the non-translated judgments (see Tables 11 and 68). The judicial pronouncements of the ECJ use, in total, these patterns decidedly more often than JUDGPL (5,071) (the legislative corpora show significant standard variation in that regard: 4,492 in PLC15, as compared with 8,550 in 2011KP). This is in spite of the fact that E-LOC does not behave in the same way as other corpora, since it has significantly lower totals (5,275) than F-LOC (6,658) and P-LOC (6,854). This divergence is caused mainly by **modal verbs**, as P-LOC counts 4,627 occurrences of **permission modals**, F-LOC 4,408 and E-LOC merely 3,054. It follows that whenever E/F-LOC do not behave alike, P-LOC converges with F-LOC (which is symptomatic of the overwhelming influence of French on other languages used in the ECJ).

Table 11: Permission and prohibition

| | Judgments | | | | Legislation | | General |
|--|-----------|--------------|--------------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Permission modals | | | | | | | |
| <i>może</i> [may] | 2,642 | 4,021 | 4,204 | 1,811 | 2,923 | 5,521 | 1,895 |
| <i>można</i> [may-imp] | 411 | 387 | 423 | 911 | 183 | 477 | 909 |
| TOTAL | 3,054 | 4,408 | 4,627 | 2,722 | 3,106 | 5,998 | 2,804 |
| Phraseological substitutes of permission modals | | | | | | | |
| <i>przysługuje</i> [is entitled] | 276 | 278 | 241 | 582 | 525 | 798 | 35 |
| <i>przysługuje prawo</i> [is entitled to a right] | 40 | 38 | 102 | 34 | 45 | 68 | 3 |
| <i>ma prawo</i> [has a right] | 130 | 99 | 207 | 64 | 150 | 239 | 39 |
| <i>zachowuje prawo</i> [preserves a right] | 9 | 5 | 17 | 1 | 5 | 23 | 1 |
| <i>nabywa prawo</i> [acquires a right] | 2 | 2 | 0 | 13 | 7 | 10 | 1 |
| <i>jest uprawniony</i> [is entitled] | 100 | 99 | 169 | 82 | 79 | 114 | 5 |

| | | | | | | | |
|---|-------|--------------|--------------|-------|-------|-------|-------|
| <i>jest dozwolony</i> [is allowed] | 14 | 12 | 21 | 1 | 4 | 22 | 3 |
| TOTAL | 530 | 496 | 656 | 743 | 770 | 1,206 | 84 |
| Prohibition modals and their substitutes | | | | | | | |
| <i>nie może/nie mogą</i> [may not] | 1,188 | 1,274 | 1,194 | 1,045 | 515 | 1,028 | 260 |
| <i>nie można</i> [may not imp] | 484 | 460 | 364 | 556 | 71 | 223 | 163 |
| <i>nie wolno</i> [(it) is not allowed-imp] | 2 | 1 | 0 | 3 | 4 | 39 | 48 |
| <i>zabrania się</i> [(one) prohibits] | 3 | 4 | 4 | 0 | 18 | 49 | 2 |
| <i>jest zakazane</i> [it is prohibited] | 13 | 16 | 8 | 3 | 8 | 7 | 2 |
| TOTAL | 1,691 | 1,754 | 1,571 | 1,606 | 616 | 1,346 | 475 |
| GRAND TOTAL | 5,275 | 6,658 | 6,854 | 5,071 | 4,492 | 8,550 | 3,363 |

Polish has two main permission modals: *może* (*it may be that, it can, it may; il se peut que, il peut*) and the impersonal pattern *można* (*it may be, it is permissible to, can be (-ed), it is possible to, could be -ed as, may be -ed, to be capable of -ing; il est possible de, il est permis de, peut être +p.p, imputable à, susceptible d'être p.p comme, pouvant être p.p, pouvoir + inf*). *Może* is used significantly more often than its impersonal counterpart. In the judgments of the ECJ, the former is six to ten times more frequent than the latter (4,204 to 423 in P-LOC, 4,021 to 387 in F-LOC, and 2,642 to 411 in E-LOC). In the non-translated legislation *może* is used 12 to 16 times more frequently than *można* (2,923 to 183 in PLC15, and 5,521 to 477 in 2011KP). JUDGPL, on the other hand, uses *może* only twice as often (1,811 to 911). This seems to confirm the initial observation that the translated judgments behave differently than the non-translated ones. Interestingly, *może*, the most frequent verb, is seemingly triggered by a smaller number of conjunctions than *można*. The latter appears to be much more versatile, as it is used as an all-purpose word, which helps to translate various ST structures, such as the adjectival suffix *-able* or the complex preposition *capable of*.

The total right collocates of *może* (see Table 35) are fairly similar in all the translated corpora (JUDGPL has slightly different top collocates). There appear to be no divergences as regards reflexive forms of this verb, the only perceivable difference being the distribution of the auxiliary verbs *to be* (*być*) and *to become* (*zostać*), which reflects the divergent ways in which E/F-LOC and P-LOC construct the passive voice (see subchapter 6.3.): *może być* is more frequent in P-LOC (809) than in E/F-LOC (720 and 695, respectively) and in JUDGPL (540).

Conversely, *może zostać* is more frequent in E/F-LOC (545 and 496) than in P-LOC (381) (and almost not present in the non-translated judgments, 17). *Może być* appears to be triggered more often by epistemic verbs:

EN: (...) *could be regarded as* (...)

FR: (...) *peut être considérées comme* (...)

PL: (...) *być uznany za* (...)

EN: (...) *may be understood as meaning that* (...)

FR: (...) *peut être compris en ce sens que* (...)

PL: (...) *może być rozumiane w ten sposób, że,* (...)

Whereas *może zostać* seems to be triggered by verbs denoting finite actions (Polish distinguishes between two aspects: finite and non-finite)⁹²:

EN: (...) *could be categorised as* (...)

FR: (...) *peut être qualifiée de restriction de* (...)

PL: (...) *może zostać uznane za* (...)

EN: (...) *infringement may be invoked* (...)

FR: (...) *de l'infraction dans le chef d'une société est susceptible d'être invoqué* (...)

PL: (...) *może zostać podniesione stwierdzenie przez Komisję naruszenia* (...)

EN: (...) *sth can be demonstrated,* (...)

FR: (...) *il est possible de démontrer* (...)

PL: (...) *może zostać wykazane* (...)

EN: (...) *may be rebutted* (...)

FR: (...) *peut être renversée* (...)

PL: (...) *może zostać obalona* (...)

⁹² See also Table A.29 to see how the translated corpora diverge as regards the verbs listed by KeyWords. Albeit that there appear to be no differences between the translated corpora as regards the use of finite and non-finite verbs, E/F-LOC converge insofar as the totals are concerned.

In Polish, permission is expressed not only by modal verbs, but also by various **phraseological substitutes of permission modals**, which follow a typical pattern of distribution, namely P-LOC has a different total (656) than E/F-LOC (530/496, respectively). Furthermore, the judgments of the ECJ and the non-translated judgments converge, to a degree, as regards the sum of all markers (743 in JUDGPL). Furthermore, all the judgments diverge from the non-translated legislation (which appears to be marked by great internal variation: 770 in PLC15 in comparison with 1,206 in 2011KP). Insofar as individual patterns are concerned, the main verb, *przystuguje* (*has the power to, to have/enjoy [a wide] discretion; disposer d'[un pouvoir], bénéficiaire de, soit reconnu à qqn le pouvoir de +inf*), is used equally as often in all the judgments of the ECJ (E-LOC 276, F-LOC 278 and P-LOC 241), but seems to be underrepresented in them in comparison with JUDGPL (582). As regards the top collocates of *przystuguje*, the pattern *przystuguje prawo* (*have a right of, the right ... extends; disposer d'un droit, le droit s'étend à*) appears more often in P-LOC (102) than in E/F-LOC (40/38, respectively). Another expression, *ma prawo* (*be empowered, to be entitled to, may do sth; être en droit de, avoir droit à ce que qqch soit + p.p., avoir le pouvoir de, il est légitime pour qqn de, peut tenir compte de*), is overrepresented in P-LOC (207) in comparison with E/F-LOC (130/99, respectively). Noteworthy, this expression is much more likely to be found in the non-translated legislation (150 in PLC15 and 239 in 2011KP) than in the non-translated judgments (64).

As regards **prohibition modals and their substitutes**, all the judgments (translated and non-translated) diverge as regards the totals, although these expressions are used slightly more frequently in E/F-LOC (1,691 and 1,754, respectively) than in P-LOC (1,571) and JUDGPL (1,606). The main verb, *nie może* (*may not [be -ed], cannot be sufficient ground for, cannot [be regarded as -ing], to be unable to; ne saurait +inf, ne suffit toutefois pas pour +inf, qqn ne -ant + inf, qqch ne saurait être p.p, ne pas être en mesure de, ne pas être de nature à*), is used around 1,100-1,200 times per million words in both the translated and the non-translated judgments. Another pattern, the impersonal structure *nie można* (*cannot be explained by, cannot be concluded that, it is not possible to, may not be +ed, there is no need to; il ne saurait être + p.p., qqch ne saurait être p.p, qqch ne saurait s'expliquer par, il n'est pas possible de, ne peut pas être + p.p., être interdit, il n'y a pas lieu de*) is used almost half as often in JUDGPL (556) as its personal counterpart *nie może*, around 2.5 times less often in E/F-LOC (484/460, respectively) and 3.3 times less often in P-LOC (364). The distribution of *nie może* and *nie można* reflects the behaviour of modals expressing **permission**: *może* and *można*.

6.3. Passive Voice and impersonal patterns

6.3.1. Auxiliary verbs

Insofar as the copular verb *to be* (*być*) is concerned (see Table 12), all the judgments (translated and non-translated) have a roughly similar total of around 11,000 occurrences per million words, albeit the distribution follows an atypical cline, where F-LOC is at the one extreme (10,437) and P-LOC at the other one (12,006) and the two remaining judicial corpora are in the middle (11,498 in E-LOC and 11,689 in JUDGPL). Despite the internal variation between the judgments, these figures are significantly higher than in the case of the non-translated legislation, where this auxiliary verb is used to a significantly lesser extent (6,739 in PLC15 and 9,602 in 2011KP). Although all the rulings can be said to converge as regards the totals, substantial differences emerge, when conjugated forms of *to be* are counted separately.

Table 12: The verb *być*

| | Judgments | | | | Legislation | | General |
|-------------------------------------|--------------|--------------|--------------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| być (inf) | 1,438 | 1,370 | 1,829 | 1,610 | 1,093 | 2,336 | 1,249 |
| jest, są (pres) | 6,715 | 6,532 | 7,802 | 6,103 | 5,076 | 6,335 | 6,743 |
| był(a), były, byli (past) | 2,632 | 1,977 | 1,609 | 3,685 | 307 | 617 | 4,211 |
| będzie, będą (fut) | 425 | 339 | 461 | 292 | 264 | 314 | 1,946 |
| byłby, byłaby (cond) | 289 | 220 | 305 | 246 | 36 | 76 | 284 |
| TOTAL | 11,498 | 10,437 | 12,006 | 11,689 | 6,739 | 9,678 | 14,433 |

The **infinitive** and **present tense forms** of the verb *być* are more frequent in P-LOC (1,829/7,802) in comparison with E-LOC (1,438/6,715), F-LOC (1,370/6,532), and JUDGPL (1,610/6,103). Conversely, the **past tense forms** this verb are underrepresented in P-LOC (1,609) in comparison with the remaining judicial corpora (2,632 in E-LOC, 1,977 in F-LOC, and 3,685 in JUDGPL), which seems to imply that the LOC influences the behaviour of this copular verb. Furthermore, the ratio of the **present tense forms** to **past tense forms** of *być* (1:1.7 in JUDGPL, 1:2.6 in E-LOC, 1:3.3 in F-LOC, 1:4.9 in P-LOC, as compared with 1:10.3 in 2011KP, and 1:16.5 in PLC15) reveals that each corpus behaves slightly differently. It also follows that the translated corpora have a distinct distribution of the past tense forms, which, on the whole, echo the behaviour of the non-translated judgments due to the shared

communicative purpose, i.e. aiming to reconstruct past events that took place before the hearings. This is why 32% of all the forms of the verb *to be* are in the past tense in the non-translated judgments, whereas this percentage is only as low as 4.5% (PLC15) or 6% (2011KP). The judgments of the ECJ oscillate between the two extremes and the LOC appears to affect the behaviour of the verb: around 20% of all the forms are past tense forms in E/F-LOC (23% in E-LOC, 19% in F-LOC), whereas in P-LOC only 13% of all the forms.

6.3.2. Passive Voice

The unequal distribution of the verb *to be* between the judgments of the ECJ and the non-translated ones is reflected in the distribution of **passive voice markers**, understood as the structures *być* [to be] + **participle** and *zostać* [to become] + **participle** (see Table 13). Both the non-translated legislation and the non-translated judgments have a similar total of passive voice patterns (4,955 in JUDGPL, 4,960 in PLC15 and 5,624 in 2011KP), whereas all the translated texts follow the pattern of distribution of the verb *to be*, i.e. F-LOC has the smallest total number of markers (6,777), P-LOC the biggest total (7,226) and E-LOC is in between (7,028). The fact that P-LOC has the most passive voice markers of all the corpora is somehow unexpected, given that, firstly, the passive voice is used much less frequently in the non-translated corpora and, secondly, it is much more pervasive in English and in French (see also subchapter 5.2.4.).

Table 13: Passive voice

| | Judgments | | | | Legislation | | General |
|--|--------------|--------------|--------------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| być [to be] + participle | | | | | | | |
| być (inf) | 944 | 906 | 1,278 | 920 | 753 | 1,709 | n.d. |
| jest, są (pres) | 1,485 | 1,559 | 2,138 | 867 | 2,468 | 1,297 | n.d. |
| był(a), było, byli (past) | 708 | 546 | 627 | 781 | 162 | 260 | n.d. |
| będzie, będą (fut) | 70 | 52 | 93 | 41 | 104 | 144 | n.d. |
| TOTAL | 3,208 | 3,064 | 4,136 | 2 610 | 3,487 | 3,410 | n.d. |
| zostać [to become] + participle | | | | | | | |
| zostać (inf) | 816 | 785 | 627 | 139 | 202 | 129 | n.d. |
| zostaje, zostają (pres) | 304 | 309 | 250 | 32 | 39 | 59 | n.d. |
| został(a), zostali (past) | 2,493 | 2,404 | 1,994 | 2,080 | 1,093 | 1,449 | n.d. |
| zostanie, zostaną (fut) | 207 | 215 | 220 | 85 | 139 | 217 | n.d. |
| TOTAL | 3,820 | 3,713 | 3,090 | 2,336 | 1,473 | 1,854 | n.d. |

| | | | | | | | |
|--------------------|-------|-------|--------------|-------|-------|-------|------|
| GRAND TOTAL | 7,028 | 6,777 | 7,226 | 4,945 | 4,960 | 5,264 | n.d. |
|--------------------|-------|-------|--------------|-------|-------|-------|------|

The biggest difference between the translated corpora and the non-translated ones concerns the auxiliary verbs. All the non-translated corpora prefer the verb *być* to the verb *zostać*: the former is almost twice as frequent in the non-translated legislation (3,487 to 1,473 in PLC15 and 3,410 to 1,854 in 2011KP, whereas the non-translated judgments use it almost equally as often (2,610 to 2,336). Conversely, E/F-LOC prefer as the main auxiliary verb *to become* instead of *to be* (3,208 occurrences of *być* to 3,820 occurrences of *zostać* in E-LOC, and 3,064 to 3,713 in F-LOC). On the other hand, P-LOC behaves more like the non-translated corpora, i.e. it constructs the passive voice more often with *być* than with *zostać* (4,136 to 3,090). Interestingly, all the corpora converge as regards the present and the past tense, i.e. the main auxiliary for the present tense passive voice is *być*, whereas *zostać* is used mainly in the past tense. Furthermore, all the non-translated texts use significantly fewer **infinitive forms** in comparison with past tense forms (202/1,093 in PLC15, 129/1449 in 2011KP and 139/2,080 in JUDGPL), which might mean that **modal verbs** (which trigger this complementation pattern in translation) are overrepresented in E/F/P-LOC.

6.3.3. The *-no/to* impersonal pattern

Arguably, as in the case of **mental models** (see subchapter 6.1.4.), the results should be viewed in a broader context. The apparent underrepresentation of the passive voice markers in E/F-LOC in comparison with P-LOC might be explained by the fact that an uneven frequency of the markers of one grammatical feature (i.e. impersonal patterns) might be compensated for by different structures, such as *-no/to* verb forms, overrepresented in E/F-LOC (see Table 14). In other words, the same function might be assumed to be realised in divergent ways in the non-translated legislation and in the judgments on the one hand, and in the individual judicial corpora on the other. Interestingly, despite the differences in distribution of individual patterns, the judgments of the ECJ have almost identical totals (10,844 in E-LOC, 10,794 in F-LOC and 10,799 in P-LOC), in between the non-translated judgments (8,771) and the non-translated legislation (13,800 in PLC15 and 16,155 in 2011KP). Thus, the LOC seems to influence only

the ratios of individual patterns to each other, but not the total number of impersonal patterns in the corpora⁹³.

Table 14: Grand Total of Passive voice, -no/-to impersonal pattern and the się impersonal pattern

| | Judgments | | | | Legislation | | General |
|----------------------------------|--------------|--------------|--------------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Passive voice | 7,028 | 6,777 | 7,226 | 4,945 | 4,547 | 5,264 | n.d. |
| the -no/-to pattern token | 1,606 | 1,441 | 974 | 1,749 | 610 | 939 | n.d. |
| się (-self-refl) present | 2,210 | 2,576 | 2,599 | 2,077 | 8,643 | 9,952 | n.d. |
| GRAND TOTAL | 10,844 | 10,794 | 10,799 | 8,771 | 13,800 | 16,155 | n.d. |

As regards the colligations themselves (see Tables 38-39 and 70), there appear to be little divergence between the corpora, apart from the fact that P-LOC uses fewer patterns of this type. Two top colligations, slightly overrepresented in E/F-LOC in comparison to P-LOC, are *wskazano* (as suggested/specified/indicated in, as indicated in, in which it is stated that; comme suggéré/relevé à, il a déjà été indiqué/constaté à, il est indiqué/précisé que) and *stwierdzono* (those indicate that, as stated in, there is reference to the fact that, it is stated that; as observed at, in that it asserts that, it has already been observed; il est indiqué/mentionné/constaté/précisé/affirmé que, comme indiqué à, ce qui n'est pas même allégué s'agissant de, il a été relevé/constaté/exposé que, en ce qu'il constate que). The most frequent colligation in JUGDPL, *orzeczone*, occurs ten times less frequently in E/F/P-LOC.

6.3.4. The się impersonal pattern

As observed in the preceding subchapter, the **passive voice** markers are overrepresented in the translated corpora in comparison with the non-translated corpora. This is, at least partially, compensated for by various impersonal structures, such as the **-no/-to pattern** or **reflexive verbs**, which are more salient in the non-translated legislation. In this context, there is almost no difference between the translated and the non-translated judgments as regards the totals, which amount to roughly 2,500 (2,210 in E-LOC, 2,576 in F-LOC, 2,599 in P-LOC and 2,077

⁹³ It must be noted that there are no results for *się* pattern in other tenses than the present tense. Arguably, the results should include all the forms, as (i) the judgments appear to use more past tense forms than the non-translated legislation; (ii) passive voice markers are analysed in all tenses; (iii) the *no/-to-* pattern markers appear only in the past tense. However, due to methodological constraints (see subchapter 4.1.2) the appropriate stop lists have not been prepared, which is a shortcoming of this study. Further research should include other forms as well.

in JUDGPL). On the other hand, the non-translated legislation has convergent totals (8,643 in PLC15 and 9,952 in 2011KP), four to almost five times higher than those of the judgments. This discrepancy is caused mainly by **impersonal and passive variants of *stosować*** [to apply] and various **patterns used in definitions**. It follows that in the non-translated legislation these patterns amount to 60-77% of all the reflexive verbs in the present tense (4,946 in PLC15 and 5,476 in 2011KP) (see Table 15). Conversely, as regards the judgments, the distribution of these patterns follows a cline, where JUDGPL has the fewest occurrences of these markers (733, which corresponds to 35% of all reflexive verbs in the present tense), and P-LOC has the highest (1,207, which corresponds to 46%). On the other hand, E/F-LOC are in between to extremes and have a total of around 900 (833 in E-LOC and 986 in F-LOC, which corresponds to 38-40% of all reflexive verbs in the present tense).

*Table 15: Total of Impersonal and passive variants of *stosować* and Patterns used in definitions*

| | Judgments | | | Legislation | | | General |
|--|-----------|-------|-------|-------------|-------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Impersonal and passive variants of <i>stosować</i> [to apply] | 451 | 553 | 728 | 287 | 3,943 | 5,069 | 143 |
| Patterns used in definitions | 433 | 433 | 478 | 447 | 553 | 407 | 179 |
| TOTAL | 883 | 986 | 1,207 | 733 | 4,496 | 5,476 | 322 |

As observed, all the translated corpora, in total, have a roughly similar frequency of reflexive forms in the present tense, P/F-LOC having a slightly higher total (2,599/2,576) than E-LOC (2,210). Interestingly, whenever E-LOC and F-LOC diverge, P-LOC seems to follow F-LOC, due to the predominant role of French in the ECJ. To a degree, the non-translated judgments behave as the translated ones, in that the former have a similar (2,077) number of occurrences of reflexive pronouns in the present tense.

6.3.4.1. Top L1 collocates of *się* in the judgments

Top collocates for E/F/P-LOC and JUDGPL are essentially the same in the case of the present tense forms and all the conjugated forms. (see Tables 16-17, 40 and 72). In fact, at times there is no difference between the present tense form only and all the conjugated forms, as e.g. *przyjmować się* is used virtually almost in the present tense in third person singular (*przyjmuje*

się) in all the judicial pronouncements. This is also true for the non-translated legislation, where the main pattern, *stosować się*, is used almost exclusively in the present tense (1,512 occurrences out of 1,560, i.e. 97% in PLC15, and 2,424 out of 2,440, i.e. 99% in 2011KP). Furthermore, as regards the judicial corpora, the differences between them become smaller when all forms are taken into account, due to the fact that the non-translated judgments use more past tense than the translated ones (see subchapter 6.3.1).

E/F-LOC appear to behave differently than P-LOC, as can be seen by the total of top collocates of E/F/P-LOC in all tenses: E/F-LOC have a higher, convergent total of 1,188/1,142, whereas P-LOC uses fewer of these patterns (906; as compared with 603 in JUDGPL). When all forms are taken into account, there are four reflexive verbs distributed unevenly in the judgments. Three of them are overrepresented in E/F-LOC in comparison with P-LOC and JUDGPL: *odnosić się* (297/291 in E/F-LOC, 257 in JUDGPL and 178 in P-LOC) *opierać się* (348/309 in E/F-LOC, 178 in P-LOC and only 68 in JUDGPL), and *powoływać się* (310/271 in E/F-LOC, 207 in P-LOC and 175 in JUDGPL). The only verb overrepresented in P-LOC is *znajdować się* (377 in P-LOC, 199/283 in E/F-LOC and 103 in JUDGPL).

Table 16: Top L1 collocates of *się* in present tense

| | Judgments | | | | Legislation | | General |
|---|-----------|-------|-------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| <i>się</i> (-self-REFL) | 2,210 | 2,576 | 2,599 | 2,077 | 8,643 | 9,952 | 9,587 |
| Top E/F/P-LOC collocates | | | | | | | |
| <i>odnosi</i> [refer to -refl] | 163 | 173 | 106 | 93 | 5 | 14 | 18 |
| <i>opiera</i> [to be based on -refl] | 174 | 168 | 93 | 26 | 2 | 7 | 16 |
| <i>powołuje</i> [rely on -refl] | 102 | 114 | 55 | 22 | 16 | 26 | 5 |
| <i>stosuje</i> [apply -refl] | 98 | 136 | 212 | 83 | 1,513 | 2,424 | 42 |
| <i>wydaje</i> [appear -refl] | 96 | 80 | 106 | 5 | 90 | 83 | 105 |
| <i>znajduje</i> [be located -refl] | 81 | 138 | 216 | 42 | 79 | 100 | 92 |
| TOTAL | 633 | 672 | 572 | 230 | 1,705 | 2,654 | 278 |
| Top JUDGPL collocates | | | | | | | |
| <i>przyjmuje</i> [assume -refl] | 7 | 13 | 25 | 96 | 36 | 21 | 8 |
| <i>odnosząc</i> [refer to -refl] | 43 | 32 | 17 | 96 | 0 | 0 | 3 |

| | | | | | | | |
|---|-----|-----|-----|-----|----|----|----|
| <i>powołując</i> ⁹⁴ [rely on -refl] | 57 | 43 | 64 | 95 | 1 | 4 | 8 |
| <i>odnosi</i> [refer to -refl] | 163 | 173 | 106 | 93 | 5 | 14 | 18 |
| <i>domaga</i> [demand -refl] | 15 | 17 | 8 | 27 | 1 | 1 | 14 |
| TOTAL | 285 | 278 | 220 | 407 | 42 | 40 | 51 |

Table 17: Top L1 collocates of *się* in all tenses

| | Judgments | | | | Legislation | | General |
|--|--------------|--------------|-------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Top E/F/P-LOC collocates | | | | | | | |
| <i>odnosić się</i> [refer to -refl] | 297 | 291 | 178 | 257 | 9 | 22 | n.d. |
| <i>opierać się</i> [to be based on -refl] | 348 | 309 | 178 | 68 | 4 | 13 | n.d. |
| <i>powoływać się</i> [rely on -refl] | 310 | 271 | 207 | 175 | 18 | 44 | n.d. |
| <i>stosować się</i> [apply -refl] | 116 | 174 | 216 | 96 | 1,562 | 2,440 | n.d. |
| <i>wydawać się</i> [appear -refl] | 116 | 97 | 127 | 7 | 90 | 93 | n.d. |
| <i>znajdować się</i> [be located -refl] | 199 | 283 | 377 | 103 | 120 | 175 | n.d. |
| TOTAL | 1,188 | 1,142 | 906 | 603 | 1,802 | 2,787 | n.d. |
| Top JUDGPL collocates | | | | | | | |
| <i>domagać się</i> [demand -refl] | 43 | 52 | 25 | 266 | 2 | 26 | n.d. |
| <i>odnosić się</i> [refer to -refl] | 297 | 291 | 178 | 257 | 9 | 22 | n.d. |
| <i>powoływać się</i> [rely on -refl] | 310 | 271 | 207 | 175 | 18 | 44 | n.d. |
| <i>przyjmować się</i> [assume -refl] | 7 | 14 | 25 | 98 | 36 | 21 | n.d. |
| TOTAL | 658 | 628 | 436 | 796 | 65 | 113 | n.d. |

6.3.4.2. Impersonal and passive variants of *stosować* [to apply]

As observed in the previous subchapters, *stosować* [to apply] (and its variants) is a verb typically used in the non-translated legislation (3,943 in PLC15 and 5,069 in 2011KP) (see Table 18 and Table 71); in the non-translated judgments it is used 15 times less (290). However,

⁹⁴ Albeit that this form is a particle and as such should not be included, these collocates show different complementation patterns of the judgments of the ECJ and the non-translated judgments.

the judgments of ECJ use it two (447 in E-LOC and 547 in F-LOC) to almost three times more often (728 in P-LOC), which suggests that translators might be prone to **exaggerate the TL features** by using these patterns (which, although typical of Polish legal language, belong to a different genre). Additionally, the overrepresentation of various variants of *stosować* seems to imply that the translated and the non-translated judicial discourse occasionally diverge.

Table 18: Impersonal and passive variants of *stosować* [to apply]

| | Judgments | | | | Legislation | | General |
|--|-----------|-------|------------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Impersonal and passive variants of <i>stosować</i> [to apply] | | | | | | | |
| <i>stosuje, stosują</i> [apply-3sg/pl] | 149 | 217 | 305 | 122 | 1,638 | 2,497 | 62 |
| <i>stosuje się</i> [(one) applies-mid] | 116 | 174 | 216 | 96 | 1,560 | 2,424 | 42 |
| <i>stosuje się odpowiednio</i> [(one) applies-mid accordingly] | 1 | 0 | 38 | 29 | 668 | 83 | 13 |
| <i>stosowane</i> [applied-pp] | 114 | 95 | 106 | 29 | 67 | 59 | 24 |
| <i>jest stosowane</i> [is applied-pass] | 63 | 55 | 64 | 15 | 9 | 6 | 2 |
| <i>jest bezpośrednio stosowane</i> [is directly applied- mid] | 2 | 4 | 0 | 0 | 1 | 0 | 0 |
| TOTAL | 447 | 547 | 728 | 290 | 3,943 | 5,069 | 143 |

The translated judgments use decidedly more passive voice variants of *stosować*, e.g. *jest stosowane* [is applied-pass] (63/55/64 in E/F/P-LOC) than the non-translated corpora (legislation and judgments), where it is almost not used at all (9 in PLC15, 6 in 2011KP, and 15 in JUDGPL).

Interestingly, some collocates of the verb *stosować* are not typical of legal Polish and can be described as **strange strings**:

EN: (...) *carries out*, in all material respects, **the instructions** (...)

FR: (...) *appliquer pour l'essentiel les instructions* (...)

PL: (...) *stosuje zasadniczo instrukcje* (...)

EN: (...) *afforded favourable treatment to* (...)

FR: (...) *réserver un traitement favorable à* (...)

PL: (...) *stosuje preferencyjne traktowanie wobec* (...)

6.3.4.3. Patterns used in definitions

The previous subchapters discussed generic differences between the non-translated legislation and the judgments, and the different communicative purposes thereof. Although the judicial pronouncements do not, typically, clarify what a given term means, they often discuss the consequences that arise from a given decision. Consequently, these patterns are distributed roughly evenly in the judgments (433 in both E-LOC and F-LOC, 478 in P-LOC, and 447 in JUDGPL) and in the non-translated legislation (407 in 2011KP and 553 in PLC15), as shown in the Table below.

Table 19: Patterns used in definitions

| | Judgments | | | | Legislation | | General |
|---|-----------|-------|-------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| rozumie się [(one) understands-mid] | 4 | 3 | 51 | 13 | 220 | 183 | 7 |
| należy (przez to) rozumieć [(one) should understand (by that)] | 43 | 48 | 51 | 5 | 140 | 83 | 8 |
| oznacza/oznaczają [(it) means/(they) mean] | 334 | 319 | 267 | 419 | 170 | 106 | 163 |
| za X uważa się [as X, (one) regards mid] | 26 | 36 | 68 | 9 | 23 | 35 | 1 |
| do celów (dyrektywy, rozporządzenia, art.) [for purposes (of the directive, regulation, article)] | 27 | 26 | 42 | 0 | 1 | 0 | 0 |
| TOTAL | 433 | 433 | 478 | 447 | 553 | 407 | 179 |

As expected, the expression used solely for defining, *rozumie się* [(one) understands-mid], is up to 20 times more frequent in the non-translated legislation (183 in 2011KP and only 220 in PLC15) than in the judgments (4/3 in E/F-LOC, 13 in JUDGPL and 51 in P-LOC). The

second most frequent expression, *oznacza/oznaczają* [(it) means/(they) mean], is distributed fairly evenly in E/F-LOC (334/319), slightly overrepresented in the non-translated judgments (419), and slightly underrepresented in both P-LOC (267). This verb can be used either to define a concept or expression:

EN: *The concept of a concerted practice refers to some kind (...)*

FR : *La notion de pratique concertée vise une forme (...)*

PL: *Pojęcie uzgodnionej praktyki oznacza pewien rodzaj (...)*

EN: *That expression means that (...)*

FR : *Cette expression signifie que (...)*

PL: *Wyrażenie to oznacza, że (...)*

or to discuss the consequences that ensue from a given decision or a fact:

EN: *(...) that condition amounts to (...)*

FR : *(...) cette stipulation équivalait à un (...)*

PL: *(...) warunek ten oznacza (...)*

EN: *(...) such a fine resulted in its being penalised twice (...)*

FR : *(...) une telle amende aboutissait à la sanctionner deux fois (...)*

PL: *(...) tego rodzaju grzywna oznacza dwukrotne nałożenie kary (...)*

Another expression used for the same purposes is *do celów* (*dyrektywy, rozporządzenia, art.*) [for purposes (of the directive, regulation, article)]⁹⁵. This construction does not occur at all in the non-translated legislation (1 in PLC15 and 0 in 2011KP), nor does it appear in general language (0 in NKJP) or in the non-translated judgments. Still, it appears 27/26 times in E/F-LOC and 42 in P-LOC. Whenever it does not collocate with words such as *directive* or *regulation*, it is a calque of *for the purposes* (*aux fins de*):

EN: *(...) for the purposes of a competition law investigation (...)*

⁹⁵ Here all right collocates were included, as the collocates appeared in different R1-R5 positions, because of determiners such as the word *present* or the number of the relevant article (see subchapter 4.1.2. for more information).

- FR: (...) *aux fins d'une enquête en matière de droit de la concurrence* (...)
- PL: (...) *wykorzystania do celów dochodzenia w zakresie prawa konkurencji* (...)
-
- EN: (...) *a relevant criterion for the purposes of determining scope of* (...)
- FR: (...) *un critère pertinent aux fins de la détermination de la portée de* (...)
- PL: (...) *stanowi istotne kryterium do celów ustalenia zakresu* (...)
-
- EN: (...) *for the purposes of the judgment* (...)
- FR: (...) *aux fins de l'arrêt* (...)
- PL: (...) *do celów wydania niniejszego wyroku* (...)

6.4. Logical relations between discourse units and structuration of legal rules

Chapter 4 briefly discussed the most apparent differences between the judgments as regards the **mean sentence length**. The hypothesis was that the unnaturally long sentences of the translated judgments might lead to a different **sentence clause structure**, which would be reflected in the number of **parataxis** and **hypotaxis markers** (see Table 20). All the judicial corpora seem to converge as concerns the ratio of the **totalled paratactic markers** to the **totalled hypotactic markers**: 1:1 to 1.2:1 in the translated judgments and 1.4:1 in the non-translated judgments. On the other hand, this ratio is two to almost three times higher in the non-translated legislation (2.8:1 in 2011KP and 2.3:1 in PLC15). As regards the divergences between judgments, they are mainly attributable to **alternative coordinators** in the case of the parataxis and to **complementisers** and **relative pronouns** in the case of hypotaxis. Insofar as the internal variation of the translated judgments is concerned, E/F-LOC are characterised by an extensive reliance on hypotactic markers, which are significantly overrepresented in comparison with the non-translated corpora. Moreover, as concerns individual expressions, the judgments of the ECJ seem to follow a distinct pattern of distribution, different than that of the non-translated legislation and that of the non-translated judgments.

Table 20: Hypotaxis vs Parataxis markers

| | Judgments | | | | Legislation | | General |
|--|-----------|-------|-------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| | | | | | | | |

| | | | | | | | |
|--------------------|---------------|---------------|--------|--------|--------|--------|--------|
| Parataxis | 34,699 | 35,378 | 34,921 | 32,894 | 43,446 | 47,057 | 19,574 |
| Hypotaxis | 33,389 | 31,473 | 29,337 | 24,255 | 18,858 | 17,066 | 19,992 |
| GRAND TOTAL | 68,088 | 66,851 | 64,258 | 57,149 | 62,304 | 64,123 | 39,566 |

6.4.1. Parataxis

In general, all the judgments converge as regards the **total number of paratactic coordinators** (see Tables 21 and 74), albeit that JUDGPL uses around 5-6% less paratactic coordinators than E/F/P-LOC (on the other hand, the non-translated legislation uses 25-35% more paratactic markers than the judgments). The divergences between the translated judgments and the non-translated ones concern the use of the **alternative coordinators** and the **adversative coordinators** (the non-translated legislation behaves differently in the case of **inclusive clauses** as well).

The judgments appear to use more varied paratactic coordinators, since the **top three coordinators** (*i*, *lub*, *oraz*) (see Table 41-42) account for roughly 70% of the total number of coordinators in the non-translated judgments and 80% in the translated ones (in comparison, in the non-translated legislation these coordinators amount to roughly 95% of all the coordinators used). The **remaining coordinators** (see Table 42) account for 10,058 out of 33,815 conjunctions in JUDGPL, 7,191 out of 34,971 in E-LOC, 7,071 out of 35,419 in F-LOC, and 7,192 out of 34,904 in P-LOC, as compared with only 1,784 out of 39,282 in PLC15 or 2,673 out of 45,711 in 2011KP.

Table 21: Parataxis

| | Judgments | | | | Legislation | | General |
|--|---------------|---------------|--------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Additive coordinating conjunctions | | | | | | | |
| <i>i</i> [and] | 19,651 | 19,723 | 18,424 | 18,059 | 17,248 | 17,303 | 10,753 |
| <i>oraz</i> [and-form] | 3,521 | 3,738 | 3,933 | 3,914 | 7,425 | 7,195 | 1,422 |
| <i>ani</i> [and/neither ... nor...] | 786 | 740 | 665 | 450 | 82 | 226 | 321 |
| <i>*, a</i> (excl. <i>a także</i>) [* , and] | 2,687 | 2,699 | 2,781 | 4,069 | 1,562 | 1,923 | 572 |
| <i>zarówno... (jak i...)</i> [both...(and)] | 296 | 345 | 233 | 347 | 20 | 47 | 203 |

| | | | | | | | |
|--|---------------|---------------|--------------|--------|--------|--------|--------|
| <i>a także</i> [and also] | 493 | 716 | 669 | 322 | 661 | 1,017 | 244 |
| <i>jak również</i> [as well as] | 243 | 240 | 250 | 135 | 68 | 282 | 39 |
| TOTAL | 27,676 | 28,201 | 26,954 | 27,296 | 27,065 | 27,993 | 13,554 |
| Alternative coordinators | | | | | | | |
| <i>lub</i> [or - inclusive disjunction] | 4,608 | 4,887 | 5,355 | 1 784 | 12,825 | 14,490 | 955 |
| <i>i/lub</i> [and/or] | 18 | 23 | 4 | 8 | 0 | 0 | n.d. |
| <i>albo</i> [or - exclusive disjunction] | 272 | 317 | 402 | 423 | 3481 | 4,056 | 436 |
| <i>bądź</i> [either... (or...); exclusive disjunction] | 182 | 210 | 267 | 189 | 69 | 331 | 112 |
| TOTAL | 5,063 | 5,414 | 6,024 | 2,396 | 16,375 | 18,877 | 1,503 |
| Adversative coordinators | | | | | | | |
| <i>lecz</i> [but-form] | 515 | 419 | 614 | 394 | 20 | 80 | 303 |
| <i>ale</i> [but] | 312 | 314 | 207 | 726 | 32 | 20 | 2,976 |
| <i>natomiast</i> [while] | 310 | 291 | 305 | 716 | 5 | 18 | 393 |
| <i>zaś</i> [while] | 256 | 269 | 275 | 493 | 7 | 61 | 245 |
| TOTAL | 1,393 | 1,294 | 1,401 | 2,329 | 64 | 179 | 3,917 |
| Inclusive clauses | | | | | | | |
| <i>czyli</i> [namely] | 252 | 208 | 233 | 183 | 2 | 2 | 455 |
| <i>tj.</i> [i.e.] | 63 | 37 | 93 | 565 | 1 | 1 | 43 |
| <i>*, to jest</i> [* , that is] | 140 | 157 | 174 | 93 | 3 | 5 | n.d. |
| <i>to znaczy</i> [it means] | 93 | 58 | 38 | 17 | 0 | 0 | 102 |
| <i>tzn.</i> [i.e.] | 20 | 9 | 4 | 15 | 0 | 0 | n.d. |
| TOTAL | 567 | 469 | 542 | 873 | 6 | 8 | 600 |
| GRAND TOTAL | 34,699 | 35,378 | 34,921 | 32,894 | 43,446 | 47,057 | 19,574 |

The **additive coordinating conjunctions** are distributed evenly among all the corpora, i.e. around 27,000-28,000. The most frequent conjunction, *i* [and], occurs almost equally as often in E-LOC and in F-LOC (19,651 and 19,723, respectively), but appears to be slightly underrepresented in P-LOC and JUDGPL (18,424 and 18,059, respectively) (on the other hand,

it is even less frequent in the non-translated legislation: 17,248 in PLC15 and 17,303 in 2011KP). Conversely, the second most frequent conjunction, *oraz* [and-form], seems to be slightly overrepresented in P-LOC and JUDGPL (3,933 and 3,914, respectively) in comparison with E/F-LOC (3,521/3,738, respectively). On the other hand, the non-translated legislation uses *oraz* almost twice as often (7,425 in PLC15 and 7,195 in 2011KP). The third most common pattern **, a* (excl. *a także*) [**, and*], follows a cline, where the non-translated legislation is on the lowest extreme (1,562 in PLC15 and 1,923 in 2011KP), the non-translated judgments on the highest one (4,069), and the judgments of the ECJ are in between, but closer to their generic equivalent (2,687 in E-LOC, 2,699 in F-LOC, 2,781 in P-LOC).

As regards the distribution of **alternative coordinators**, the judgments and the non-translated legislation diverge, and, furthermore, the judgments appear to be marked by a significant variation. P-LOC uses on average roughly 20% more (6,024) alternative coordinators than E/F-LOC (5,063/5,414, respectively), i.e. more than twice as many as the non-translated judgments (2,396). On the other hand, the non-translated legislation uses around three times more markers of this type (16,375 in PLC15 and 18,877 in 2011KP) than the judgments of the ECJ (and roughly ten times more than JUDGPL). As concerns the distribution of the main two conjunctions, *lub* [or - inclusive disjunction] and *albo* [or - exclusive disjunction], the judgments of the ECJ behave differently than the non-translated corpora. It follows that the ratio of the inclusive disjunction (*lub*) to the exclusive one (*albo*) is from 13:1 to 17:1 in E/F/P-LOC (4,608 to 272 in E-LOC, 4,887 to 317 F-LOC, and 5,355 to 402 in P-LOC), which does not resemble ratios to be found in the non-translated judgments and the non-translated legislation, where it is from around 3.6:1 to 4.4:1 (1,784 to 423 in JUDGPL, 12,825 to 3,481 in PLC15, and 14490 to 4065 in 2011KP). This atypical pattern of distribution might be treated as a sign of *translationese*. Furthermore, the very existence of the distinction between the exclusive and the inclusive disjunction is the reason why the form *i/lub* [and/or] (inclusive disjunction) is not typical of legal Polish (0 occurrences in the non-translated legislation, only 8 in JUDGPL). Whenever it occurs in the translated judgments (18/23/4 in E/F/P-LOC), it is a calque from the ST:

EN: *price-fixing [and/or] market-sharing agreements*

FR: *de fixation de prix [et/ou], de répartition de marchés*

PL: *porozumień horyzontalnych dotyczących ustalania cen [i/lub] podziału rynku*

The **adversative coordinators** are used the most frequently in the non-translated judgments (2,329) and the least frequently in the non-translated legislation (64 in PLC15 and 179 in 2011KP). The judgments of the ECJ use them half as frequently as their non-translated equivalent (1,393 in E-LOC, 1,294 in F-LOC, 1,401 in P-LOC). The only difference between the translated corpora is the slight overrepresentation of *lecz* [but-form] in P-LOC (614) in comparison with E/F-LOC (515/419, respectively).

The **inclusive clauses**, like adversative coordinators, are almost not present in the non-translated legislation (6 in PLC15 and 8 in 2011KP). In the judicial genre, these patterns are used more often in the non-translated judgments (873) than in the translated ones (567 in E-FLOC, 469 in F-LOC and 542 in P-LOC). Furthermore, the unabbreviated forms of (***, *to jest* [***, that is] and *to znaczy* [*it means*]) appear to be overrepresented in the translated judgments in comparison with their abbreviated counterparts: *tj.* [i.e.] and *tzn.* (the ratio of *to jest* to *tj.* is 140 to 63 in E-LOC, 157 to 37 in F-LOC and 174 to 93 in P-LOC; the ratio of *to znaczy* to *tzn.* is 93 to 20 in E-LOC, 58 to 9 in F-LOC and 38 to 4 in P-LOC). Conversely, the non-translated judgments prefer the abbreviated forms, since *to jest* is used only 93 times per million words, whereas *tj.* is used almost up to six times more often (565), whereas *to znaczy* and *tzn...* are used equally as often (17 to 15).

6.4.2. Hypotaxis

Hypotaxis might be one of the most interesting grammatical category to study, as each corpus type (the translated judgments, the non-translated judgments, and the non-translated legislation) has a distinct pattern of distribution (see Tables 22 and 75). Furthermore, the judgments of the ECJ are marked by great internal variation as regards the LOC (in contrast to parataxis, where all the totals are generally convergent). Although the total number of the **hypotactic coordinators** is the highest in the judgments of the ECJ, these markers are underrepresented in P-LOC (29,337) in comparison with E/F-LOC (33,389/31,473, respectively). Still, these patterns are almost twice as frequent in the translated judgments as in the non-translated legislation (18,8585 in PLC15 and 17,066 in 2011KP), and they are roughly 30% more frequent in the E/F/P-LOC than in JUDGPL (24,255). The divergences between the corpora are attributable to a vast overrepresentation of **complementisers** and **relative pronouns** in the translated rulings.

Table 22: Hypotaxis

| | Judgments | | | | Legislation | | General |
|--|---------------|---------------|--------------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Relative pronouns | | | | | | | |
| <i>który, która...</i> [which] | 10,018 | 10,248 | 10,363 | 6,869 | 16,584 | 12,760 | 5,058 |
| <i>o któr* mowa w</i> [which (is) referred to in] | 398 | 537 | 991 | 166 | 10,472 | 5,905 | 107 |
| <i>który</i> (excl. o którym mowa w) | 9,620 | 9,711 | 9,372 | 6,703 | 6,112 | 6,855 | 4,951 |
| <i>jaki, jaka ...</i> [which] | 1,644 | 1,495 | 1,240 | 999 | 374 | 490 | 1,005 |
| <i>czyj, czyja...</i> [of which, whose] | 1 | 3 | 0 | 6 | 1 | 18 | 16 |
| <i>kto, kogo...</i> [who, whose...] | 18 | 27 | 51 | 61 | 198 | 824 | 719 |
| <i>co, czego...</i> (excl. co najmniej, co do) [what, which] | 2,150 | 1,916 | 1,820 | 2,174 | 228 | 246 | 2,997 |
| <i>co następuje</i> [what follows] | 192 | 225 | 356 | 414 | 4 | 1 | 4 |
| gdzie [where] | 60 | 59 | 135 | 56 | 34 | 56 | 618 |
| kiedy [when] | 96 | 68 | 85 | 140 | 9 | 31 | 796 |
| TOTAL | 13,986 | 13,816 | 13,695 | 10,471 | 17,427 | 14,425 | 11,209 |
| Complementisers | | | | | | | |
| <i>że</i> [that] | 14,726 | 13,508 | 11,426 | 11,231 | 1,166 | 2,197 | 5,653 |
| <i>że</i> (ex. complex conjun) ⁹⁶ | 14,406 | 13,140 | 10,821 | 11,070 | 691 | 1,154 | 5,454 |
| <i> iż</i> [that-form] | 2,232 | 1,851 | 1,516 | 864 | 19 | 70 | 294 |
| <i>czy</i> [if, whether] | 1,766 | 1,648 | 2 108 | 1,287 | 213 | 179 | 1,971 |
| TOTAL | 18,723 | 17,008 | 15,050 | 13,381 | 1,399 | 2,446 | 7,918 |
| Concessive subordinators | | | | | | | |
| <i>choć</i> [although] | 139 | 126 | 93 | 93 | 0 | 2 | 168 |
| <i>choć</i> [although-form] | 137 | 91 | 85 | 107 | 2 | 2 | 386 |
| <i> pomimo, że/iż</i> [despite that] | 18 | 16 | 13 | 13 | 1 | 5 | 9 |

⁹⁶ Excluding: *chyba że, z tym, że, pod warunkiem, że, pomimo/mimo, że*, markers used for introducing causal-conditional clauses (see subchapter 6.1.3.).

| | | | | | | | |
|---|---------------|---------------|--------|--------|--------|--------|--------|
| <i>mimo, że/iż</i> [despite that] | 101 | 107 | 97 | 24 | 1 | 6 | 83 |
| <i>choćby</i> [even if] | 3 | 4 | 0 | 38 | 14 | 100 | 36 |
| <i>choćby</i> [even if] | 23 | 25 | 21 | 50 | 4 | 59 | 107 |
| <i>nawet jeśli, jeżeli, gdyby, gdy, wtedy, wówczas</i> [even if, when, then] | 259 | 280 | 284 | 79 | 10 | 21 | 76 |
| TOTAL | 680 | 650 | 593 | 403 | 32 | 195 | 865 |
| GRAND TOTAL | 33,389 | 31,473 | 29,337 | 24,255 | 18,858 | 17,066 | 19,992 |

As regards the total number of the **relative pronouns** used in the corpora, the judgments of the ECJ seem to behave more like the non-translated legislation (13,986 in E-LOC, 13,816 in F-LOC, 13,695 in P-LOC, as compared with 17,427 in PLC15, and 14,425 in 2011KP) than like the non-translated judgments (10,471). However, these figures alone do not reveal how these patterns are distributed in the texts. Firstly, all the judgments use a wider range of relative pronouns. The main relative pronoun, *który, która...* [which], used around 10,000 times per million words in the judgments of the ECJ (10,018 in E-LOC, 10,248 in F-LOC and 10,363 in P-LOC), amounts to 29-34% of all the hypotactic markers in the E/F/P-LOC and to 27% in JUDGPL (6,869). On the other hand, this pronoun is overrepresented in the non-translated legislation (16,584 in PLC15, 12,760 in 2011KP), where it accounts for around 75-88% of all hypotactic markers. This is compensated for by other markers, which appear to be overrepresented in the judicial corpora in comparison with the legislative ones. For instance, *co, czego...* [what, which] is used more than over ten times more often in the judgments (2,150/1,916 in E/F-LOC, 1,820 in P-LOC and 2,174 in JUDGPL) than in the non-translated legislation (228 in PLC15 and 246 in 2011KP). Likewise, *jaki, jaka ...* [which] is used roughly five times more often in E/F-LOC (1,644/1,495)- and two to three times more often in P-LOC and JUDGPL (1,240 and 999, respectively)- than in the non-translated legislation (374 in PLC15, 490 in 2011KP). Combined, *co, czego...* and *jaki, jaka ...* amount to roughly 22-30% of all the relative pronouns in the judgments (3,794 out of 13,986 in E-LOC, 3,411 out of 13,816 in F-LOC, 3,060 out of 13,695 in P-LOC, and 3,173 out of 10,471 in JUDGPL) and only around 3-5% in the non-translated legislation (602 out of 17,427 in PLC15, and 736 out of 14,425 in 2011KP).

Secondly, although *który, która..* is far more frequent in the non-translated legislation, there are non-negligible differences as regards its top collocation *o któr* mowa w* [which (is)

referred to in]). This pattern amount to around 46% (2011KP) to 63% (PLC15) of all the occurrences of this pattern (10,472 and 5,905, respectively) in the non-translated legislation. On the other hand, *o któr* mowa* amounts to only 2% in JUDGPL (166), 4-5% in E/F-LOC (398/537, respectively) and 10% in P-LOC (991). Having excluded this structure, surprisingly, it is not the non-translated legislation, but the judgments that use more (up to 50% more in case of judgments of the ECJ) of *który, która* as a means of joining clauses (9,620 in E-LOC, 9,711 in F-LOC, 9,372 in P-LOC, and 6,703 in JUDGPL, as compared with only 6,112 in PLC15 and 6,855 in 2011KP).

Insofar as **other collocations of *który*** (see Tables 43-45) are concerned, the judicial corpora diverge: not only do E/F-LOC behave differently than P-LOC, but also all the ECJ judgments behave differently than JUDGPL. Although L1 and R1 collocates of the nominative masculine form of *który* do not show any statistically significant differences, some patterns appear to be overrepresented when all lemmatised forms are taken into account. It seems that E/F-LOC use the following prepositions as left collocates more frequently than P-LOC: *na* [on] (435 L1 and 1,185 total left in E-LOC, 373 L1 and 1,171 total left in F-LOC, as compared with 199 L1 and 851 total left in P-LOC) and *i* [and] (185 L1 and 933 total left in F-LOC, 150 L1 and 897 total left in E-LOC, as compared with only 106 L1 and 711 total left in P-LOC). Likewise, E/F-LOC seems to use more often *to* [it] as a right collocate (251 R1 and 366 total right in E-LOC, 274 R1 and 394 total right in F-LOC; in comparison with 186 R1 and 267 total right in P-LOC). Furthermore, *dla* [for] is a typical collocate only of E-LOC, where it is used almost twice as often as in F/P-LOC (248 L1 and 468 total left in E-LOC). Conversely, three collocates appear to be more typical of P-LOC. The first two are part of the aforementioned collocation *o któr* mowa*, overrepresented in P-LOC (see above). Thus, as expected, *o* is used more often as a left collocate in P-LOC than in the remaining judicial corpora. Likewise, *mowa* is used more often as a right collocate. The third collocate, or more precisely type of collocate, overrepresented in P-LOC are the conjugated forms of the copular verb *to be* as a right collocate. Lastly, it seems interesting to compare the behaviour of *Komisja* [Commission] and *Sąd* [Court] in the translated and the non-translated judgments. It so happens that these two have a similar syntactic function, i.e. *Sąd* occurs in the JUDGPL 140 times as a R1 collocate and 261 times as a total right collocate, whereas *Komisja* appears in these positions 202 and 322 times in E-LOC, 168 and 285 in F-LOC, and, finally, 80 and 119 in P-LOC⁹⁷

⁹⁷ Although it should also be taken into account that *Sąd* occurs in E/F/P-LOC, and *Komisja* does not appear at all in JUDGPL

As regards patterns that trigger *który, która..* in translation, this pronoun is mainly, but not exclusively, used to translate other relative pronouns:

- EN: (...) *which, the general partner, who has personal and unlimited liability for debts (...)*
FR: (...) *qui, commandité, lequel est responsable, personnellement et de manière illimitée (...)*
PL: (...) *komplementariuszowi, który ponosi osobistą i nieograniczoną odpowiedzialność za długi (...)*

However, its role is also to translate temporal expressions:

- EN: (...) *As regards the first period, from 3 September 1992 to 30 April 1995 ('the Schumann period') (...)*
FR: (...) *S'agissant de la première période, allant du 3 septembre 1992 au 30 avril 1995 (...)*
PL: (...) *Jeżeli chodzi o pierwszy okres, który trwał od dnia 3 września 1992 r. do dnia 30 kwietnia 1995 r. (...)*

It corresponds to participles in the STs as well:

- EN: (...) *and which is closely connected therewith (...)*
FR: (...) *présentant un lien étroit avec (...)*
PL: (...) *który jest ściśle z nim związany (...)*

- EN: (...) *as regards the aspect of its conduct designed to prevent the development of groups of laboratories.*
FR: (...) *s'agissant du volet de son comportement visant à empêcher le développement des groupes de laboratoires.*
PL: (...) *tego aspektu jej zachowania, który miał na celu uniemożliwienie rozwoju grup laboratoriów.*

It can be also used to express an apposition in the ST:

EN: (...) *two passages in the application refer indirectly to the overall plan, a key element in the Commission's analysis of (...)*

FR: (...) *deux passages de la requête font indirectement référence au plan d'ensemble, un élément clé dans l'analyse de la Commission quant à (...)*

PL: (...) *dwa fragmenty skargi odnoszą się pośrednio do całościowego planu, który jest kluczowym elementem w dotyczącej (...) analizie Komisji (...)*

EN: (...) *in excess of 10%, an objective which has no legal basis, (...)*

FR: (...) *dépassant un niveau de 10 %, objectif qui n'a pas de base légale (...)*

PL: (...) *przekraczającym limit 10%, który to cel nie ma podstawy prawnej (...)*

Interestingly, the same grammatical function can be realised by different means: **apposition** in English, a **present participle** in French and a **subordinate clause** in Polish:

EN: (...) *Sasol's representative, Mr D. S. R. (...)*

FR: (...) *M. D. S. R., représentant Sasol, (...)*

PL: (...) *D.S.R., który reprezentował grupę Sasol; (...)*

As regards other types of hypotactic markers, **complementisers** are one of the reasons why the judgments behave differently than the non-translated legislation. The distribution of these patterns follows a cline, where the judgments of the ECJ have the highest totals, albeit that they are overrepresented in E/F-LOC (18,723/17,008, respectively) in comparison with P-LOC (15,050). The non-translated judgments use them to a lesser extent (13,381), whereas the non-translated legislation uses up to ten times fewer markers of this type (1,399 in PLC15 and 2,446 in 2011KP). As regards the internal variation of the judgments of the ECJ, the top conjunction, *że* (one of the two variants of *that* in Polish, the other being *iż* [that-form]) is overrepresented in E/F-LOC (14,559/13,310, respectively) in comparison with both P-LOC (11,070) and JUDGPL (11,215). The second marker, *iż*, is also around 25% more frequent in E/F-LOC (2,232/1,851, respectively) than in P-LOC (1,516) and JUDGPL (864) (noteworthy, the differences in frequencies are of one to two orders of magnitude, when compared with the non-translated legislation, where it is used only 19 [PLC15] to 70 times [2011KP]). The sole coordinator overrepresented in P-LOC is *czy* [if, whether], which occurs 2,108 times, as compared with 1,766 in E-LOC, 1,648 in F-LOC, and 1,287 in JUDGPL.

The **collocates of the top complementisers** (see Tables 48-51) are fairly similar in the translated judgments and the LOC does not seem to influence the patterns of distribution. However, the translated judgments seem to diverge from the non-translated ones in that the former used decidedly more often *należy + inf + iż* and *należy + inf + że* (see Table 23). These impersonal patterns are used up to times ten more often in the translated judgments (227 to 2,198 in E-LOC, 248 to 2,250 in F-LOC, and 237 to 2,451 in P-LOC) than in JUDGPL (30 to 429). This is reminiscent of the behaviour of modal verbs, because of which the judgments of the ECJ use significantly more infinitives (see subchapter 6.2.).

Table 23: Total left collocates of *należy*

| | Judgments | | | | Legislation | | General |
|---|-----------|-------|-------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| <i>należy + inf + iż</i> [it should be + inf + that] | 227 | 248 | 237 | 30 | 0 | 0 | n.d. |
| <i>należy + inf + że</i> [it should be + inf + that] | 2,198 | 2,250 | 2,451 | 429 | 0 | 8 | n.d. |

Lastly, the **concessive subordinators** are used around 50% more frequently in E/F/P-LOC (680/650/593, respectively) than in JUDGPL (403) and roughly a few times more often than in the non-translated legislation (32 in PLC15 and 195 in 2011KP). There is little deviation between the judgments of the ECJ as regards the LOC. The fairly coherent behaviour of concession markers is indicative of a common denominator. In other words, despite the internal variation, these corpora share a great deal of surface linguistic features when compared to the non-translated corpora.

6.5. Qualification and cohesion: adverbials and participles

6.5.1. Adverbials

6.5.1.1. Addition and enumeration

The judicial and the legislative corpora diverge as regards the use of the **addition and enumeration** markers (see Tables 24 and 76). The distribution of these expressions follows a cline, where the judgments of the ECJ are at one extreme (albeit that E/F-LOC have slightly more markers (9,582/9,386, respectively) than P-LOC (8,700)) and the non-translated

legislation at the other extreme (3,126 in PLC15 and 4,164 in 2011KP). Although the non-translated judgments are in between (6,161) as regards the totals, they converge with the translated judgments as concerns the distribution of individual markers, except for **enumeration**: JUDGPL uses only 201 markers, whereas P-LOC uses them six times more often (1,300) and E/F-LOC around ten times more often (2,265/2,008 respectively). Interestingly, the non-translated legislation does not use enumeration markers at all (0 in PLC15 and 0 in 2011KP), which means that this pattern appears to be genre-dependent.

Table 24: Addition and enumeration

| | Judgments | | | | Legislation | | General |
|---|--------------|--------------|-------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Addition | | | | | | | |
| <i>ponadto</i> [moreover] | 1,282 | 1,117 | 953 | 353 | 36 | 160 | 120 |
| <i>dodatkowo</i> [additionally] | 40 | 45 | 30 | 74 | 54 | 30 | 72 |
| <i>w dodatku</i> [in addition] | 7 | 3 | 0 | 10 | 1 | 0 | 37 |
| <i>co więcej</i> [what (is) more] | 113 | 101 | 51 | 18 | 0 | 0 | 28 |
| <i>nadto</i> [more, furthermore] | 4 | 3 | 4 | 158 | 0 | 17 | 11 |
| <i>jednocześnie</i> [simultaneously] | 106 | 112 | 119 | 236 | 83 | 127 | 172 |
| dlatego też | 41 | 41 | 17 | 31 | 0 | 0 | 41 |
| TOTAL | 1,593 | 1,423 | 1,173 | 881 | 174 | 334 | 481 |
| Addition: również and także | | | | | | | |
| <i>również</i> (excl. <i>jak również</i>) [also-form] | 1,312 | 1,183 | 1,389 | 832 | 436 | 678 | 776 |
| <i>także</i> (excl. <i>a także</i>) [also-neut] | 1,036 | 1,254 | 982 | 1,624 | 307 | 859 | 831 |
| <i>też</i> [also-iform] | 513 | 429 | 546 | 923 | 19 | 118 | 1,374 |
| <i>czy też</i> [or also] | 172 | 147 | 220 | 130 | 2 | 10 | 104 |
| TOTAL | 2,862 | 2,866 | 2,917 | 3,379 | 764 | 1,665 | 3,085 |
| GRAND TOTAL | 4,455 | 4,289 | 4,089 | 4,259 | 938 | 1,999 | 3,566 |
| Enumeration | | | | | | | |
| <i>po pierwsze</i> [firstly] | 710 | 607 | 423 | 60 | 0 | 0 | 66 |
| <i>po drugie</i> [secondly] | 687 | 589 | 411 | 52 | 0 | 0 | 51 |
| <i>po trzecie</i> | 221 | 172 | 89 | 24 | 0 | 0 | 16 |

| | | | | | | | |
|--|--------------|--------------|--------------|-------|-------|-------|-------|
| [thirdly] | | | | | | | |
| <i>po czwarte</i> [fourthly] | 85 | 71 | 51 | 8 | 0 | 0 | 5 |
| <i>po piąte</i> [fifthly] | 33 | 31 | 13 | 3 | 0 | 0 | 2 |
| <i>z jednej strony</i> [on the one hand] | 263 | 263 | 161 | 29 | 0 | 0 | 42 |
| <i>z drugiej strony</i> [on the other hand] | 266 | 275 | 152 | 24 | 0 | 0 | 50 |
| TOTAL | 2,265 | 2,008 | 1,300 | 201 | 0 | 0 | 232 |
| Exemplification and particularisation | | | | | | | |
| <i>w szczególności</i> [in particular] | 1,364 | 1,501 | 1,372 | 280 | 795 | 1,000 | 52 |
| <i>przede wszystkim</i> [above all] | 219 | 204 | 186 | 184 | 2 | 32 | 272 |
| <i>między innymi</i> [among others] | 200 | 179 | 157 | 176 | 2 | 0 | 89 |
| <i>taki jak</i> [such as] | 517 | 704 | 1,046 | 24 | 17 | 24 | 108 |
| <i>na przykład</i> [for example] | 85 | 54 | 64 | 10 | 1 | 0 | 204 |
| <i>np.</i> [e.g.] | 16 | 9 | 21 | 263 | 19 | 3 | 341 |
| <i>*, w tym</i> [* , of which] | 289 | 248 | 250 | 434 | 869 | 598 | n.d. |
| <i>wraz z</i> [together with] | 101 | 116 | 93 | 298 | 447 | 438 | 177 |
| <i>włącznie z</i> [inclusive of] | 27 | 24 | 68 | 4 | 4 | 9 | 4 |
| <i>łącznie z</i> [inclusive of] | 20 | 34 | 38 | 26 | 31 | 69 | 20 |
| <i>włączając</i> [including] | 25 | 15 | 17 | 2 | 2 | 2 | 3 |
| TOTAL | 2,862 | 3,089 | 3,310 | 1,701 | 2,188 | 2,175 | 1,270 |
| GRAND TOTAL | 9,582 | 9,386 | 8,700 | 6 161 | 3,126 | 4,164 | 4,900 |

As regards the **addition** markers, there are two observations to be made. Firstly, insofar as the total number of conjunctions is concerned, all the judgments converge in that they use these patterns two to four times more often (4,455 in E-LOC, 4,289 in F-LOC, 4,089 in P-LOC, and 4,259 in JUDGPL) than the non-translated legislation (938 in PLC15 and 1,989 in 2011KP). Secondly, the top conjunctions are different in each corpus (see Table 25).

Table 25: Addition: top conjunctions

| | Judgments | Legislation | General |
|--|-----------|-------------|---------|
|--|-----------|-------------|---------|

| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
|---|-------|-------|-------|--------|-------|--------|-------|
| <i>również</i> (excl. <i>jak również</i>) [also-form] | 1,312 | 1,183 | 1,389 | 832 | 561 | 678 | 776 |
| <i>także</i> (excl. <i>a także</i>) [also-neut] | 1,036 | 1,254 | 982 | 1,624 | 438 | 859 | 831 |
| <i>ponadto</i> [moreover] | 1,282 | 1,117 | 953 | 353 | 80 | 160 | 120 |
| <i>też</i> [also-iform] | 513 | 429 | 546 | 923 | 50 | 118 | 1,374 |
| TOTAL | 4,144 | 3,983 | 3,869 | 3,732 | 1,129 | 1,815 | 3,101 |

Statistically speaking, there are two main conjunctions in the non-translated legislation: *również* [also-formal] (436 in PLC15 and 678 in 2011KP) and *także* [also-neutral] (307 in PLC15 and 859 in 2011KP), whereas the judgments use three conjunctions. In the case of the non-translated judgments, the most frequently used one is *także* (1,624), the second one *też* [also-iform] (923), a form that is used only marginally in the non-translated legislation (19 in PLC15 and 118 in 2011KP), and the third one *również* (832). The translated judgments, on the other hand, use more frequently *również* (1,312 in E-LOC, 1,183 in F-LOC, and 1,389 in P-LOC) than *także* or *ponadto* (1,282 in E-LOC, 1,117 in F-LOC, 953 in P-LOC and only 353 in JUDGPL). Arguably, the translated corpora are marked by great internal variation as regards the second and third conjunction, as F-LOC prefers *także* (1,254) to *ponadto* (1,117), whereas E-LOC prefers the latter (1,282 instances of *ponadto* as compared with 1,036 occurrences of *także*). P-LOC, on the other hand, uses them almost equally as often (953 occurrences of *ponadto* and 982 of *także*).

As regards **other addition markers** (almost not used in the non-translated legislation), they are used differently in the translated and the non-translated judgments. For instance, *co więcej* (*what is more, moreover, furthermore, in addition; de surcroît, en outre*) is overrepresented in E/F/P-LOC (113/101/51, respectively) in comparison with JUDGPL (18). Conversely, *nadto* [*more, furthermore*] is underrepresented in E/F/P-LOC (4/3/4, respectively) in comparison with JUDGPL (158). It appears that the translated and the non-translated judgments can simultaneously have convergent totals and diverge as regards the distribution of the individual markers.

Insofar as the markers of **enumeration** are concerned, it has already been observed that the non-translated legislation does not use these patterns at all. On average, these conjunctions are used 1.5 times more frequently in E/F-LOC (2,265 and 2,008 respectively) than in P-LOC

(1,300) and almost ten times more often than in JUDGPL (201). Both patterns, used as **discourse organisers**, *po pierwsze- po drugie* [firstly-secondly] and *z jednej strony- z drugiej strony* [on the one hand - on the other hand] are significantly overrepresented in E/F-LOC in comparison with P-LOC. What is more, E/F-LOC diverge further from P-LOC and JUDGPL in that these corpora more often enumerate five or more objects, as *po piąte* [fifthly] appears in E/F-LOC 33/31 times, 13 times in P-LOC and only 3 times in JUDGPL.

Moreover, translators often do not distinguish between the pairs *firstly-secondly* and *on the one hand-on the other hand*, as these expressions are used interchangeably. *Po pierwsze-po drugie* (*in the first place, first-second; firstly-secondly, moreover; premierement-deuxiemement; en premier lieu- en second lieu, le premier/le second, d'une part- d'autre part*) is triggered in translation by the same conjunctions as *z jednej- z drugiej strony* (*first-second, in the first place, on the one hand- on the other; d'une part- d'autre part, en premier lieu- en second lieu*):

EN: (...) *since that was the only way in which Chiquita could, **on the one hand**, understand that (...)*

FR: (...) *puisque ce n'est qu'ainsi que Chiquita pouvait, **d'une part**, comprendre que (...)*

PL: (...) *ponieważ tylko w ten sposób Chiquita mogła, **po pierwsze**, zrozumieć, że (...)*
[firstly]

EN: (...) *the parent company can exercise decisive influence over the conduct of the subsidiary and, **moreover**, there is a rebuttable presumption that the (...)*

FR: (...) ***d'une part**, cette société mère peut exercer une influence déterminante sur le comportement de cette filiale et, **d'autre part** (...)*

PL: (...) ***po pierwsze**, ta spółka dominująca może wywierać decydujący wpływ na zachowanie swej spółki zależnej, **a po drugie**, istnieje wruszczalne domniemanie, że (...)*
[secondly]

EN: (...) ***first**, are reliable; **second**, are made on behalf of an undertaking; **third** (...)*

FR: (...) *déclarations qui, **primo**, sont fiables, **secundo**, sont faites au nom d'une entreprise, **tertio** (...)*

PL: (...) ***po pierwsze**, są wiarygodne, **po drugie**, są złożone w imieniu przedsiębiorstwa, **po trzecie** (...)*

- EN: *In this regard, it puts forward two series of arguments concerning, **first**, failure to take account of the legal and economic context existing at the time when the side letters were signed (see paragraphs 76 to 111 below) and, **second**, failure to take account of the purpose of the MEGAL gas pipeline and of those letters.*
- FR: *À cet égard, elle avance deux séries d'arguments concernant, **la première**, l'absence de prise en considération du contexte juridique et économique existant à l'époque de la signature des lettres d'accompagnement (voir points 76 à 111 ci-après) et, **la seconde**, l'absence de prise en considération de la finalité du gazoduc MEGAL et desdites lettres.*
- PL: *W tym względzie przedstawia ona dwie grupy argumentów dotyczących, **po pierwsze**, braku uwzględnienia kontekstu prawnego i gospodarczego istniejącego w czasie, gdy podpisywane były pisma wyjaśniające (zob. pkt 76–111 poniżej), a **po drugie**, braku uwzględnienia przeznaczenia gazociągu MEGAL i rzeczonych pism.*
- EN: *In the contested decision, the Commission analysed, **first of all**, the exchanges between Chiquita and Dole and between Dole and Weichert in the light of the prohibition in Article 81 EC.*
- FR: *Dans la décision attaquée, la Commission a, **tout d'abord**, analysé les échanges entre, **d'une part**, Chiquita et Dole et, **d'autre part**, Dole et Weichert, au regard de l'interdiction contenue dans l'article 81 CE.*
- PL: *W zaskarżonej decyzji Komisja **przede wszystkim** dokonała analizy korespondencji wymienionej pomiędzy z **jednej strony** spółkami Chiquita i Dole a z **drugiej strony** spółkami Dole i Weichert, w świetle zakazu zawartego w art. 81 WE.*
- EN: *Moreover, **first**, the Court notes that the Commission highlighted (recital 131 to the contested decision) (...)*
- FR: *En outre, **d'une part**, il convient de relever que la Commission a mis en exergue (considérant 131 de la décision attaquée) (...)*
- PL: *Ponadto z **jednej strony** należy podnieść, że Komisja podkreśliła (w motywie 131 zaskarżonej decyzji) (...)*
- EN: *It should be recalled, first of all, that the Commission distinguished two types of information exchanged, namely (i) price-setting factors, that is, factors relevant for the setting of quotation prices for the forthcoming week and (ii) price trends and indications of quotation prices for the forthcoming week before quotation prices (...)*

- FR: *Il convient, tout d'abord, de rappeler que la Commission a distingué deux types d'informations échangés, à savoir, **d'une part**, les facteurs de tarification, c'est-à-dire des facteurs importants pour l'établissement des prix de référence pour la semaine à venir, et, **d'autre part**, les tendances de prix ou les indications sur les prix de référence pour la semaine à venir avant l'établissement de ces prix de référence (...)*
- PL: *Należy przede wszystkim przypomnieć, że Komisja wprowadziła rozróżnienie między dwoma rodzajami wymienianych informacji, czyli, **po pierwsze**, czynnikami ustalania cen, czyli istotnymi czynnikami ustalania cen referencyjnych na kolejny tydzień i, z **drugiej strony**, poprzedzającymi ustalenie tych cen referencyjnych tendencjami cenowymi oraz wskaźnikami dotyczącymi cen referencyjnych na kolejny tydzień (...)*
[**firstly** (...) and **on the other hand**]

The total number of **exemplification and particularisation** markers is the highest in the case of the translated judgments (P-LOC uses more markers (3,310) than E/F-LOC: 2,862/3,089, respectively) and, unexpectedly, the lowest in the non-translated judgments (1,701). The most frequent conjunction used for the purposes of exemplification and particularisation, *w szczególności* ((in) particular, (more) specifically, specifically, inter alia; particulièrement, en particulier, (tout) particulièrement, spécifiquement, notamment), is used almost equally as often in E/F/P-LOC (1,364/1,501/1,372 respectively) (subchapter 5.2.3 has already discussed how this conjunction can be a source of problems in translation). The only statistically significant difference between the translated corpora is the distribution of *taki jak* [such as], which is overrepresented in P-LOC (1,046) in comparison to E/F-LOC (517 and 704 respectively). As in the case of **inclusive clauses** (see also previous subchapter), the non-translated corpora prefer the abbreviated forms. Thus, *na przykład* (for example) is underrepresented in comparison with *np.* [e.g.] (1 to 19 in PLC15, 0 to 3 in 2011KP, and 10 to 263 in JUDGPL). Conversely, the translated corpora use more often the unabbreviated form (85 to 16 in E-LOC, 54 to 9 in F-LOC and 64 to 21 in P-LOC).

6.5.1.2. Exclusion and contrast

All the judgments converge as regards the total of **exclusion and contrast** markers (1,350 in E-LOC, 1,268 in F-LOC, 1,266 in P-LOC and 1,397 in JUDGPL) and, at the same time, they diverge from the non-translated legislation (540 in PLC15 and 1,018 in 2011KP) (see Tables

26 and 77). Interestingly, the ratio of **contrast markers** to **exclusion markers** is strikingly different in each genre: from 1:1 to 2.1:1 in the non-translated legislation, from 8.8:1 to 9.8:1 in the judgments of the ECJ, and 33.5:1 in the non-translated judgments. Insofar as the internal variation of the judgments of the ECJ is concerned, the LOC does not seem to have an impact on the distribution of these patterns.

Table 26: Exclusion and contrast

| | Judgments | | | | Legislation | | General |
|--|-----------|-------|-------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Exclusion | | | | | | | |
| <i>z wyjątkiem</i> [except for] | 113 | 118 | 123 | 30 | 244 | 272 | 26 |
| <i>za wyjątkiem</i> [except for (ungrammatical)] | 0 | 2 | 0 | 10 | 1 | 0 | 2 |
| TOTAL | 113 | 120 | 123 | 40 | 245 | 272 | 28 |
| Contrast | | | | | | | |
| <i>jednak</i> [however] | 794 | 754 | 813 | 1,163 | 219 | 410 | 1,378 |
| *. <i>Jednak</i> (fronted) | 36 | 35 | 17 | 36 | 1 | 4 | n.d. |
| <i>jednakże</i> [however with an emphatic particle] | 316 | 299 | 275 | 177 | 31 | 172 | 39 |
| *. <i>Jednakże</i> (fronted) | 133 | 120 | 97 | 76 | 16 | 109 | n.d. |
| TOTAL | 1,110 | 1,052 | 1,088 | 1,340 | 250 | 582 | 1,417 |
| Contrast: Collocates of <i>jednak</i> and <i>jednakże</i> | | | | | | | |
| <i>niemniej jednak</i> [nevertheless/BT: not less however] | 126 | 96 | 30 | 14 | 0 | 0 | 11 |
| <i>jednak nie dłużej/później... niż</i> [however not longer/after... than] | 1 | 0 | 21 | 3 | 41 | 154 | 6 |
| <i>jednakże nie dłużej/później... niż</i> [however not longer/after... than] | 0 | 0 | 4 | 0 | 4 | 10 | 0 |
| TOTAL | 127 | 96 | 55 | 17 | 46 | 164 | 17 |
| GRAND TOTAL | 1,350 | 1,268 | 1,266 | 1,397 | 540 | 1,018 | 1,462 |

As regards the **exclusion markers**, or more precisely the exclusion marker, as only *z wyjątkiem* [except for] is grammatically correct, the judgments use this expression less

frequently (113 in E-LOC, 118 in F-LOC, 123 in P-LOC, and 40 in JUDGPL) than the non-translated legislation (244 in PLC15 and 272 in 2011KP). The grammatically incorrect form, *za wyjątkiem*, does not appear virtually at all in the translated corpora, except for F-LOC, where it occurs only 2 times per million words.

Insofar as the **contrast markers** are concerned, the main conjunction is *jednak* [however, non-emphatic]. Interestingly, the translated judgments diverge from the non-translated ones in that they use more *jednakże* [however with an emphatic particle] in comparison with *jednak*. This is most likely caused by the translator's tendency to **exaggerate the TL features** (see subchapter 3.1.). The non-translated judgments use the non-emphatic form (*jednak*) around 6.5 times more often than the emphatic one (*jednakże*), i.e. the ratio of these two in JUDGPL is 1,163 to 177. In the judgments of the ECJ, the non-emphatic form is used only 2.5 to 3 times more often than the emphatic one, i.e. the ratio is 794 to 316 in E-LOC, 754 to 299 in F-LOC and 813 to 275 in P-LOC. Furthermore, as regards the place of these markers in the sentence, fronted conjunctions are typically less frequent than those occurring inside clauses. Fronted *jednakże* occurs decidedly more often than fronted *jednak*, probably because the more emphatic conjunction is deemed to be better suited for the formal register... The ratio of the fronted *jednakże* to *jednak* is 133 to 36 in E-LOC, 120 to 35 in F-LOC, 97 to 17 in P-LOC and 76 to 36 in JUDGPL.

6.5.1.3. Epistemic stance

The judicial and the legislative corpora appear to diverge the most as regards the **epistemic stance markers**, which can be divided into **epistemic stance adverbials** (see Tables 28 and 78) and **epistemic stance adjectives** (see Tables 29 and 79). These patterns appear roughly two to four times more often in the rulings (4,684 in E-LOC, 4,341 in F-LOC, 3,437 in P-LOC and 4,667 in JUDGPL) than in the non-translated legislation (1,111 in PLC15 and 1,680 in 2011KP) (see Table 27). This is due to the fact that legislation does not take an epistemic stance on reality, as it aims at describing it as objectively as possible. Judgments, on the other hand, assess the veracity of witness testimonies and the pertinence of the arguments used by the parties. As regards the influence of the LOC, these markers are significantly overrepresented in E/F-LOC and, unexpectedly in JUDGPL, in comparison with P-LOC, which uses around 30% less markers of this type. However, in spite of the divergent totals, all the translated corpora converge as regards the ratio of **epistemic modality adjectives** to **epistemic stance adverbials**

(1.66:1 in both E-LOC and F-LOC, 1.72:1 in P-LOC), which is lower than in JUDGPL (3.20:1) and than in the non-translated legislation (2.54:1 in PLC15 and 3.32:1 in 2011KP). These markers are thus the perfect example of (i) how the judicial and legislative genres differ; (ii) how P-LOC diverges from E/F-LOC; (iii) how all the judgments of the ECJ converge despite the internal variation and how they diverge from the non-translated judgments.

Table 27: Epistemic modality adjectives and other epistemic stance markers

| | Judgments | | | | Legislation | | General |
|--------------------------------------|--------------|--------------|-------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Epistemic modality adjectives | 2,926 | 2,710 | 2,172 | 3,558 | 797 | 1,291 | 1,440 |
| Epistemic Stance | 1,758 | 1,631 | 1,266 | 1,109 | 314 | 389 | 1,577 |
| TOTAL | 4,684 | 4,341 | 3,437 | 4,667 | 1,111 | 1,680 | 3,017 |

Table 28: Epistemic Stance

| | Judgments | | | | Legislation | | General |
|---|-----------|-------|-------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Doubt and certainty | | | | | | | |
| <i>oczywiście</i> [of course, obviously] | 91 | 83 | 42 | 123 | 2 | 28 | 360 |
| <i>z pewnością</i> [surely] | 23 | 26 | 13 | 21 | 0 | 0 | 74 |
| <i>naturalnie</i> [naturally] | 1 | 1 | 25 | 1 | 7 | 2 | 20 |
| <i>bez wątplenia</i> [undoubtedly] | 13 | 8 | 4 | 5 | 0 | 0 | 16 |
| <i>rzecz jasna</i> [it is common ground] | 0 | 0 | 0 | 3 | 0 | 0 | 17 |
| <i>nie ma wątpliwości</i> [undoubtedly] | 14 | 7 | 4 | 8 | 1 | 2 | 7 |
| <i>nie ulega wątpliwości</i> [undoubtedly] | 12 | 9 | 13 | 51 | 0 | 0 | 7 |
| <i>prawdopodobnie</i> [probably] | 29 | 9 | 4 | 5 | 3 | 3 | 97 |
| <i>rzekomo</i> [allegedly] | 66 | 30 | 47 | 6 | 0 | 2 | 14 |
| <i>zapewne</i> [arguably] | 2 | 2 | 0 | 11 | 0 | 0 | 104 |
| <i>najprawdopodobniej</i> [most likely] | 5 | 2 | 0 | 3 | 0 | 0 | 17 |
| <i>jakoby</i> [purportedly] | 87 | 69 | 38 | 30 | 0 | 0 | 17 |

| | | | | | | | |
|---|--------------|--------------|--------------|--------------|------------|------------|--------------|
| <i>możliwe</i> [possible] | 141 | 128 | 114 | 207 | 102 | 127 | 120 |
| <i>zdaje się</i> [it appears] | 17 | 13 | 21 | 5 | 0 | 0 | 32 |
| <i>wyduje się</i> [it seems] | 116 | 97 | 127 | 7 | 90 | 83 | 105 |
| TOTAL | 616 | 484 | 453 | 485 | 204 | 247 | 1,007 |
| Actuality and reality | | | | | | | |
| <i>faktycznie</i> [in fact] | 79 | 63 | 97 | 82 | 24 | 17 | 46 |
| <i>rzeczywiście</i> [actually] | 207 | 189 | 76 | 97 | 4 | 11 | 150 |
| <i>w rzeczywistości</i> [in fact/BT: in reality] | 129 | 123 | 80 | 29 | 0 | 1 | 30 |
| <i>w istocie</i> [as a matter of fact/in essence] | 246 | 270 | 186 | 144 | 0 | 0 | 29 |
| TOTAL | 662 | 644 | 440 | 352 | 28 | 29 | 255 |
| Limitation | | | | | | | |
| <i>głównie</i> [mainly] | 39 | 59 | 13 | 17 | 1 | 2 | 160 |
| <i>ogółem</i> [in total] | 7 | 9 | 4 | 6 | 12 | 5 | 10 |
| <i>na ogół</i> [generally] | 7 | 6 | 0 | 4 | 0 | 0 | 35 |
| <i>zasadniczo</i> [principally] | 303 | 298 | 254 | 26 | 1 | 2 | 11 |
| <i>w zasadzie</i> [in principle] | 22 | 22 | 8 | 69 | 0 | 1 | 43 |
| <i>w żadnym razie</i> [at no time] | 26 | 26 | 4 | 9 | 0 | 1 | 3 |
| <i>niemożliwe</i> [impossible] | 33 | 37 | 34 | 49 | 30 | 49 | 40 |
| <i>nie jest możliwe</i> [it is not possible] | 21 | 20 | 25 | 66 | 38 | 53 | 6 |
| <i>wykluczone</i> [excluded] | 22 | 25 | 30 | 25 | 0 | 0 | 7 |
| TOTAL | 480 | 503 | 373 | 271 | 82 | 113 | 315 |
| GRAND TOTAL | 1,758 | 1,631 | 1,266 | 1,109 | 314 | 389 | 1,577 |

The **epistemic stance adverbials** appear roughly three to five times more often in the judgments (1,758 in E-LOC, 1,631 in F-LOC, 1,266 in P-LOC and 1,109 in JUDGPL) than in the non-translated legislation (314 in PLC15 and 389 in 2011KP). As concerns the markers expressing **doubt and certainty**, almost all judgments have a convergent total (484 in F-LOC, 453 in P-LOC, 485 in JUDGPL) except for E-LOC, where these patterns are slightly overrepresented (616). However, irrespective of the LOC, the judgments of the ECJ use a

similar number of **hedges**, i.e. understatements on the part of the speaker as a way of distancing oneself from the utterances: *rzekomo* [arguably] (66 in E-LOC, 30 in F-LOC, 47 in P-LOC and 6 in JUDGPL), *jakoby* [purportedly] (87 in E-LOC, 69 in F-LOC, 38 in P-LOC and 30 in JUDGPL) and *możliwe* [possible] (141 in E-LOC, 128 in F-LOC, 113 in P-LOC, and 207 in JUDGPL). Insofar as the differences between the judicial corpora are concerned, E/F/P-LOC use more verbal expressions, e.g. *wyduje się* [it seems] (116/97/127, respectively) in comparison with JUDGPL (7). On the other hand, certain patterns are underrepresented in the translated judgments, such as *możliwe* (see above) or *oczywiście* [of course, obviously] (123 in JUDGPL, as compared with 91/83/42 in E/F/P-LOC, respectively).

As regards the distribution of other patterns in the judgments, E/F-LOC have higher totals of **actuality and reality** markers and of **limitation** markers (662 to 480 in E-LOC, 644 to 503 in F-LOC) than both P-LOC (440 to 373) and JUDGPL (352 to 271). The translated corpora diverge as regards the top two conjunctions expressing **actuality**. In E/F-LOC it is *w istocie* [as a matter of fact/in essence] and *rzeczywiście* [actually], patterns used comparably as often in both E-LOC (246 and 207) and F-LOC (270 and 189) and underrepresented in P-LOC (186 and 76) and JUDGPL (144 and 97). On the other hand, as regards the distribution of the top conjunctions expressing **limitation**, the translated corpora diverge from the non-translated as concerned the use of *zasadniczo* [principally] and *w zasadzie* [in principle]. The former conjunction, *zasadniczo*, is much more frequent in the judgments of the ECJ than the latter (see Table 28). Conversely, the non-translated judgments use more often *w zasadzie* (69) than *zasadniczo* (26).

Insofar as the **epistemic modality adjectives** and the expressions that trigger them in translation in translation are concerned (see Tables 29 and 79), there is no one-to-one correspondence between the adjectives in the TT and structures in the ST. For instance, *przekonany* [convinced] is used to translate various adverbs on the one hand and verbs expressing beliefs or actions on the other (*to believe that, according to sb, to be of the opinion, to appear convinced that; penser que, selon qqn, qqn a déjà démontré à, estimer que, sembler convaincu de*).

Table 29: Epistemic Modality: Adjectives

| | Judgments | | | | Legislation | | General |
|------------------------------------|-----------|-------|-------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| <i>absurdalny</i> [absurd] | 2 | 0 | 0 | 3 | 0 | 0 | 13 |
| <i>bezpodstawny</i> [unfounded] | 19 | 19 | 13 | 187 | 3 | 11 | 5 |

| | | | | | | | |
|---|------------|------------|-----|-----|-----|-----|-----|
| <i>bezsportny</i> [undisputed] | 83 | 88 | 114 | 64 | 7 | 4 | 3 |
| <i>bezspzeczny</i> [not disrupted] | 7 | 4 | 0 | 0 | 0 | 0 | 0 |
| <i>błędny</i> [incorrect] | 238 | 183 | 148 | 680 | 4 | 15 | 23 |
| <i>chybiony</i> [ineffective] | 2 | 4 | 0 | 58 | 0 | 0 | 3 |
| <i>irrelevantny</i> [irrelevant] | 0 | 0 | 0 | 3 | 0 | 0 | 0 |
| <i>istotny</i> [essential] | 550 | 514 | 292 | 492 | 187 | 316 | 146 |
| <i>konieczny</i> [necessary] | 375 | 347 | 351 | 280 | 97 | 184 | 91 |
| <i>kontrowersyjny</i> [controversial] | 1 | 0 | 0 | 1 | 0 | 0 | 20 |
| <i>mało prawdopodobny</i> [hardly plausible] | 10 | 7 | 0 | 1 | 1 | 1 | 0 |
| <i>możliwy</i> [possible] | 219 | 201 | 148 | 333 | 137 | 160 | 175 |
| <i>niecelowy</i> [not appropriate] | 1 | 0 | 0 | 3 | 2 | 11 | 1 |
| <i>niemożliwy</i> [impossible] | 43 | 51 | 42 | 68 | 32 | 55 | 55 |
| <i>nieuprawniony</i> [unjustified] | 6 | 1 | 13 | 28 | 37 | 55 | 4 |
| <i>nieuzasadniony</i> [unsupported] | 34 | 33 | 51 | 212 | 15 | 34 | 10 |
| <i>niewykluczony</i> [not ruled out] | 0 | 1 | 0 | 2 | 0 | 0 | 13 |
| <i>oczywisty</i> [obvious] | 368 | 255 | 110 | 189 | 21 | 43 | 67 |
| <i>pewny</i> [certain] | 388 | 356 | 207 | 132 | 6 | 22 | 541 |
| <i>prawdopodobny</i> [probable] | 49 | 32 | 8 | 15 | 2 | 14 | 26 |
| <i>przekonany</i> [convinced] | 5 | 2 | 0 | 4 | 0 | 0 | 149 |
| <i>przekonujący</i> [convincing] | 17 | 11 | 0 | 22 | 0 | 0 | 5 |
| <i>przeświadczone</i> [confident] | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| <i>trafny</i> [right] | 5 | 0 | 0 | 147 | 0 | 0 | 11 |
| <i>uzasadniony</i> [justified] | 385 | 476 | 563 | 445 | 232 | 353 | 35 |
| <i>wątpliwy</i> [doubtful] | 6 | 2 | 0 | 13 | 0 | 0 | 14 |
| <i>wykluczony</i> | 27 | 33 | 34 | 30 | 3 | 5 | 12 |

| | | | | | | | |
|--------------------------------|--------------|--------------|-------|-------|-----|-------|-------|
| [excluded] | | | | | | | |
| wymowny [persuasive] | 1 | 0 | 0 | 0 | 0 | 0 | 6 |
| zasadny [legitimate] | 85 | 89 | 76 | 148 | 11 | 8 | 11 |
| TOTAL | 2,926 | 2,710 | 2,172 | 3,558 | 797 | 1,291 | 1,440 |

As regards the distribution of these patterns, certain adjectives appear to be overrepresented in E/F-LOC: *istotny* (*basic, essential, relevant; essentiel, substantiel, pertinent*) (550/514, respectively, as compared to 292 in P-LOC), *oczywisty* (*obvious(ly), clear(ly), manifest(ly); manifeste(ment), évident*) (368/255, respectively as compared to 110 in P-LOC) and *pewny*⁹⁸ (*specific, certain, somewhat, some; certain*) (388/356, respectively as compared to 207 in P-LOC). On the other hand, there seems to be only one adjective underrepresented in E/F-LOC: *uzasadniony* (*justifiable, legitimate, correct, necessary, justified, to be sufficient ground; justifié, légitime, cela se justifie*) (385 E-LOC, 476 F-LOC, 563 P-LOC). As concerns the adjectives that are underrepresented in the translated judgments on the whole⁹⁹, they are as follows: *bledny* (*incorrect, false, mis(conception), erroneous, misapplied, vitiated by an error of law, an error in the imputation to; erroné, faux, (une) mauvaise (application), entachée d'une erreur de droit/viciée par, une erreur dans l'imputation*) (680 in JUDGPL, 238/183/148 in E/F/P-LOC, respectively), *bezpodstawny* (*not justified, unfounded, unfounded, there is no basis for, wholly unfounded; ne pas être justifié, non fondé, dépourvu de fondement, dénué de fondement, sans fondement, dépourvu de tout fondement*) (187 and 19/19/13, respectively), *mozliwy* (*possible; possible, permis*) (333 and 219/201/148, respectively), *nieuzasadniony* (*there was no justification for, unsupported by, (prolong) unduly; il n'y a pas de justification pour, non motivé, (prolonger) indûment*) (212 and 34/33/51, respectively) and *trafny* (*rightly, relevant; bon droit + inf, pertinent, relevant*) (147 as compared with 5/0/0, respectively).

6.5.2. Participles

In Polish, there are two types of adverbial participles, one ending with *-qc* [doing] (**present adverbial participles**) and one ending with *-wszy/-wszy* [having done] (**perfective adverbial**

⁹⁸ It must be born in mind that *pewny* [certain] might be ambiguous in Polish, French, and English. It might refer to either a specific or any object.

⁹⁹ In other words, adjectives that are not so easily triggered in translation.

participles) (see Tables 30-31 and 80-81). The judgments of the ECJ converge as regards the total number of the **present adverbial participles**¹⁰⁰ (2,286 in E-LOC, 2,319 in F-LOC and 2,485 in P-LOC). These figures are almost in between the two extremes delineated by the non-translated legislation (1,573 in PLC15 and 2,025 in 2011KP) and the non-translated judgments (3,183). However big the divergencies between the corpora might appear in the case of the present adverbial participles, the judgments of the ECJ use, on average, ten times more **perfective adverbial participles** than the non-translated corpora (16 times more than the non-translated legislation (28 in both PLC15 and 2011KP) and around five times more than the non-translated judgments (94)). Interestingly, these patterns appear to be underrepresented in E/F-LOC 315/384, respectively) in comparison with P-LOC (449). The extensive use of these participles is contrary to the current tendencies in general Polish, i.e. the Polish perfective adverbial participle is generally in decline, except for certain lexicalised forms such as *zważywszy* or *począwszy* (Nagórko 2010: 32). This is because this form is not regarded as stylistically neutral, but as a refined, almost literary, device (Buttler 1971: 419). These adverbials might be assumed to be a means of **elevating the register** of the language (i.e. **normalising** the TTs).

Table 30: Present adverbial participles –*ąc*

| | Judgments | | | | Legislation | | General |
|--|-----------|-------|-------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Token | 2,286 | 2,319 | 2,485 | 3,183 | 1,573 | 2,025 | n.d. |
| Types at least 5 instances | 57 | 67 | 123 | 105 | 156 | 83 | n.d. |
| Types total at least 2 instances | 97 | 135 | 347 | 215 | n.d. | n.d. | n.d. |
| <i>uwzględniając</i> [considering/en acquis: having regard to] | 195 | 246 | 301 | 121 | 359 | 349 | 13 |
| <i>mając</i> [having] | 145 | 124 | 152 | 144 | 236 | 214 | 61 |
| <i>biorąc</i> [taking] | 120 | 131 | 89 | 66 | 105 | 98 | 43 |
| <i>uznając</i> [acknowledging] | 117 | 121 | 106 | 118 | 1 | 5 | 9 |
| <i>stwierdzając</i> [finding that] | 68 | 48 | 25 | 73 | 2 | 3 | 4 |
| <i>opierając (się)</i> [relying on] | 59 | 53 | 38 | 38 | 1 | 3 | 8 |
| <i>powołując</i> | 59 | 45 | 64 | 107 | 5 | 10 | 10 |

¹⁰⁰ Understood as a number of tokens per million words.

| | | | | | | | |
|--|-------|-------|-----------|-------|-------|-------|-----|
| [referring to] | | | | | | | |
| <i>przyjmując</i> [adopting] | 45 | 65 | 72 | 80 | 12 | 2 | 10 |
| <i>dokonując</i> [assessing] | 45 | 27 | 25 | 71 | 30 | 17 | 5 |
| <i>odnosząc</i> [relating to] | 43 | 33 | 21 | 104 | 0 | 0 | 5 |
| <i>zakładając</i> [assuming] | 37 | 40 | 38 | 6 | 0 | 0 | 7 |
| <i>podnosząc</i> [claiming] | 36 | 33 | 55 | 34 | 0 | 0 | 6 |
| <i>wskazując</i> [stating] | 36 | 37 | 34 | 154 | 35 | 32 | 12 |
| <i>orzekając</i> [ruling] | 33 | 33 | 17 | 20 | 10 | 23 | 1 |
| <i>stosując</i> [applying] | 33 | 42 | 25 | 22 | 19 | 54 | 9 |
| <i>twierdząc</i> [claiming] | 31 | 29 | 42 | 21 | 0 | 0 | 11 |
| <i>naruszając</i> [infringing] | 28 | 30 | 8 | 19 | 2 | 11 | 1 |
| <i>ustalając</i> [setting] | 15 | 10 | 68 | 31 | 21 | 24 | 3 |
| <i>działając</i> [acting] | 24 | 24 | 47 | 31 | 16 | 21 | 5 |
| <i>włączając</i> [including] | 25 | 15 | 17 | 2 | 8 | 2 | 3 |
| <i>stanowiąc</i> [acting] | 17 | 23 | 38 | 15 | 3 | 0 | 3 |
| <i>licząc</i> [counting] | 10 | 16 | 76 | 14 | 62 | 56 | 21 |
| <i>będąc</i> [being] | 14 | 16 | 8 | 29 | 57 | 84 | 25 |
| <i>kierując (się)</i> [being guided-refl] | 4 | 6 | 0 | 21 | 87 | 109 | 12 |
| TOTAL | 1,239 | 1,246 | 1,367 | 1,340 | 1,071 | 1,117 | 287 |

Table 31: Perfective adverbial participles -wszy/-wszy

| | Judgments | | | | Legislation | | General |
|---|-----------|-------|-------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Token | 315 | 384 | 449 | 94 | 28 | 28 | n.d. |
| Types at least 2 instances | 9 | 11 | 34 | 5 | 2 | 2 | n.d. |
| <i>zważywszy</i> [considering- pfv] | 131 | 113 | 76 | 46 | 0 | 0 | 9 |
| <i>rozważywszy</i> [cosidering- pfv] | 30 | 75 | 148 | 0 | 0 | 0 | 0 |

| | | | | | | | |
|---|-----|-----|-----|----|----|----|----|
| <i>vs po rozważeniu</i> [on consideration] | 0 | 2 | 0 | 4 | 0 | 4 | 0 |
| <i>począwszy</i> [starting- pfv] | 62 | 66 | 55 | 32 | 24 | 14 | 16 |
| <i>podjąwszy</i> [taking decision- pfv] | 15 | 41 | 85 | 0 | 0 | 0 | 0 |
| <i>uznawszy</i> [concluding -pfv] | 8 | 19 | 21 | 0 | 0 | 0 | 0 |
| <i>stwierdziwszy</i> [[claiming- pfv] | 10 | 19 | 8 | 1 | 0 | 0 | 1 |
| <i>uwzględniając</i> [taking into consideration -pfv] | 9 | 6 | 8 | 3 | 0 | 0 | 0 |
| <i>przypomniawszy</i> [observing -pfv] | 5 | 3 | 8 | 0 | 0 | 0 | 1 |
| <i>orzekłszy</i> [adjudicating- pfv] | 1 | 2 | 0 | 0 | 0 | 0 | 0 |
| <i>podniósłszy</i> [raising- pfv] | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>wziąwszy</i> [having regard to] | 6 | 2 | 0 | 0 | 0 | 0 | 2 |
| <i>postanowiwszy</i> [ordering- pfv] | 5 | 1 | 0 | 0 | 0 | 0 | 0 |
| <i>wyjąwszy</i> [excluding-pfv] | 0 | 1 | 0 | 0 | 1 | 8 | 1 |
| <i>oparłszy się na</i> (wiedzy) [basing on- pfv] | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| TOTAL | 282 | 350 | 411 | 82 | 25 | 26 | 30 |

As regards the **present adverbial participles**, the total number of different verbs (**types**) with at least 2 instances (see subchapter 4.1.2.) in the corpora per million words, is significantly higher (two to three times) in P-LOC (347) and JUDGPL (215) than in E-LOC (97) and F-LOC (135). It follows that the P-LOC and JUDGPL not only use more varied participles, but they are more **productive**. The most frequent present adverbial participle, *uwzględniając* [having regard to], is used slightly more often in P-LOC (301) than in E/F-LOC (195/246, respectively). Although this form is also, incidentally, one of the most frequently used forms in the non-translated corpora (359 in PLC15, 349 in 2011KP and 121 in JUDGPL), it plays a different role in the judgments of the ECJ, where its top 2 collocates (see Table 53) (*uwzględniając procedurę (pisemną)* and *uwzględniając pisemny etap*) are variants of the same **routine formula**:

EN: (...) *having regard to the written procedure* (...)

FR: (...) *vu la procédure écrite* (...)

PL: (...) *uwzględniając procedurę pisemną* (...) / (...) *uwzględniając pisemny etap postępowania* (...) (see also subchapters 2.4.1.3. and 5.2.1)

Interestingly, these **formulae** are not distributed evenly, as the latter (*procedurę pisemną*) is more frequent (51 to 51 in E-LOC, 64 to 81 in F-LOC, and 97 to 106 in P-LOC). Totalled, these collocations amount to 52-67% of all the occurrences of *uwzględniając* in the translated judgments (102 out of 195 in E-LOC, 144 out of 246 in F-LOC, and 203 out of 301 in P-LOC) and do not appear at all in the non-translated judgments, which is a sign that they are **genre specific phraseological expressions**. As concerns other collocates of top verbs (see Table 52), the present adverbial participles often collocate with the noun *attention* in all the corpora (*mając na uwadze* [having attention/regard to], *biorąc pod uwagę* [taking into consideration]), which indicates that they are frequently used to maintain cohesiveness of the text.

As regards the number of types of the **perfective adverbial participles**, the translated and the non-translated corpora diverge further. Many of the adverbials found in the judgments of the ECJ do not occur in the non-translated corpora at all. On average, they are up to 100 times less varied than the **present adverbial participles**: in the non-translated legislation there are only two types of perfective adverbials per million words, five in the non-translated judgments, nine in E-LOC and eleven in F-LOC. P-LOC, on the other hand, uses, on average, 34 different verbs. In practical terms it means that the top four perfective adverbial participles (*zważywszy* [considering-pfv], *rozważywszy* [considering-pfv], *poczynwszy* [starting-pfv], *podjąwszy* [taking decision-pfv]) amount to roughly 75-81% of all the tokens (237 out of 315 in E-LOC, 298 out of 384 in F-LOC, and 364 out of 449 in P-LOC) in the judgments of the ECJ. As regards the non-translated judgments, even smaller number of types means that the top 2 participles (*zważywszy* and *poczynwszy*) account for 83% of all the tokens (78 out of 94).

6.6. Deixis: pointing devices

There are two interesting observations to be made as regards the totals of all the **pronouns** (**personal, demonstrative, indefinite** and **quantifiers**) and the **adjectival deictic expressions** (see Tables 32 and 82). Firstly, these patterns occur roughly 1.5 times more often in the

judgments of the ECJ (43,736 in E-LOC, 43,558 in F-LOC, and 42,422 in P-LOC) than in the non-translated judgments (32,011) and almost two times more often than in the non-translated legislation (18,743 in PLC15 and 24,360 in 2011KP). Secondly, although all the translated judgments have convergent totals (significantly higher than those of the non-translated corpora), they appear to be marked by a different distribution of individual patterns as regards the LOC, i.e. the **personal pronouns** are underrepresented in P-LOC, but the **indefinite pronouns and quantifiers**, and the **adjectival deictic expressions** are overrepresented in this corpus. It seems that the LOC affects, unexpectedly, not the total number of the markers, but the way in which they are used. The divergences between P-LOC and E/F-LOC were expected, given that English and French, unlike Polish, use articles.

Table 32: Pronouns

| | Judgments | | | | Legislation | | General |
|--|---------------|---------------|--------------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Personal pronouns | | | | | | | |
| <i>on, ona, ono, oni/one</i> [he, she, it, they pro: nom] | 3,120 | 3,057 | 2,557 | 1,322 | 302 | 659 | 8,225 |
| <i>jego, jej, ich</i> [his, her, its, their pro: poss] | 5,469 | 5,483 | 4,534 | 6,642 | 4,105 | 8,687 | 9,280 |
| <i>swój ...</i> [possessive pronouns connected with the sentence subject] | 1,303 | 1,295 | 677 | 674 | 335 | 524 | 1,542 |
| <i>swa, swe...</i> [archaic form of <i>swój</i>] | 606 | 538 | 415 | 168 | 14 | 226 | 466 |
| TOTAL | 10,498 | 10,373 | 8,183 | 8,806 | 4,755 | 10,096 | 19,513 |
| Demonstrative pronouns | | | | | | | |
| <i>ten, ta, to, te, ci</i> (+inflected variants) [this, that, these, those] | 19,672 | 19,347 | 19,313 | 15,672 | 7,397 | 6,342 | 10,136 |
| <i>taki, taka, takie</i> (+inflected variants) [such] | 2,218 | 2,317 | 2,743 | 1,800 | 681 | 1,199 | 2,030 |
| <i>tam</i> [there] | 542 | 546 | 605 | 60 | 8 | 22 | 720 |
| TOTAL | 22,432 | 22,210 | 22,661 | 17,532 | 8,086 | 7,563 | 12,886 |
| Indefinite pronouns and quantifiers | | | | | | | |
| <i>wszystek</i> [all] | 1,188 | 1,212 | 969 | 844 | 301 | 580 | 1,076 |
| <i>wszelki</i> | 308 | 360 | 483 | 167 | 105 | 172 | 190 |

| | | | | | | | |
|---------------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| [all] | | | | | | | |
| <i>każdy</i> [each, every] | 1,163 | 1,120 | 1,105 | 526 | 583 | 885 | 905 |
| <i>żaden</i> [none] | 1,026 | 895 | 614 | 438 | 65 | 115 | 531 |
| <i>jakikolwiek</i> [any] | 309 | 272 | 216 | 188 | 27 | 79 | 85 |
| dowolny [any] | 21 | 22 | 51 | 36 | 17 | 15 | 38 |
| <i>niektóry</i> [some] | 487 | 391 | 330 | 167 | 168 | 139 | 338 |
| <i>którykolwiek</i> [any] | 18 | 18 | 4 | 29 | 31 | 34 | 6 |
| TOTAL | 4,520 | 4,290 | 3,772 | 2,394 | 1,297 | 2,019 | 3,169 |
| Adjectival deictic expressions | | | | | | | |
| <i>niniejszy</i> [this] | 2,105 | 2,171 | 1,977 | 455 | 809 | 521 | 26 |
| <i>następujący</i> [following] | 506 | 620 | 851 | 153 | 784 | 301 | 87 |
| <i>poniższy</i> [below-adj] | 8 | 20 | 21 | 1 | 6 | 24 | 9 |
| <i>powyższy</i> [above-adj] | 898 | 895 | 1,063 | 600 | 9 | 98 | 49 |
| <i>odnośny</i> [respective] | 104 | 91 | 140 | 3 | 1 | 0 | 1 |
| <i>pozostały</i> [remaining] | 329 | 260 | 258 | 591 | 182 | 242 | 197 |
| <i>określony</i> [certain] | 1,015 | 1,243 | 1,820 | 1 330 | 2,814 | 3,495 | 208 |
| <i>rzeczony</i> [that] | 341 | 462 | 622 | 24 | 0 | 0 | 3 |
| <i>wspomniany</i> [abovementioned] | 980 | 925 | 1,054 | 124 | 0 | 1 | 63 |
| TOTAL | 6,286 | 6,685 | 7,806 | 3,279 | 4,605 | 4,682 | 643 |
| GRAND TOTAL | 43,736 | 43,558 | 42,422 | 32,011 | 18,743 | 24,360 | 36,211 |

As regards the **personal pronouns**, it is difficult to discern any regularities at first glance, since the corpora can be divided into two unlikely groups: E-LOC, F-LOC and 2011KP, which have more than 10,000 markers (10,498 in E-LOC, 10,373 in F-LOC, and 10,096 in 2011KP), and P-LOC, JUDGPL and PLC15, which have around 8,000 markers (8,183 in P-LOC, 8,806 in JUDGPL, with the exception of 4,755 in PLC15). However, when individual types of personal pronouns are analysed, the behaviour of all the corpora becomes predictable in that it is genre-dependent. One measure that allows to compare the corpora is the ratio of **possessive pronouns** (*jego, jej, ich* [his, her, its, their]) to **subject pronouns** (*on, ona, ono, oni/one* [he, she, it, they]). It so happens that all the translated corpora use roughly 1.75 times

more **possessive pronouns** than **subject pronouns** (5,469 to 3,120 in E-LOC, 5,483 to 3,057 in F-LOC, 4,534 to 2,557 in P-LOC), whereas the non-translated judgments use them five times more often (6,642 to 322) and the non-translated legislation up to 17 times more often (4,105 to 335 in PLC15 and 8687 to 659 in 2011KP). Another example of generic differences between the corpora is the overrepresentation of the **possessive pronouns connected with the sentence subject** (*swój*) in the judgments. These markers, underrepresented in P-LOC (677) and in JUDGPL (674), are used two times more frequently in E/F-LOC (1,303/1,295, respectively). As regards the internal variation of the judgments of the ECJ, they diverge from all the remaining corpora in their overreliance on **archaic forms of *swój***, i.e. *swa, swe...* (606 in E-LOC, 538 in F-LOC, 415 in P-LOC) as compared with all the non-translated corpora (75 in PLC15, 226 in 2011KP and 168 in JUDGPL). This, in turn, might be explained by a general tendency to **exaggerate the TL features** in translation or to use more **conservative language**.

The **demonstrative pronouns** are used roughly three times more often in the judicial genre than in the legislative genre (8,086 in PLC15, 7,563 in 2011KP). The judgments of the ECJ have an almost identical distribution of these pronouns and tend to use around 25% more of *ten, ta, to, te, ci...* [this, that, these, those...] (19,672 in E-LOC, 19,347 in F-LOC, and 19,313 in P-LOC) and *taki, taka, takie...* [such] (2,218 in E-LOC, 2,317 in F-LOC, and 2,743 in P-LOC) than the non-translated judgments (15,672 to 1,800, respectively), and roughly 3 to 3.5 times more than the non-translated legislation. Interestingly, one marker, *tam* [there], is seemingly ten times more frequent in the translated corpora (542 in E-LOC, 546 in F-LOC, 605 in P-LOC) than in the non-translated ones (60 in JUDGPL, 8 in PLC15, 22 in 2011KP). This is because it is used almost exclusively as a part of the *and the case-law cited routine formula* [*et la jurisprudence citée; i przytoczone tam orzecznictwo*], used a couple of dozens of times in longer judgments. In other cases, it is used as a regular pronoun, which either corresponds to the pronouns in the ST:

EN: *The Commission also describes **there** the economic objectives announced by the bodies of the Association.*

FR: *La Commission y décrit également les objectifs économiques annoncés par les organes de l'Ordre.*

PL *Komisja opisała **tam** również cele gospodarcze ogłoszone przez organy Izby.*

Or is used to translate other structures in the ST:

EN: *the maximum actual price corresponded to **the quotation price indicated***

FR: *le prix réel maximal correspondant à **l'indication du prix de référence**.*

PL: *przy czym rzeczywista cena maksymalna odpowiada **wskazanej tam cenie referencyjnej**.*

Insofar as the **indefinite pronouns and quantifiers** are concerned, the differences between E/F-LOC and P-LOC are more pronounced. Firstly, E/F-LOC have the highest totals (4,520/4,290, respectively), i.e. they use around 20% more of these pronouns than P-LOC (3,722), and almost twice (2,394 in JUDGPL) or thrice (1,297 in PLC15, 2,019 in 2011KP) as much as the non-translated corpora. Secondly, the judgments diverge as regards the indefinite pronoun *każdy* [each, every], which is significantly overrepresented in the E/F/P-LOC (1,163/1,120/1,105, respectively) in comparison with JUDGPL (526). As concerns the differences between the judgments of the ECJ, E/F-LOC use more frequently *żaden* [none] (1,026 and 895 in the E/F-LOC, respectively, 614 in P-LOC, and 438 in JUDGPL) and *wszystek* [all] (1,188 E-LOC, 1,212 F-LOC, as compared with 969 in P-LOC and 844 in JUDGPL).

On the other hand, the **adjectival deictic expressions** are overrepresented in P-LOC (7,806) in comparison with E/F-LOC (6,286/6,685, respectively) and the remaining corpora (3,279 in JUDGPL, 4,605 in PLC15 and 4,682 in 2011KP). As regards the differences between the translated judgments and non-translated ones, four expressions are used significantly more often in P-LOC than in JUDGPL (and than in E/F-LOC): *rzeczony* [that], used 26 times more often in P-LOC (622) than in JUDGPL (24), *wspomniany* [abovementioned] – nine times (1,054 in P-LOC as compared with 124 in JUDGPL), *następujący* [following] – six times (851 in P-LOC, 153 in JUDGPL) and *niniejszy* [this]- almost five times (1,977 in P-LOC, 455 in JUDGPL).

Chapter 7. Conclusions

The aim of the study was to investigate how different **languages of the case** affect the textual fit of the Polish judicial pronouncements of the European Court of Justice. The **bottom-up analysis** has unravelled surface linguistic features of the translated rulings, i.e. their most salient and pervasive **lexico-grammatical patternings**. On the other hand, the **top-down analysis** has examined the strings in which the most frequent items occur, the strategies used to maintain coherence of the terminology, and the errors committed in the translation process.

It has been empirically demonstrated how the language of the translated judicial rulings differs from that of the non-translated Polish ones. Although the judgments of the ECJ typically converge as regards the patterns of distribution of the most frequent items in comparison with the non-translated judgments, the LOC seems to affect the behaviour of corpora. Typically, P-LOC diverges from both E-LOC and F-LOC (which, in general, converge). This might be due to the fact that a monolingual revision by a trained professional seems to improve the quality of the text and eliminates oddities typical of translated language.

As regards the internal variation of the translated judgments, the language appears to be **levelled out** and **normalised** in translation, i.e. TTs are less idiosyncratic than STs. In **standardising** the language, the translator often combines the most frequent phrasemes and lexemes with words that are perceived as atypical collocates, which results in **strange strings**, such as:

EN: (...) *answer **factual questions*** (...)

FR: (...) *répondre à **des questions factuelles*** (...)

PL: (...) *odpowiedzi na **pytania odnośnie do faktów*** (...)

[questions as regards the facts]

EN: (...) *reasons as to the **finding regarding Sasol's role as leader*** (...)

FR: (...) *motivation **quant à la constatation concernant le rôle de meneur de Sasol*** (...)

PL: (...) *uzasadnieni[e] **odnośnie do twierdzenia o przypisaniu grupie Sasol roli przywódcy***

(...)

[the statement of reasons as regards the claim/statement]

EN: (...) *a **yard stick against which [Weichert] could measure the accuracy of [its] own estimates*** (...)

FR: (...) *mesure étalon, à partir de laquelle [Weichert] pouvait déterminer la précision de [ses] propres estimations (...)*

PL: (...) *standardow[a] miar[a], w oparciu o którą [Weichert] mogła określić dokładnie [swe] własne szacunki (...)*

[a standard measure, on the basis of which]

Furthermore, certain TL-specific items appear to be distributed differently in E/F-LOC and in P-LOC, for instance some complex prepositions such as *w przypadku* and *w wypadku* (the former is overrepresented in E/F-LOC in comparison with P-LOC) or the if-then mental model markers *jeżeli* and *jeśli* (underrepresented in E/F-LOC). *Jeżeli*, up to three times more frequent in P-LOC than in other judgments of the ECJ, is an example of how the translator might be prone to **normalise** the language, i.e. **exaggerate the features of the TL**, since this item is the preferred one in all the non-translated legal instruments. Furthermore, these conjunctions appear to be used in an atypical way, i.e. as **topicalisers** (e.g. *jeśli chodzi o*). In the non-translated corpora, they do not serve this function virtually at all, which is symptomatic of the unique way in which the rulings of the ECJ are organised.

The hypothesis that the LOC influences the textual fit of the TTs is further confirmed by different distribution patterns of other grammatical categories examined within the scope of this study. It is certainly true with respect to **deontic modality**, understood as **obligation**, **permission** and **prohibition**. In the case of **obligation**, the translated corpora have a distinct distribution of markers, which does not resemble the typical behaviour of the non-translated judgments. Furthermore, E/F-LOC diverges from P-LOC as regards the distribution of individual patterns, as P-LOC has higher totals than E/F-LOC. As regards **permission markers**, the judgments of the ECJ behave differently than the non-translated judgments due to the fact that the **modal verbs expressing permission** are significantly overrepresented in the translated judgments. Interestingly, insofar as the distribution the permission and prohibition markers is concerned, F-LOC and E-LOC diverge. It follows that in the case of discrepancies between E-LOC and F-LOC, P-LOC behaves like F-LOC, most likely due to the mediation through French.

As for **impersonal patterns**, the LOC appears to influence the behaviour of **copular verbs**. **Infinitive** and **present tense forms** of the verb *być* are overrepresented in P-LOC in comparison with E-LOC, F-LOC and JUDGPL, whereas the past tense forms are

underrepresented in P-LOC. In the case of the **passive voice markers**, P-LOC, unexpectedly¹⁰¹, has the highest total of all the corpora. Nevertheless, it is P-LOC, and not E/F-LOC, that behaves more like the non-translated legal instruments in that it has typical distribution patterns of the **auxiliary verbs**: P-LOC uses more *być* than *zostać*, whereas E/F-LOC use more *zostać* than *być*.

Concerning the **sentence clause structure**, in general, all the judgments converge in that they use more varied **paratactic coordinators** than the non-translated legislation and have a roughly similar ratio of the totalled **paratactic markers** to the totalled **hypotactic markers**. However, the translated judgments of the ECJ have a distinct distribution of individual markers, especially that of the **alternative coordinators** and the **adversative coordinators** in the case of the **parataxis** and the **complementisers** and the **relative pronouns** in the case of **hypotaxis**. As regards the latter, the LOC influences the distribution of these markers, as E/F-LOC have much higher totals than P-LOC.

The **adverbials and participles** responsible for qualification, cohesion and taking an epistemic stance, are used differently by the judicial and by the legislative genre, as, for instance, the **epistemic stance** markers are used up to four times more in the judgments than in the non-translated legislation. All the judgments converge as regards the totals, albeit that E/F-LOC use more markers of this type than P-LOC. However, when the ratio of **epistemic modality adjectives** to **epistemic adverbials** is compared, all the translated judgments have almost an identical ratio. This not only exposes the generic differences between judgments and legislation, but also shows how the LOC influences the TTs. Furthermore, regardless of the LOC, the judgments of the ECJ appear to have a common denominator.

Insofar as the **adverbial participles** are concerned, the judgments of the ECJ behave in a unique way in respect of the **perfective adverbial participles** (overrepresented in P-LOC in comparison with E/F-LOC), which are used up to 16 times more in comparison with the non-translated legislation and around five times more in comparison with the non-translated judgments. This grammatical feature, not typical of the contemporary general language (and nor of the contemporary Polish legal language), might be perceived as a means of **elevating the register**, which is part of the strategy of **normalising** the language.

As regards the **deixis**, the LOC seems to affect, unexpectedly, not the total number of these markers, but the distribution of individual patterns. In other words, although the translated judgments converge as concerns the unnaturally high totals, they diverge as regards the

¹⁰¹ Since the **passive voice** is not used in Polish nearly as often as in English or in French.

distribution of individual markers, i.e. **personal pronouns** (underrepresented in P-LOC) as well as the **indefinite pronouns and quantifiers**, and the **adjectival deictic expressions** (overrepresented in P-LOC). This is symptomatic of how “deep reaching” the Eurolect is. The extensive use of **pointing devices** is atypical of Polish and is expected to be found only in translated language. The fact that the LOC does not seem to influence the number of these markers implies that the overrepresentation of **deixis** in the translated judgments is perceived as a natural feature of Polish used in the ECJ.

In the context of these results, it appears that the language regime of the ECJ is essentially monolingual and not multilingual. The lawyer-linguists appear to be consulting French (draft) judgments to an undue extent, as can be seen by the types of calques and errors committed. Furthermore, too much focus might be paid to the surface level similarity of the judgments (especially given the fact, that only one language version is authentic and all the other language versions “just need to exist”, as Šarčević would put it). Albeit that the terminology is used in a consistent manner, some of the most frequent phrasemes and lexemes form unnatural collocations (i.e. **strange strings**), as if their purpose was to give the impression (to a degree false one) that a given document is written in the contemporary legal Polish. Although the present study has concluded that the judgments of the ECJ have divergent patterns of distribution of lexemes and phrasemes according the LOC, the actual use of longer segments containing these conjunctions might be more revealing of how the language has been distorted in translation.

As concerns **further study**, it needs to be examined whether the affinity of E/F-LOC is caused by the lack of extra monolingual review, or whether it is attributable to their relatively high linguistic proximity. Furthermore, the research can be oriented towards the **opinions of the AGs** and **witness testimonies**, in which cases the language seems to be distorted the most, since the lawyer-linguists intentionally try to **normalise** the language by means of the most frequent items thus giving rise to various **strange strings**. Whereas it might be difficult to extract witness testimonies from the documents for the purposes of creating corpora, the opinions of the AGs are already available as independent documents. They appear to be a fertile ground for studies in translation because of two reasons. Firstly, these opinions are written (or used to be written exclusively) in the AG’s mother tongue (i.e. the SL is clearly identifiable). Secondly, albeit that they share many features with the judgments of the ECJ, they appear to be more idiosyncratic, which causes the TL to be potentially more distorted.

Summary

The Court of Justice of the European Union, consisting of the Court of Justice and the General Court, constitutes the judicial authority of the EU, the task of which is to ensure the uniform interpretation of EU legislation. The Court has laid down in its preliminary rulings, translated into all the official languages of the EU, some of the most important principles of EU law. This dissertation sets out to examine the influence of the language of the case, i.e. the language in which the proceedings are conducted, on the textual fit of the rulings translated into Polish. The theoretical part covers the specificity of legal translation. The empirical part has discovered differences in the most pervasive lexico-grammatical patternings of the judgments, caused by the language of the case.

Résumé

La Cour de justice de l'Union européenne, comprenant deux juridictions (la Cour de justice et le Tribunal), constitue l'autorité judiciaire de l'UE chargée de veiller à l'interprétation uniforme du droit communautaire. La Cour a énoncé dans le cadre de ses renvois préjudiciels, traduits vers toutes les langues officielles de l'UE, plusieurs grands principes du droit de l'Union. L'objectif de ce mémoire est d'examiner l'influence de la langue de procédure de l'affaire, soit la langue dans laquelle elle est menée, sur le naturel des arrêts traduits en polonais. La partie théorique aborde la spécificité de la traduction juridique. La partie empirique a découvert des différences dans les schémas lexico-grammaticaux les plus marqués des jugements, causées par la langue de procédure.

Streszczenie

Trybunał Sprawiedliwości Unii Europejskiej, obejmujący dwa organy sądowe (Trybunał Sprawiedliwości i Sąd), stanowi władzę sądowniczą Unii Europejskiej i czuwa nad jednolitą wykładnią prawa Unii. W orzecznictwie Trybunału, tłumaczonym na wszystkie języki urzędowe Unii Europejskiej, sformułowanych zostało wiele ważnych zasad prawa Unii. Celem niniejszej pracy jest zbadanie wpływu języka postępowania, to znaczy języka, w którym dana sprawa się toczy, na naturalność języka wyroków przetłumaczonych na język polski. Część teoretyczna omawia kwestie związane ze specyfiką przekładu prawniczego. Część empiryczna stwierdziła istnienie różnic w najbardziej wyrazistych wzorcach leksykalno-grammatycznych w badanych wyrokach, spowodowanych wpływem języka postępowania.

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Appendix

Table 33: Top Collocates of powodu and przyczyny

| | Judgments | | | |
|------------------------------------|-----------|-----------|-----------|-----------|
| | E-LOC | F-LOC | P-LOC | JUDGPL |
| Top Collocates of powodu | | | | |
| z tego powodu | 77 | 78 | 72 | 24 |
| uzasadnionego powodu | 6 | 3 | 0 | 1 |
| z tego/samego tylko powodu | 5 | 8 | 8 | 1 |
| z tego samego powodu | 3 | 6 | 0 | 1 |
| żadnego powodu | 4 | 0 | 8 | 1 |
| TOTAL | 95 | 95 | 89 | 27 |
| Top Collocates of przyczyny | | | | |
| z tej przyczyny | 3 | 1 | 4 | 80 |
| z powyższej przyczyny | 0 | 0 | 0 | 1 |
| przyczyny dla | 6 | 4 | 0 | 2 |
| TOTAL | 9 | 5 | 4 | 82 |

Table 34: Top collocates of musi, należy and powinien

| | Judgments | | | |
|-----------------------------------|--------------|--------------|--------------|------------|
| | E-LOC | F-LOC | P-LOC | JUDGPL |
| Top collocates of musi | | | | |
| musi być | 80 | 67 | 89 | 89 |
| musi zostać | 38 | 32 | 0 | 4 |
| musi mieć | 18 | 12 | 0 | 16 |
| musi wykazać | 19 | 8 | 0 | 3 |
| musi zawierać | 8 | 16 | 17 | 8 |
| musi posiadać | 2 | 3 | 13 | 0 |
| TOTAL | 166 | 139 | 119 | 120 |
| Top collocates of należy | | | | |
| należy stwierdzić | 613 | 637 | 648 | 36 |
| należy przypomnieć | 545 | 557 | 500 | 8 |
| należy oddalić | 452 | 432 | 267 | 0 |
| należy zauważyć | 334 | 269 | 174 | 17 |
| należy uznać | 223 | 199 | 254 | 79 |
| należy interpretować | 148 | 327 | 610 | 7 |
| należy rozumieć | 43 | 47 | 25 | 46 |
| należy przyjąć | 21 | 26 | 25 | 35 |
| TOTAL | 2,316 | 2,421 | 2,451 | 147 |
| Top collocates of powinien | | | | |

| | | | | |
|---------------------|------------|------------|------------|------------|
| powinien* być | 349 | 325 | 432 | 259 |
| powinien* był, byli | 207 | 147 | 144 | 56 |
| total być/był | 556 | 472 | 576 | 315 |
| powinien* zostać | 185 | 197 | 119 | 26 |
| powinien* mieć | 44 | 49 | 80 | 32 |
| TOTAL | 785 | 718 | 775 | 373 |

Table 35: Top E/F/P-LOC Total right collocates of może

| | Judgments | | | |
|----------------|--------------|--------------|--------------|------------|
| | E-LOC | F-LOC | P-LOC | JUDGPL |
| może być | 720 | 695 | 809 | 540 |
| może mieć | 179 | 162 | 114 | 59 |
| może zostać | 545 | 496 | 381 | 17 |
| może stanowić | 133 | 136 | 114 | 77 |
| może powoływać | 61 | 68 | 80 | 5 |
| może * się | 332 | 362 | 326 | 140 |
| TOTAL | 1,970 | 1,919 | 1,825 | 837 |

Table 36: Top E/F/P-LOC JUDG

| | Judgments | | | |
|----------------|-----------|-----------|------------|------------|
| | E-LOC | F-LOC | P-LOC | JUDGPL |
| może nastąpić | 6 | 11 | 13 | 66 |
| może żądać | 4 | 9 | 47 | 49 |
| może prowadzić | 30 | 56 | 89 | 27 |
| TOTAL | 39 | 75 | 148 | 141 |

Table 37: The -no/-to pattern

| | Judgments | | | | Legislation | | General |
|-----------------------------------|-----------|-------|-------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| Token | 1,606 | 1,441 | 974 | 1749 | 560 | 939 | n.d. |
| Types at least 5 instances | 46 | 56 | 55 | 74 | 29 | 53 | n.d. |
| Types total | 79 | 106 | 131 | 151 | n.d. | n.d. | n.d. |

Table 38: The -no/-to pattern and its top colligations IN E/F/P-LOC

| | Judgments | | | | Legislation | | General |
|--------------|------------|------------|-------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| wskazano | 128 | 119 | 55 | 120 | 2 | 8 | 5 |
| winno | 21 | 26 | 38 | 10 | 0 | 2 | 3 |
| przypomniano | 32 | 36 | 30 | 0 | 0 | 0 | 2 |
| wszczęto | 4 | 11 | 34 | 4 | 7 | 35 | 3 |

| | | | | | | | |
|--------------|------------|------------|-----|-----|-----|-----|-----|
| przyjęto | 19 | 27 | 13 | 56 | 5 | 2 | 17 |
| wykryto | 1 | 9 | 8 | 1 | 0 | 0 | 5 |
| ustalono | 26 | 14 | 13 | 89 | 10 | 0 | 18 |
| sporządzono | 9 | 4 | 8 | 7 | 1 | 0 | 2 |
| wydano | 21 | 30 | 17 | 14 | 61 | 46 | 12 |
| dokonano | 35 | 24 | 42 | 56 | 31 | 31 | 14 |
| stwierdzono | 91 | 89 | 55 | 118 | 28 | 26 | 18 |
| ogłoszono | 58 | 33 | 25 | 5 | 8 | 22 | 8 |
| zawarto | 7 | 7 | 4 | 16 | 13 | 12 | 5 |
| TOTAL | 451 | 429 | 343 | 495 | 166 | 184 | 112 |

Table 39: The -no/-to pattern and its top colligations JUDGPL

| | Judgments | | | | Legislation | | General |
|--------------|------------|------------|-------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| orzeczone | 15 | 12 | 0 | 127 | 11 | 53 | 1 |
| wskazano | 128 | 119 | 55 | 120 | 2 | 8 | 3 |
| ustalono | 26 | 14 | 13 | 89 | 10 | 0 | 18 |
| dokonano | 35 | 24 | 42 | 56 | 31 | 31 | 14 |
| przyjęto | 19 | 27 | 13 | 56 | 5 | 2 | 17 |
| TOTAL | 223 | 196 | 123 | 447 | 58 | 31 | 32 |

Table 40: Additional collocates of się

| | Judgments | | | | Legislation | | General |
|---------------|-----------|-----------|-------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| stwierdza się | 38 | 22 | 8 | 1 | 7 | 20 | 3 |
| uznaje się | 30 | 47 | 68 | 18 | 126 | 41 | 5 |
| wskazuje się | 2 | 3 | 0 | 35 | 25 | 8 | 2 |
| TOTAL | 70 | 72 | 76 | 54 | 158 | 69 | 10 |

Table 41: Total paratactic coordinators

| | Judgments | | | | Legislation | |
|--|-----------|--------|--------|--------|-------------|--------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP |
| Top 3 coordinators: i, lub, oraz | 27,780 | 28,348 | 27,712 | 23,757 | 37,498 | 38,988 |
| Remaining coordinators: a, ale, ani, bądź, czyli, dlatego, lecz, natomiast, to jest, tj., to znaczy, tzn. więc, zaś, zatem | 7,191 | 7,071 | 7,192 | 10,058 | 1,784 | 2,673 |
| TOTAL | 34,971 | 35,419 | 34,904 | 33,815 | 39,282 | 41,661 |

Table 42: Other paratactic coordinators

| | Judgments | | | | Legislation | | General |
|--|-----------|-------|------------|--------|-------------|--------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP | NKJP |
| *, a (excl. A także) [*, and] | 2,687 | 2,699 | 2,781 | 4,069 | 1,562 | 1,923 | 572 |
| ale [but] | 312 | 314 | 207 | 726 | 32 | 20 | 2,976 |
| ani [and/neither ... nor...] | 786 | 740 | 665 | 450 | 82 | 226 | 321 |
| bądź [either... (or...); exclusive disjunction] | 182 | 210 | 267 | 189 | 69 | 331 | 112 |
| czyli [namely] | 252 | 208 | 233 | 183 | 2 | 2 | 455 |
| dlatego [therefore] | 107 | 92 | 68 | 184 | 0 | 6 | 479 |
| Lecz [but-form] | 515 | 419 | 614 | 394 | 20 | 80 | 303 |
| natomiast [while] | 310 | 291 | 305 | 716 | 5 | 18 | 393 |
| tj. [i.e.] | 63 | 37 | 93 | 565 | 1 | 1 | 43 |
| *, to jest [*, that is] | 140 | 157 | 174 | 93 | 3 | 5 | n.d. |
| to znaczy [it means] | 93 | 58 | 38 | 17 | 0 | 0 | 102 |
| ozn. [i.e.] | 20 | 9 | 4 | 15 | 0 | 0 | 0 |
| więc [so] | 306 | 315 | 356 | 848 | 0 | 0 | 911 |
| zaś [while] | 256 | 269 | 275 | 493 | 7 | 61 | 245 |
| zatem [thus] | 1,163 | 1,251 | 1,113 | 1,131 | 1 | 0 | 165 |
| TOTAL | 7,191 | 7,071 | 7,192 | 10,073 | 1,784 | 2,673 | 7,077 |

Table 43: Top E/F/P-LOC collocates of który

| | Judgments | | | |
|--------------------------|-----------|-------|-------|--------|
| | E-LOC | F-LOC | P-LOC | JUDGPL |
| Top L1 collocates | | | | |
| na | 42 | 41 | 13 | 27 |
| i | 32 | 43 | 17 | 3 |
| Unii | 17 | 12 | 25 | 0 |
| Argumentu | 11 | 7 | 0 | 0 |
| Dowodu | 11 | 15 | 0 | 1 |
| przed | 1 | 18 | 4 | 0 |

| | | | | |
|--------------------------|-----|-----|------------|------------|
| TOTAL | 114 | 137 | 59 | 30 |
| Top R1 collocates | | | | |
| nie | 66 | 90 | 110 | 71 |
| jest | 53 | 49 | 85 | 22 |
| został | 43 | 41 | 13 | 23 |
| to | 38 | 44 | 34 | 19 |
| w | 34 | 38 | 76 | 61 |
| może | 18 | 25 | 34 | 12 |
| TOTAL | 252 | 287 | 351 | 207 |

Table 44: Top JUDGPL collocates of który

| | Judgments | | | |
|--------------------------|-----------|-------|-------|--------|
| | E-LOC | F-LOC | P-LOC | JUDGPL |
| Top L1 collocates | | | | |
| podmiotu | 3 | 5 | 13 | 33 |
| na | 42 | 41 | 13 | 27 |
| powoda | 0 | 0 | 0 | 21 |
| przedmiotu | 0 | 0 | 4 | 17 |
| instancji | 1 | 0 | 0 | 13 |
| przepisu | 6 | 5 | 4 | 13 |
| TOTAL | 52 | 53 | 34 | 124 |

Table 45: Top collocates który, która...

| | Judgments | | | |
|--------------------------|------------|------------|--------------|--------|
| | E-LOC | F-LOC | P-LOC | JUDGPL |
| Top L1 collocates | | | | |
| z | 841 | 698 | 627 | 376 |
| w | 836 | 938 | 1,143 | 861 |
| o | 523 | 641 | 1,050 | 239 |
| do | 440 | 424 | 301 | 211 |
| na | 435 | 373 | 199 | 210 |
| dla | 248 | 120 | 80 | 82 |
| i | 150 | 185 | 106 | 36 |
| Total | 3,473 | 3,380 | 3,505 | 2,016 |
| Top R1 collocates | | | | |
| nie | 473 | 488 | 495 | 367 |
| mowa | 398 | 537 | 991 | 167 |
| to | 251 | 274 | 186 | 88 |
| w | 249 | 242 | 305 | 236 |
| Komisja | 202 | 168 | 85 | 0 |
| Sąd | 87 | 72 | 80 | 140 |
| powód | 0 | 1 | 0 | 94 |
| jest + są | 337 | 323 | 440 | 167 |

| | | | | |
|-------------------------------|--------------|--------------|--------------|--------------|
| Total | 1,997 | 2,107 | 2,582 | 1,259 |
| GRAND TOTAL | 5,470 | 5,487 | 6,088 | 3,275 |
| Total left collocates | | | | |
| z | 1,475 | 1,317 | 1,232 | 835 |
| w | 2,406 | 2,579 | 2,604 | 1,887 |
| o | 795 | 921 | 1,329 | 537 |
| do | 1,223 | 1,248 | 1,105 | 669 |
| na | 1,185 | 1,171 | 851 | 659 |
| dla | 468 | 220 | 191 | 151 |
| i | 897 | 933 | 711 | 378 |
| TOTAL | 8,450 | 8,389 | 8,022 | 5,114 |
| Total right collocates | | | | |
| nie | 1,043 | 1,046 | 855 | 794 |
| mowa | 415 | 562 | 1,012 | 183 |
| to | 366 | 394 | 267 | 158 |
| w | 2,704 | 2,918 | 3,145 | 1,365 |
| Komisja | 322 | 285 | 119 | 0 |
| Sąd | 150 | 155 | 119 | 261 |
| jest + są | 1,064 | 1,055 | 1,312 | 545 |
| się | 999 | 1,009 | 660 | 579 |
| do | 748 | 760 | 881 | 415 |
| Powód | 2 | 4 | 0 | 146 |
| TOTAL | 7,812 | 8,188 | 8,369 | 4,446 |
| GRAND TOTAL | 16,262 | 16,578 | 16,392 | 9,560 |

Table 46: Hypotaxis (total)

| | Judgments | | | | Legislation | |
|---|---------------|---------------|--------|--------|-------------|--------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP |
| <i>który, która...</i> [which] | 10,018 | 10,248 | 10,363 | 6,869 | 16,584 | 12,760 |
| <i>że</i> [that] | 14,726 | 13,508 | 11,426 | 11,231 | 1,166 | 2,197 |
| <i>jeżeli</i> [if-form] | 943 | 916 | 1,524 | 665 | 2,696 | 5,702 |
| Top 3 subordinators: <i>który, że, jeżeli</i> | 25,686 | 24,672 | 23,313 | 18,765 | 20,446 | 20,659 |
| Other subordinators: <i>aby, aż, ażeby, by, chociaż, chociażby, choć, choćby, co, czy, czyj, dopóki, gdy, gdyby, gdyż, gdzie, ile, ilekroć, iż, jak, jaki, jeśli, kiedy,</i> | 15,218 | 14,052 | 13,649 | 9,828 | 2,610 | 4,139 |

| | | | | | | |
|-----------------------------------|---------------|---------------|--------|--------|--------|--------|
| <i>kto, ponieważ, zanim, żeby</i> | | | | | | |
| TOTAL | 40,904 | 38,724 | 36,962 | 28,593 | 23,056 | 24,798 |

Table 47: Other hypotactic coordinators

| | Judgments | | | | Legislation | |
|--|--------------|-------|--------------|--------|-------------|------------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011KP |
| <i>Żeby</i> | 34 | 30 | 34 | 40 | 1 | 12 |
| <i>Zanim</i> | 41 | 24 | 30 | 7 | 3 | 16 |
| <i>Ażeby</i> | 3 | 6 | 13 | 4 | 0 | 15 |
| <i>Dopóki</i> | 11 | 28 | 17 | 25 | 2 | 31 |
| <i>Gdyby</i> | 298 | 264 | 271 | 293 | 8 | 71 |
| <i>ile</i> | 235 | 246 | 309 | 109 | 250 | 201 |
| <i>Ilekroć</i> | 2 | 1 | 4 | 1 | 58 | 42 |
| <i>Jak</i> (excl. tak* jak, jak i, jak również) | 1,501 | 1,443 | 1,689 | 1,146 | 1 | 115 |
| <i>Aż</i> | 36 | 45 | 38 | 23 | 0 | 0 |
| <i>*, by</i> | 568 | 528 | 470 | 115 | 2 | 15 |
| <i>choć</i> [although] | 139 | 126 | 93 | 93 | 0 | 2 |
| <i>choćby</i> [even if] | 3 | 4 | 0 | 38 | 14 | 100 |
| <i>choćby</i> [even if] | 23 | 25 | 21 | 50 | 4 | 59 |
| <i>co, czego...</i> [what, which] | 3,116 | 2,841 | 2,667 | 3,293 | 228 | 246 |
| <i>czy</i> [if, whether] | 1,766 | 1,648 | 2,108 | 209 | 213 | 179 |
| <i>czyj, czyja...</i> [of which, whose] | 1 | 3 | 0 | 6 | 1 | 18 |

| | | | | | | |
|--|--------------|--------------|--------|-------|-------|-------|
| <i>gdy</i> | 1,195 | 1,199 | 1,355 | 963 | 1,174 | 1,314 |
| <i>gdyż</i> [because - FORM] | 285 | 267 | 212 | 680 | 1 | 3 |
| <i>gdzie</i> [where] | 60 | 59 | 135 | 56 | 34 | 56 |
| <i>iż</i> [that-form] | 2,232 | 1,851 | 1,516 | 864 | 19 | 70 |
| <i>jaki, jaka ...</i> [which] | 1,644 | 1,495 | 1,240 | 999 | 374 | 490 |
| <i>jeśli</i> [if-neut] | 839 | 818 | 643 | 194 | 13 | 31 |
| <i>kiedy</i> [when] | 96 | 68 | 85 | 140 | 9 | 31 |
| <i>kto, kogo...</i> [who, whose...] | 18 | 27 | 51 | 61 | 198 | 824 |
| <i>ponieważ</i> [because] | 1,072 | 1,006 | 648 | 419 | 3 | 2 |
| TOTAL | 15,218 | 14,052 | 13,649 | 9,828 | 2,610 | 3,943 |

Table 48: Top E/F/P-LOC L1 collocates of *iż*

| | Judgments | | | |
|--------------|-----------|-------|-------|--------|
| | E-LOC | F-LOC | P-LOC | JUDGPL |
| wynika | 124 | 110 | 97 | 23 |
| okoliczność | 100 | 84 | 47 | 9 |
| fakt | 98 | 71 | 59 | 12 |
| to | 89 | 96 | 72 | 20 |
| stwierdzić | 58 | 74 | 34 | 3 |
| uznać | 52 | 44 | 51 | 6 |
| uznała | 46 | 44 | 13 | 19 |
| tego | 37 | 23 | 59 | 8 |
| tym | 34 | 27 | 17 | 12 |
| mimo | 32 | 30 | 25 | 13 |
| przypomnieć | 32 | 35 | 34 | 0 |
| sposób | 29 | 44 | 42 | 8 |
| odpowiedzieć | 32 | 35 | 80 | 0 |
| TOTAL | 762 | 717 | 631 | 134 |

Table 49: Top JUDGPL L1 collocates of *iż*

| | Judgments | | | |
|---------|-----------|-------|-------|--------|
| | E-LOC | F-LOC | P-LOC | JUDGPL |
| wynika | 124 | 110 | 97 | 23 |
| to | 89 | 96 | 72 | 20 |
| przyjąć | 4 | 7 | 13 | 19 |

| | | | | |
|--------------|-----|-----|-----|-----|
| uznał | 23 | 23 | 17 | 19 |
| przyjęcie | 1 | 0 | 0 | 19 |
| uznania | 4 | 6 | 8 | 17 |
| należy | 3 | 4 | 0 | 14 |
| przyjął | 1 | 0 | 0 | 13 |
| przyjęcia | 1 | 1 | 0 | 13 |
| stwierdził | 12 | 12 | 8 | 13 |
| TOTAL | 262 | 260 | 216 | 172 |

Table 50: Top E/F/P-LOC L1 collocates of że

| | Judgments | | | |
|--------------|-----------|-------|-------|--------|
| | E-LOC | F-LOC | P-LOC | JUDGPL |
| wynika | 896 | 845 | 622 | 281 |
| stwierdzić | 614 | 596 | 656 | 78 |
| przypomnieć | 502 | 502 | 525 | 20 |
| i | 417 | 378 | 233 | 32 |
| to | 350 | 345 | 246 | 356 |
| zauważyć | 320 | 249 | 161 | 61 |
| okoliczność | 262 | 234 | 140 | 69 |
| podnosi | 260 | 286 | 229 | 6 |
| twierdzi | 260 | 202 | 258 | 19 |
| oraz | 247 | 229 | 165 | 90 |
| fakt | 233 | 210 | 110 | 54 |
| sposób | 232 | 386 | 741 | 224 |
| tego | 213 | 230 | 267 | 140 |
| TOTAL | 4,805 | 4,692 | 4,352 | 1,429 |

Table 51: Top JUDGPL L1 collocates of że

| | Judgments | | | |
|--------------|-----------|-------|-------|--------|
| | E-LOC | F-LOC | P-LOC | JUDGPL |
| uznał | 88 | 82 | 106 | 431 |
| to | 350 | 345 | 246 | 356 |
| stwierdził | 75 | 78 | 97 | 331 |
| wskazał | 26 | 26 | 13 | 305 |
| wynika | 896 | 845 | 622 | 281 |
| tym | 214 | 183 | 97 | 270 |
| przyjęcie | 5 | 3 | 4 | 250 |
| ustalił | 2 | 5 | 8 | 250 |
| sposób | 232 | 386 | 741 | 224 |
| przyjął | 1 | 1 | 4 | 219 |
| TOTAL | 1,890 | 1,954 | 1,939 | 2,915 |

Table 52: Collocates of top participles

| | Judgments | | | | Legislation | | General |
|--|-----------|-------|-------|--------|-------------|---------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | 2011 KP | NKJP |
| <i>mając na uwadze</i> [having attention/regard to] | 88 | 78 | 110 | 46 | 128 | 116 | 6 |
| <i>mając na względzie</i> [having regard to] | 33 | 27 | 21 | 26 | 122 | 13 | 3 |
| <i>biorąc pod uwagę</i> [taking into attention] | 92 | 109 | 85 | 42 | 106 | 82 | 21 |
| TOTAL | 212 | 214 | 216 | 114 | 355 | 212 | 30 |

Table 53: Collocates of top participles

| | Judgments | | | |
|----------------------------|-----------|-------|------------|----------|
| | E-LOC | F-LOC | P-LOC | JUDGPL |
| uwzględniając procedurę | 51 | 64 | 97 | 0 |
| uwzględniając pisemny etap | 51 | 81 | 106 | 0 |
| uznając że | 54 | 64 | 64 | 3 |
| uznając iż | 28 | 20 | 13 | 0 |
| stwierdzając w (pkt X) | 15 | 9 | 8 | 4 |
| stwierdzając że | 29 | 21 | 0 | 2 |
| TOTAL | 229 | 259 | 288 | 9 |

Table 54: Complex prepositions as a special case of legal phraseemes

| | Judgments | | | | Legislation | General |
|---|--------------|--------------|-------|--------|-------------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | NKJP |
| <i>do spraw</i> [in charge of] | 36 | 61 | 55 | 20 | 2,166 | 69 |
| <i>w przypadku</i> [in the case of] | 908 | 920 | 652 | 254 | 3,394 | 213 |
| <i>na podstawie</i> [on the basis of] | 1,716 | 1,737 | 1,706 | 1,997 | 2,123 | 138 |
| <i>w zakresie</i> [in respect of] | 1,226 | 1,202 | 986 | 817 | 2,295 | 118 |
| <i>w drodze</i> [by way of] | 190 | 245 | 212 | 226 | 1,209 | 65 |
| <i>w terminie</i> [within the time limit of] | 94 | 120 | 169 | 185 | 1,475 | 35 |
| <i>w razie</i> [in the case of] | 148 | 177 | 250 | 308 | 266 | 61 |

| | | | | | | |
|--|--------------|--------------|--------------|-------|-----|-----|
| <i>w celu</i> [in order to; for the purpose of] | 1,244 | 1,395 | 1,156 | 267 | 862 | 84 |
| <i>zgodnie z</i> [according to] | 2,666 | 2,484 | 3,471 | 1 023 | 968 | 204 |
| <i>w sprawie</i> [in the matter of] | 4,320 | 4,792 | 3,768 | 1 783 | 706 | 213 |
| <i>w rozumieniu</i> [within the understanding of] | 749 | 831 | 830 | 457 | 808 | 17 |
| <i>z tytułu</i> [for; back translated as under the title of] | 226 | 424 | 305 | 685 | 481 | 60 |
| <i>na terytorium</i> [in the territory of] | 172 | 304 | 563 | 11 | 888 | 14 |
| <i>z zastrzeżeniem</i> [subject to; BT with reservations as to] | 84 | 110 | 165 | 34 | 190 | 12 |
| <i>wraz z</i> [together with] | 101 | 116 | 93 | 298 | 447 | 177 |
| <i>w wysokości</i> [in the amount of] | 137 | 246 | 127 | 347 | 353 | 66 |
| <i>w związku z</i> [in connection with] | 794 | 879 | 1,312 | 1 283 | 359 | 173 |
| <i>w ramach</i> [within the framework of] | 1,645 | 1,585 | 1,350 | 643 | 612 | 159 |
| <i>w okresie</i> [within the period of] | 342 | 278 | 165 | 284 | 326 | 88 |
| <i>w trybie</i> [under; BT in the manner of] | 133 | 252 | 563 | 125 | 282 | 30 |
| <i>na rzecz</i> [for; in favour of] | 270 | 377 | 572 | 1 324 | 297 | 96 |
| <i>ze względu na</i> [in respect of] | 709 | 782 | 508 | 303 | 324 | 117 |
| <i>w formie</i> [in the form of] | 76 | 122 | 59 | 150 | 381 | 50 |
| <i>z wyjątkiem</i> [with the exception of] | 113 | 118 | 123 | 30 | 244 | 26 |
| <i>w stosunku do</i> [in relation to] | 239 | 290 | 309 | 359 | 237 | 82 |
| <i>w porozumieniu z</i> [in agreement with] | 5 | 10 | 0 | 5 | 135 | 10 |
| <i>w wyniku</i> [as a result of] | 170 | 141 | 80 | 391 | 285 | 82 |
| <i>z uwzględnieniem</i> [in consideration of] | 70 | 98 | 93 | 97 | 202 | 12 |

| | | | | | | |
|---|--------------|--------------|------------|-------|-----|-----|
| <i>w odniesieniu do</i> [with reference to] | 1,425 | 1,457 | 1,223 | 442 | 312 | 33 |
| <i>w czasie</i> [at the time of] | 109 | 142 | 97 | 145 | 113 | 202 |
| <i>w ciągu</i> [in the course of] | 55 | 69 | 55 | 44 | 118 | 180 |
| <i>z zakresu</i> [in the scope of] | 66 | 144 | 110 | 72 | 242 | 30 |
| <i>z wyłączeniem</i> [with the exclusion of] | 21 | 38 | 55 | 22 | 209 | 7 |
| <i>do czasu</i> [by the time of] | 60 | 71 | 59 | 100 | 182 | 53 |
| <i>co do</i> [as to] | 826 | 779 | 703 | 1 047 | 138 | 135 |
| <i>na okres</i> [for a period of] | 29 | 41 | 64 | 41 | 158 | 15 |
| <i>w toku</i> [in the course of] | 198 | 151 | 68 | 267 | 102 | 26 |
| <i>przez okres</i> [for a period of] | 45 | 45 | 47 | 21 | 203 | 7 |
| <i>przed upływem</i> [before the lapse of] | 16 | 30 | 21 | 50 | 107 | 6 |
| <i>na terenie</i> [in the area of] | 11 | 13 | 8 | 71 | 109 | 104 |
| <i>z powodu</i> [for a reason of] | 141 | 172 | 114 | 162 | 70 | 102 |
| <i>w wypadku</i> [in the event of] | 142 | 155 | 394 | 156 | 12 | 30 |
| <i>za pośrednictwem</i> [via; BT through the mediation of] | 111 | 96 | 68 | 20 | 218 | 36 |
| <i>z mocy</i> [under; BT by power of] | 6 | 36 | 21 | 160 | 71 | 8 |
| <i>w imieniu</i> [on behalf of] | 269 | 448 | 787 | 505 | 22 | 71 |
| <i>w trakcie</i> [during the course of] | 273 | 280 | 152 | 61 | 109 | 113 |
| <i>z chwilą</i> [upon; BT at the moment of] | 25 | 26 | 85 | 138 | 45 | 12 |
| <i>za okres</i> [for a period of] | 26 | 19 | 80 | 132 | 58 | 6 |
| <i>za pomocą</i> [with the help of] | 147 | 117 | 72 | 40 | 112 | 79 |
| <i>niezależnie od</i> [irrespective of] | 151 | 195 | 199 | 181 | 42 | 49 |

| | | | | | | |
|--|-----|------------|------------|-----|-----|-----|
| <i>do celów</i> [for the purposes of] | 189 | 209 | 415 | 3 | 101 | 8 |
| <i>w postaci</i> [in the form of] | 126 | 145 | 119 | 388 | 186 | 67 |
| <i>w zależności od</i> [depending on] | 129 | 119 | 144 | 40 | 46 | 43 |
| <i>bez względu na</i> [regardless of] | 52 | 782 | 508 | 47 | 32 | 32 |
| <i>na skutek</i> [as a result of] | 15 | 33 | 4 | 320 | 56 | 31 |
| <i>pod rygorem</i> [under the pain of] | 10 | 17 | 8 | 34 | 107 | 2 |
| <i>niezgodnie z</i> [contrary to] | 10 | 11 | 4 | 36 | 67 | 6 |
| <i>w dziedzinie</i> [in the area of] | 219 | 261 | 284 | 15 | 82 | 31 |
| <i>na mocy</i> [pursuant to/BT: by power of article] | 449 | 515 | 567 | 97 | 30 | 17 |
| <i>łącznie z</i> [inclusive of] | 20 | 34 | 38 | 26 | 31 | 20 |
| <i>przy pomocy</i> [with the help of] | 12 | 6 | 13 | 15 | 43 | 23 |
| <i>w miarę</i> [in line with] | 17 | 19 | 21 | 6 | 20 | 34 |
| <i>przy użyciu</i> [with the use of] | 22 | 32 | 97 | 8 | 80 | 13 |
| <i>pod względem</i> [in respect of] | 136 | 104 | 144 | 27 | 50 | 45 |
| <i>w oparciu o</i> [on the basis of] | 150 | 147 | 68 | 243 | 40 | 27 |
| <i>począwszy od</i> [beginning with] | 61 | 65 | 55 | 31 | 21 | 15 |
| <i>z uwagi na</i> [in view of] | 260 | 244 | 174 | 358 | 31 | 26 |
| <i>na temat</i> [on the subject of] | 276 | 168 | 30 | 49 | 62 | 164 |
| <i>na zasadzie</i> [on the principle of] | 60 | 49 | 55 | 34 | 28 | 20 |
| <i>włącznie z</i> [inclusive of] | 27 | 24 | 68 | 4 | 4 | 4 |
| <i>odnośnie do</i> [with regard to] | 111 | 114 | 127 | 93 | 3 | 9 |
| <i>ze strony</i> [on behalf of] | 96 | 100 | 64 | 43 | 8 | 76 |
| <i>w świetle</i> [in light of] | 643 | 543 | 559 | 293 | 3 | 26 |

| | | | | | | |
|---|--------|--------|--------|--------|--------|-------|
| <i>bez uszczerbku</i> [without prejudice to] | 35 | 55 | 93 | 0 | 3 | 1 |
| <i>ds.</i> [in charge of – abbrev.] | 191 | 160 | 34 | 5 | 3 | 56 |
| <i>na bazie</i> [on the basis of] | 28 | 12 | 8 | 13 | 1 | 11 |
| TOTAL | 26,081 | 28,585 | 27,826 | 19,811 | 26,258 | 4,582 |

Table 55: legal phrasemes overrepresented in JUDGPL

| | Judgments | | | | Legislation | General |
|--|-----------|-------|-------|--------------|-------------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | NKJP |
| <i>na podstawie</i> [on the basis of] | 1,716 | 1,737 | 1,706 | 1,997 | 2,123 | 138 |
| <i>w razie</i> [in the case of] | 148 | 177 | 250 | 308 | 266 | 61 |
| <i>z tytułu</i> [for; back translated as under the title of] | 226 | 424 | 305 | 685 | 481 | 60 |
| <i>wraz z</i> [together with] | 101 | 116 | 93 | 298 | 447 | 177 |
| <i>na rzecz</i> [for; in favour of] | 270 | 377 | 572 | 1,324 | 297 | 96 |
| <i>w wyniku</i> [as a result of] | 170 | 141 | 80 | 391 | 285 | 82 |
| <i>co do</i> [as to] | 826 | 779 | 703 | 1,047 | 138 | 135 |
| <i>w toku</i> [in the course of] | 198 | 151 | 68 | 267 | 102 | 26 |
| <i>z mocy</i> [under; BT by power of] | 6 | 36 | 21 | 160 | 71 | 8 |
| <i>w postaci</i> [in the form of] | 126 | 145 | 119 | 388 | 186 | 67 |
| <i>na skutek</i> [as a result of] | 15 | 33 | 4 | 320 | 56 | 31 |
| <i>w oparciu o</i> [on the basis of] | 150 | 147 | 68 | 243 | 40 | 27 |
| <i>z chwilą</i> [upon; BT at the moment of] | 25 | 26 | 85 | 138 | 45 | 12 |
| <i>za okres</i> [for a period of] | 26 | 19 | 80 | 132 | 58 | 6 |
| TOTAL | 4,003 | 4,308 | 4,153 | 7,698 | 4,595 | 926 |

Table 56: legal phrasemes underrepresented in JUDGPL

| | Judgments | | | | Legislation | General |
|---|--------------|--------------|--------------|--------|-------------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | NKJP |
| <i>ds.</i> [in charge of – abbrev.] | 191 | 160 | 34 | 5 | 3 | 56 |
| <i>w świetle</i> [in light of] | 643 | 543 | 559 | 293 | 3 | 26 |
| <i>w celu</i> [in order to; for the purpose of] | 1,244 | 1,395 | 1,156 | 267 | 862 | 84 |
| <i>w rozumieniu</i> [within the understanding of] | 749 | 831 | 830 | 457 | 808 | 17 |
| <i>na terytorium</i> [in the territory of] | 172 | 304 | 563 | 11 | 888 | 14 |
| <i>w ramach</i> [within the framework of] | 1,645 | 1,585 | 1,350 | 643 | 612 | 159 |
| <i>z wyjątkiem</i> [with the exception of] | 113 | 118 | 123 | 30 | 244 | 26 |
| <i>w trakcie</i> [during the course of] | 273 | 280 | 152 | 61 | 109 | 113 |
| <i>do celów</i> [for the purposes of] | 189 | 209 | 415 | 3 | 101 | 8 |
| <i>w zależności od</i> [depending on] | 129 | 119 | 144 | 40 | 46 | 43 |
| <i>w dziedzinie</i> [in the area of] | 219 | 261 | 284 | 15 | 82 | 31 |
| <i>na mocy</i> [pursuant to/BT: by power of article] | 449 | 515 | 567 | 97 | 30 | 17 |
| <i>pod względem</i> [in respect of] | 136 | 104 | 144 | 27 | 50 | 45 |
| <i>zgodnie z</i> [according to] | 2,666 | 2,484 | 3,471 | 1,023 | 968 | 204 |
| TOTAL | 8,815 | 8,908 | 9,792 | 2,970 | 4,806 | 843 |

Table 57: legal phrasemes overrepresented in E/F-LOC

| | Judgments | | | | Legislation | General |
|--|--------------|--------------|-------|--------|--------------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | NKJP |
| <i>w przypadku</i> [in the case of] | 908 | 920 | 652 | 254 | 3,394 | 213 |
| <i>w zakresie</i> [in respect of] | 1,226 | 1,202 | 986 | 817 | 2,295 | 118 |
| <i>w sprawie</i> [in the matter of] | 4,320 | 4,792 | 3,768 | 1,783 | 706 | 213 |

| | | | | | | |
|--|---------------|---------------|-------|------------|------------|-------|
| <i>ze względu na</i> [in respect of] | 709 | 782 | 508 | 303 | 324 | 117 |
| <i>w odniesieniu do</i> [with reference to] | 1,425 | 1,457 | 1,223 | 442 | 312 | 33 |
| <i>w wyniku</i> [as a result of] | 170 | 141 | 80 | 391 | 285 | 82 |
| <i>w toku</i> [in the course of] | 198 | 151 | 68 | 267 | 102 | 26 |
| <i>na temat</i> [on the subject of] | 276 | 168 | 30 | 49 | 62 | 164 |
| <i>w ramach</i> [within the framework of] | 1,645 | 1,585 | 1,350 | 643 | 612 | 159 |
| <i>w okresie</i> [within the period of] | 342 | 278 | 165 | 284 | 326 | 88 |
| <i>z uwagi na</i> [in view of] | 260 | 244 | 174 | 358 | 31 | 26 |
| <i>w trakcie</i> [during the course of] | 273 | 280 | 152 | 61 | 109 | 113 |
| TOTAL | 11,751 | 12,000 | 9,157 | 5,651 | 8,558 | 1,352 |

Table 58: legal phrasemes overrepresented in in P-LOC

| | Judgments | | | | Legislation | General |
|---|-----------|-------|--------------|--------------|-------------|---------|
| | E-LOC | F-LOC | P-LOC | JUDGPL | PLC15 | NKJP |
| <i>zgodnie z</i> [according to] | 2,666 | 2,484 | 3,471 | 1,023 | 968 | 204 |
| <i>na terytorium</i> [in the territory of] | 172 | 304 | 563 | 11 | 888 | 14 |
| <i>w związku z</i> [in connection with] | 794 | 879 | 1,312 | 1,283 | 359 | 173 |
| <i>w trybie</i> [under; BT in the manner of] | 133 | 252 | 563 | 125 | 282 | 30 |
| <i>na rzecz</i> [for; in favour of] | 270 | 377 | 572 | 1,324 | 297 | 96 |
| <i>w wypadku</i> [in the event of] | 142 | 155 | 394 | 156 | 12 | 30 |
| <i>w imieniu</i> [on behalf of] | 269 | 448 | 787 | 505 | 22 | 71 |
| <i>z chwilą</i> [upon; BT at the moment of] | 25 | 26 | 85 | 138 | 45 | 12 |
| <i>za okres</i> [for a period of] | 26 | 19 | 80 | 132 | 58 | 6 |
| <i>do celów</i> [for the purposes of] | 189 | 209 | 415 | 3 | 101 | 8 |
| <i>z uwagi na</i> | 260 | 244 | 174 | 358 | 31 | 26 |

| | | | | | | |
|--------------|-------|-------|--------------|-------|-------|-----|
| [in view of] | | | | | | |
| TOTAL | 4,945 | 5,396 | 8,416 | 5,058 | 3,063 | 670 |

Table 59: Keywords: Nouns

| | E-LOC | F-LOC | P-LOC |
|---------------------------------|--------------|--------------|--------------|
| motywy | 292 | 228 | 47 |
| motyw, motywów... | 1,643 | 1,336 | 639 |
| rozdział, rozdziałów... | 95 | 182 | 436 |
| licząc | 10 | 16 | 76 |
| działalność, działalności... | 557 | 1,123 | 2 129 |
| czynność | 16 | 10 | 106 |
| czynności | 92 | 181 | 576 |
| czynność, czynności... | 117 | 201 | 741 |
| neutralność | 0 | 3 | 21 |
| uprawnienia | 169 | 173 | 148 |
| pozew, pozwów... | 23 | 13 | 296 |
| roszczenie, roszczeń... | 47 | 53 | 246 |
| marża | 8 | 1 | 13 |
| grzywna | 46 | 73 | 0 |
| grzywien | 273 | 302 | 0 |
| grzywny | 959 | 1,097 | 21 |
| grzywna, grzywn... | 1,350 | 1,592 | 21 |
| dochodzenie | 61 | 58 | 8 |
| decyzją | 277 | 321 | 110 |
| ustawą | 21 | 78 | 212 |
| rozporządzeniem | 216 | 212 | 224 |
| zarządzeniem | 2 | 24 | 229 |
| rozporządzenia | 4,316 | 2,677 | 3 370 |
| dekretu | 11 | 124 | 0 |
| użyciu | 27 | 34 | 127 |
| pisma | 222 | 284 | 34 |
| pismo, pisma... | 957 | 1,028 | 250 |
| na piśmie | 79 | 65 | 59 |
| przypisanie | 20 | 35 | 0 |
| obniżka | 15 | 14 | 0 |
| zwolnieniem | 14 | 15 | 89 |
| korekty | 24 | 28 | 254 |
| okresy | 39 | 44 | 288 |
| kapitału | 86 | 289 | 461 |
| zarządzenia | 12 | 104 | 8 |
| rekompensaty | 10 | 99 | 4 |
| majątku | 8 | 68 | 186 |

| | | | |
|---|--------------|------------|------------|
| zamieszkania | 43 | 142 | 373 |
| wynagrodzeń | 12 | 76 | 17 |
| zobowiązaniom | 37 | 13 | 229 |
| podatkiem | 18 | 78 | 529 |
| opuszczenia (terytorium) | 3 | 40 | 0 |
| należność | 1 | 2 | 13 |
| nakazu (wydanie europejskiego nakazu zapłaty) | 25 | 76 | 279 |
| uznawania | 14 | 53 | 195 |
| niezależność | 3 | 26 | 30 |
| niezależny, niezależne... | 174 | 181 | 195 |
| klauzula | 12 | 44 | 25 |
| zasądzenie | 4 | 26 | 0 |
| uzupełniający, uzupełniająca... | 109 | 203 | 25 |
| zatwierdzania | 5 | 28 | 8 |
| kręgu (właściego kręgu odbiorców) | 75 | 21 | 0 |
| ocenie | 470 | 311 | 89 |
| sporny, sporne... | 1,059 | 994 | 707 |
| wykazu | 164 | 79 | 47 |
| rozmowy | 67 | 19 | 0 |
| odmowy | 184 | 96 | 68 |
| odmowa | 50 | 40 | 25 |
| uwagę | 591 | 426 | 326 |
| temat | 295 | 182 | 34 |
| na temat | 276 | 168 | 34 |
| kwestia | 99 | 69 | 72 |
| sprawa | 202 | 166 | 97 |
| odwołania | 335 | 215 | 212 |
| szkoda | 61 | 30 | 0 |
| wniosków | 206 | 135 | 127 |
| zasadność | 91 | 48 | 59 |
| obrębie | 57 | 24 | 25 |
| różnice | 65 | 30 | 30 |
| oznaczenia | 230 | 39 | 0 |
| sprzeciwów | 121 | 5 | 0 |
| podobieństwa | 176 | 26 | 0 |
| składnik, składniki... | 274 | 73 | 47 |
| substancja, substancje... | 819 | 137 | 38 |
| obawy | 94 | 27 | 8 |
| ujawnieniu | 33 | 5 | 8 |

| | | | |
|----------------------------------|--------|------------|------------|
| powództwo, powództwa... | 15 | 59 | 4 |
| reżimu (syryjskiego) | 15 | 58 | 4 |
| pełnomocnik, pełnomocników... | 342 | 553 | 800 |
| w tym: pełnomocników | 232 | 359 | 538 |
| zabezpieczenia | 69 | 139 | 254 |
| praktyk | 76 | 148 | 30 |
| kwalifikacji | 59 | 125 | 38 |
| pytaniem | 14 | 51 | 80 |
| nieprawidłowość | 10 | 31 | 21 |
| wykładni | 252 | 371 | 572 |
| wykładnia | 90 | 78 | 182 |
| życie | 259 | 378 | 504 |
| w życie | 253 | 367 | 504 |
| sądem | 544 | 707 | 834 |
| tytułem | 185 | 276 | 93 |
| uregulowania | 60 | 113 | 237 |
| przepisom | 20 | 54 | 127 |
| TOTAL | 21,164 | 20,404 | 20,223 |

Table 60: Keywords: Adjectives and Adverbs

| | E-LOC | F-LOC | P-LOC |
|----------------------------------|------------|------------|--------------|
| wyłączny, wyłączna... | 100 | 162 | 76 |
| wyłącznie | 568 | 573 | 525 |
| jedynie | 748 | 778 | 787 |
| tylko | 694 | 629 | 724 |
| główny, główna... | 478 | 866 | 1,909 |
| głównie | 39 | 59 | 13 |
| nieokreślony, nieokreślona... | 10 | 44 | 135 |
| czas nieokreślony | 2 | 36 | 127 |
| należny, należna... | 86 | 263 | 762 |
| wtórny, wtórna... | 24 | 104 | 246 |
| wymagalny, wymagalna... | 7 | 46 | 203 |
| odróżniający, odróżniająca... | 239 | 36 | 0 |
| nadmierny, nadmierna... | 46 | 74 | 343 |
| nadmiernie | 16 | 14 | 42 |
| dominujący, dominująca... | 414 | 617 | 68 |
| podobny, podobna... | 279 | 167 | 250 |

| | | | |
|------------------------------------|--------------|--------------|---------------|
| podobnie | 886 | 903 | 847 |
| szczególnie | 178 | 96 | 51 |
| szczególny, szczególna... | 466 | 498 | 538 |
| w szczególności | 1,366 | 1,501 | 1,372 |
| całościowy, całościowa... | 140 | 57 | 59 |
| całościowo | 24 | 6 | 0 |
| rzekomo | 66 | 30 | 47 |
| rzekomy, rzekoma... | 65 | 60 | 34 |
| rozsądny, rozsądna | 86 | 136 | 59 |
| rozsądnie | 23 | 7 | 4 |
| wcześniejszy, wcześniejsza... | 726 | 214 | 165 |
| późniejszy, późniejsza... | 159 | 85 | 89 |
| przeciętny | 91 | 17 | 4 |
| przeciętnie | 8 | 0 | 0 |
| nałożony, nałożona... | 409 | 484 | 106 |
| bezpłatny, bezpłatna... | 21 | 8 | 351 |
| cywilnoprawny, cywilnoprawna... | 1 | 1 | 106 |
| wedle | 73 | 33 | 51 |
| kolidujący, kolidująca... | 149 | 19 | 0 |
| uzupełniający, uzupełniająca... | 109 | 203 | 25 |
| społeczny, społeczne... | 110 | 363 | 423 |
| najemny, najemna... | 21 | 86 | 102 |
| TOTAL | 8,926 | 9,279 | 10,643 |

Table 61: Keywords: Verbal forms

| | E-LOC | F-LOC | P-LOC |
|-------------------------------------|--------------|--------------|--------------|
| przewidywać... | 1,338 | 1,703 | 2,811 |
| top PL collocate: przewiduje, że | 113 | 138 | 119 |
| przewidywanie, przewidywania... | 28 | 24 | 51 |
| przewidywany, przewidywana... | 3 | 2 | 13 |
| TOTAL | 1,369 | 1,729 | 2,874 |
| | E-LOC | F-LOC | P-LOC |
| podlegać... | 274 | 497 | 834 |

| | | | |
|---|---------------|--------------|--------------|
| top PL collocate: podlegać zwrotowi | 33 | 82 | 165 |
| podlegający, podlegająca... | 129 | 222 | 262 |
| podleganie, podlegania... | 1 | 11 | 0 |
| TOTAL | 404 | 730 | 1,096 |
| | E-LOC | F-LOC | P-LOC |
| skarżyć... | 4 | 4 | 0 |
| skarżący, skarżąca... | 6,353 | 4,575 | 597 |
| TOP ENG collocate: skarżący podnos* | 327 | 250 | 21 |
| zaskarżony, zaskarżanie... | 3,923 | 3,101 | 1,393 |
| TOTAL | 10,279 | 7,680 | 1,990 |
| | E-LOC | F-LOC | P-LOC |
| podnosić | 1,207 | 1,126 | 885 |
| TOP ENG collocate: podnosić że | 746 | 681 | 555 |
| podniesiony, podniesiona... | 510 | 506 | 508 |
| podnoszony, podnoszona... | 128 | 111 | 93 |
| TOTAL | 1,845 | 1,742 | 1,486 |
| | E-LOC | F-LOC | P-LOC |
| wnosić... | 704 | 628 | 610 |
| wnoszący, wnosząca... | 504 | 568 | 89 |
| TOP ENG collocate: wnoszący odwołanie | 375 | 530 | 30 |
| wniesiony, wniesiona... | 258 | 278 | 195 |
| TOTAL | 1,467 | 1,475 | 893 |
| | E-LOC | F-LOC | P-LOC |
| kwestionować... | 330 | 228 | 195 |
| TOP ENG collocate: kwestionować zasadność | 37 | 10 | 8 |
| kwestionowany, kwestionowana... | 65 | 67 | 47 |
| kwestionowanie, kwestionowania... | 9 | 18 | 17 |
| kwestionujący | 6 | 10 | 0 |
| TOTAL | 410 | 323 | 258 |
| | E-LOC | F-LOC | P-LOC |
| naruszać | 190 | 195 | 161 |
| naruszyć | 400 | 370 | 212 |

| | | | |
|--|--------------|--------------|--------------|
| naruszenie, naruszenia... | 3,023 | 3,165 | 830 |
| TOP ENG collocate: naruszenie art. | 429 | 301 | 284 |
| w tym: naruszenie | 691 | 670 | 174 |
| w tym: naruszeniu | 492 | 436 | 13 |
| w tym: naruszeń | 133 | 186 | 4 |
| naruszanie | 25 | 21 | 17 |
| TOTAL | 3,637 | 3,751 | 1,219 |
| | E-LOC | F-LOC | P-LOC |
| odróżniać... | 16 | 8 | 8 |
| odróżnić... | 16 | 22 | 17 |
| odróżniający, odróżniająca... | 239 | 36 | 0 |
| TOTAL | 271 | 66 | 25 |
| | E-LOC | F-LOC | P-LOC |
| przedstawiać... | 142 | 134 | 97 |
| przedstawić... | 562 | 422 | 148 |
| TOP ENG collocate: przedstawić uwagi | 66 | 32 | 4 |
| przedstawiani, przedstawiane... | 15 | 11 | 4 |
| przedstawienie, przedstawienia... | 757 | 715 | 246 |
| TOTAL | 1,476 | 1,281 | 495 |
| | E-LOC | F-LOC | P-LOC |
| zapewniać... | 96 | 132 | 119 |
| w tym: zapewniając | 8 | 12 | 8 |
| zapewnić... | 117 | 159 | 186 |
| zapewnienie, zapewnienia... | 335 | 456 | 703 |
| top PL collocate: zapewnienie prawidłowego | 5 | 8 | 64 |
| top PL collocate: zapewnienie skuteczności | 9 | 21 | 76 |
| w tym: zapewnienia | 201 | 301 | 508 |
| zapewniający, zapewniająca... | 37 | 44 | 38 |
| zapewniony, zapewniona... | 23 | 34 | 34 |
| TOTAL | 608 | 824 | 1,080 |
| | E-LOC | F-LOC | P-LOC |
| wykonywać... | 67 | 132 | 152 |

| | | | |
|--|--------------|--------------|--------------|
| wykonać... | 21 | 23 | 47 |
| wykonalność | 25 | 24 | 0 |
| wykonalny | 11 | 17 | 4 |
| wykonanie, wykonania... | 250 | 541 | 643 |
| top PL collocate: wykonywania czynności | 3 | 9 | 59 |
| w tym: zapewnienia | 201 | 301 | 508 |
| wykonawczy, wykonawcza | 308 | 487 | 550 |
| w tym: wykonawczej (decyzji) | 8 | 67 | 0 |
| TOTAL | 885 | 1,525 | 1,905 |
| | E-LOC | F-LOC | P-LOC |
| ograniczać | 191 | 203 | 178 |
| w tym: ograniczając | 14 | 18 | 13 |
| ograniczyć | 141 | 113 | 85 |
| ograniczający, ograniczające... | 368 | 471 | 55 |
| TOP ENG collocate: środków ograniczających | 302 | 382 | 8 |
| ograniczanie, ograniczania... | 12 | 11 | 4 |
| ograniczany, ograniczana.. | 1 | 2 | 4 |
| ograniczony, ograniczona... | 219 | 220 | 288 |
| TOTAL | 933 | 1,020 | 614 |
| | E-LOC | F-LOC | P-LOC |
| uznać... | 1,224 | 1,097 | 1,058 |
| TOP ENG collocate: uznać że | 626 | 535 | 343 |
| uznawać | 213 | 245 | 318 |
| uznanie, uznania... | 384 | 304 | 411 |
| uznawanie, uznawania... | 19 | 60 | 195 |
| w tym: uznawania | 14 | 53 | 195 |
| TOTAL | 1,839 | 1,705 | 1,981 |
| | E-LOC | F-LOC | P-LOC |
| świadczycy... | 162 | 150 | 72 |
| świadczanie, świadczania... | 334 | 825 | 1,786 |
| TOP PL collocate: świadczeni* usług | 122 | 216 | 643 |

| | | | |
|---|--------------|--------------|--------------|
| świadczący, świadcząca... | 78 | 78 | 93 |
| TOTAL | 574 | 1,053 | 1,952 |
| | E-LOC | F-LOC | P-LOC |
| wpływać... | 84 | 72 | 106 |
| wpływać | 108 | 156 | 212 |
| wpływ, wpływów... | 794 | 815 | 351 |
| TOP ENG collocate: wpływ na | 646 | 638 | 258 |
| w tym: wpływu | 364 | 454 | 114 |
| wpływanie, wpływania... | 3 | 4 | 8 |
| TOTAL | 989 | 1,048 | 677 |
| | E-LOC | F-LOC | P-LOC |
| popęłnić... | 196 | 145 | 8 |
| TOP ENG collocate: popęłnić błąd | 102 | 46 | 8 |
| popęłnić... | 12 | 20 | 0 |
| pełnić... | 30 | 30 | 4 |
| w tym: pełnić | 0 | 2 | 0 |
| bez wyrażenia " w pełni" | 83 | 87 | 64 |
| pełniący, pełniąca... | 22 | 25 | 25 |
| pełniony, pełniona... | 12 | 14 | 0 |
| TOTAL | 272 | 235 | 38 |
| | E-LOC | F-LOC | P-LOC |
| powierzać... | 13 | 27 | 4 |
| powierzyć... | 17 | 30 | 13 |
| w tym: powierzono | 4 | 18 | 8 |
| powierzony, powierzona... | 37 | 84 | 64 |
| powierzający, powierzająca... | 1 | 5 | 0 |
| powierzanie, powierzania | 1 | 1 | 0 |
| powierzenie, powierzenia | 8 | 9 | 0 |
| TOTAL | 77 | 157 | 80 |
| | E-LOC | F-LOC | P-LOC |
| dotyczyć... | 1,342 | 1,250 | 1,283 |
| dotyczący, dotycząca... | 3,330 | 2,976 | 2,320 |
| TOP ENG collocate: w zakresie dotyczącym | 163 | 104 | 97 |
| TOP ENG collocate: dotyczący* naruszeń* | 274 | 320 | 220 |

| | | | |
|--|--------------|--------------|------------|
| TOTAL | 4,671 | 4,226 | 3,603 |
| | E-LOC | F-LOC | P-LOC |
| uchybić... | 22 | 79 | 114 |
| top PL collocate: uchybić zobowiązaniom | 7 | 58 | 220 |
| uchybiać... | 3 | 6 | 8 |
| uchybiecie, uchybiecia... | 80 | 185 | 360 |
| TOTAL | 105 | 271 | 483 |
| | E-LOC | F-LOC | P-LOC |
| ciążyć... | 37 | 65 | 102 |
| ciążący, ciężąca... | 83 | 124 | 106 |
| TOTAL | 119 | 189 | 207 |
| | E-LOC | F-LOC | P-LOC |
| odsyłać... | 75 | 62 | 64 |
| odesłać... | 19 | 13 | 8 |
| odsyłający... | 188 | 380 | 902 |
| TOP PL collocate: odsyłający do | 71 | 127 | 246 |
| odsyłanie | 9 | 0 | 0 |
| TOTAL | 291 | 455 | 974 |
| | E-LOC | F-LOC | P-LOC |
| zależać | 76 | 90 | 76 |
| w tym: zależy | 56 | 67 | 51 |
| zależny, zależna... | 398 | 741 | 59 |
| TOP FR collocate: spółk* zależn* | 357 | 707 | 55 |
| zależność, zależności... | 150 | 130 | 165 |
| zależnie | 6 | 3 | 17 |
| TOTAL | 630 | 964 | 318 |
| | E-LOC | F-LOC | P-LOC |
| zapobiegać... | 6 | 6 | 13 |
| zapobieżenie, zapobieżenia... | 35 | 36 | 106 |
| w tym: zapobieżenia | 14 | 17 | 89 |
| zapobieganie, zapobiegania... | 45 | 63 | 106 |
| TOTAL | 86 | 105 | 224 |
| | E-LOC | F-LOC | P-LOC |
| rozpatrywać... | 33 | 31 | 38 |
| rozpatrzyć... | 20 | 13 | 21 |
| rozpatrywany, rozpatrywana... | 719 | 653 | 495 |
| ENG collocate: w rozpatrywanym okresie | 28 | 13 | 0 |

| | | | |
|---|---------------|---------------|---------------|
| rozpatrywanie, rozpatrywania... | 73 | 76 | 13 |
| TOTAL | 846 | 773 | 567 |
| | E-LOC | F-LOC | P-LOC |
| uzgodnić... | 14 | 21 | 0 |
| w tym: uzgodniono | 4 | 3 | 0 |
| uzgadniać... | 7 | 5 | 0 |
| uzgodniony, uzgodniona... | 174 | 139 | 25 |
| uzgodnienia | 123 | 24 | 0 |
| w tym: istnienia wspólnego uzgodnienia | 18 | 0 | 0 |
| w tym istnienie wspólnego uzgodnienia | 15 | 0 | 0 |
| TOTAL | 318 | 189 | 25 |
| | E-LOC | F-LOC | P-LOC |
| wydawać... | 301 | 318 | 385 |
| wydać... | 252 | 273 | 174 |
| wydawanie, wydawania... | 68 | 92 | 102 |
| wydanie, wydania... | 595 | 726 | 1,046 |
| TOP PL collocate: wydani* orzeczenia | 84 | 178 | 275 |
| w tym: wydanie | 201 | 289 | 669 |
| TOTAL | 1,215 | 1,410 | 1,706 |
| | E-LOC | F-LOC | P-LOC |
| zgłaszać... | 10 | 9 | 13 |
| zgłosić... | 40 | 25 | 25 |
| w tym: zgłoszono | 4 | 3 | 0 |
| zgłoszony, zgłoszona... | 304 | 107 | 76 |
| TOP ENG collocate: zgłoszony znak* | 206 | 27 | 0 |
| TOTAL | 149 | 113 | 114 |
| | E-LOC | F-LOC | P-LOC |
| oddalić | 653 | 608 | 364 |
| TOP ENG collocate: oddalić jako | 125 | 142 | 106 |
| oddalać | 15 | 19 | 13 |
| TOTAL | 668 | 627 | 377 |
| GRAND TOTAL | 36,434 | 35,666 | 27,263 |

Table 62: The if-then mental model

| PL | EN | FR |
|----|----|----|
|----|----|----|

| Prototypical markers of the if-then mental model | | |
|--|---|--|
| jeżeli [if-form] | where, if | lorsque, si |
| jeśli [if-neut] | if | si |
| Topicalisers | | |
| jeżeli chodzi o | in relation to, for the sth concerned, In respect of, according to, as regards | en ce qui concerne, pour qqn concerné, Au titre de, quant à |
| jeśli chodzi o | as regards, with respect to, in terms of, in so far as concerns, as regards, so far as sb is concerned, regarding | en ce qui concerne, s'agissant de, pour ce qui est de, quant à, concernant |
| Other conditional patterns | | |
| o ile [unless, if not] | while, if, whereas, assuming that, in so far as, provided that | si, pour autant que, en effet, qu'à la condition que, à le supposer établi (o ile zostanie udowodniony), s'il est vrai que, pour peu que, pourvu que |
| chyba że [unless] | unless, only if | à moins que, que s'il (elle), sauf à ce que, sauf à + inf |
| z tym że [however] | as, since, but | toutefois, or, cependant, mais |
| kto [who] | who | qui |
| pod warunkiem [on condition] | subject to -ing, provided that | sous réserve de, à la condition que, à condition que, sous condition de + nom [braku] |
| pod warunkiem że/iż [on condition that] | on condition that, provided that | à la condition que, pourvu que + subj, pour autant que, à condition que |
| wówczas, gdy [at the time when] | only in so far as, where, only if | n'est (recevable) que dans la mesure où, n'étant considéré comme irrecevable que si, lorsque |
| wtedy, gdy [at the time when] | when, where, if | lorsque, si, ce n'est que si, n'est (entachée de détournement de pouvoir) que si |
| Equivalents of in the case of: w razie, w wypadku and w przypadku | | |
| w razie [in the event] | where, if it were to, in the event of, if there were no | en cas de, en l'absence (in case of absence), si |
| w razie potrzeby [in the event of a need] | where appropriate, if necessary, if need be, when it has to be -ed, if required | le cas échéant, au besoin, si besoin est |
| w razie konieczności [in the event of a necessity] | if necessary, if appropriate, where necessary | au besoin, le cas échéant, lorsque nécessaire |
| w razie stwierdzenia [in the event of determination] | when it [the Commission] finds an infringement | quand elle [la Commission] constate |
| w razie gdy [in the event when] | n.d. | n.d. |
| w wypadku [in the case/BT: in the accident] | if, in the case of, in respect of, for sth, | en cas de, dans le cas de, pour qqch |
| brana pod uwagę w wypadku naruszeń tego rodzaju | taken into account for such infringements | prise en compte pour de telles infractions |
| w wypadku gdy [in the case when] | where | dans l'hypothèse, au cas où |

| | | |
|---|--|---|
| w przypadku [in the case] | in a given case, in sb's case, As regards, In the context of, in the case of, on | dans un cas donné, dans le cas de, dans un cas où, s'agissant de, Dans le cadre d'une infraction, sur, pour |
| w przypadku kwestii szczególnych | on specific points | sur des points spécifiques |
| w przypadku silnie skoncentrowanego rynku oligopolistycznego | on a highly concentrated oligopolistic market | sur un marché oligopolistique fortement concentré |
| w przypadku ciągłych lub powtarzających się naruszeń | in the case of continuing or repeated infringements | pour les infractions continues |
| w przypadku gdy [in the case when] | where, when, when there is | dans l'hypothèse où, lorsque, lorsqu'il y a |
| w przypadku o którym mowa [in the case (which) is referred to] | as in the present case, In the case referred to in | dans le cas prévu à |
| w przypadku braku [in the case of lack] | in absence of, if there is no, in the absence of | à défaut, en l'absence de |
| w przypadku stwierdzenia [in the case of determination] | n.d. | n.d. |

Table 63: Patterns of purpose

| PL | EN | FR |
|---|---|---|
| Patterns of purpose | | |
| aby [that-rel] | to, in order to, in order to have -ed, so that, that (to require that) | pour, dans le but de, visant à ce que qqch + subj, afin de + inf, que (exiger que + subj) |
| . Aby (fronted) | In order to, to | afin de, pour que + subj, pour + inf, aux fins de + qqch / inf, afin que +subj |
| w celu [in order to, for the purpose of] | to, in order to, in -ing, with the intention of, with the aim of | en vue de, pour + inf, visant à / viser à, afin de + inf, dans une intention de, |
| w celu zapewnienia skutku odstrasającego | for deterrence | au titre de l'effet dissuasif |
| . W celu (fronted) | for the purposes of, for the purpose of, in order to, with a view to -ing | en vue de, aux fins de + qqch / inf, afin de + inf, dans le but de |
| do celów (for the purposes of) | in order to, in relation to, for the purposes of, | aux fins de + qqch / inf |
| do celów zastosowania art. 81 WE | for the purposes of the application of Article 81 [EC] | pour les besoins de l'application de l'article 81 CE |
| nie powinny być wykorzystywane do celów innych niż wymienione w upoważnieniu | not be used for purposes other than those specified in the order | être utilisé dans des buts autres que ceux indiqués dans le mandat |
| wykorzystanie tych dokumentów do celów administracyjnych | use those documents for administrative purposes | utiliser lesdits documents à des fins administratives |
| wykorzystania do celów dochodzenia w zakresie prawa konkurencji | for the purposes of a competition law investigation | aux fins d'une enquête en matière de droit de la concurrence |

| | | |
|---|--|--|
| nie powinny być nieproporcjonalne stosunku do celów | must not be disproportionate to the objectives pursued | ne doivent pas être démesurées par rapport aux objectifs visés |
| stanowi istotne kryterium do celów ustalenia zakresu | a relevant criterion for the purposes of determining scope of | un critère pertinent aux fins de la détermination de la portée de |
| do celów wydania niniejszego wyroku | for the purposes of the judgment | aux fins de l'arrêt |
| »dokumenty« do celów prowadzonych przez nich negocjacji z | get "documents" for their negotiations with | des 'documents' pour leurs négociations avec |
| do celów innych niż | for purposes other than | dans des buts autres que |
| . Do celów (fronted) | n.d. | n.d. |
| na celu [(has) the objective of] | intended to, have a purpose to, aimed at -ing, to be concerned with, the purpose of which is, for (the claims for variation of), the ultimate aim of which + to be, serve to | visant à/ viser à, avoir but de, ayant/ avoir pour objet, tendre à +inf, tendant à qqch, le but de qqch est de, interprétée comme ayant pour objet |
| celem (purpose-ins) | the objective of sth is to, purpose thereof, the objective is to, the object is to, as a means of, sb's task is to, the object is to, with the desire of -ing | visant à/ viser à, ayant pour objet de + inf/ qqch, la finalité de qqch, l'objectif est de, avoir vocation à + inf, avoir pour but de + inf, dans un souci de qqch |

Table 64: Causal relations

| PL | EN | FR |
|---|---|---|
| Justification: ponieważ and gdyż | | |
| ponieważ [because] | as it/they + verb, in so far as, by -ing, since, in the absence of, because | dans la mesure où, dans le cadre de, étant donné que, car, puisque, dès lors que, en -ant, -ant, -ant +inf, ayant/ étant + participe passé, qqch étant + participe passé, en raison du fait que |
| gdyż [because - FORM] | since, in so far as, as, the circular referring expressly to both aspects | dans la mesure où, dès lors que, puisque, car, qqch étant + participe passé, qqch se -ant, qqch -ant, en ce que (leurs pouvoirs étant déterminé) |
| Casual relations: additional expressions | | |
| albowiem | since | qqch ayant + qqch, qqch étant + participe passé, étant donné que |
| bowiem | indeed, thus | en effet, ainsi |
| jako że | owing to sth, given that, since, as, in that sb did sth | en raison de, dans la mesure où, qqch étant + participe passé/adj, étant donné que, ayant/ étant + participe passé, en -ant, -ant, -ant +inf, s'agissant de, en ce que |
| jako iż | n.d. | n.d. |
| dlatego że | because, (only) because, since | parce que, pour (la seule) raison que, au (seul) motif que, en raison de, puisque |
| dlatego iż | n.d. | n.d. |

| | | |
|--|---|---|
| z uwagi na [in view of] | with, since, given sth, on account of, in the light of, in order to, by their very nature, taking into account the fact that, owing to | avec qqch + participe passé, qqch étant + participe passé, compte tenu de, en raison de, eu égard à, en vue de, par leur nature même [z uwagi na ich charakter], en tenant compte du fait que [z uwagi na okoliczność, że] |
| z racji | because, because of, on account of, owing to | du fait que, en raison de |
| wszak | n.d. | n.d. |
| ze względu na +NP [in respect to] | as a result of, by dint of that, having regard to, in respect of, on the grou, nd that, in that sb + verb, on account of, because, given the nature of, with regard to | en raison de, eu égard à, au motif que, dans la mesure où, au vu de, au titre de, compte tenu de, au regard de |
| z powodu [for the cause of] | due to, on account of, because of, given sth, as a result of, having failed to (in case of absence), due to, on account of, by reason of, owing to, on the ground that | à cause de, en raison de, du fait de, faute de (in case of absence), au motif que |
| z przyczyn(y) [for reason(s)] | for the reasons, for reasons | pour les motifs, pour des motifs |
| z przyczyn technicznych | for technical reasons | par des raisons techniques |
| przyczyną | caused by a factor, cause | (etre) à l'origine de, causé par un facteur |
| którego przyczyną jest chęć zapewnienia przestrzegania zasady | it is (the need to..) that constitutes the reason for | c'est (le respect de la règle de..) qui constitue la cause de |
| Inference markers | | |
| zatem [thus] | therefore, it follows that, thus | dès lors, il en résulte, donc, ainsi |
| dlatego [therefore] | that is why, accordingly, therefore, it was for that reason that, so that, | c'est pourquoi, partant, dès lors, c'est pour cette raison que, de sorte que |
| ten typ naruszenia zalicza się, ze względu na swój charakter, do najpoważniejszych ograniczeń konkurencji, musi być więc surowo karany, i dlatego określona w procentach część sprzedaży, | that type of infringement is by its very nature among the most serious restrictions of competition and must be severely penalised, so that the proportion of sales taken into account for such infringement will generally be set at the higher end of the scale | ce type d'infraction compte, par sa nature même, parmi les restrictions de concurrence les plus graves et doit donc être sévèrement sanctionné de sorte que la proportion des ventes prise en compte pour de telles infractions doit être généralement fixée en haut de l'échelle mentionnée au paragraphe 21 des lignes directrices de 2006 |
| sprawozdania ze spotkań – będą one zazwyczaj jedynie fragmentaryczne i odosobnione, i dlatego często będzie konieczna rekonstrukcja poszczególnych elementów w drodze dedukcji | the minutes of meetings, it will normally be only fragmentary and incomplete, so that it is frequently necessary to reconstitute certain details by inference | les comptes rendus d'une réunion, celles-ci ne seront normalement que fragmentaires et éparses, de sorte qu' il s'avère souvent nécessaire de reconstituer certains détails par des déductions |
| więc [so] | thus, therefore, also | donc, dès lors, ainsi, aussi |
| tym samym [hence] | thereby, thus, therefore, accordingly | par là même, ainsi, partant, donc |

| | | |
|---|---|--|
| w związku z tym, czym, powyższym [in connection with this, what, the foregoing] | consequently, as it has been +ed, in that context, it follows that | partant, par conséquent, il s'ensuit que, dès lors, qqch étant + participe passé, dans ce cadre, dès lors que |
| wobec tego, czego, powyższego [in view of this, what, the foregoing] | accordingly, it follows that, consequently, therefore, in view of the fact that | par conséquent, partant, dès lors, compte tenu du fait que, donc |
| z tego względu [for this reason] | therefore, because, as a result, for that reason, it follows that | par conséquent, dès lors, au motif que, en conséquence, de ce fait, il s'ensuit que |
| w konsekwencji [in consequence] | accordingly, consequently, therefore, as a consequence, accordingly, subsequently | partant, par conséquent, par suite, en conséquence, par voie de conséquence, par la suite, |
| w rezultacie [as a result] | it follows that, consequently, accordingly | il s'ensuit que, partant, ainsi, par conséquent, dès lors |
| Cause-effect complex prepositions | | |
| w wyniku +NP [as a result of] | following sth, if successful, followed, because of, arising from, owing to the fact that, on the basis of, derive from | à l'issue de, à la suite de, suite à, résultant de, par son résultat, en raison de, issue de, compte tenu de, sur la base de, du fait que |
| w wyniku postępowania | following a procedure | au terme d' une procedure |
| wskutek+NP [because of] | through, because of, as a result of, following | par, en vue de, à la suite de, du fait de, résultant de |
| wskutek swojego szerokiego zakresu | through its broad scope | par sa large portée |
| skarżona decyzja została wydana wskutek nadużycia władzy | the contested decision is vitiated by a misuse of powers | décision attaquée est entachée d' un détournement de pouvoir |
| możliwość obrony skarżącej została osłabiona jeszcze bardziej wskutek zajęcia przez Komisję niespójnych i sprzecznych między sobą stanowisk | the ability to defend itself was aggravated by the incoherent and contradictory nature | la capacité de la requérante à se défendre aurait été aggravée par le caractère incohérent et contradictoire de la position prise par la Commission |
| Uwzględniając powyższe okoliczności, nie można twierdzić, że przysługujące skarżącej prawo dostępu do akt sprawy uległo przedawnieniu wskutek braku działania w toku postępowania administracyjnego | It cannot, in those circumstances, be contended that the applicant's rights of access are barred as a result of a failure to act during the administrative procedure | Il ne saurait, dans ces circonstances, être opposé à la requérante une quelconque forclusion ayant pour origine une omission d'agir au cours de la procédure administrative |
| na skutek +NP. [because of] | in accordance with, as a result of, by effect, to be the consequence of, following | par l'effet de (duquel), par effet, résulter de, à la suite de |
| naruszenia ze względu na skutek | infringements by effect | infractions par effet |
| VS naruszenia ze względu na cel | infringements by object | infractions par objet |
| ze względu na +NP [in respect to] | by object, due to, as a result of, because, negative -in the absence of, taking the view that, in view of | par objet, en raison de, au regard de, du fait que, du fait de, en l'absence de, considérant que, compte tenu de |
| ze względu na powrót do naruszenia | for repeated infringement | pour récidive |

| | | |
|--|--|---|
| ze względu na naturę | by their nature | par leur nature même |
| ze względu na okoliczności łagodzące | on account of mitigating circumstances | au titre des circonstances atténuantes |
| ze względu na zasadę równego traktowania | under the principle of equal treatment | au nom du principe d'égalité de traitement |
| ze względu na to, że Komisja może przypisać odpowiedzialność za naruszenie spółce dominującej, lecz nie ma takiego obowiązku | since the Commission is able, but under no obligation, to impute liability for the infringement to a parent company | dès lors que la Commission dispose de la faculté, mais non de l'obligation, d'imputer |
| ze względu na tę dodatkową wagę czynów | in view of this additional gravity | Au regard de cette gravité supplémentaire |
| ze względu na okoliczność, iż | in view of the fact that | eu égard au fait que |
| ze względu na istnienie barier legislacyjnych | by means of legislative and regulatory barriers | en raison de barrières législatives |
| z powodu [for the cause of] | due to, on account of, because of, given sth, as a result of, having failed to (in case of absence), due to, on account of, by reason of, owing to, on the ground that | à cause de, en raison de, du fait de, faute de (in case of absence), au motif que |
| z przyczyn(y) [for reason(s)] | for the reasons, for reasons | pour les motifs, pour des motifs |
| w następstwie+NP [as a consequence of] | following, followed-up (the technical meetings) by, to be the product of, give rise to, sth made it do sth | à la suite de, suite à, être à l'origine de, de par |
| w następstwie rozwoju | the evolution of the cartel made it | de par son évolution |

Table 65: Top Collocates of powodu and przyczyny

| PL | EN | FR |
|------------------------------------|--|---|
| Top Collocates of powodu | | |
| z tego powodu | simply because, that is, in essence, why, solely because, for that reason alone, that is why, in essence, thereby, in that | au seul motif que, du seul fait que, pour cette raison, ne serait-ce que pour cette raison, c'est ainsi que, c'est (en substance) pour ces motifs que, en raison du fait que, de ce fait, en ce que |
| z powyższego powodu | n.d. | n.d. |
| uzasadnionego powodu | n.d. | n.d. |
| z tego/samego tylko powodu | in that sb did, on the sole ground that, solely because | en ce que, au seul motif que, du seul fait qu |
| z tego samego powodu | for the same reason | pour cette même raison, pour le même motif |
| żadnego powodu | see no reason to, put forward no reason, there is no reason to | ne pas voir aucune raison de + inf, n'aurait avancé aucun motif, il n'y a aucune raison de |
| Top Collocates of przyczyny | | |
| z tej przyczyny | owing to | au seul motif que |
| z powyższej przyczyny | n.d. | n.d. |

| | | |
|---------------|------|------|
| przyczyny dla | n.d. | n.d. |
|---------------|------|------|

Table 66: Deontic modality: obligation

| PL | EN | FR |
|---|--|---|
| Deontic modals | | |
| musi [must] | must, (does not) have to be, it is for sb to, be required to, find it necessary to, have to, it falls to sb to, to require sb to | devoir, lui incombe de (incomber à qqn de), il faut que, devant + inf (ce dernier devant constituer), être amené à, imposer que qqn + subj |
| należy [should-imprs] | must, should, to be necessary to, it is significant to note, it is appropriate | il y a lieu de, il convient de, il appartient à qqn de, devoir + inf, il importe de, il est significatif de relever que [należy podnieść, że] |
| Na wstępie należy wskazać, że | It should be observed that | À titre liminaire, il convient de relever que |
| powinien [should] | must, have to, should, the turnovers to be taken into account | devoir + inf, il y a lieu de, il convient de, devrait (devoir cond), à + inf |
| obrót, który powinien zostać uwzględniony za rok | the turnovers to be taken into account | des chiffres d'affaires à prendre en compte |
| Phraseological substitutes of obligation modals | | |
| jest obowiązany [is obliged dated] | to be required to | être tenu de + inf |
| jest zobowiązany [is obliged] | to be required to, must do, It is for sb to, to be obliged to | être tenu à (au respect), être tenu de + inf, être obligé de + inf, il incombe à qqn de, avoir à + inf, (sans que qqn) ait à, il appartient à qqn de |
| Komisja jest zobowiązana uwzględnić informacje | the Commission must take into account | il est nécessaire que la Commission devant tenir compte de |
| Komisja jest zobowiązana do uzasadnienia decyzji | la Commission est tendue de motiver ses décisions | the Commission is obliged to state to state the reasons |
| Komisja jest zobowiązana do wszczęcia nowego dochodzenia | la Commission est obligée d'ouvrir une nouvelle enquête | the Commission is required to initiate a new investigation |
| ma obowiązek [has an obligation] | to be required to, have to do sth, to be bound to do sth, to be obliged to, ought to, to be supposed to do sth, must do sth | devoir + inf, être soumis à + NP, être dans l'obligation de, être tenu de + inf, être censé + inf, la Commission se doit de, il incombe à qqn de, être appelé à (apprécier), il appartient à qqn de |
| jest wymagane [is required] | it is necessary, there is no requirement, require, it is not required to, to be required, it is not necessary | être exigé, imposer, il n'est pas exigé que, être requis |

Table 67: Top collocates of *musi*, *należy* and *powinien*

| PL | EN | FR |
|----|----|----|
|----|----|----|

| Top collocates of musi | | |
|---|--|--|
| musi być | | |
| musi być oceniana | must be assessed on the basis of | il convient d'apprécier la légalité |
| musi być zbadana | must be examined | doit être examinée |
| musi być ograniczona | must be restricted to | doit se limiter |
| musi zostać | | |
| musi zostać uwzględniona | must be taken into account in | doit être pris en compte |
| musi zostać oddalona | must be rejected | doit être écartée |
| musi mieć | must be permitted in its decision to take account of, must be able not only to accept, must satisfy itself that, must ensure that, | être en mesure [mieć możliwość], devoir pouvoir + inf [mieć możliwość], doit s'assurer que [musi mieć pewność], devoir veiller à [musi mieć na uwadze], |
| musi mieć możliwość oceny proporcjonalności | must be in a position to assess | le juge devant être en mesure d'apprécier |
| musieć mieć związek | have to have a connection | devoir avoir un lien |
| musi wykazać | show, prove, demonstrate, establish, go to prove | démontrer, établir |
| musi zawierać | contain, include | contenir, comporter |
| decyzja w sprawie kontroli musi zawierać określenie „przedmiotu i celu kontroli” | the inspection decision is to state ‘the subject-matter and purpose of the inspection’ | selon lequel la décision d'inspection doit indiquer «l'objet et le but de l'inspection» |
| musi posiadać | to have | posséder |
| musi posiadać większość praw głosu | must hold the majority of the voting rights | doit tenir la majorité des droits de vote |
| Top collocates of należy | | |
| należy stwierdzić | it is clear that, it must be concluded that, it must be found that, it should be noted that, it must be stated that, it must be held that, it is clear that, it should be pointed out that | il convient de constater, il convient de conclure que, force est de constater que, il y a lieu de conclure que, il y a lieu de relever que, il échet de constater que, eu égard à, force est de relever, il y a lieu de conclure que |
| należy przypomnieć | it must be observed that, it should be borne in mind that, it will be recalled that, it must be noted that, it must be recalled, it is necessary to recall, it is useful to recall, mention should also be made of | il convient de rappeler que, étant rappelé que, il y a lieu de rappeler que, il importe de rappeler que |
| należy oddalić | must be dismissed in its entirety, must be rejected (plea, claim, question, argument, part), | doit être rejeté (moyen, grief, conclusions en annulation, question, argument, branche) dans son intégralité, doit être écarté, |
| zastrzeżenie to należy oddalić | complaint cannot be accepted | (un grief) il ne saurait prospérer |

| | | |
|---|---|--|
| należy zauważyć | it must be observed that, it should be noted that, the Court notes that, it should be observed that | il convient de relever que, il importe de relever, il importe d'observer que, il y a lieu de relever que, il y a lieu d'observer que, il convient de noter que, il convient d'observer que, il y a lieu de noter que |
| należy uznać | | |
| należy uznać jako | should be regarded as | devraient être considérées comme |
| należy uznać że | it must be held that | il y a lieu de considérer qu'0e |
| należy uznać za niedopuszczalny | must be declared inadmissible | doit être déclaré irrecevable |
| należy uznać za dotyczące | must be regarded as alleging, first, infringement | doivent être regardés comme étant tirés/pris d'une violation des articles 81 |
| należy uznać że | it must be concluded that | il convient de considérer que |
| należy interpretować | | |
| przepis należy interpretować w ten sposób, iż | the provision concerned must be interpreted as | disposition doit être interprétée en ce sens qu'elle |
| należy interpretować w kontekście | since recital 315 must be read in the light of all the | le considérant 315 devant être lu à la lumière de |
| należy interpretować w związku z | must be viewed in conjunction with | doit être lu en relation avec |
| którą należy interpretować jako | taking the form of an indirect horizontal price-fixing agreement | s'interprétant comme un accord |
| Top collocates of powinien | | |
| powinien* być | | |
| powinien być zbadany | must be examined | doit être examiné |
| powinien być wsparty | must be supported by | doit être étayée par |
| powinien być oceniany na podstawie | must be appraised by reference to | doit être appréciée en fonction de |
| powinien być obliczony na bazie | must be calculated on the basis of | doit être calculé sur la base de |
| powinien* był, byli | | |
| powinien był dostarczyć dowody | As the EIB was best placed to provide evidence | Comme la BEI était la mieux placée pour fournir des éléments de preuve |
| powinien* zostać | | |
| powinien zostać otwarty dla | should be opened to | doit être ouvert à |
| powinien zostać obniżony | must be reduced | doit être réduit |

Table 68: Permission and prohibition

| PL | EN | FR |
|--------------------------|--|--|
| Permission modals | | |
| może [may] | it may be that, can, may | il se peut que, peut |
| można [may-imp] | it may be, it is permissible to, it is possible to, can be held liable | il est possible de, il est permis de (demander) la possibilité de, |

| | | |
|--|--|--|
| | for, could be regarded as, may be attributed, to be capable of -ing, could | être susceptible de, pouvoir + inf, imputable à |
| można go uwzględnić | can be (accepted) | peut (être retenu) |
| można jej przypisać odpowiedzialność | can be held liable for | peut être tenue pour responsable |
| środki dowodowe, na które można się powoływać | the evidence that may be relied on in order to | les moyens de preuve qui peuvent être invoqués pour |
| można uznać za | could be regarded as | susceptible d'être considérée comme |
| jaką można nałożyć | may be attributed | pouvant être infligé |
| Phraseological substitutes of permission modals | | |
| przysługuje [is entitled] | | |
| sądowi przysługuje uprawnienie do | the court has the power to | qqch implique que soit reconnu au juge le pouvoir de +inf / dispose d'un pouvoir |
| przysługuje szeroki zakres swobodnego uznania | have a discretion. enjoy a wide discretion | bénéficiaire de/ disposer d'une marge d'appréciation |
| przysługuje prawo [is entitled to a right] | have a right of access to, the right ..extends to any person | |
| przysługuje prawo dostępu | have a right of access to | disposer d'un droit d'accès |
| prawo .. przysługuje każdemu | the right ..extends to any person | le droit s'étend à tout particulier |
| ma prawo [has a right] | to be empowered to, entitled to + verb / noun, may do st | être en droit de, avoir le droit de, peut tenir compte de |
| ma prawo do oceny dowodów | empowered to assess the evidence | avoir le pouvoir d'apprécier les preuves |
| Komisja jest uprawniona do/ma prawo do | the Commission is entitled to | il est légitime pour la Commission de/la Commission est en droit de |
| każdy ma prawo do sprawiedliwego i publicznego rozpatrzenia jego sprawy | everyone is entitled to a fair and public hearing | toute personne a droit à ce que sa cause soit + participe |
| zachowuje prawo [preserves a right] | n.d. | n.d. |
| nabywa prawo [acquires a right] | n.d. | n.d. |
| jest uprawniony [is entitled] | entitled to, authorised to, empowered to | est en droit de, qqn peut, être autorisé à être autorisé à, être habilitée à |
| Komisja jest uprawniona do | the Commission may | qqch permet à la Commission de |
| jest uprawniony do zarządzania | gave sb responsibility for the management | confiant à qqn le soin de gérer |
| jest dozwolony [is allowed] | legitimate (niedozwolony - unlawful, illegal, improper), to be permitted, to be allowed by | légitime (niedozwolony illicite, incorrect), être autorisé, être permis par |
| Prohibition modals and their substitutes | | |
| nie może/nie mogą [may not] | to be unable to | ne pas être en mesure de, ne pas être de nature à |
| jej uzasadnienie nie może wynikać z pisemnych lub ustnych wyjaśnień udzielonych w późniejszym okresie | the reasons on which it is based may not be stated in written or oral explanations given subsequently | sa motivation ne saurait résulter des explications écrites ou orales données ultérieurement |

| | | |
|--|--|---|
| Tak zwięźle i ogólnikowe twierdzenie nie może jednak uzasadniać stwierdzenia nieważności zaskarżonych aktów ze względu na | An assertion which is so succinct and general cannot however be sufficient ground for the annulment of the contested acts on the basis of | Une affirmation aussi brève et générale ne suffit toutefois pas pour justifier l'annulation des actes attaqués pou |
| nie może być postrzegany jako mający | cannot be regarded as having | ne saurait être considéré comme ayant |
| nie może zastąpić | cannot make up for the absence of | ne saurait pallier l'absence |
| nie można [may not imp] | the evidence that may be relied on, cannot be explained by the intention to, it cannot be concluded that, it is not possible to, cannot be accepted, may not be, there is no need to (sic) | il ne saurait être exigé de, il ne saurait être considéré que, ne sauraient être déduites, il n'est pas possible de, ne peut pas être retenu, être interdit, il n'y a pas lieu de |
| nie można zarzucać Komisji uwzględnienia | the Commission cannot be criticised for having taken into account | il ne saurait être reproché à la Commission d'avoir pris en compte |
| nie można wytłumaczyć zamiarem poinformowania nowej osoby o strukturze sprzedaży spółki Chiquita w Portugalii. | cannot be explained by the intention to inform a newcomer of Chiquita's sales structure in Portugal. | ne saurait s'expliquer par l'intention d'informer un nouveau venu de la structure de vente de Chiquita au Portugal. |
| nie można przyjąć, że | It cannot be concluded that | Il ne saurait être conclu que |
| nie wolno [(it) is not allowed-imp] | n.d. | n.d. |
| zabrania się [(one) prohibits] | n.d. | n.d. |
| jest zakazane [it is prohibited] | prohibited (the following shall be prohibited) prohibited by, prohibited (conduct) | interdit (sont interdits tous les accords), interdit par, prohibé (comportement_ |

Table 69: Total right collocates of *może*

| PL | EN | FR |
|---|---|--|
| może być | may be, could be regarded as | peut être, peut être considérées comme [być uznany za] |
| może być rozumiane w ten sposób, że | may be understood as (meaning that) | peut être compris en ce sens que |
| może mieć | may have | peut avoir |
| może mieć antykonkurencyjny cel, | may have an anti-competitive object | peut avoir un objet anticoncurrentiel |
| nie może mieć zastosowania do | this could not apply to | qu'elle ne pouvait s'appliquer à |
| Komisja nie może mieć racji | the Commission cannot properly claim | la Commission ne pourrait prétendre à bon droit |
| może mieć tylko i wyłącznie prawo weta | may have nothing more than veto rights | peut ne détenir rien de plus que des droits de veto |
| może mieć wpływ | [a breach] such as to affect | de nature à affecter |
| może mieć znaczenie tylko i wyłącznie | can only be of relevance for -ing | ne peut avoir d'importance que pour |
| może zostać | | |
| może zostać uznane za | could be categorised as | peut être qualifiée de restriction de |

| | | |
|---|---|---|
| może zostać podniesione stwierdzenie przez Komisję naruszenia | infringement may be invoked | de l'infraction dans le chef d'une société est susceptible d'être invoqué |
| może zostać uznane za mające na celu | may be regarded as having a restrictive object | qqch peut être considéré comme ayant un objectif |
| może zostać wykazane | sth can be demonstrated | il est possible de démontrer |
| może zostać obalone | may be rebutted | peut être renversée |
| może stanowić | | |
| może stanowić naruszenie | can infringe Article 81 | peuvent violer l'article 81 |
| może stanowić naruszenie | may constitute an infringement | peut constituer une infraction |
| może stanowić informację o | can constitute an indication of | peut constituer une indication de |
| może stanowić wskazówkę | which gives an indication of | être nature à donner une indication |
| może powoływać | | |
| skarżąca nie może powoływać się na uzasadnienie wyroku | applicant may not rely on the grounds of the judgment | la requérante ne saurait se prévaloir de la motivation de |
| może powołać się na okoliczności faktyczne | may rely on factual circumstances | peut se prévaloir de circonstances factuelles |
| powoływać się na okoliczność, że | rely on the fact that | invoker le fait que |

Table 70: The -no/-to pattern and its top colligations

| PL | EN | FR |
|----------------------------|--|-------------------------------------|
| wskazano | | |
| co wskazano w pkt 24 | as suggested in point 24 | comme suggéré au paragraphe 24 |
| jak wskazano w | as already indicated in | qu'il a déjà été indiqué à |
| w którym wskazano | in which it is stated that | dans lequel il est indiqué que |
| wskazano w niej | It is specified therein that | Il y est précisé que |
| Jak już wskazano w pkt | As noted at paragraph | Ainsi qu'il a été constaté au point |
| jak wskazano w motywie 155 | as observed at recital 155 | comme relevé au considérant 155 de |
| winno | | |
| winno dostarczyć | must provide | doit apporter |
| winno zostać uznane za | must be classified as | doit en principe être qualifié de |
| winno wykazać, iż | must establish that | doit établir que |
| winno być przedmiotem | should be subject to | devoir faire l'objet de |
| winno być postrzegane jako | had to be regarded a | devoir être considérées comme |
| winno być skierowane do | the statement of objections must be addressed to | doit être adressée à |
| przypomniano | | |
| przypomniano mu | was reminded that | il a été rappelé que |
| porzypomniano w pkt | it has been stated in/ noted in | il a déjà été rappelé au point |

| jak przypomniano | as observed at | comme il a été rappelé au point/ telles que rappelées au point |
|---|--|---|
| wszczęto | | |
| gdyby wszczęto względem niej dochodzenie przed skierowaniem do niej pisma w sprawie przedstawienia zarzutów | if a measure of investigation had been addressed to it before the statement of objections | si une mesure d'enquête lui avait été adressée avant la communication des griefs |
| przyjęto | | |
| przyjęto znaczenie cen referencyjnych | (quotation prices) attributed in | (prix de référence) retenue dans |
| przyjęto ogólnie | it was generally assumed | il était généralement admis |
| przyjęto, że | it is established that | il est acquis que |
| zaokrąglony w dół, przez co do obliczenia przyjęto okres ośmiu miesięcy | rounded down to 8 months/ the calculation was based on 8 months | arrondie à la baisse, en sorte que le calcul a porté sur huit mois |
| kiedy przejęto ustawę z 2003 roku | the date of the adoption of the 2003 Law | date d'adoption de la loi de 2003 |
| wykryto | | |
| wykryto około 150 pism tego rodzaju | A sample of around 150 such letters have been identified as | Un échantillon de quelque 150 lettres de ce type a été identifié comme |
| ustalono | | |
| ustalono, że | (an agreement) had been reached | il avait (a) été convenu de |
| Dla Ruhrgas ustalono pewną liczbę punktów wyjścia | A certain number of outlet points from the MEGAL gas pipeline were established in respect of Ruhrgas | Un certain nombre de points de sortie du gazoduc MEGAL ont été fixés pour Ruhrgas |
| jak ustalono w pkt 61-76 powyżej | as set out in paragraphs 61 to 76 above | ainsi qu'il a été exposé aux points 61 à 76 |
| nawet jeśli ustalono | even if it is established that | même s'il est établi que |
| sporządzono | | |
| notatkę sporządzono w ramach przygotowań do | note produced in preparation of | la note produite en préparation de |
| przestarzałe w dniu, w którym sporządzono faks | letteres were obsolete on the date of the fax | (lettres avaient] un caractère obsolète à la date de la télécopie |
| wydano | | |
| w sprawie, w której wydano ww. w pkt 8 wyrok | the case giving rise to the judgment in CNOP and CCG | dans le cadre de l'affaire ayant donné lieu à l'arrêt CNOP et CCG/Commission |
| dokonano | | |
| na pismo w sprawie przedstawienia zarzutów, w którym dokonano wyraźnego rozróżnienia | the statement of objections, which expressly distinguished | communication des griefs, laquelle distinguait expressément |
| nie dokonano żadnego innego dostosowania | No other adjustment was made for | Aucun autre ajustement n'a eu lieu |
| w notatkach dokonano porównania | the notes make a price comparison | les notes établissaient une comparaison |

| | | |
|--|---|---|
| dokonano naruszeń | the infringements were committed | les infractions ont été commises |
| dokonano już badania szeregu zarzutów lub argumentów | a number of pleas or arguments have already been examined | il a déjà été procédé à l'examen (de plusieurs moyens ou arguments) |
| art. 1 zaskarżonej decyzji dokonano rozróżnienia między stwierdzono | the contested decision makes a distinction between | la décision attaquée opère une distinction entre |
| stwierdzono w nich | Those indicate that (studies) | Il y est indiqué que |
| jak stwierdzono w motywie 352 | as stated in recital 352 | comme indiqué au considérant 352 |
| stwierdzono, że | there is reference to the fact that/ it is stated that/ as was stated in | il est mentionné que / il est indiqué que / il est affirmé/a été constaté au point que |
| pisma klientów, co do których stwierdzono, że | the letters from customers which have been found to | des lettres de clients dont il a été constaté (voir point 341 ci-dessus) qu'elles |
| czego nie stwierdzono w przypadku | which is not even claimed with regard to | ce qui n'est pas même allégué s'agissant de |
| W zaskarżonej decyzji wyraźnie stwierdzono (motywy 399, 400), że | It is clearly stated in the contested decision (recitals 399 and 400) that | il est clairement précisé dans la décision attaquée (considérants 399 et 400)) |
| stwierdzono już (zob. pkt 163 powyżej), że | it has already been observed (see paragraph 163 above) that | il a déjà été relevé (voir point 163 supra) que |
| jak stwierdzono w pkt 57 powyżej | as observed at paragraph | comme il a été exposé au point |
| ponieważ stwierdzono w nim | in that it asserts that | en ce que celle-ci affirme que |
| w odrębnej notatce dotyczącej tej wiadomości stwierdzono, co następuje | A handwritten note relating to that e-mail stated that | Une note manuscrite concernant ce courriel indiquait ce qui suit |
| w zakresie, w jakim stwierdzono w nim, że | in so far as it finds that | en ce qu' il constate que |
| ogłoszono | | |
| Wyrok ogłoszono na posiedzeniu jawnym | Delivered in open court | Ainsi prononcé en audience publique à |
| zawarto | | |
| w aktach tych zawarto poważne oskarżenia o popełnienie poważnych przestępstw | those acts include allegations of serious criminal misconduct | ces actes comporteraient des accusations d'agissements criminels grave |
| gdyby zaś zawarto jakiegokolwiek porozumienie | If any supply-sharing agreement had been reached | si un quelconque accord de répartition de l'approvisionnement avait été conclu |
| na spotkaniu tym zawarto porozumienie dotyczące ceny gaczu | an agreement relating to the price of slack wax had been concluded | un accord concernant le prix du gatsch y avait été conclu |

Table 71: Impersonal and passive variants of stosować [to apply]

| PL | EN | FR |
|---|----|----|
| Impersonal and passive variants of stosować [to apply] [appliquer] | | |
| stосуje, stosują [apply-3sg/pl] | | |

| | | |
|--|---|--|
| stosuje utrwalone orzecznictwo | go on on to apply settled case-law | faire application d'une jurisprudence constante |
| stosuje zasadniczo instrukcje | carries out , in all material respects, the instructions | appliquer pour l'essentiel les instructions |
| nakłada na Komisję obowiązek stosowania w stosunku do przedsiębiorstw tych samych reguł , które stosuje w stosunku do siebie samej | requires that the Commission apply to undertakings the rules which it applies to itself | imposerait à la Commission d'appliquer aux entreprises les règles qu'elle s'applique à elle-même |
| stosuje preferencyjne traktowanie wobec | afforded favourable treatment to | réserver un traitement favorable à |
| stosuje się [(one) applies-mid] | | |
| umowami o dostawy, w których stosuje się formułę cenową | long-term supply agreements applying a fixed price formula | accords d'approvisionnement à long terme appliquant une formule de prix fixe |
| stosuje się zasadniczo do instrukcji | carries out , in all material respects, the instructions | appliquer pour l'essentiel les instructions |
| nie stosuje się , jeśli | the first paragraph is not to apply when | (ne pas) s'appliquer lorsque |
| stosuje się do | apply to | s'appliquer à |
| stosuje się odpowiednio [(one) applies-mid accordingly] | n.d. | n.d. |
| stosowane [applied-pp] | | |
| ceny rzeczywiście stosowane na rynku | prices actually charged on a market | les prix effectivement pratiqués sur un marché |
| ceny stosowane przez spółkę Del Monte | the Del Monte prices | prix de Del Monte |
| ceny stosowane przez podmioty gospodarcze | operators' pricing behaviour | les prix pratiqués par les opérateurs |
| określenie stosowane przez grupę Shell wobec przedsiębiorstw | the label Shell was using to refer to the companies | le nom que Shell donnait aux entreprises |
| ceny gaczu parafinowego stosowane w sektorze | the prices for slack wax used in the particle board industry | les prix du gatsch utilisé dans le secteur de |
| jak w przypadku wcześniejszej praktyki administracyjnej Komisji stosowanej do chwili wydania decyzji | as was the case in the Commission's practice in taking decisions before the adoption of | cela a été le cas dans la pratique décisionnelle de la Commission ant, ériueure à l'adoption de la décision |
| konstrukcjom takim jak stosowane przez Labco | mechanisms such as those adopted by Labco | montages comme ceux adoptés par Labco |
| struktury zastosowanej przez Unilabs | the structure used by Unilabs | la structure utilisée par Unilabs |
| ceny stosowane wobec pewnego niemieckiego klienta | the prices charged to a German customer | les prix appliqués/ pratiqué vis-à-vis d'un client |
| podwyżki cen stosowane wobec | the price increases applied in full vis-à-vis customers | les hausses de prix appliquées vis-à-vis de |
| jest stosowane [is applied-pass] | | |
| środki ograniczające mają być stosowane zgodnie z | restrictions are to apply as provided for in | les restrictions doivent s'appliquer conformément à |
| reguły konkurencji są skutecznie stosowane | ensure the effective application of the competition rules | assurer une application efficace des règles de la concurrence |
| jest bezpośrednio stosowane [is directly applied-mid] | | |

| | | |
|---|---|---|
| Nieniejsze rozporządzenie jest bezpośrednio stosowane we wszystkich państwach członkowskich | This Regulation shall be directly applicable in all Member States | Le présent règlement est directement applicable dans tout État membre |
|---|---|---|

Table 72: Top L1 collocates of się

| PL | EN | FR |
|---|---|--|
| Top collocates | | |
| odnosi | | |
| prawo odnosi się do | law refers to | le droit vise qqch |
| skarżąca odnosi się do art. 9 | the applicant mentions clause 9(3) of | la requérante mentionne l'article 9 |
| to ostatnie twierdzenie odnosi się nie tylko do | it must be noted that that last consideration is not relevant only to | cette dernière considération n'est pas seulement pertinente pour |
| Komisja odnosi się do niewielu przypadków | the Commission refers to incidents | la Commission cite quelques cas |
| skarżąca odnosi się do różnych dowodów | the applicant relies on various pieces of documentary evidence | la requérante fait état de différentes preuves documentaires |
| kwestia do której Komisja wyrażne odnosi się w swej analizie | the issue which is clearly referred to by the Commission in its analysis of | la question laquelle est clairement évoquée par la Commission dans son analyse |
| To samo odnosi się do sytuacji | That is the case where | il en va ainsi lorsque |
| ponieważ odnosi się do sytuacji typowych dla | in so far as it covers typical situations | dans la mesure où elle recouvre des situations caractéristiques |
| notatka nie odnosi się do | the note does not relate to | la note ne concerne pas |
| To samo odnosi się do odpowiedzi | The same applies to | Il en va de même pour la réponse |
| wzmianka odnosi się do | the reference relates to | la mention se rapporte à |
| to samo odnosi się do | The same is true as regards | Il en va de même s'agissant de |
| odnosi się ona do | it refers to | elle se réfère à |
| opiera | | |
| oświadczenie opiera się o | statement is based on | la déclaration repose sur |
| Komisja opiera się o | when the Commission relies on | la Commission s'appuie sur |
| oświadczenie Komisji opiera się na niekompletnej analizie | statement by the Commission is based on | déclaration de la Commission procède d'une analyse |
| Argumentacja Komisji opiera się zatem na | arguments are based on | L'argumentation de la Commission est donc fondée sur |
| zarzut oparty na naruszeniu prawa do obrony opiera się na | the plea alleging breach of its rights of defence being founded on | le moyen tiré de la violation des droits de la défense étant fondé sur |
| Zarzut ten nie opiera się na | The complaint is not based on | Ce grief ne se fonde pas sur |
| Komisja opiera się na domniemaniu wywierania decydującego wpływu | the Commission relies on the presumption of the exercise of decisive influence | la Commission se fonde sur la présomption d'exercice d'une influence déterminante |

| | | |
|---|---|--|
| całościowej oceny zbioru poszlak, na jakich opiera się Komisja | the Commission bases its decision solely on the overall assessment of the set of indicia put forward by the Commission | l'appréciation globale du faisceau d'indices invoqués par la Commission |
| powołuje | | |
| okoliczności faktyczne, na które strona powołuje się | the factual evidence on which a party relies | les éléments factuels qu'une partie invoque |
| skarżącej, która powołuje się na bezskuteczność niektórych postanowień umowy spółki, | or the applicant, which relies on the ineffectiveness of certain clauses of the partnership agreement | la requérante, qui invoque l'absence d'effectivité de certaines clauses de l'accord d'association |
| powołuje się na | refer to | faire état de |
| Komisja powołuje się na | the Commission relies on | la Commission évoque/ s'appuie sur |
| skarżąca powołuje się na | the applicant refers to | La requérante se réfère à/ fait référence à/ invoque |
| Skarżąca podnosi, iż z uzasadnienia, na które – w motywach 400–404 zaskarżonej decyzji – powołuje się Komisja w celu oddalenia przedstawionego przez nią zbioru poszlak | The applicant claims that the grounds set out by the Commission at recitals 400 to 404 to the contested decision for rejecting the elements of the body of indicia | La requérante fait valoir que les motifs exposés par la Commission, aux considérants 400 à 404 de la décision attaquée, pour rejeter les éléments du faisceau d'indices |
| okoliczności, na które powołuje się skarżąca | the circumstances which the applicant plead | les circonstances avancées par la requérante |
| skarżąca powołuje się także na dokumenty | the applicant also intends to refer to the documents mentioned in paragraphs 168 to 178 above | la requérante entend également se référer à |

Table 73: Patterns used in definitions

| PL | EN | FR |
|--|---|--|
| rozumie się [(one) understands-mid] | n.d. | n.d. |
| należy (przez to) rozumieć [(one) should understand (by that)] | | |
| należy rozumieć jako oznaczające | must be understood as designating/meaning | doit être compris comme désignant/signifiant |
| To w świetle tych uwag należy rozumieć pkt 23 wytycznych | Point 23 of the Guidelines must be read in the light of those considerations | C'est au regard de ces considérations qu' il convient de lire le paragraphe 23 des lignes directrices |
| pojęcie sprzedaży świeżych bananów należy rozumieć jako sprzedaż bananów | sales of fresh bananas are defined as sales of bananas minus... | les ventes de bananes fraîches se définissent comme étant les ventes de bananes |
| należy rozumieć jako odwołanie się przez skarżące do | must be understood as meaning that | doit être compris en ce sens que |
| Właśnie w ten sposób należy rozumieć stwierdzenie | it is in that light that the statement in Barge v High Authority, is to be understood as meaning | C'est ainsi qu'il convient de comprendre .. |

| | | |
|---|---|--|
| termin (..) należy rozumieć wyłącznie jako | the word 'discount' can mean only/ must be understood to be | le terme (..) ne peut vouloir dire que/devrait être comprise comme |
| oznacza/oznaczają [(it) means/(they) mean] | | |
| Pojęcie uzgodnionej praktyki oznacza pewien rodzaj | The concept of a concerted practice refers to | La notion de pratique concertée vise une forme |
| strzałka przed ceną oznacza istnienie | the arrow preceding the price figure points to | une flèche précédant le prix indique l'existence |
| Kontrola przewidziana traktatami oznacza zatem, że | the review provided for in the Treaties therefore implies that | Le contrôle prévu par les traités implique donc que |
| pojęcie kontroli nie oznacza rzeczywistego wywierania decydującego wpływu | the concept of control does not signify the actual exercise of | la notion de contrôle n'implique pas un exercice effectif de |
| warunek ten oznacza | that condition amounts to | cette stipulation équivalait à un |
| uzgodniona praktyka oznacza pewien rodzaj koordynacji pomiędzy | a concerted practice refers to a form of coordination between | une pratique concertée vise une forme de coordination entre |
| wyrażenie to oznacza, że | That expression means that | cette expression signifie que |
| tego rodzaju grzywna oznacza dwukrotne nałożenie kary | such a fine resulted in its being penalised twice | une telle amende aboutissait à la sanctionner deux fois |
| za X uważa się [as X, (one) regards mid] | | |
| każdego oskarżonego o popełnienie czynu zagrożonego karą uważa się za niewinnego do czasu udowodnienia mu winy zgodnie z ustawą | every person accused is presumed to be innocent until his guilt has been established according to law | toute personne accusée est présumée innocente jusqu'à ce que sa culpabilité ait été légalement établie |
| oświadczenie takie co do zasady uważa się za wystarczające | declaration is, as a general rule, deemed to be sufficiently reliable | déclaration est, en principe, considérée comme suffisamment fiable |
| do celów (dyrektywy, rozporządzenia, art.) [for purposes (of the directive, regulation, article)] | in order to, in relation to, for the purposes of, | aux fins de + qqch / inf |
| do celów zastosowania art. 81 WE | for the purposes of the application of Article 81 [EC] | pour les besoins de l'application de l'article 81 CE |
| nie powinny być wykorzystywane do celów innych niż wymienione w upoważnieniu | not be used for purposes other than those specified in the order | être utilisé dans des buts autres que ceux indiqués dans le mandat |
| wykorzystanie tych dokumentów do celów administracyjnych | use those documents for administrative purposes | utiliser lesdits documents à des fins administratives |
| wykorzystania do celów dochodzenia w zakresie prawa konkurencji | for the purposes of a competition law investigation | aux fins d'une enquête en matière de droit de la concurrence |
| nie powinny być nieproporcjonalne w stosunku do celów | must not be disproportionate to the objectives pursued | ne doivent pas être démesurées par rapport aux objectifs visés |
| stanowi istotne kryterium do celów ustalenia zakresu | a relevant criterion for the purposes of determining scope of | un critère pertinent aux fins de la détermination de la portée de |
| do celów wydania niniejszego wyroku | for the purposes of the judgment | aux fins de l'arrêt |

| | | | |
|---|--|---|--|
| »dokumenty« prowadzonych negocjacji z | do przez nich | get “documents” for their negotiations with | des ‘documents’ pour leurs négociations avec |
|---|--|---|--|

Table 74: Parataxis

| PL | EN | FR |
|--|---|--|
| Additive coordinating conjunctions | | |
| *, a (excl. A także)[*, and] | | |
| sformułowanie użyte w wiadomości elektronicznej, a mianowicie wyrażenie „Tydzień 15 | the wording used in the e-mail, namely the phrase ‘Week 15 | la formulation employée dans le courriel, à savoir l’expression «Semaine 15 |
| że informacje dotyczące prognoz cen Chiquity pochodziły od samej Chiquity, a nie od pewnych klientów | the information on Chiquita’s prices came from Chiquita itself and not from customers | les informations sur les prévisions de prix de Chiquita provenaient de Chiquita elle-même et non de certains clients |
| Komisja w całkowicie błędny sposób interpretuje oświadczenia spółki Chiquita, a w szczególności oświadczenia złożone przez pana C1 | misrepresents Chiquita’s statements and especially those of Mr C1 | la Commission interprète de manière totalement erronée les déclarations de Chiquita et spécialement celles de M. C1 |
| produkcji, transportu, dystrybucji i dostawy energii, a zwłaszcza gazu ziemnego i energii elektrycznej | as well as, and, distributes and supplies energy, mainly natural gas and electricity | ainsi que, et, distribue et fournit de l’énergie, essentiellement du gaz naturel et de l’électricité |
| w dniu, w którym gazociąg MEGAL został oddany do użytku, a mianowicie w dniu 1 stycznia 1980 r | the date on which the MEGAL gas pipeline became operational, namely 1 January 1980 | la date à laquelle le gazoduc MEGAL était devenu opérationnel, à savoir le 1er janvier 1980 |
| analiza treści porozumienia nie wskazuje na wystarczający stopień szkodliwości dla konkurencji, należy wówczas zbadać jego skutki, a do objęcia go zakazem wymagane jest spełnienie przesłanek, które wskazują na faktyczne zapobieżenie, ograniczenie lub zakłócenie konkurencji w odczuwalny sposób | the analysis of the content of the agreement does not reveal a sufficient degree of harm to competition, the effects of the agreement should then be considered and, for it to be caught by the prohibition, it is necessary that factors are present which show that competition has in fact been prevented, restricted or distorted to an appreciable extent | analyse de la teneur de l’accord ne révélerait pas un degré suffisant de nocivité à l’égard de la concurrence, il conviendrait alors d’en examiner les effets et, pour le frapper d’interdiction, d’exiger la réunion des éléments établissant que le jeu de la concurrence a été, en fait, soit empêché, soit restreint, soit faussé de façon sensible |
| braku wykazania konkurencji, choćby potencjalnej, na rynku francuskim w 1975 r., a nawet przed 2000 r. | failure to demonstrate competition, even potential, on the French market in 1975, or even prior to 2000 | en l’absence d’une démonstration de concurrence, même potentielle, sur le marché français en 1975, voire même avant 2000 |
| Mimo że francuski rynek gazu miał zmonopolizowaną postać, to jednak istniał, a brak konkurencji na tym rynku będący skutkiem istnienia monopolu nie jest równoznaczny z brakiem istnienia tego rynku | thus, even in a monopolistic form, the French market for gas did indeed exist, and the absence of competition on the market because of the existence of a monopoly does not mean that there was no market. | Ainsi, même sous une forme monopolistique, le marché français du gaz existait bel et bien, l’absence de concurrence sur ce marché en raison de l’existence d’un |

| | | |
|---|---|--|
| | | monopole n'induisant pas l'absence de marché |
| zarówno... (jak i...) [both... (and)] | | |
| sąd Unii sprawuje kontrolę pod względem zarówno prawnym, jak i faktycznym | the Union judicature exercises a review of both law and fact | le juge de l'Union exerce un contrôle tant de droit que de fait |
| zarówno w stosunku do rzeczywistego czasu uczestnictwa skarżącej w kartelu, jak i w porównaniu ze sposobem, w jaki potraktowani zostali inni uczestnicy. | both by comparison with the actual duration of the applicant's participation in the cartel and in the light of the treatment of the other participants. | tant par rapport à la durée effective de la participation de la requérante à l'entente qu'au regard du traitement réservé à d'autres participants. |
| zarówno celem, jak i skutkiem kartelu cenowego było poważne ograniczenie konkurencji | the collusion on prices had both as its object and as its effect a serious restriction of competition | la collusion sur les prix a eu tant pour objet que pour effet une grave restriction de la concurrence |
| zarówno pod względem faktycznym, jak i prawnym | both de lege and de facto/ both in fact and in law | tant en fait qu'en droit |
| zarówno na podstawie wyciągów rozmów telefonicznych odbytych przez pracownika spółki Chiquita za pomocą telefonu stacjonarnego, świadczących o tym, że to on inicjował połączenia ze spółką Dole, jak i na podstawie złożonych (...) oświadczeń | on the basis of phone records from the fixed line of a Chiquita employee, revealing only outgoing calls to Dole, but also on the basis of | à partir des relevés téléphoniques de la ligne fixe d'un salarié de Chiquita, révélant uniquement les appels sortants vers Dole, mais aussi des déclarations |
| odpowiedziały zarówno na wysłane przez Komisję żądania udzielenia informacji, jak i na pismo w sprawie przedstawienia zarzutów. | the undertakings in question replied to requests for information and to the statement of objections sent by the Commission | ont répondu à des demandes de renseignements ainsi qu'à à la communication des griefs adressées par la Commission |
| zarówno w środy, jak i w czwartkowe poranki | on both Wednesdays and on Thursday mornings | à la fois le mercredi et le jeudi matin |
| cena referencyjna (zarówno zielona, jak i żółta] | the quotation price (whether green or yellow) | que le prix de référence (qu'il soit vert ou jaune) |
| spółki zarówno Dole, jak i Weichert | in fact both Dole and Weichert | Dole et Weichert [avaient] toutes deux |
| dotyczące tej sytuacji oświadczenia zarówno adwokatów Chiquity, jak i , a nawet przede wszystkim, samego pana C1 | the statements of Chiquita's lawyers and , especially, of Mr C1 himself | Les déclarations aussi bien des avocats de Chiquita que , et surtout, de M. C |
| a także [and also] | | |
| a także w świetle orzecznictwa | and in the light of the case-law | ainsi qu'à la lumière de la jurisprudence |
| a także | or even | voire |
| a także nadużycia władzy | and also misuse of powers | ainsi que d'un détournement de pouvoir |
| a także (excl. A także mając na uwadze, co następuje [and also having regard to what follows]) | | |

| | | |
|--|---|--|
| jak również [as well as] | | |
| okoliczności jego wydania, jak również całość przepisów prawa regulujących daną dziedzinę | to its context and to all the legal rules governing the matter in question | de son contexte ainsi que de l'ensemble des règles juridiques (régissant la matière concernée) |
| Kontrola ta obejmuje ocenę (...), jak również zbadanie | That review extends to the assessment of (...) and to the verification of | Ce contrôle s'étend à l'appréciation des (...) de même qu' à la vérification des |
| będąca europejską grupą laboratoriów działającą głównie we Francji i w Hiszpanii, jak również w szeregu innych państw | European group of laboratories active in particular in France and Spain, and also in a number of other European countries | un groupe européen de laboratoires actif en particulier en France et en Espagne, ainsi que dans |
| jak również zbadać zakres zastrzeżeń | and also to examine the scope of the complaints | ainsi que d'examiner la portée des griefs |
| Alternative coordinators | | |
| i/lub [and/or] | | |
| porozumień horyzontalnych dotyczących ustalania cen [i/lub] podziału rynku | price-fixing [and/or] market-sharing agreements | de fixation de prix [et/ou] , de répartition de marchés» |
| albo [or - exclusive disjunction] | | |
| ceny mogą zmieniać się w ujęciu tygodniowym nawet o 1 lub 2 EUR albo o 0,25 EUR lub mniej | the prices could fluctuate on a weekly basis by as much as EUR 1 or 2 or as little as EUR 0.25 or less | les prix pouvaient fluctuer sur une base hebdomadaire jusqu'à 1 ou 2 euros ou fluctuer de 0,25 euro ou moins |
| ustalaniu w sposób bezpośredni lub pośredni cen zakupu lub sprzedaży albo innych warunków transakcji | concerted practices may have an anti-competitive object if they 'directly or indirectly fix purchase or selling prices or any other trading conditions | «fixer de façon directe ou indirecte les prix d'achat ou de vente ou d'autres conditions de transaction» |
| Udzielana przez spółkę Chiquita odpowiedź mogła być albo oświadczeniem w rodzaju 'wydaje się to rozsądne' czy też 'zobaczymy, co zrobimy' | the response of Chiquita could be either a statement like 'that sounds reasonable' or like 'we will see what we will do | La réponse de Chiquita pouvait être soit une déclaration du style 'cela semble raisonnable' ou 'nous verrons ce que nous ferons' |
| Sąd, może postanowić, że koszty zostaną rozdzielone albo że każda ze stron poniesie własne koszty | the Court may order that costs be shared or that the parties bear their own costs | le Tribunal peut répartir les dépens ou décider que chaque partie supporte ses propres dépens |
| przygotowane albo podczas danego spotkania technicznego, albo po nim | made either at a particular Technical Meeting or shortly afterwards | préparées soit lors d'une réunion technique particulière, soit peu après |
| nie tylko z pojedynczego czynu, lecz także z serii czynów albo z zachowania o charakterze ciągłym | EC may result not only from an isolated act but also from a series of acts or from continuous conduct | CE peut résulter non seulement d'un acte isolé, mais également d'une série d'actes ou bien encore d'un comportement continu |
| każda zmiana zaistniała po wydaniu decyzji w sprawie pozwolenia, dotycząca albo osoby dyrektora lub zastępcy dyrektora, albo warunków operacyjnych | [a]ny change subsequent to the authorisation decision, either in the person of a director or deputy director, or in the operating conditions | [t]oute modification survenue postérieurement à la décision d'autorisation soit dans la personne d'un directeur ou d'un directeur adjoint, soit dans les conditions d'exploitation |

| | | |
|--|---|--|
| albo w celu wpisania nowej spółki, albo na skutek zmian jej struktur | either for their entry or following a change in their structure | soit pour leur inscription, soit à la suite d'une modification de leur structure |
| Artykuł L 6221-8 CSP przewiduje, że nieprzekazanie umów, aneksów i statutów, o których mowa w art. L 6221-4 i L 6221-5 CSP, albo przekazanie ich w postaci niezgodnej z prawdą | Article L 6221-8 of the CSP provides that failure to communicate the contracts, any amendments thereto or the statutes referred to in Articles L 6221-4 and L 6221-5 of the CSP, or any untruthful communication thereof | L'article L 6221-8 du CSP prévoit que le défaut de communication ou la communication mensongère des contrats |
| байд [either... (or...), exclusive disjunction] | | |
| nie mają związku z przedmiotem sprawy, nie mają znaczenia байд są wyraźnie drugorzędne | are manifestly irrelevant or insignificant or plainly of secondary importance | manifestement hors de propos, dépourvus de signification ou clairement secondaires |
| stoi on na przeszkodzie wszelkim kontaktom między tymi podmiotami gospodarczymi, tak bezpośrednim jak i pośrednim, które mogłyby wywrzeć wpływ na [zachowanie] aktualnego lub potencjalnego konkurenta na rynku байд ujawnić temu konkurentowi [zachowanie] | contact between such operators by which an undertaking may influence the conduct on the market of its actual or potential competitors or disclose to them its decisions or intentions concerning its own conduct on the market | prise de contact direct ou indirect entre de tels opérateurs de nature soit à influencer le comportement sur le marché d'un concurrent actuel ou potentiel, soit à dévoiler à un tel concurrent le comportement que |
| mogły być wynikiem albo cotygodniowych negocjacji przeprowadzanych w praktyce w czwartki po południu i piątki (lub w następnych dniach bieżącego tygodnia байд na początku kolejnego tygodnia), albo wdrożenia umów dostawy | the result either of negotiations taking place on a weekly basis, in fact between Thursday afternoon and Friday (or later in the current week or at the beginning of the following week), or of the implementation of supply contracts with pre-established pricing formulae | résulter soit de négociations ayant lieu sur une base hebdomadaire, en l'occurrence le jeudi après-midi et le vendredi (ou plus tard dans la semaine en cours ou au début de la semaine suivante), soit de la mise en œuvre de contrats |
| sporządzone in tempore non suspecto байд niedługo po każdym spotkaniu technicznym | drawn up in tempore non suspecto, shortly after each technical meeting | ayant été rédigés in tempore non suspecto, soit peu après chaque réunion technique |
| Adversative coordinators | | |
| lecz [but-form] | | |
| spółka Dole zakwestionowała fakt, że doszło do jakiegokolwiek naruszenia, lecz nie powołała się ona w tym względzie na jakąkolwiek istotną różnicę w | Dole contested the existence of any infringement, but did not in any way, to that end, claim that there was a substantial difference in | Dole a contesté l'existence de toute infraction, mais elle n'a, à cette fin, aucunement allégué une différence substantielle de mode de commercialisation de |
| mogli czasem powiedzieć, że spodziewali się tego, iż ceny wzrosną o 1 EUR czy też 50 centymów, lecz nigdy nie zawarto żadnego porozumienia w przedmiocie podwyżek cen], | might sometimes say that they expected prices to go up by 1 Euro or 50 cents, but no agreement on a price increase ever existed, always 'true' not only for the 'coming week green' but also for | pouvait parfois dire qu'ils s'attendaient à ce que les prix montent d'un euro ou de 50 centimes, mais [qu']aucun accord sur une augmentation de prix n'a jamais existé |
| nie tylko w odniesieniu do „kolejnego tygodnia bananów zielonych”, lecz również | not only for the 'coming week green' but also for | non seulement pour la «semaine à venir verte», mais aussi pour |

| | | |
|---|--|---|
| nie są to wspólne dokumenty ani korespondencja między zainteresowanymi przedsiębiorstwami, lecz dokumenty wewnętrzne | are not documents common to or exchanged by the undertakings in question, but internal documents | ne sont pas des documents communs ou échangés entre les entreprises en cause, mais |
| Stwierdzenie to odnosi się bowiem nie do charakteru, lecz do skutków ograniczeń | that finding relates to the effects of the restrictions and not to their nature | ce constat concerne leurs effets et non leur nature |
| charakter nie kumulatywny, lecz alternatywny | not cumulative but alternative conditions | non cumulatives, mais alternative |
| Komisja mogła, nie popełniając przy tym błędu, oprzeć się na tych trzech dokumentach, aby uznać na ich podstawie, że zasadniczo skarżąca miała świadomość bezprawnego charakteru porozumienia, lecz mimo to nadal się do niego stosowała | the Commission did not err in relying on those three documents in reaching the view, in essence, on that basis, that the applicant was aware of the unlawful nature of the agreement but that it continued to comply with it | c'est sans commettre d'erreur que la Commission a pu se fonder sur ces trois documents pour estimer, en substance, sur la base de ceux-ci, que la requérante avait connaissance du caractère illicite de l'accord, mais qu' elle continuait de s'y conformer |
| nie wskazano w nim bynajmniej, że zainteresowane przedsiębiorstwa uważały pisma Direktion G i Direktion I za będące już przestarzałymi, lecz ograniczono się do stwierdzenia, że przedsiębiorstwa te uważają, iż | far from stating that the undertakings in question regarded the Direktion G and Direktion I letters as already obsolete, the fax that E.ON sent to the applicant on 7 January 2002 merely states that those undertakings envisaged that those letters would be obsolete in the context of | loin d'indiquer que les entreprises en cause considéraient les lettres Direktion G et Direktion I comme étant d'ores et déjà obsolètes, la télécopie qu'E.ON a adressée à la requérante le 7 janvier 2002 se borne à indiquer que ces entreprises envisageaient le caractère obsolète de ces lettres dans le contexte de |
| uzgodniona praktyka oznacza pewien rodzaj koordynacji pomiędzy przedsiębiorstwami, która wprawdzie nie prowadzi jeszcze do zawarcia umowy we właściwym tego słowa znaczeniu, lecz pozwala świadomie zastąpić konkurencję | a concerted practice refers to a form of coordination between undertakings which, without having reached the stage where an agreement properly so called has been concluded, knowingly substitutes practical cooperation between them for the risks of competition | une pratique concertée vise une forme de coordination entre entreprises qui, sans avoir été poussée jusqu'à la réalisation d'une convention proprement dite, substitue sciemment une coopération pratique entre elles aux risques de la concurrence |
| ale [but] | | |
| czego Komisja nie kwestionuje, ale też nie wyciąga na tej podstawie żadnych wniosków w przedmiocie tego | fact that the Commission does not contest, but from which it does not draw the appropriate conclusions | fait que la Commission ne conteste pas, mais dont elle ne tire pas les conséquences |
| Komisja jest uprawniona do skierowania decyzji nakładającej grzywny na spółkę dominującą nie ze względu na okoliczność, iż spółka dominująca nakłaniała swoją spółkę zależną do popełnienia naruszenia, ani tym bardziej z uwagi na udział spółki dominującej w naruszeniu, ale ze | is therefore not because of a relationship between the parent company and its subsidiary in instigating the infringement or, a fortiori, because the parent company is involved in the infringement, but because they constitute a single undertaking within the meaning of Article 81 | Ce n'est donc pas une relation d'instigation relative à l'infraction entre la société mère et sa filiale ni, à plus forte raison, une implication de la première dans ladite infraction, mais le fait qu' elles constituent une seule entreprise au sens de l'article 81 CE qui |

| | | |
|---|--|--|
| względu na to, że stanowią one jedno przedsiębiorstwo w rozumieniu art. 81 WE | EC that the Commission may address a decision imposing fines to the parent company | permet à la Commission d'adresser une décision imposant des amendes à la société mère |
| nie tylko podejmowanie strategicznych decyzji we wspólnym przedsiębiorstwie, ale także zarządzanie bieżącymi sprawami | not only the strategic decision-taking inside the joint venture, but also the day-to-day management | non seulement la prise des décisions stratégiques au sein de l'entreprise commune, mais aussi la gestion des affaires courante |
| posiadała jedynie uprawnienie do jednostronnego określania decyzji dotyczących wyrażania zgody na inwestycje, ale już nie najważniejszych strategicznych decyzji handlowych | Sasol Holding in Germany had the power to determine unilaterally only the decisions as to the approval of investments, not the most important strategic commercial decisions | Sasol Holding in Germany n'avait le pouvoir de déterminer, d'une façon unilatérale, que les décisions quant à l'approbation des investissements et non les décisions commerciales stratégiques les plus importantes |
| mogli twierdzić, że) akty przemocy, zastraszania lub naruszenia praw podstawowych faktycznie miały miejsce, ale oni w nich nie uczestniczyli | if the alleged violence, intimidation or infringements of fundamental rights actually took place, they took no part | si les violences, intimidations ou violations des droits fondamentaux alléguées ont effectivement eu lieu, ils n'y avaient pas participé |
| nie służy uzasadnieniu spornych aktów ex post, ale do wykazania, że | (the purpose must) be considered to have been not to state reasons ex post for the contested acts, but to show that | ayant pour but non pas de motiver ex post les actes attaqués, mais de montrer que |
| celem sankcji przewidzianych w art. 15 rozporządzenia nr 17 i w art. 23 rozporządzenia nr 1/2003 jest położenie kresu bezprawnym zachowaniom, ale także zapobieżenie ich powtórzeniu się | the object of the penalties provided for in Article 15 of Regulation No 17 and Article 23 of Regulation No 1/2003 is to suppress illegal activities and to prevent any recurrence | les sanctions prévues à l'article 15 du règlement n° 17 et à l'article 23 du règlement n° 1/2003 ont pour but de réprimer des comportements illicites aussi bien que d'en prévenir le renouvellement |
| natomiast [while] | | |
| Nie można natomiast wymagać od tej instytucji przedstawienia dowodu na to, że | However, conversely , the Commission cannot be required to prove the existence of | Toutefois, il ne saurait, à l'inverse , être exigé de la Commission la preuve de l'existence de |
| zauważa natomiast , że wewnętrzne spotkania w przedmiocie cen rozpoczynały się w spółkach Dole i Chiquita co do zasady, odpowiednio o 8.30 i o 8.45, a wręcz o 9.00 | it being observed that Dole and Chiquita's internal pricing meetings normally started at 8.30 a.m. and 8.45 a.m. or even at 9.00 a.m., respectively | étant observé que les réunions internes de tarification de Dole et de Chiquita démarraient en principe, respectivement, à 8 h 30 et à 8 h 45 voire à 9 heures |
| Natomiast jedynym celem motywu 315 zaskarżonej decyzji jest] | As regards recital 315 to the contested decision, its purpose is merely to | Quant au considérant 315 de la décision attaquée, il a seulement pour objet de |
| Natomiast w okresie od dnia 1 lipca 2000 r. do dnia 3 września 2002 r | During the period 1 July 2000 to 3 September 2002, on the other hand , | Durant la période comprise entre le 1er juillet 2000 et le 3 septembre 2002, en revanche |

| | | |
|--|--|--|
| Komisja wyjaśniła natomiast , że | On the other hand , the Commission stated that | En revanche , la Commission a précisé que |
| Komisja nie zdołała natomiast wykazać, że | Nor has the Commission succeeded in demonstrating that | La Commission ne serait d'ailleurs pas parvenue à démontrer que |
| Natomiast powiązania organizacyjne, gospodarcze i prawne istniejące pomiędzy spółką dominującą i jej spółką zależną mogą dowodzić istnienia | Thus , the organisational, economic and legal links between the parent company and its subsidiary may establish that | Ainsi , les liens organisationnels, économiques et juridiques existant entre la société mère et sa filiale peuvent établir l'existence de |
| Saint-Gobain utrzymuje natomiast , że | Saint-Gobain maintains, however , that | Saint-Gobain soutient toutefois que |
| Pilkington Group Ltd skupia natomiast spółki (...) | Pilkington Group Ltd consists, inter alia , of | Pilkington Group Ltd regroupe notamment les sociétés (...) |
| pierwsze spotkanie trójstronne odbyło się natomiast na wiosnę 1998 r. w Königswinter | the first trilateral meeting took place in the spring of 1998, in Königswinter (Germany) | La première réunion trilatérale aurait quant à elle eu lieu au printemps 1998 à Königswinter |
| zaś [while] | | |
| jak zaś wynika ze | As is apparent from | Ainsi que cela résulte de |
| powody te są wystarczające do tego, aby zainteresowane podmioty mogły zakwestionować ich zasadność, zaś Sąd mógł dokonać ich kontroli | Those reasons are sufficient to enable the entities concerned to challenge their merits and to enable the Court to carry out its review | Ces motifs suffisent pour permettre aux entités concernées de contester leur bien-fondé et au Tribunal d'exercer son contrôle |
| adwokat czy radca prawny nie są „zobowiązani do przedstawienia prawidłowo udzielonego pełnomocnictwa do wniesienia skargi, zaś dostarczenie takiego dokumentu jest wymagane tylko wówczas, gdy istnieją wątpliwości, czy takie pełnomocnictwo w ogóle zostało udzielone ” | that the lawyer is not 'required to produce a duly executed authority to act in the lodging of an application, subject to proof if challenged that he is so authorised ' | l'avocat n'a pas «à justifier d'une procuration en bonne et due forme pour l'introduction d'un recours, sauf à produire ce pouvoir en cas de contestation » . |
| Nie wszystkie zaś dostarczane do Niemiec banany muszą być spożywane w tym kraju [...].] | Not all bananas supplied by importers in Germany are necessarily consumed there ...' | Or , toutes les bananes livrées en Allemagne par les importateurs ne sont pas nécessairement consommées dans ce pays |
| (bierze pod uwagę) ochronę środków publicznych, nie zaś ceny rynkowe | (takes into account) the protection of public funds, and not a market price | (qui prend en compte) la protection des deniers publics et non un prix du marché |
| podstawą prawną grzywnien nakładanych za naruszenia reguł konkurencji zawartych w art. 81 WE jest art. 23 rozporządzenia nr 1/2003, zaś wytyczne z 2006 r. ograniczają się jedynie do określenia metody obliczania tych grzywnien | the legal basis of fines imposed for infringements of the competition rules laid down in Article 81 EC is Article 23 of Regulation No 1/2003, while the 2006 Guidelines merely describe the method according to which those fines are calculated | la base légale des amendes infligées en cas d'infraction aux règles de la concurrence inscrites à l'article 81 CE est l'article 23 du règlement no 1/2003, les lignes directrices de 2006 se limitant à préciser la méthode selon laquelle ces amendes sont calculées |

| | | |
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| Compagnie i Saint-Gobain tworzyły jedno przedsiębiorstwo, zaś Compagnie nie zdołała obalić domniemania wywierania decydującego wpływu na politykę handlową Saint-Gobain Glass France, która do niej należy w 100%, | Compagnie de Saint-Gobain and Saint-Gobain formed only a single undertaking, as Compagnie de Saint-Gobain had not succeeded in rebutting the presumption that it exercised decisive influence over the commercial policy of Saint-Gobain Glass France, which it wholly owns | la Compagnie et Saint-Gobain ne formaient qu'une seule entreprise, la Compagnie n'étant pas parvenue à renverser la présomption d'influence déterminante sur la politique commerciale de Saint-Gobain Glass France |
| okresy krótsze niż semestr „zostaną policzone jako pół roku”, zaś okresy dłuższe niż sześć miesięcy, lecz krótsze od roku, „zostaną policzone jako cały rok” | periods of less than six months being 'counted as half a year', while periods longer than six months but shorter than one year are to be 'counted as a full year | les périodes de moins d'un semestre étant «comptées comme une demi[-]année», alors que les périodes de plus de six mois, mais de moins d'un an, sont «comptées comme une année complète» |
| Asahi posiada wszystkie akcje belgijskiego przedsiębiorstwa działającego w branży szkła – Glaverbel SA/NV, zaś to przedsiębiorstwo posiada 100% akcji AGC Automotive France (zwanej dalej „AGC”), | Asahi holds all the shares in the Belgian glass manufacturer Glaverbel SA/NV, which itself holds 100% of AGC Automotive France ('AGC') | Asahi détient la totalité des parts de l'entreprise verrière belge Glaverbel SA/NV, cette dernière détenant elle-même 100 % d'AGC Automotive France (ci-après «AGC») |
| W żadnym razie dodatkowe informacje przekazane przez Komisję w jej pismach procesowych nie stanowią wystarczającego uzasadnienia, zaś ważne pytania nadal pozostają bez odpowiedzi | In any event, the additional information put forward by the Commission in its pleadings in defence is not of such a kind as to constitute sufficient reasoning, since important questions remain unanswered | En tout état de cause, les informations complémentaires avancées par la Commission dans ses écritures en défense ne seraient pas de nature à constituer une motivation suffisante, d'importantes questions demeurant sans réponse |
| Compagnie podniosła, że funkcje pana A. w jej strukturach nie miały charakteru wykonawczego, zaś jego tytuł zastępcy dyrektora generalnego Compagnie był jedynie honorowy | Thus, Compagnie de Saint-Gobain claims that Mr A.'s functions within it were not of an executive nature, as his title of Senior Vice-President of Compagnie de Saint-Gobain was purely honorar | Ainsi, la Compagnie fait valoir que les fonctions de M. A. en son sein n'étaient pas exécutives, son titre de directeur général adjoint de la Compagnie présentant un caractère honorifique |
| Inclusive clauses | | |
| czyli [namely] | namely, that is | c'est-à-dire, à savoir, soit |
| tematem rozmów telefonicznych panów [B.] i [H.] było oszacowanie szans na podwyżkę cen w ciągu kolejnego tygodnia, czyli , innymi słowy ocena tego, czy inne przedsiębiorstwo również nosiło się z zamiarem podniesienia swych cen | the ultimate topic in [Mr B.'s] calls with Mr [H.] was to evaluate whether there were chances to increase the prices in the upcoming week, i.e. whether it would be also the intention of the respective other company to increase the prices | avaient pour thème ultime d'évaluer les chances d'augmentation des prix au cours de la semaine à venir, autrement dit d'évaluer si d'évaluer s'il entraînait aussi dans l'intention de l'autre entreprise concernée d'augmenter ses prix |
| 1072840 EUR, czyli 1% jej łącznych obrotów | EUR 1 072 840, or 1% of its total turnover | 1072840 euros ou 1 % du total de son chiffre d'affaires |

| | | |
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| W drugim przypadku, czyli w przypadku rozporządzenia wykonawczego nr 151/2012 | In the second case, namely that of Implementing Regulation No 151/2012 | Dans le second cas, en l'occurrence celui du règlement d'exécution no 151/2012 |
| czyli całkowita wysokość grzywny nałożonej na skarżącą wynosi 125459842 EUR. | that is to say , so that the total amount of the fine imposed on the applicant is EUR 125 459 842 | soit un montant total de l'amende infligée à la requérante de 125459842 euros |
| tj. [i.e.] | | |
| okresie od 28 lipca 2004 r. do 8 kwietnia 2005 r. (tj. dnia złożenia wniosku w ramach komunikatu w sprawie łagodzenia sankcji) | namely, in the period from 28 July 2004 until 8 April 2005 (the date of its application under the Leniency Notice | à savoir, la période allant du 28 juillet 2004 au 8 avril 2005 (date de sa demande dans le cadre de la communication sur la clémence) |
| właściwy obszar geograficzny odpowiada trzem państwom Europy Południowej, tj. Grecji, Włochom i Portugalii (motywy 315 i 316 zaskarżonej decyzji) | the relevant geographic area covers the three southern European countries of Greece, Italy and Portugal (recitals 315 and 316 of the contested decision) | le secteur géographique concerné correspond au trois pays de l'Europe du Sud, à savoir la Grèce, l'Italie et le Portugal (considéranst 315 et 316 de la décision attaquée) |
| Należy bowiem podkreślić, że przyjmując kwotę odpowiadającą 15% wartości sprzedaży stron, Komisja zastosowała stawkę o połowę niższą od stawki, którą można zazwyczaj przyjąć w przypadku porozumień horyzontalnych lub uzgodnionych praktyk dotyczących ustalania cen, tj. 30% | It must be emphasised that, by setting an amount of 15% of the value of the parties' sales, the Commission applied a proportion which was half of the 30% which may be generally applied in horizontal agreements or concerted practices fixing prices | il importe en effet de souligner que, en retenant un montant de 15 % de la valeur des ventes des parties, la Commission a appliqué une proportion inférieure de moitié à celle qui peut généralement être retenue dans les accords horizontaux ou pratiques concertées de fixation des prix, soit 30 % |
| wprowadzenia na rynek w celu spożycia w tym samym okresie, tj. około tygodnia po ich wyładunku | within the same period of time, that is approximately a week after their discharge | une mise sur le marché aux fins de consommation dans le même laps de temps, soit une semaine environ après leur déchargement |
| pierwszy etap sprzedaży dostarczonych bananów w danym tygodniu odpowiada ustaleniu przez wszystkich importerów tego samego dnia, tj. w czwartek , ceny bananów zielonych, która stanowi jednocześnie | first step in the marketing of an arrival of bananas for a given week consisted in the setting of a green price by all importers on the same day, Thursday , which represented | la première étape de la commercialisation d'un arrivage de bananes pour une semaine donnée était constituée par l'établissement d'un prix vert par tous les importateurs le même jour, le jeudi , lequel représentait, tout à la fois, l'offre |
| „Podnosząc cenę rynkową i cenę Aldi, uzyskują [oni, tj. Dole] [...] najlepszą cenę [...]”. | ‘By moving the market and Aldi price up they [Dole] ... get a better price ...’ | «En augmentant le prix du marché et celui d'Aldi, ils [Dole...] obtiennent [...] un meilleur prix [...]» |
| *, to jest [*, that is] | namely | à savoir, c'est-à-dire, soit |
| Chociaż nie jest bowiem możliwe określenie, w jakim momencie pan P1 napisał niektóre z pozostałych części rzeczonych wiadomości elektronicznej, to jest | Although it is not possible to evaluate when Mr P1 drafted some of the other parts of the e-mail, it is likely that the information in relation to | bien qu'il ne soit pas possible de déterminer à quel moment M. P1 a rédigé certaines autres parties du courriel, il serait |

| | | |
|---|--|---|
| prawdopodobne, że informacje dotyczące tygodnia 15 zostały dodane | | probable que les informations relatives à |
| wszyscy uczestnicy praktyk noszących znamiona naruszenia prawa i związanych z gaczem, to jest przedsiębiorstwa Dea, ExxonMobil, Sasol i Total | all the participants in the unlawful practices relating to slack wax, the undertakings Dea, ExxonMobil, Sasol and Total | tous les participants aux pratiques infractionnelles concernant le gatsch, les entreprises Dea, ExxonMobil, Sasol et Total |
| Komisja ustaliła dla każdej z części naruszenia różne okresy trwania, to jest od 1992 r. do 2005 r. | the Commission attributed a separate period to each aspect of the infringement, from 1992 to 2005 for paraffin waxes | la Commission a attribué à chacun des volets de l'infraction une durée distincte, de 1992 à 2005 pour les cires de paraffine |
| jej udział zakończył się w dniu 12 maja 2004 r., to jest w dniu ostatniego spotkania technicznego, w którym uczestniczyła | participation ended on 12 May 2004, the date of the last technical meeting in which it participated | sa participation s'est terminée le 12 mai 2004, date de la dernière réunion technique à laquelle elle a participé |
| Obydwie zastosowane stawki procentowe mieszczą się w przedziale przewidzianym przez wytyczne z 2006 r., to jest 15–25%. | Both the rates applied come within the scale provided for in the 2006 Guidelines, namely 15 to 25%. | Les deux taux appliqués se situent à l'intérieur de la fourchette prévue par les lignes directrices de 2006, 15 à 25 % |
| to znaczy [it means] | that is, that is to say, namely | à savoir, c'est-à-dire |
| jednoznaczne dowody dotyczące spotkań organizowanych przez innych uczestników istnieją tylko w odniesieniu do pięciu spotkań na łączną liczbę 51, to znaczy jednego spotkania zorganizowanego przez spółkę MOL, trzech – przez grupę Total i jednego – przez grupę Shell | that there is explicit evidence of meetings organised by the other participants in respect of only 5 meetings, in this case 1 by MOL, 3 by Total and 1 by Shell, out of a total of 51 | il n'existe de preuves explicites de réunions organisées par les autres participants que pour cinq réunions, en l'occurrence une par MOL, trois par Total et une par Shell, sur un total de 51 |
| Z drugiej strony sąd powinien być obiektywnie bezstronny, to znaczy , że sąd powinien zapewnić dostateczne gwarancje, by | in the second place, the tribunal must be objectively impartial, which means that it must offer guarantees sufficient to | En second lieu, ledit tribunal doit être objectivement impartial, ce qui signifie qu' il doit offrir des garanties suffisantes pour |

Table 75: Hypotaxis

| PL | EN | FR |
|--|---|---|
| Relative pronouns | | |
| który, która... [which] | | |
| komplementariuszowi, który ponosi osobistą i nieograniczoną odpowiedzialność za długi | which, the general partner, who has personal and unlimited liability for debts | qui, commandité, lequel est responsable, personnellement et de manière illimitée |
| Pomijając szczególny przedmiot problematyki związanej z przypisaniem jednemu przedsiębiorstwu naruszenia popełnionego przez inne przedsiębiorstwo przypisaniem | Apart from the specific subject-matter of the issues involved in the imputation to one undertaking of an infringement committed by another, which is | Outre l'objet spécifique de la problématique de 'imputation d'une infraction commise par une entreprise à) une autre, distinct de celui de la communication en cause, |

| | | |
|--|--|--|
| jednemu przedsiębiorstwu naruszenia popełnionego przez inne przedsiębiorstwo, który różni się od przedmiotu rozpatrywanego komunikatu | distinct from that of the notice in question | |
| pewną formę wpływu handlowego, który posiada każdy znaczący lub wyłączny dostawca | power going beyond some form of commercial leverage that would be held by any significant or exclusive supplier | une certaine forme d'influence commerciale que détient tout fournisseur, important ou exclusif, |
| Jeżeli chodzi o pierwszy okres, który trwał od dnia 3 września 1992 r. do dnia 30 kwietnia 1995 r | As regards the first period, from 3 September 1992 to 30 April 1995 ('the Schumann period'), | S'agissant de la première période, allant du 3 septembre 1992 au 30 avril 1995 |
| D.S.R., który reprezentował grupę Sasol | and Sasol's representative, Mr D. S. R. | M. D. S. R., représentant Sasol |
| dwa fragmenty skargi odnoszą się pośrednio do całościowego planu, który jest kluczowym elementem w | two passages in the application refer indirectly to the overall plan, a key element in the Commission's analysis of | deux passages de la requête font indirectement référence au plan d'ensemble, un élément clé dans l'analyse de |
| samorządu zawodowego.. który nie działa w celu osiągnięcia zysku | a professional association ... that does not seek to make a profit | une instance (...) qui ne recherche pas le profit |
| który jest ściśle z nim związany | in the application initiating the proceedings, and which is closely connected therewith | présentant un lien étroit avec |
| podnosząc w ten sposób nowy zarzut, który jest niedopuszczalny | thus raises a new, and inadmissible , plea | soulevant ainsi un moyen nouveau irrecevable |
| przekraczającym limit 10%, który to cel nie ma podstawy prawnej | in excess of 10%, an objective which has no legal basis | dépasant un niveau de 10 %, objectif qui n'a pas de base légale |
| tego aspektu jej zachowania, który miał na celu uniemożliwienie rozwoju grup laboratoriów | the aspect of its conduct designed to prevent the development of groups of laboratories | son comportement visant à empêcher le développement des groupes de laboratoires |
| do produkcji dwutlenku chloru, który jest stosowany w przemyśle celulozowym i papierniczym do wybielania papieru | for the manufacturing of chlorine dioxide, which is used in the pulp and paper industry for the bleaching of chemical pulp | la fabrication du dioxyde de chlore, utilisé dans l'industrie de la pâte et du papier pour le blanchiment de la pâte chimique |
| nie istniał żaden liczący się akcjonariusz spółki zależnej, który miałby możliwości wywierania wpływu na jej politykę handlową | no other significant shareholder which could have exerted an influence on the commercial policy to be followed by the subsidiary | il n'existait aucun autre actionnaire important susceptible d'exercer une influence sur la politique commerciale de la filiale |
| w odniesieniu do okresu, który rozpoczął się na początku 2004 r | for the period following the beginning of 2004 | pour la période suivant le début de l'année 2004 |
| omawiali sytuację, która zaistniała w związku z porozumieniem zawartym przez nich w trakcie spotkania technicznego, które odbyło się w dniach 30 i 31 października 1997 r. i którego celem było podwyższenie cen wosków | the participants had discussed the situation that had arisen following their agreement, dating from the technical meeting held on 30 and 31 October 1997 and fixing as its objective the increase of prices of paraffin waxes above DEM | participants avaient discuté de la situation qui s'était présentée à la suite de leur accord, datant de la réunion technique des 30 et 31 octobre 1997 et fixant comme objectif l'augmentation des prix des cires de paraffine au-delà de |

| | | |
|--|---|---|
| parafinowych do poziomu powyżej 120 DEM za 100 kg, który to poziom nie został jeszcze osiągnięty | 120 per 100 kg, which had not yet been achieved | 120 DEM par 100 kg, qui n'était pas encore atteint |
| wyłącznie jako cel, który grupa Sasol sobie wyznaczyła | only as an expressed objective that Sasol defined | objectif exprimé que Sasol se serait fixé |
| o którym mowa w [which (is) referred to in] | in question | en cause |
| nawet łącznie z oszustwem, o którym mowa w pkt 244 powyżej | even when considered together with the cheating referred to at paragraph 244 above | même considéré ensemble avec la tricherie rappelée au point 244 ci-dessus |
| zarzut, o którym mowa w pkt 586 powyżej, należy oddalić. | the complaint referred to in paragraph 586 above must be rejected | le grief visé au point 586 ci-dessus doit être rejeté |
| obwieszczenia, o którym mowa w pkt 656 powyżej | the notice referred to in paragraph 656 above | la communication visée au point 656 |
| za naruszenie, o którym mowa w art. 1 | for the infringement referred to in Article 1 | Pour l'infraction à laquelle il est fait référence à l'article 1e |
| Domniemanie, o którym mowa , opiera się na ustaleniu | The presumption in question is based on the fact that | La présomption en cause repose sur |
| naruszenia, o którym mowa w zaskarżonej decyzji | with respect to the infringement referred to in the contested decision | l'infraction visée dans la décision attaqué |
| przedstawienie uwag w przedmiocie pisma Rady, o którym mowa w pkt 37 powyżej | submit observations on the Council's letter referred to in paragraph 37 above | sur la lettre du Conseil mentionnée au point 37 ci-dessus |
| zdania, o którym mowa w pkt 18 powyżej | the text mentioned in paragraph 18 above | le texte mentionné au point 18 ci-dessus |
| Opinia ta także dotyczy wniosku Komisji, o którym mowa wcześniej | That opinion also concerns the Commission proposal referred to above | Cet avis concerne également la proposition de la Commission évoquée ci-dessus |
| o których mowa w ust. 3 tego artykułu. | covered by Article 18(3) | visées par le paragraphe 3 dudit article. |
| (jej działanie) służy realizacji celu, o którym mowa w ustawie | (its action) serves to attain the objective intended by the law | (son action) sert à réaliser l'objectif visé par la loi |
| odpowiedzi ministra zdrowia na zapytanie poselskie, o którym mowa w motywie 441 zaskarżonej decyzji | a parliamentary question, answer to referred to at recital 441 to the contested decision | la réponse du ministre de la Santé à une question parlementaire évoquée au considérant 441 de la décision attaquée |
| (należy) dokonać badania, o którym mowa w akapicie trzecim tego przepisu | to undertake the verification provided for in the third subparagraph of Article 23(2) | procéder à la vérification prévue au troisième alinéa de cette disposition |
| Komisja wszczęła postępowanie, o którym mowa w art. 11 ust. 6] | the Commission initiated proceedings within the meaning of Article 11(6) | la Commission a ouvert une procédure au sens de l'article 11 |
| jaki, jaka ... [which] | that, which | qui, que |
| Wzmianka ta dotyczy jedynie rozróżnienia, jakie należy wprowadzić pomiędzy rozpatrywaną sytuacją a taką, w której | The only significance of that citation is the mere differentiation that must be made with a situation in which | Elle n'a, en réalité, d'autre portée que la seule différenciation devant être faite avec une situation où |

| | | |
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| uzasadnienie, jakiego wymaga art. 253 WE, powinno być dostosowane do | the statement of reasons required by Article 253 EC must be appropriate to | la motivation exigée par l'article 253 CE doit être adaptée à |
| interesu, jaki w uzyskaniu tej informacji mogli mieć adresaci aktu | the interest which the addressees of the measure, or other parties to whom it is of direct and individual concern | de l'intérêt que les destinataires ou d'autres personnes concernées directement et individuellement par l'acte peuvent avoir |
| cenach zielonych bananów, jakie mają być stosowane w Europie Północnej | on the price of green bananas for Northern Europe | le prix des bananes vertes pour l'Europe du Nord |
| kwestia zachodzących na rynku zmian mogła się również pojawić w trakcie dyskusji, jakie spółka Dole prowadziła ze spółkami Chiquita i Weichert w przedmiocie organizacji akcji promocyjnych | The issue of market development might also be raised in Dole's discussions with Chiquita and Weichert on the organisation of a promotion | La question du développement du marché pouvait aussi se traduire par des discussions de Dole avec Chiquita et Weichert sur l'organisation d'une opération de promotion |
| jakie działania i zaniechania grożą pociągnięciem go do odpowiedzialności karnej | which acts or omissions will make him criminally liable | quels actes et omissions engagent sa responsabilité pénale |
| znikomy udział, jaki w całkowitych obrotach przedsiębiorstwa zajmuje produkt, którego dotyczy naruszenie | the small proportion of the turnover of the product in question in the undertaking's global turnover | la faible proportion du chiffre d'affaires du produit en cause dans le chiffre d'affaires global de l'entreprise |
| szczególnie wysokie obroty, jakie ta osiągała w dniu wydania zaskarżonej decyzji, pozwalają jej z większą łatwością | at the date of adoption of the contested decision the applicant's particularly large turnover meant that | au jour de l'adoption de la décision attaquée, son chiffre d'affaires particulièrement important lui permettait de |
| czyj, czyja... [of which, whose] | n.d. | n.d. |
| kto, kogo... [who, whose...] | | |
| kwestii, kto w największym stopniu przyczynił się do | the question as to who had contributed most to | la question de savoir qui avait le plus contribué à |
| w przedmiocie tego, kto inicjował rozmowy telefoniczne | Second, as regards the origin of the phone calls | Deuxièmement, s'agissant de l'origine des appels |
| spółki te mają rozbieżne zdanie co do kwestii tego, kto „przeważnie” inicjował rozmowy telefoniczne | the parties have a different recollection as regards the person at the origin 'most of the time' of the contacts | les parties ont un souvenir différent en ce qui concerne la personne se trouvant à l'origine «la plupart du temps» des contact |
| grupa Total nie była postrzegana jako ktoś, kto wystąpił z kartelu po spotkaniu w maju 2004 r.] | Total was not perceived as having dropped out of the cartel after the meeting of May 2004. | Total n'était pas perçue comme ayant quitté l'entente après la réunion de mai 2004 |
| co, czego... [what, which] | | |
| kwestii tego, co było przedmiotem dyskusji w trakcie obiadu w dniu 28 lipca 2004 r | the issue of what was discussed at the meeting of 28 July 2004 | la question de savoir ce qui a été discuté lors du déjeuner du 28 juillet 2004 |
| Pacific i Chiquita omówiły i wymieniły informacje na temat cen, co potwierdza fakt, że ceny podawane przez pana P1 | Pacific and Chiquita discussed and exchanged price data, as confirmed by the fact that the prices mentioned by Mr P1 | Pacific et Chiquita ont discuté et échangé des informations sur les prix, comme le confirme le fait que les prix mentionnés par M. P1 |

| | | |
|---|---|---|
| <p>ceny są oznaczone za pomocą „(f)” jak „forecast” (prognoza), co świadczy o istnieniu zмовы na temat przyszłych cen</p> | <p>the prices are marked ‘(f)’ for forecast, showing collusion on future price</p> | <p>à savoir la semaine 15, les prix sont marqués d’un «(f)» pour «forecast» (prévision), ce qui est révélateur de la collusion sur les futurs prix</p> |
| <p>Z notatek wynika, co następuje</p> | <p>The notes read as follows</p> | <p>Les notes indiquent ce qui suit</p> |
| <p>Unia dążyła już wtedy do utworzenia wspólnego rynku, co oznaczać miało w szczególności zniesienie między państwami członkowskimi ograniczeń ilościowych w przywozie i wywozie towarów</p> | <p>the European Union already, at that time, had the objective of establishing a common market, which implied, inter alia, the elimination, between Member States, of quantitative restrictions on the import and export of goods</p> | <p>l’Union avait déjà, à cette date, pour objectif l’établissement d’un marché commun, ce dernier impliquant, notamment, l’élimination, entre les États membres, des restrictions quantitatives à l’entrée et à la sortie des marchandises</p> |
| <p>rzeczony rynek miał trzy poziomy stanowiące zresztą odrębne rynki, co oznacza, że aby dotrzeć do końcowego odbiorcy, trzeba było zawrzeć kilka umów przesyłowych, a po drugie, nie istniały żadne uregulowania dotyczące kwestii dostępu do sieci innych podmiotów.</p> | <p>that market was structured on three levels constituting so many separate markets, which implied the need to conclude more than one transmission contract before reaching the end-customer</p> | <p>ledit marché était structuré en trois niveaux constituant autant de marchés distincts impliquant la nécessité de conclure plusieurs contrats de transport avant d’atteindre le client final</p> |
| <p>ściśle powiązane rynki sąsiednie, co zwiększa szanse powodzenia</p> | <p>France were neighbouring and closely connected markets, which increased the chances of success</p> | <p>étroitement liés, ce qui augmente les chances de succès</p> |
| <p>(przedsiębiorstwo to) było częścią niemieckiego przedsiębiorstwa gazowniczego, co zdaniem Komisji umożliwiało mu import gazu do Niemiec</p> | <p>was a part of the German gas establishment and that that was probably, according to the Commission, the reason why Mobil had been able to import gas to Germany without having its own high-pressure pipeline network by means of a third-party access to the network</p> | <p>(cette entreprise) faisait partie de l’établissement gazier allemand, telle étant sans doute, selon la Commission, la raison pour laquelle elle a pu importer</p> |
| <p>CSP, którego art. L 4231-1 stanowi, co następuje</p> | <p>(‘the CSP’), which provides as follows in Article L 4231-1</p> | <p>CSP») qui précise en son article L 4231-1 ce qui suit</p> |
| <p>nie wykracza poza to, co jest konieczne do osiągnięcia zamierzonego celu w postaci ochrony zdrowia publicznego (pkt 80–89)</p> | <p>did not go beyond what was necessary for attaining the public-health objective</p> | <p>n’allait pas au-delà de ce qui était nécessaire pour atteindre l’objectif de</p> |
| <p>co następuje [what follows]</p> | | |
| <p>Z brzmienia tego fragmentu komunikatu w sprawie współpracy z 2002 r. wynika co następuje:</p> | <p>points 24 and 25 of the 2002 Leniency Notice are worded as follows:</p> | <p>les paragraphes 24 et 25 de la communication sur la coopération de 2002 indiquent ce qui suit</p> |
| <p>Komisja stwierdziła, co następuje:</p> | <p>the Commission asserted that</p> | <p>la Commission a affirmé ce qui suit :</p> |
| <p>gdzie [where]</p> | | |

| | | |
|---|---|--|
| Chiquita zawierała w szczególności umowy opierające się na „wzorce Dole plus”, gdzie cena transakcyjna zależała w rzeczywistości od cotygodniowej ceny referencyjnej wyznaczanej przez spółkę Dole | Chiquita had contracts which were based on the ‘Dole plus’ formula where the transaction price was actually dependent on the weekly quotation price set by Dole or on Chiquita’s own quotation prices | Chiquita avait en particulier des contrats qui étaient basés sur la «formule Dole plus» où le prix de transaction dépendait en réalité du prix de référence hebdomadaire fixé par Dole ou sur ses propres prix de référence |
| Chiquita opisuje chronologię procesu sprzedaży bananów w cyklu trzytygodniowym, gdzie ustalanie i ogłaszanie cen referencyjnym klientom następuje w | Chiquita (corporate statement No 13, Annex I 3) describes a chronology of marketing of bananas that corresponds to a three-week cycle, with the setting and announcement to clients of quotation prices on | Chiquita (déclaration d’entreprise no 13, annexe I 3) décrit une chronologie de la commercialisation des bananes correspondant à un cycle de trois semaines avec la fixation et l’annonce des prix de référence aux clients |
| (kwestia) została zbadana w motywach 25–31, 280, 281 i 324 zaskarżonej decyzji, gdzie Komisja stwierdziła, co następuje | the issue was examined in recitals 25 to 31, 280, 281 and 324 to the contested decision, and the Commission contends that | (la question) a été examinée aux considérants 25 à 31, 280, 281 et 324 de la décision attaquée et la Commission fait valoir |
| ustaleń co do cen o charakterze horyzontalnym dla danego produktu, gdzie cena tego produktu służy jako podstawa dla cen produktów o niższej lub wyższej jakości | horizontal price-fixing arrangements on a given product, where the price of that product then serves as a basis for | pour les accords de prix horizontaux portant sur un produit donné, lorsque le prix de ce produit sert ensuite de base pour le prix de produits de qualité supérieure ou inférieure. |
| sytuacja ta nie dotyczyła Niemiec, gdzie Chiquita podawała do wiadomości swych klientów drogą zewnętrzną „żółtą” cenę referencyjną] | That situation was not unique to Germany, where the only price that Chiquita made available externally to its customers was a yellow quotation price | Cette situation ne serait pas propre à l’Allemagne, où Chiquita communiquait uniquement à ses clients à des fins externes un prix de référence jaune |
| gdzie stwierdzono, że przedstawiony przez skarżącą zbiór przesłanek nie pozwala na | where it was held that the body of indicia submitted by the applicant did not serve to | aux termes desquels il a été jugé que le faisceau d’indices rapporté par la requérante ne permettait pas de |
| Komisja opisuje przypadek SELAFA Aubert H, gdzie działania Izby doprowadziły do zawieszenia działalności laboratorium | the Commission describes the case of the SELAFA Aubert H, where the Association’s action led to the laboratory’s operations being suspended | la Commission décrit le cas de la SELAFA Aubert H, pour laquelle l’action de l’Ordre a mené à la suspension du fonctionnement du laboratoire |
| Komisja przyznaje zresztą również w motywie 174 zaskarżonej decyzji, gdzie wskazuje, że | the Commission also recognises when its states , at recital 174 to the contested decision, that | la Commission reconnaît d’ailleurs également quand elle indique , au considérant 174 de la décision attaquée, que |
| skarżąca mogła pobierać gaz wszędzie tam, gdzie było to wykonalne w świetle wspólnej interpretacji istniejących reguł | the applicant was able to take gas wherever that was feasible on the basis of a common interpretation of the existing rules | Dans cet article de presse, il est précisé que la requérante pouvait prélever du gaz partout où cela était faisable sur la base d’une interprétation commune des règles existantes |
| kiedy [when] | | |

| | | |
|---|--|--|
| ustalić) kiedy informacje te zostały przekazane | (does not allow any conclusion as to) when it was received | lorsque (déterminer), le moment auquel ces informations ont été transmises |
| (przesłuchanie) miało miejsce w momencie, kiedy pan C1 jeszcze nie przygotował linii obrony | (the interview) took place at a time when Mr C1 had yet to prepare a line of defence | (l'entretien), a eu lieu à un moment où M. C1 devait encore préparer une ligne de défense |
| kiedy rozpatruje się materiał dowodowy w całości, oczywiste jest, że | when considering the body of evidence as a whole, it is established that | « lorsqu'on regarde les preuves dans leur ensemble, il est clair que |
| od dnia 2 maja 1995 r. do dnia 30 czerwca 2001 r., kiedy to została zastąpiona przez [D.S.R.] z Sasol. | from 2 May 1995 until 30 June 2001, when he was replaced by Mr [D. S. R.] of Sasol | du 2 mai 1995 au 30 juin 2001, date de son remplacement par M. [D. S. R.], de Sasol |
| Kiedy zarzut ten zostanie przedstawiony przez Komisję, do spółki dominującej należy | Once that objection has been communicated by the Commission, it is for the parent company to | Une fois ce grief communiqué par la Commission, il appartient à la société mère de |
| (przedsiębiorstwo) jest niewinne do momentu, kiedy Komisja wykaże jego udział w takim naruszeniu | (an undertaking) is presumed to be innocent until the Commission demonstrates its involvement in such an infringement | (une entreprise) est présumée innocente jusqu'à ce que la Commission démontre l'implication de celle-ci dans |
| skoro kartele powstają często w momencie, kiedy sektor przeżywa trudności | since cartels frequently come into existence when a sector is experiencing difficulties | dès lors qu'il est fréquent que les cartels naissent au moment où un secteur connaît des difficultés |
| co najmniej od 1999 r., kiedy to zgodnie z wyjaśnieniami udzielonymi przez jej przedstawiciela zaczęła ona uczestniczyć w spotkaniach technicznych | at least since 1999, when its representative who had given evidence began to participate in the technical meetings | au moins depuis 1999, quand son représentant ayant témoigné a commencé à participer aux réunions techniques |
| Complementisers | | |
| że [that] | that | que |
| czy [if, whether] | | |
| By dokonać oceny, czy | In deciding whether | Pour apprécier si |
| jak słusznie podnosi Komisja, że to, czy importer powołuje się na cenę żółtą czy też zieloną, zależy jedynie od sposobu | the Commission rightly maintain that whether an importer refers to a yellow price or to a green price depends simply on | Il apparaît ainsi, comme le fait valoir à juste titre la Commission que la référence de l'importateur à un prix jaune ou vert dépend simplement de la manière dont il organise les ventes de bananes |
| że nie jest pewna, czy | it was not sure that | n'était pas sûre que ces réunions aient eu lieu |
| zweryfikować, przedsiębiorstwo czy wypełnia zobowiązania | verify if an undertaking was living up to the commitments | vérifier si une entreprise respectait les engagements |
| Kwestia nie dotyczy tego, czy niektóre kontakty miały miejsce, ale | The issue is not whether certain communications would have occurred, but | la question est de savoir, non pas si certaines communications auraient de toute façon eu lieu, mais |

| | | |
|--|--|--|
| umożliwić uczestnikom tych spotkań sprawdzenie, czy wszyscy przestrzegają porozumienia | enable the participants to ensure that the agreement was being observed by everyone | pour permettre aux participants de vérifier le respect de l'accord par tous |
| czy fakt, że | the fact that | ou le fait que que |
| żadnego konkretnego argumentu czy dowodu | no specific argument or evidence | aucun argument ou preuve spécifique |
| Concessive subordinators | | |
| choć [although] | while | bien que + subj, alors que, si, quoique, tandis que, alors même que |
| Chociaż Komisja rzeczywiście zauważyła w zaskarżonej decyzji, że | Although the Commission does indeed note in the contested decision that | si , dans la décision attaquée, la Commission relève bien que |
| choć zgodnie z tymi zasadami ciężar dowodu spoczywa na Komisji albo na danym przedsiębiorstwie | although according to those principles the legal burden of proof is borne either by the Commission or by the undertaking | même si la charge légale de la preuve incombe selon ces principes, soit à la Commission, soit à l'entreprise |
| choć koszt i czas trwania wykonania takiej inwestycji wyklucza możliwość jej utajnienia | even though the cost and duration of the implementation of such an investment would rule out any possibility of dissimulation | alors même que le coût et la durée de réalisation d'un tel investissement excluent toute possibilité de dissimulation |
| choć należy zauważyć, że | although it should be noted that | étant observé que |
| choć data 31 grudnia 2002 r. nie była postrzegana przez strony jako bezwzględny koniec obowiązywania umowy | although the date of 31 December 2002 was not perceived by the parties as the inevitable end of the agreement | sans que la date du 31 décembre 2002 ne soit d'ailleurs perçue par les parties comme le terme inéluctable de l'accord |
| choć brak jasności środków dowodowych w sposób bezsporny obniża ich wartość dowodową | whilst the lack of clarity of a piece of evidence incontestably reduces its force as evidence | si le manque de clarté d'un élément de preuve réduit incontestablement sa force probante |
| choć był on prezesem zarządu.] | even as chairman Mr D. S. R. | même en tant que président |
| że choć związki łączące ją z Arkema France są w niniejszej sprawie identyczne | in so far as the links between it and Arkema France are the same | dans la mesure où les liens l'unissant à Arkema France sont identiques |
| choć [although-form] | while, whilst even though, although | si, bien que, alors même que, alors que |
| choć Komisja przyznaje wyraźnie | while the Commission explicitly recognised that | Tout en reconnaissant expressément que |
| choć w niektórych aspektach oświadczenia te mają charakter obrony przed wnioskami wyciągniętymi przez Komisję z całości dowodów | if those statements take on in certain respects a defensive character by comparison with the allegations made by the Commission on the basis of all of the evidence | si ces déclarations revêtent sur certains points un caractère défensif par rapport aux allégations tirées par la Commission de l'ensemble des preuves |
| Artykuł 6 decyzji 2011/101 powtarza, w ust. 1, brzmienie art. 6 wspólnego stanowiska 2004/161, choć zawiera też dwa nowe ustępy, zmierzające do zagwarantowania | Article 6 of Decision 2011/101 reproduces, in paragraph 1, the text of Article 6 of Common Position 2004/161, but also contains two further paragraphs | L'article 6 de la décision 2011/101 reprend, en son paragraphe 1, le texte de l'article 6 de la position commune 2004/161, mais |

| | | |
|--|--|--|
| prawa do obrony osobom, wobec których zastosowano środki ograniczające | designed to safeguard the rights of defence of persons affected by the restrictive measures that are imposed | contient également deux nouveaux paragraphes visant à garantir les droits de la défense des personnes visées par les mesures restrictives instituées |
| członków, którzy jednak mogli sprawować, choć w różnym stopniu, nadzór nad podejmowaniem decyzji przez organy kierownicze Izby, do uiszczenia składek w celu zapłacenia grzywny | members, who may however have exercised varying degrees of supervision over the decisions adopted by the managing bodies, in order to be able to pay the fine | membres, qui ont toutefois pu exercer un degré variable de surveillance sur les décisions prises par les organes dirigeants, afin de pouvoir payer l'amende |
| Nawet gdyby należało uznać, choć niesłuszne | Even if the Saint-Gobain group were to be regarded as forming a single undertaking, quod non, | Même s'il fallait considérer, à tort , que |
| pomimo, że/iż [despite that] | even on the assumption that | lors que |
| Komisja przypisała Saint-Gobain decyzję Szkło płaskie (Benelux) pomimo, że nie była ona jej adresatem | when [the Commission imputed the Flat glass (Benelux) decision to Saint-Gobain when that decision had not been addressed to it, it cannot be upheld | la Commission a imputé à Saint-Gobain la décision Verre plat (Benelux) alors que celle-ci ne lui avait pas été adressée, il ne saurait être retenu |
| Z tego względu pomimo, że | Therefore, in spite of the fact that | Dès lors, en dépit du fait que |
| mimo, że/iż [despite that] | n.d. | n.d. |
| choćaby [even if] | | |
| choćaby natury ogólnej | even that of a general nature | y compris d'ordre général |
| choćby [even if] | even if | quand bien même + cond |
| choćby w sposób zwięzły | at least in summary form | mais d'une façon cohérente |
| nie wykazała, że zarzucane naruszenie miało choćby najmniejszy wpływ na rynek | not demonstrated that the alleged infringement had any effect on the market | n'a pas démontré que l'infraction alléguée avait le moindre effet sur le marché |
| choćby sąsiednich | albeit neighbouring | quand bien même voisins |
| choćby w sposób przybliżony i niedoskonały | albeit approximately and imperfectly | fût-ce de façon approximative et imparfaite |
| choćby potencjalnej | even potential | même potentielle |
| nawet jeśli, jeżeli, gdyby, gdy, wtedy, wówczas [even if, when, then] | even if, if, even though, even if it did, although | même si, si, alors même que |
| Nawet jeśli założyć | even on the assumption that | même à supposer que |
| nawet jeżeli jest ona przybliżona i nieprecyzyjna | albeit approximate and imperfect | fût-elle approximative et imparfait |
| nawet jeśli spółka zależna jest kontrolowana w 100%, jak w niniejszym przypadku | even where the subsidiary is controlled as to 100%, as in this case | même lorsque la filiale est contrôlée à 100 %, comme dans le cas d'espèce |
| Zakładając nawet, że | even assuming that / on the assumption | à supposer même que |
| nawet jeśli by tak było | even if it did | même si c'était le cas |

Table 76: Addition and enumeration

| PL | EN | FR |
|----|----|----|
|----|----|----|

| Addition | | |
|--|--|--|
| ponadto [moreover] | in addition, moreover, further, furthermore, further confirmed by, as regards, | en outre, par ailleurs, de surcroît, de même, au demeurant, de plus |
| Ponadto przynajmniej przez część okresu istnienia wspólnego przedsiębiorstwa | Similarly , during at least part of the joint venture period | De même , durant au moins une partie de la période d'entreprise commune |
| Ponadto co się tyczy | As regards, moreover | S'agissant encore de |
| Komisja podnosi ponadto | The Commission claims, next | La Commission fait ensuite valoir que |
| dodatkowo [additionally] | furthermore, for the sake of completeness, in addition, in the alternative, mention should also be made of, additionally | à titre surabondant, au surplus, de plus, à titre subsidiaire, à titre additionnel, de plus |
| co dodatkowo jeszcze świadczy o tym, że | which is a further indication of | ce qui constitue un indice supplémentaire de |
| Dodatkowo lub alternatywnie | Additionally or alternatively | À titre additionnel ou alternatif |
| co dodatkowo wzmacnia ich wiarygodność | which further increases their reliability | ce qui augmente encore davantage leur fiabilité |
| Dodatkowo należy zauważyć, iż sama okoliczność, że skarżąca nie brała udziału w ostatnich spotkaniach technicznych, w żaden sposób nie dowodzi tego, że | For the sake of completeness , it should be observed that the mere fact that the applicant did not participate in the last technical meetings does not demonstrate that | À titre surabondant , il y a lieu d'observer que le simple fait que la requérante n'a pas participé aux dernières réunions techniques ne démontre |
| w dodatku [in addition] | moreover, | de plus, |
| co więcej [what (is) more] | | de surcroît, en outre |
| nadto [more, furthermore] | | |
| Komisja podkreśliła nadto , że | It further pointed out, in recital 294 of that decision, that | Elle a en outre souligné, au considérant 294 de ladite décision |
| jednocześnie [simultaneously] | both, at the same time | à la fois, dans le même temps, simultanément |
| a jednocześnie twierdzi, że | while stating that Dole | tout en affirmant que |
| która stanowi jednocześnie | which represented both | tout à la fois |
| a jednocześnie uznała, że | while recognising that | tout en reconnaissant que |
| jednocześnie jego wyjaśnienia są zgodne również z | his explanations were also consistent with previous statements made before the investigation in the present case even started | ses explications concordent également avec |
| a jednocześnie zwolnić z odpowiedzialności solidarnej | at the same time exempt from joint and several liability | et, en même temps , exonérer de responsabilité solidaire |
| skarżący jednocześnie podnoszą | the applicants are also raising | les requérants soulèvent également |
| treść i jednocześnie cel | content and, correlatively , the objective of | le contenu et, corrélativement , l'objectif de |
| Enumeration | | |
| po pierwsze [firstly] | first-second, firstly, in the first place, first, second | en premier lieu, d'une part-d'autre part (sic), en premier lieu, le premier/le second |

| | | |
|---|---|--|
| W szczególnym przypadku, gdy spółka dominująca posiada 100% kapitału swej spółki zależnej, która popełniła naruszenie unijnych zasad konkurencji, po pierwsze , ta spółka dominująca może wywierać decydujący wpływ na zachowanie swej spółki zależnej, a po drugie , istnieje wzruszalne domniemanie, że | In the specific case where a parent company has a 100% shareholding in a subsidiary which has infringed European Union competition rules, the parent company can exercise decisive influence over the conduct of the subsidiary and, moreover , there is a rebuttable presumption that the | Dans le cas particulier où une société mère détient 100 % du capital de sa filiale ayant commis une infraction aux règles de la concurrence de l'Union, d'une part , cette société mère peut exercer une influence déterminante sur le comportement de cette filiale et, d'autre part , il existe une présomption réfragable |
| ponieważ tylko w ten sposób Chiquita mogła, po pierwsze , zrozumieć, że | Premièrement, since that was the only way in which Chiquita could, on the one hand , understand that | puisque ce n'est qu'ainsi que Chiquita pouvait, d'une part , comprendre que |
| po drugie [secondly] | second, moreover, furthermore, secondly | deuxièmement, en second lieu |
| po pierwsze , są wiarygodne, po drugie , są złożone w imieniu przedsiębiorstwa, po trzecie , pochodzą od osoby mającej zawodowy obowiązek działania w interesie tego przedsiębiorstwa | declarations which first , are reliable; second , are made on behalf of an undertaking; third , are made by a person under a professional obligation to act in the interests of that undertaking | déclarations qui, primo , sont fiables, secundo , sont faites au nom d'une entreprise, tertio |
| z jednej strony [on the one hand] | first, in the first place | d'une part, en outre, en premier lieu, |
| W zaskarżonej decyzji Komisja przede wszystkim dokonała analizy korespondencji wymienionej pomiędzy z jednej strony spółkami Chiquita i Dole a z drugiej strony spółkami Dole i Weichert, w świetle zakazu zawartego w art. 81 WE. | In the contested decision, the Commission analysed, first of all, the exchanges between Chiquita and Dole and between Dole and Weichert in the light of the prohibition in Article 81 EC | Dans la décision attaquée, la Commission a, tout d'abord, analysé les échanges entre, d'une part , Chiquita et Dole et, d'autre part , Dole et Weichert, au regard de l'interdiction contenue dans l'article 81 CE |
| Ponadto z jednej strony należy podnieść, że Komisja podkreśliła (w motywie 131 zaskarżonej decyzji] | Moreover, first , the Court notes that the Commission highlighted (recital 131 to the contested decision) | En outre, d'une part , il convient de relever que la Commission a mis en exergue (considérant 131 de la décision attaquée) |
| Natomiast w niniejszej sprawie Komisja zastosowała z tytułu czasu trwania naruszenia wobec spółki Sasol Wax z jednej strony mnożnik 13 za cały okres naruszenia, a z drugiej strony mnożnik 10 za okresy, co do których | However, in the present case, in order to reflect the duration of the infringement, the Commission applied a multiplier of 13 for Sasol Wax for the entire period of the infringement, on the one hand , and a multiplier of 10 for the periods for which | en l'espèce, la Commission aurait appliqué, au titre de la durée de l'infraction, un coefficient de 13 à l'égard de Sasol Wax pour l'ensemble de la période de l'infraction, d'une part , et un coefficient de 10 pour les périodes |
| z drugiej strony [on the other hand] | on the other, second, moreover, second | |

| | | |
|---|---|--|
| Należy przede wszystkim przypomnieć, że Komisja wprowadziła rozróżnienie między dwoma rodzajami wymienianych informacji, czyli, po pierwsze , czynnikami ustalania cen, czyli istotnymi czynnikami ustalania cen referencyjnych na kolejny tydzień i, z drugiej strony , poprzedzającymi ustalanie tych cen referencyjnych tendencjami cenowymi oraz wskaźnikami dotyczącymi cen referencyjnych na kolejny tydzień, | It should be recalled, first of all, that the Commission distinguished two types of information exchanged, namely (i) price-setting factors, that is, factors relevant for the setting of quotation prices for the forthcoming week and (ii) price trends and indications of quotation prices for the forthcoming week before quotation prices were se- | Il convient, tout d'abord, de rappeler que la Commission a distingué deux types d'informations échangés, à savoir, d'une part , les facteurs de tarification, c'est-à-dire des facteurs importants pour l'établissement des prix de référence pour la +C779semaine à venir, et, d'autre part , les tendances de prix ou les indications sur les prix de référence pour la semaine à venir avant l'établissement de ces prix de référence |
| Exemplification and particularisation | | |
| w szczególności [in particular] | particular, in particular, more specifically, specifically, especially | particulièrement, en particulier, tout particulièrement, spécifiquement, |
| trywialną kwestię dotyczącą w szczególności pracowników przedsiębiorstw prowadzących działalność na rynku | innocuous subject concerning, in particular , the personnel of the undertakings which were active on the market | un sujet anodin concernant, notamment , les effectifs des entreprises actives sur le marché |
| przede wszystkim [above all] | furthermore and above all principally, first of all, above all, first, essentially, primarily, at the outset, principally, as a preliminary point | Principalement, principally-tout d'abord, surtout, essentiellement, d'abord, à titre principal, d'emblée, principalement, surtout, à titre liminaire |
| Ponadto i przede wszystkim | Furthermore and above all | En outre et surtout |
| zostało wyraźnie, jednoznacznie i konsekwentnie zdementowane w oświadczeniach spółki Chiquita, a przede wszystkim pana C1, będącego kluczowym świadkiem w tej sprawie. | which was subsequently implemented is expressly contradicted by the statements of Chiquita and Mr C1, the key witness in this case. | a été expressément, explicitement et invariablement démentie par les déclarations de Chiquita et surtout de M. C1, le témoin clé de cette affaire. |
| Komisja przede wszystkim uwzględniła wartość rocznej sprzedaży na właściwych rynkach. Wynosiła ona 31133865 EUR (w tym 1993620 EUR w odniesieniu do parafiny) | first of all , the Commission took into account the value of annual sales on the relevant markets. That represented EUR 31 133 865 (including EUR 1 993 620 for slack wax). | tout d'abord , la Commission a pris en compte la valeur des ventes annuelles sur les marchés concernés. Cela représentait 31133865 euros (dont 1993620 euros pour le gatsch). |
| między innymi [among others] | including, inter alia, in particular, among other(s), moreover, including | notamment - entre autres, parmi d'autres/par ailleurs |
| za pośrednictwem licznych spółek, w których posiada 100% kapitału, między innymi Del Monte Fresh Produce International Inc | via numerous wholly-owned subsidiaries, including Del Monte Fresh Produce International Inc | par le biais de nombreuses filiales détenues en pleine propriété, notamment Del Monte Fresh Produce International Inc |

| | | |
|--|---|--|
| Zaskarżona decyzja stanowi między innymi , co następuje | The contested decision includes the following provisions | la décision attaquée comprend, notamment , les dispositions suivantes |
| jak skarżąca podkreśliła między innymi w swojej odpowiedzi na pismo w sprawie przedstawienia zarzutów | as the applicant maintained, moreover , in its response to the statement of objection | comme l'a soutenu par ailleurs la requérante dans sa réponse à la communication des griefs |
| taki jak [such as] | | |
| taki jak ten przewidziany w | as laid down in | tel que prévu par |
| Komisja, zgodnie z pkt 20 i 22 wytycznych, w celu ustalenia proporcji wartości sprzedaży przeanalizowała i uwzględniła, w zależności od stopnia i wagi naruszenia, różne związane z naruszeniem czynniki, takie jak : charakter naruszenia, wielkość skumulowanej części rynku, jaką dysponują dane przedsiębiorstwa, zakres geograficzny naruszenia oraz fakt, czy naruszenie zostało wprowadzone w życie. | examined and took into account when setting the proportion of the value of sales by reference to the degree of gravity of the infringement, various factors relating to the nature of the infringement, the combined market share of all the undertakings concerned, the geographic scope of the infringement and whether the infringement had been implemented, as is apparent from recitals 454 to 459 to the contested decision. | examiné et pris en compte pour fixer la proportion de la valeur des ventes, en fonction du degré de gravité de l'infraction, divers facteurs tenant à la nature de l'infraction, la part de marché cumulée de toutes les entreprises concernées, l'étendue géographique de l'infraction et la mise en œuvre de l'infraction, ainsi que cela résulte des considérants 454 à 459 de la décision attaquée |
| potwierdzające taką skłonność, takie jak na przykład czas, jaki upłynął między danymi naruszeniami | including, confirm such a propensity, including , for example, the time that has elapsed between the infringements in question | tendant à confirmer une telle propension, y compris , par exemple, le temps qui s'est écoulé |
| na przykład [for example] | for example, for instance, e.g., such as | Par exemple, voire |
| np. [e.g.] | e.g., as | |
| albo na postawie innego wskaźnika, np. | or to another indicator such as the | ou à un autre indicateur tel que le |
| *, w tym [*, of which] | including, | y compris, notamment |
| w tym przypadku | in this case | dans ce cas/ en l'occurrence |
| w tym również | such as those | telles que celles qui |
| w tym przedsiębiorstwo utworzone przez spółkę Weichert | including the undertaking comprising Weichert | en ce compris celle constituée par Weichert |
| W niniejszej sprawie należy stwierdzić, że w art. 1 zaskarżonej decyzji zarzuca się będącym jej adresatami przedsiębiorstwom, w tym spółce Weichert | In the present case, it must be noted that Article 1 of the contested decision asserts that the addressees, including Weichert | En l'espèce, il y a lieu de constater que l'article 1er de la décision attaquée fait grief aux entreprises destinataires, dont Weichert |
| Z tytułu naruszenia, o którym mowa w art. 1, nakłada się następujące grzywny na: (...) Corporation w odniesieniu do kwoty 34670400 EUR, w tym solidarnie z Esso Deutschland GmbH w odniesieniu do kwoty 27081600 EUR | (the following fines are imposed) XX corporation for EUR 34 670 400, of which jointly and severally with Esso Deutschland GmbH for 27081600 EUR | Les amendes suivantes sont infligées pour l'infraction visée à l'article 1er (xxx) Corporation pour 34670400 EUR dont conjointement et solidairement avec Esso Deutschland GmbH pour 27081600 EUR |
| wraz z [together with] | with | avec |

| | | |
|---|--|--|
| wraz z komplementariuszami | jointly with the general partners of | conjointement avec les associés commandités de |
| wraz z wprowadzonymi zmianami | as amended | tel que modifié |
| wraz z objęciem stanowiska przez nowego dyrektora generalnego Del Monte w kwietniu 2003 r | with the arrival of a new Del Monte general manager in April 2003 | avec l'arrivée du nouveau directeur général de Del Monte |
| wraz z wieloma innymi czynnikami | in conjunction with (many other factors) | conjointement avec de nombreux autres facteurs |
| wraz z krótkim komentarzem | together with a brief commentary on | accompagnées d'un bref commentaire de la situation |
| wraz z odejściem na emeryturę pracownika spółki Dole | ended altogether when a Dole employee retired | ont complètement cessé avec le départ en retraite de |
| obniżka ta wraz z wynikającą z niej kwotą grzywny nie odzwierciedla | reduction and the resulting amount of the fine do not adequately reflect | cette réduction et le montant de l'amende qui en résulte ne reflètent pas |
| udział grupy Total w nim zakończył się dopiero wraz z kontrolami | Total's involvement in the cartel did not end prior to the inspections. | la participation de Total à l'entente n'a pas pris fin avant les inspections. |
| że naruszenie to rozpoczęło się wraz z decyzją przyjętą na spotkaniu administracyjnym | the infringement began, according to the Commission, with the decision taken at the administrative meeting of the CCG on 11 December 2003 | cette infraction débute, selon la Commission, par la décision prise à la réunion administrative |
| jest elementem współistniejącym wraz z wszelkim zachowaniem wchodzącym w zakres stosowania art. 81 ust. 1 WE | a substantial element of any conduct covered by Article 81 | un élément consubstantiel à tout comportement relevant du champ d'application de l'article 81 |
| wraz z wejściem w życie | on the entry into force of | à l'entrée en vigueur de la loi de |
| wraz z upływem terminu wyznaczonego na | on the expiry of the period for the implementation of | après l'expiration du délai imparti pour la mise en œuvre d |
| czyli wraz z dniem 10 sierpnia 2000 | by 10 August 2000 | soit pour le 10 août 2000 |
| włącznie z [inclusive of] | | |
| w dalszym ciągu dochodzi tam do poważnych naruszeń praw człowieka, włącznie z naruszeniem wolności wyrażania opinii, stowarzyszeń i pokojowych zgromadzeń” | the serious infringements of human rights and of the freedom of opinion, of association and of peaceful assembly continue to occur. | de graves atteintes aux droits de l'homme et à la liberté d'expression et d'association ainsi qu'à la liberté de réunion pacifique continuent de se produire dans le pays.» |
| łącznie z [inclusive of] | | |
| zostanie zbadany łącznie z nim | is therefore examined in that context | et est dès lors examiné dans ce cadre |
| łącznie z przedstawieniem umów sprzedaży | including by producing contracts of sale | y compris en produisant des contrats de vente |
| nawet łącznie z oszustwem, o którym mowa w pkt 244 powyżej | even when considered together with the cheating referred to at paragraph 244 | même considéré ensemble avec la tricherie rappelée au point 244 |
| włączając [including] | | |
| włączając w to | including | y compris |
| włączając wartość sprzedaży mikrowosków do wartości sprzedaży.] | the Commission did not err in including the micro-wax sales in the value of sales. | la Commission n'a pas commis d'erreur lors de l'inclusion des ventes de microcires dans |

| Addition: również and także | | |
|---|---|--|
| również (excl. jak również) [also-form] | moreover, including, and | en outre, y compris |
| znaczenia i liczby przedsiębiorstw, jak również rozmiaru wspomnianego rynku | the nature of the products or services offered, the size and number of the undertakings involved and the volume of that market | de l'importance et du nombre des entreprises et du volume dudit marché |
| odnosi się również do | also refers to | fait également référence |
| Stanowi to również błąd logiczny i błąd w ocenie | That also constitutes an error of reasoning and assessment | Il s'agirait également d'une erreur de raisonnement et d'appréciation |
| lecz również , że zdawali sobie sprawę ze | but also that they perceived that quotation prices had a | mais aussi qu'ils avaient compris que |
| jak również notatka pochodząca od grupy Shell,] | and the note of Shell | ainsi que la note de Shell |
| jak również w ramach części trzeciej | and also in the context of the third | ainsi que dans le cadre des troisième |
| Również [W.] w latach 1994–1999 zasiadał w zarządzie [Arkema France], zaś w 1999 | Likewise , Mr [W.] sat on [Arkema France's] board of directors between 1994 and 1999 and was appointed to [the applicant's] general management board in 1999 | De même , M. [W.] a siégé au conseil d'administration d'[Arkema France] entre |
| także (excl. a także) [also-neut] | also | |
| ale także zarzutów | arguments as well as pleas independently | mais aussi des moyens |
| musi tę współpracę kontynuować także po uzyskaniu ostatecznego zwolnienia z grzywien | to continue doing so even after obtaining final immunity with regard to the infringement(s) | continuer à coopérer même après avoir obtenu l'immunité finale pour l'infraction |
| takie przedsiębiorstwo będzie także świadome tego | that undertaking will also be aware of the potential negative consequences of submitting inaccurate information | une telle entreprise sera également consciente des conséquences négatives potentielles de |
| regulaminu postępowania przed Sądem dotyczy także zarzutów i twierdzeń przedstawionych w pismach procesowych | c) of the Rules of Procedure of the General Court also applies to the pleas in law and complaints referred to in the pleadings | règlement de procédure du Tribunal vise également les moyens et griefs développés dans les mémoires |
| w tym także spółka Dole | including Dole | y compris Dole |
| Izba nie przedstawia także argumentów w odniesieniu do | Nor does the Association put forward any arguments concerning the exchange of letters between | l'Ordre n'avance pas non plus d'arguments au sujet de |
| biorąc także pod uwagę fakt, że | also taking into account the fact that | tenant également compte du fait que |
| też [also-iform] | | |
| albo też inny podmiot w jego imieniu | by the buyer or carried out by the importer or on his behalf | par l'importateur ou en son nom |
| żółtą czy też zieloną | yellow price or to a green price depends | jaune ou vert |
| lub też | or | ou que |

| | | |
|---|--|---|
| co potwierdziła też na rozprawie | which it confirmed at the hearing | ce qu'elle a confirmé lors de l'audience |
| czy naruszenie zostało wprowadzone w życie czy też nie | whether or not the infringement has been implemented. | la mise en œuvre ou non de l'infraction |
| ani też | no [...] or | ni de |
| co też rzeczywiście zrobiła na piśmie | did in fact respond in writing | et a effectivement répondu par écrit |
| choć we Francji prowadzi też działalność kilka grup laboratoriów | although several groups of laboratories operate in France | même si plusieurs groupes de laboratoires sont actifs en France |

Table 77: Exclusion and contrast

| PL | EN | FR |
|---|--|---|
| Exclusion | | |
| z wyjątkiem [except for] | apart from, except for, except in respect of, with the exception of, save in, other than | à l'exception de, excepté pour, excepté deux appels, sauf pour le cas de, en dehors de, |
| z wyjątkiem przypadku | save in the case of | sauf en cas de |
| wszystkich skarżących z wyjątkiem tych, o których będzie mowa w pkt 168 | the applicants other than those referred to in paragraph | l'ensemble d'entre eux à l'exception de ceux mentionnés au point 169 ci-après |
| zaskarżonej decyzji, z wyjątkiem przeprowadzenia analizy ograniczających konkurencję skutków rozpatrywanej praktyki | and there was no examination of the restrictive effects on competition of the practice in question | à l'exclusion de tout examen des effets restrictifs de concurrence de la pratique en cause |
| z wyjątkiem zapisu ustnego wniosku EKA o | With the exception of the transcript of EKA's oral application for immunity | Sous réserve de la transcription de la demande orale de |
| rozdzielenie udziału w kapitale od prawa głosu nie jest możliwe, z wyjątkiem przypadku wniesienia wkładu w postaci know-how, pracy lub usług | (it is not possible) to split the shareholding from the voting rights, except where there is a contribution in kind | (il n'est pas possible) de dissocier participation au capital et droit de vote, sauf recours à l'apport en industrie |
| z wyjątkiem nadzwyczajnych okoliczności | save in exceptional circumstances | sauf circonstances exceptionnelles |
| z wyjątkiem rzeczywiście nadzwyczajnych okoliczności | other than in wholly exceptional circumstances | sauf circonstances tout à fait exceptionnelles |
| za wyjątkiem [except for(ungrammatical)] | n.d. | n.d. |
| Contrast | | |
| jednak [however] | nevertheless, however, none the less, the fact none the less remains that, furthermore | toutefois, encore, cependant, il n'en demeure pas moins que, cependant, en outre, néanmoins |
| nie może nałożyć jej jednak za okres, w którym naruszenie zostało przerwane | it may not do so for the period during which the infringement was interrupted | elle ne le peut, en revanche , pour la période pendant laquelle l'infraction a été interrompue |
| Nie odnosi się to jednak do tajnych porozumień lub praktyk | this will not apply to secret agreements or practices | Cela ne s'appliquera pas aux accords ou pratiques de nature secrète |

| | | |
|--|--|---|
| nie przedstawia ona jednak dowodu | it has not produced evidence of | elle ne rapporte pas la preuve de |
| *. Jednak (fronted) | however | toutefois, en effet, cependant |
| jednakże [however with anemphatic particle] | however | toutefois, cependant |
| jednakże podkreśla | while emphasising that | tout en soulignant que |
| jednakże bez wskazania źródła | without giving any indication of the source of | sans donner aucune indication sur la source de |
| *. Jednakże (fronted) | however, yet, none the less | cependant, or, en revanche, toutefois, néanmoins |
| Contrast: Collocates of jednak and jednakże | | |
| niemniej [nevertheless/BT: not however] | jednak less | The fact remains that, however, the fact none the less remains that, none the less |
| jednak nie dłużej/później... niż [however not longer/after... than] | n.d. | Il n'en demeure pas moins que, toutefois, cependant, il n'en reste pas moins que, . Néanmoins |
| jednakże nie dłużej/później... niż [however not longer/after... than] | n.d. | n.d. |
| | | |

Table 78: Epistemic stance

| PL | EN | FR |
|--|--|---|
| Doubt and certainty | | |
| oczywiście [of course, obviously] | admittedly | certes |
| oczywiście niezwiązane ze sprawą mają oczywiście podstawowe znaczenie dla | manifestly irrelevant are obviously crucial to | manifestement hors de propos seraient manifestement fondamentaux pour |
| oczywiście późniejsze w stosunku do | indeed subsequent to | certes postérieure à |
| odrzuć skargę jako oczywiście niedopuszczalnej w zakresie | to dismiss the action as manifestly inadmissible as far as these applicants are concerned | rejeter comme manifestement irrecevable le recours |
| Oczywiście owo sformułowanie | It is apparent that that reference | Il en ressort que cette référence |
| wynika oczywiście z faktu, że | is without doubt due to the fact that | tient certainement au fait que |
| Oczywiście prawdą jest, że | It is certainly true that | Il est certes exact que |
| Oczywiście | Obviously/ Plainly | À l'évidence |
| Prawdą oczywiście jest, że | It is admittedly true that | Il est certes exact que |
| do członkostwa w której mieli oczywiście prawo | to which they of course had the right to belong | dont ceux-ci avaient évidemment le droit d'être membres |
| W dziedzinie rabatów celem Izby nie było więc oczywiście systematyczne atakowanie grup laboratoriów | The Association's objective in relation to discounts was therefore clearly not to take action systematically against groups of laboratories | L'objectif de l'Ordre en matière de ristournes n'aurait donc clairement pas été de s'attaquer systématiquement aux groupes de laboratoires |
| oczywiście błędną ocenę spotkań | a manifest error of assessment of | une manifestement appréciation erronée |

| | | |
|---|---|---|
| oceniła je w oczywiście błędny sposób | (the Commission) manifestly erred in its assessment | les a appréciés de manière manifestement erronée |
| z pewnością [surely] | certainly, admittedly | certainement, il est certes vrai, certes, |
| z pewnością te ostatnie zachowania bliższe są problematyce | clearly more closely related to | de toute évidence , ces derniers comportements se rapprochent plus de |
| Wprawdzie tematy rozważane na posiedzeniach komitetu dyirekcji generalnej są z pewnością przedmiotem zainteresowania całej grupy | although the matters which it deals with are indeed of common interest to the whole group | si les sujets qui y sont traités présentent bien un intérêt commun |
| naturalnie [naturally] | n.d. | n.d. |
| Actuality and reality | | |
| faktycznie [in fact] | in reality | dans les faits |
| dokument ten sam w sobie nie pozwala na ustalenie , że zarzucane antykonkurencyjne zachowanie faktycznie miało miejsce | that document is not in itself capable of establishing that the alleged anti-competitive conduct occurred | ce document n'est pas de nature, à lui seul, à établir la réalité du comportement anticoncurrentiel reproché |
| interwenient faktycznie nie podjął współpracy wykraczającej poza spoczywający na nim obowiązek prawny | Weichert did not effectively cooperate beyond its legal obligation to do so | cette dernière n'a effectivement pas coopéré au-delà de l'obligation légale qui lui incombait |
| Skarżąca podkreśla, że Weichert również faktycznie nie zakwestionowała okoliczności faktycznych | The applicant emphasises that Weichert also did not substantially contest the facts | La requérante souligne que Weichert n'a pas non plus réellement contesté les faits |
| spółka Schümann Sasol International była faktycznie kontrolowana przez spółkę Vara | that during the joint venture period Schümann Sasol International was actually controlled by Vara | Schümann Sasol International était effectivement contrôlée par Vara |
| czy faktycznie nie skorzystano z tej możliwości wywierania wpływu | exercise decisive influence over that subsidiary's conduct | l'absence d'exercice effectif de ce pouvoir d'influence |
| Trybunał wskazał faktycznie w pkt 67 tego wyroku, iż | the Court of Justice observes at paragraph 67 of that judgment that | la Cour relève effectivement au point 67 dudit arrêt que |
| faktycznie nie skorzystano z tej możliwości wywierania wpływu | exercise decisive influence over | exercer une influence déterminante sur |
| faktycznie miały wiedzę o | were indeed aware of the practices relating to | avaient bien connaissance des pratiques relatives au gatsch |
| obydwie te grupy faktycznie przestały uczestniczyć w spotkaniach przed dniem kontroli | Both effectively ceased to participate in the meetings | les deux auraient effectivement cessé leur participation aux réunions avant la date des inspections |
| rzeczywiście [actually] | | |
| spółka Chiquita rzeczywiście wskazała, że | Chiquita did indeed indicate | Chiquita a effectivement indiqué |
| spółka dominująca rzeczywiście wywiera taki decydujący wpływ na | the parent company does in fact exercise decisive influence over | exerce effectivement une influence déterminante sur |

| | | |
|---|--|--|
| kwestia, czy i w jakim zakresie tego rodzaju skutek rzeczywiście powstaje | Whether and to what extent, in fact , such anti-competitive effects result | La question de savoir si et dans quelle mesure un tel effet se produit réellement |
| ceny rzeczywiście stosowane na rynku | prices actually charged on a market | les prix effectivement pratiqués sur un marché |
| rzeczywiście odpowiadają celom interesu ogólnego uznawanym przez Unię | genuinely meet objectives of general interest recognised by the Union | répondent effectivement à des objectifs d'intérêt général reconnus par l'Union |
| rzeczywiście popierają skargę | indeed support the action | soutiennent bien le recours |
| spółka, której cały lub niemal cały kapitał posiadany jest przez inną spółkę, rzeczywiście działa na rynku w sposób niezależny | company all or virtually all of whose shares are owned by another company necessarily acts autonomously on the market | le quasi-totalité du capital est détenue par une autre société agisse nécessairement de manière autonome sur le marché |
| w jaki rzeczywiście funkcjonowała grupa Elf Aquitaine w czasie trwania naruszenia | which do not correspond to the reality of the operation of the Elf Aquitaine group at the material time | qui ne correspondent pas à la réalité du fonctionnement du groupe Elf Aquitaine au moment des faits en cause |
| z której to możliwości rzeczywiście skorzystała | and did in fact present | qu'elle a effectivement présenté |
| w rzeczywistości [in fact/BT: in reality] | (did) in fact, in actual fact, effectively, actually | effectivement, de fait, en réalité, dans les faits, |
| podczas gdy rynek bananów w rzeczywistości odzyskiwał swój zwykły poziom | when the banana market was eventually recovering to its normal level | alors que le marché de la banane était finalemt en train de revenir à son niveau normal |
| w rzeczywistości z oświadczeń skarżącej oraz dokumentów przedłożonych Trybunałowi wynika, że | Indeed , it is apparent from the applicant's own statements | En effet , il résulte des propres déclarations de la requérante |
| jeżeli w rzeczywistości tak nie było | when that was not the case | alors que tel n'était pas le cas |
| W rzeczywistości zbadała ona, czy | It did consider whether | Elle aurait effectivement examiné si |
| w rzeczywistości w dokumencie tym jest mowa o zamierzeniach cenowych jednego z uczestników tego spotkania (grupy Sasol lub innego producenta niemieckiego) | the real content of that document was that one of the participants (Sasol or another German producer) was stating its pricing objective | le contenu réel de ce document consistait en ce qu'un des participants (Sasol ou un autre producteur allemand) évoquait ses objectifs de prix |
| w istocie [as a matter of fact/in essence] | in fact, actually, in substance, in essence, essentially, in fact, indeed | en fait, en effet, effectivement, tout à fait, en substance, essentiellement, de fait, en effet |
| ponieważ notatki mogą w istocie dotyczyć tygodni 31 lub 34 | since it is entirely possible that the notes concern weeks 31 or 34 | puisque les notes peuvent tout à fait concerner les semaines 31 ou 34 |
| lecz w istocie ważne jest, co myśli Aldi | WITNESS TESTIMONY the crucial thing is what Aldi thinks | mais en fait, l'essentiel , c'est ce que pense Aldi [...]» |
| Limitation | | |
| głównie [mainly] | mainly, principally, in particular, mainly, essentially | principalement, en particulier, principalement, essentiellement |
| z uwagi głównie na więzy gospodarcze | regard being had in particular to the economic ties | eu égard en particulier aux liens économiques |
| głównie ze względu na | essentially on account of | en raison essentiellement des |

| | | |
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| który pełnił w czasie zaistnienia okoliczności faktycznych głównie funkcje [poufne] (1), i pan C2, [poufne]] | who was at the material time [confidential], (1) and Mr C2, [confidential] | qui occupait à l'époque des faits notamment les fonctions de [confidentiel] (1), et M. C2, [confidentiel] |
| kwota podstawowa wynika głównie z tego, że | the basic amount of the fine in essence arises purely because (..) | le montant de base découle essentiellement du simple fait que |
| analiza tej kwestii opiera się głównie na abstrakcyjnym badaniu] | the analysis in that regard is based essentially on an abstract examination of | L'analyse à cet égard repose essentiellement sur un examen abstrait de |
| Wykorzystuje się go głównie do produkcji dwutlenku chloru | Its largest application is for the manufacturing of chlorine dioxide | il trouve sa principale application dans la fabrication du dioxyde de chlore |
| ogółem [in total] | n.d. | n.d. |
| na ogół [generally] | | |
| na ogół uważane za | generally considered to be | considérés, de manière générale , comme |
| ustalenie cen dotyczy na ogół | price-fixing in general applies to | une fixation de prix en général |
| zasadniczo [principally] | Essentially, in principle, in essence | pour l'essentiel, essentiellement, en principe, en substance |
| jego udział w naruszeniu przepisów jest zasadniczo ograniczony | the undertaking provides evidence that its involvement in the infringement is substantially limited | sa participation à l'infraction est substantiellement réduite |
| prowadzącą działalność zasadniczo w zakresie sprzedaży bananów | primarily involved in the marketing of bananas | principalement impliquée dans la commercialisation de bananes |
| powinien zasadniczo dokonać całościowej kontroli | must undertake in a general manner a comprehensive review of the question of | doit exercer, de manière générale , un contrôle entier afin de savoir si les conditions d'application de l'article 81 |
| podmiotów objętych rozpatrywanymi środkami ograniczającymi są zasadniczo takie same, jak | the list of persons and entities subject to the restrictive measures at issue remain essentially the same as | les mesures restrictives en cause restent substantiellement les mêmes que |
| stosuje zasadniczo instrukcje dawane jej przez | carries out, in all material respects , the instructions given to it by | applique pour l'essentiel les instructions qui lui sont données par |
| dyskusje prowadzone w trakcie owych spotkań nie różniły się zasadniczo od tych, które | the discussions in the meetings were not fundamentally different from | les discussions menées lors des réunions n'étaient pas fondamentalement différentes de celles |
| Zasadniczo było to przedsiębiorstwo Sasol, ale zwracało się ono czasami do innego uczestnika, aby to on rozpoczął podwyższanie cen | Usually , that would be Sasol, but sometimes Sasol asked another participant to take the lead | Généralement , une des entreprises représentées prenait l'initiative et commençait à augmenter ses prix |
| w zasadzie [in principle] | in principle, as a rule | en principe |
| mają w zasadzie dużą moc dowodową | particularly high probative value | en principe une forte valeur probatoire |

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| jedyne interesy gospodarcze, które pojawiają się po stronie spółki zależnej, są w zasadzie interesami jedyne go akcjonariusza | the only commercial interests that are evident within the subsidiary are as a rule those of the sole shareholder | les seuls intérêts commerciaux qui se manifestent au sein de la filiale sont en principe ceux de l'actionnaire unique |
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Table 79: Epistemic modality: adjectives

| PL | EN | FR |
|---------------------------|--|--|
| absurdalny | absurd | absurde |
| bezpodstawny | not justified, unfounded, unfounded, there is no basis for, wholly unfounded | ne pas être justifié, non fondé, dépourvu de fondement, dénué de fondement, sans fondement, dépourvu de tout fondement |
| bezsporny | undisputed established not disputed It is common ground that | constant, ne pas être contesté |
| bezsprzeczny | not disputed, is indeed x, necessarily (sic), certainly, indisputably, undeniably | constant, certes (adv), nécessairement (adv), incontestablement, indiscutablement |
| błędny | incorrect, false, mis(conception), erroneous, misapplied, vitiated by an error of law, an error in the imputation to | erroné, faux, (une) mauvaise (application), entachée d'une erreur de droit / viciée par [błędna pod względem prawnym], une erreur dans l'imputation [błędne przypisanie] |
| chybiony | factually incorrect, ineffective | manque en fait, inopérant |
| irrelevantny | irrelevant [pozbawiony znaczenia] | dénuée de pertinence [pozbawiony znaczenia] |
| istotny | basic, essential, relevant | essentiel, substantiel, pertinent |
| konieczny | necessary, required | nécessaire, requis |
| mało prawdopodobny | hardly plausible, very unlikely | peu plausible, peu probable, improbable |
| możliwy | possible | possible, permis (sic) |
| niecelowy | not appropriate | pas opportun |
| niemożliwy | not possible, impossible | impossible, ne pas être être possible |
| nieuprawniony | n.d. | n.d. |
| nieuzasadniony | there was no justification for, unsupported by, (prolong) unduly | il n'y a pas de justification pour, non motivé, (prolonger) indûment |
| niewykłuczony | n.d. | n.d. |
| oczywisty | manifest, obvious, clear(ly), manifest(ly) | manifeste, évident, manifestement |
| pewny | specific, certain, somewhat, some | certain |
| prawdopodobny | likely, probable | probable |
| przekonany | he believed that, according to the applicant, it has already | il pensait que, selon la requérante, elle a déjà démontré |

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| | demonstrated to, be of the opinion, appear convinced that | à, estimer, sembler convaincu de |
| przekonujący | supporting, supportive, valid, convincing | concluant, valable, convaincant |
| przeświadczony | n.d. | n.d. |
| trafny | rightly | nietrafny= sans pertinence, irrelevant, bon droit + inf |
| uzasadniony | justifiable, legitimate, correct, necessary, justified, to be sufficient ground | justifié, légitime, cela se justifie |
| wątpliwy | doubtful | douteux |
| wykluczony | excluded, not communicated | exclu, l'absence de communication (d'un document à décharge) |
| wymowny | n.d. | n.d. |
| zasadny | founded, reasonable, legitimate | fondé, raisonnable, légitime |

Table 80: Present adverbial participles –*qc*

| PL | EN | FR |
|---|---|---|
| uwzględniając [considering/EN Acquis: having regard to] | | |
| Uwzględniając powyższe okoliczności | in those circumstances | dans ces circonstances |
| Komisja oceniła następnie względną wagę udziału spółki Weichert w naruszeniu, uwzględniając w niniejszym przypadku fakt, że | the Commission assessed the relative gravity of Weichert's participation in the infringement by taking into account in this instance the fact that | La Commission a apprécié la gravité relative de la participation de Weichert à l'infraction en prenant en compte , en l'occurrence, le fait que |
| uwzględniając pisemny etap postępowania i po przeprowadzeniu rozprawy w dniu 1 lutego 2012 r. | having regard to the written procedure and further to the hearing on | vu la procédure écrite et à la suite de l'audience du |
| Uwzględniając fakt, że | In view of the fact that | compte tenu du fait que |
| Uwzględniając zakres uznania, który przysługuje Komisji | Given the discretion which it enjoys | Compte tenu de la marge d'appréciation dont elle dispos |
| uwzględniając z góry kwotę grzywny | by taking account, of the amount of the fine | en tenant compte , par avance, du montant de l'amende |
| mając [having] | in view of the context | |
| Mając na uwadze, że | Since Chiquita is said to | Étant donné que |
| mając na uwadze fakt, że | In the light of the/taking into account/having regard to the fact that | eu égard au fait que |
| jedna z tych obniżek wynosiła 60% ze względu na szczególny kontekst regulacyjny, a także mając na uwadze fakt, że kartel dotyczył cen referencyjnych | two reductions of the fine in respect of mitigating circumstances, one of which (60%) was based on the existence of a specific regulatory regime and the fact that the cartel related to the quotation prices | deux réductions d'amende à Weichert, dont l'une de 60 % fondée sur l'existence d'un contexte réglementaire spécifique, et le fait que l'entente portait sur des prix de référence |

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| mając na celu ustalenie części wartości sprzedaży | when setting the proportion of the value of sales by reference to the degree of gravity of the infringement | pour fixer la proportion de la valeur des ventes |
| Mając na względzie wymienione powyżej orzecznictwo | Taking into account the case-law referred to above | Prenant en compte la jurisprudence susvisée |
| mając na uwadze również postanowienia przytoczone w pkt 55 powyżej | if account is also taken of the provisions mentioned in paragraph 55 above | compte tenu également des dispositions rappelées au point 55 ci-dessus |
| Mając powyższe na względzie | In the light of the foregoing | Compte tenu de ce qui précède |
| mając na względzie nowy obowiązek uzyskania wpisu | in the light of the new obligation for such SELs | au vu de la nouvelle obligation d'inscription |
| mając na względzie okoliczności sprawy | having regard to the circumstances of the case | eu égard aux circonstances de l'espèce |
| mając na względzie tę ostatnią uwagę | subject to that reservation | sous cette réserve |
| biorąc [taking] | in view of, | compte tenu de, vu que |
| biorąc pod uwagę szczególny system prawny | in view of the specific regulatory regime | compte tenu du régime réglementaire particulier |
| biorąc od uwagę kontekst prawny i gospodarczy] | having regard to the specific legal and economic context | en tenant compte du contexte juridique |
| ogólnie rzecz biorąc | In a general manner/generally/mostly | De manière générale/généralement |
| ogólnie rzecz biorąc , zielona cena referencyjna jest równa żółtej cenie referencyjnej pomniejszonej o 2 EUR] | [r]oughly speaking , the green quote is the yellow quote minus Euro 2 | « en gros , le prix de référence vert est le prix de référence jaune moins 2 euros» |
| i, biorąc pod uwagę ryzyko wszczęcia postępowania karnego lub wniesienia powództwa odszkodowawczego przeciwko nim przez | given the risk of legal proceedings or claims for damages from third parties | compte tenu du risque de se voir exposer à des poursuites ou à des actions en réparation de tiers |
| biorąc pod uwagę fakt, że | owing to the fact that | compte tenu du fait que |
| biorąc pod uwagę niewielkie możliwości finansowe Izby | given the weak financial capacity of the Associatio | étant donnée la faible capacité financière de l'Ordre |
| uznając | | |
| uznając tym samym pewną elastyczność rynku | acknowledging a certain flexibility of the market. | reconnaissant par la même une certaine flexibilité du marché |
| trzy wcześniejsze decyzje, w których ukarała ona Arkema France, uznając ją za odpowiedzialną za działalność antykonkurencyjną | it had already imposed sanctions on Arkema France in three decisions in which that undertaking had been held liable for earlier cartel activities | dans trois décisions dans lesquelles cette dernière a été tenue pour responsable pour de précédentes activités |
| Komisja nie popełniła błędu, nie uznając w motywie | The Commission did not err in not recognising | La Commission n'a pas commis d'erreur en ne reconnaissant pas |
| Komisja nie popełniła zatem błędu, uznając w motywie 222 | the Commission did not therefore err in finding , in recital 222 of the contested decision, that | C'est donc sans commettre d'erreur que la Commission a estimé , au considérant 222 |
| stwierdzając | | |

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| konkretne wnioski, na których instytucja ta oparła się, stwierdzając naruszenie | the precise conclusions on which it based the finding of the infringement | des conclusions précises sur lesquelles elle a fondé la constatation de l'infraction |
| Komisja przypisała w niniejszej sprawie Compagnie naruszenie popełnione przez Saint-Gobain, stwierdzając mianowicie w motywie 622 zaskarżonej decyzji | the Commission imputed the infringement committed by Saint-Gobain to Compagnie de Saint-Gobain, having concluded , in particular, at recital 622 to the contested decision | la Commission a, en l'espèce, imputé l'infraction commise par Saint-Gobain à la Compagnie, la Commission ayant notamment conclu , au considérant 622 de la décision attaquée |
| zatem Komisja potraktowała obydwie porównywalne sytuacje w taki sam sposób, stwierdzając uczestnictwo w kartelu grup Repsol i Total w okresach | the Commission treated the two comparable situations in the same way, in finding that Repsol and Total had participated in | la Commission a traité ces deux situations comparables d'une façon identique, en concluant à la participation de Repsol et de Total pour |
| opierając | | |
| opierając się na pkt 20 i 22 wytycznych, Komisja, mając na celu ustalenie części wartości sprzedaży w zależności od wagi naruszenia, zbadała i uwzględniła różnego rodzaju czynniki | it must be observed that the Commission, in accordance with points 20 and 22 of the Guidelines, examined and took into account when setting the proportion of the value of sales by reference to the degree of gravity of the infringement | la Commission a, conformément aux paragraphes 20 et 22 des lignes directrices, examiné et pris en compte pour fixer la proportion de la valeur des ventes |
| skarżąca wywierała decydujący wpływ na Arkema France, opierając się na stwierdzeniu, iż posiadała ona niemalże cały kapitał zakładowy tej spółki | the applicant exercised decisive influence over Arkema France, on the basis of the finding that it held virtually all the shares in that subsidiary | la requérante exerçait une influence déterminante sur Arkema France, sur la base du constat qu'elle en détenait la quasi-totalité du capital social |
| Opierając się na art. 18 ust | pursuant to Article 18(2) of Council Regulation | conformément à l'article 18 |
| opierając się na uchwale z dnia 18 stycznia 2006 r | in reliance on a resolution of 18 January 2006 | en s'appuyant sur une résolution du 18 janvier 2006 |
| opierając się na skonsolidowanym obrocie grupy Saint-Gobain | it was by reference to the consolidated turnover of the Saint-Gobain | c'est par référence au chiffre d'affaires consolidé du groupe Saint-Gobain |
| opierając się na art. 44 § 1 lit] | Relying on Article 44(1)(c) of the Rules of Procedure | Se fondant sur l'article 44 |
| Komisja nie popełniła zatem błędu, opierając się na decyzji Szkło płaskie (Benelux) | The Commission therefore did not err in relying on the Flat glass (Benelux) decision | la Commission s'est fondée sur la décision Verre plat |
| powołując | | |
| nie powołując się przy tym wyraźnie na początkowe szacunki wyrażone w tygodniach | without explicitly backtracking on the initial estimate | sans revenir explicitement sur l'estimation hebdomadaire initiale |
| powołując się na wyrok | Referring to a judgment of the French Cour de cassation | Se référant à un arrêt |
| uzasadnić konieczność dalszego stosowania omawianych środków ograniczających wobec skarżących, powołując się na ich zachowania, jakich mieli oni dopuścić się w przeszłości | justify the renewal of the restrictive measures in question as regards the applicants by reference to their past conduct | justifier la reconduction des mesures restrictives en cause à l'égard des requérants par référence au comportement de ceux-ci par le passé |

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| w pkt 14 tego kodeksu przewidziano, powołując się na ww. w pkt 126 wyrok w sprawie AC Treuhand przeciwko Komisji, pkt 56, iż | paragraph 14 of that code provides, with reference to AC-Treuhand v Commission, paragraph 126 above, paragraph 56, that | le point 14 dudit code prévoit, en faisant référence à l'arrêt AC-Treuhand/Commission, point 126 supra (point 56) que, |
| powołując się na domniemanie wywierania decydującego wpływu skarżącej na jej spółkę zależną, Komisja nie naruszyła zasady domniemania niewinności | the Commission did not breach the presumption of innocence by presuming that the applicant exercised decisive influence over its subsidiary | la Commission n'a pas méconnu la présomption d'innocence en présumant l'exercice d'une influence déterminante de la requérante sur sa filiale |
| Komisja nałożyła grzywnę, powołując się na art. 23 ust. 2 rozporządzenia nr 1/2003 | the Commission imposed the fine by reference to Article 23(2) of Regulation No 1/2003. | la Commission a infligé l'amende en se référant à l'article 23, paragraphe 2, du règlement no 1/2003 |
| przyjmując | | |
| (przedsiębiorstwo) w istocie powstrzymywało się ono od stosowania postanowień tych porozumień, przyjmując na rynku postawę pro-konkurencyjną | (the undertaking) it actually avoided applying it by adopting competitive conduct in the market | (l'entreprise) elle s'est effectivement soustraite à leur application en adoptant un comportement concurrentiel sur le marché |
| przyjmując kwotę odpowiadającą 15% wartości sprzedaży spółki Weichert, Komisja zastosowała stawkę o połowę niższą od stawki, którą można zazwyczaj przyjąć w przypadku porozumień horyzontalnych lub uzgodnionych praktyk dotyczących ustalania cen, tj. 30% | by setting an amount of 15% of the value of Weichert's sales, the Commission applied a proportion 50% lower than that which may be generally applied in horizontal agreements or concerted practices fixing prices, that is 30%. | en retenant un montant de 15 % de la valeur des ventes de Weichert, la Commission a appliqué une proportion inférieure de moitié à celle qui peut généralement être retenue dans les accords horizontaux ou pratiques concertées de fixation des prix, soit 30 %. |
| dokumentami, na których oparła się Rada przyjmując decyzję 2012/97 i decyzję wykonawczą 2012/124 | documents on which the Council relied when adopting Decision 2012/97 and Implementing Decision 2012/124 | des documents sur lesquels le Conseil s'est fondé lors de l'adoption de la décision 2012/97 et de la décision d'exécution 2012/124 |
| wspierania trwałego rozwoju gospodarczego i społecznego oraz środowiskowego krajów rozwijających się, przyjmując za nadrzędny cel likwidację ubóstwa | foster the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty | soutenir le développement durable sur le plan économique, social et environnemental des pays en développement dans le but essentiel d' éradiquer la pauvreté |
| przyjmując środki ograniczające | when adopting restrictive measures | lorsqu'il adopte des mesures restrictives |
| przyjmując te przepisy | in adopting those provisions | en adoptant ces dispositions |
| przyjmując jako podstawę obliczenia pułapu grzywny skonsolidowany obrót danej spółki holdingowe | the Commission did not err by taking the consolidated turnover of the ultimate parent company concerned as a reference for the calculation of the maximum amount of the fine | en prenant comme référence pour le calcul du plafond de l'amende le chiffre d'affaires consolidé de+C1021 |
| przyjmując na niekorzyść skarżącej znaczną liczbę dni, w odniesieniu do których nie | in holding the applicant liable for a considerable number of days in respect of which no | en mettant à la charge de la requérante un nombre considérable de jours, pour |

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| udowodniono [brak] żadnego uczestnictwa w naruszeniu,] | participation in the infringement was established | lesquels aucune participation à l'infraction n'était établie |
| dokonując | | |
| Dokonując oceny tego, czy | In deciding whether | Pour apprécier si |
| dokonując oceny zachowania | in its assessment of Dole's conduct | dans son évaluation du comportement de Dole |
| zorganizowała dużą liczbę tych spotkań, dokonując rezerwacji hotelowych | organised many of them by reserving hotel rooms | a organisé nombre d'entre elles, réservant des chambres d'hôte |
| Niniejszą część zarzutu należy zbadać, dokonując rozróżnienia pomiędzy | In examining this part of the plea, it is appropriate to draw a distinction between | La présente branche doit être examinée en opérant une distinction entre |
| dokonując oceny współpracy członków kartelu | in assessing the cooperation provided by the members of a cartel | dans le cadre de son appréciation de la coopération fournie par les membres d'une entente |
| odnosząc | n.d. | n.d. |
| zakładając | assuming that, even if | à supposer même que |
| zakładając nawet, że | even on the assumption that | même à supposer que |
| zakładając że | even assuming that | à supposer que |
| podnosząc | submitting that, asserting that | en faisant valoir que |
| podnosząc, że | claiming that | en faisant valoir que |
| podnosząc, że | by arguing that | en avançant que |
| podnosząc, że | by observing that | en relevant que |
| zmieniła ona swoją cenę referencyjną, podnosząc ją o 1,5 EUR | changed its quotation price by increasing it by EUR 1.5 | elle a modifié son prix de référence en l'augmentant de 1,5 euro |
| podnosząc cenę rynkową i cenę Aldi | By moving the market and Aldi price up | en augmentant le prix du marché et celui d'Aldi |
| podnosząc, że | submitting that | en faisant valoir que |
| podnosząc w ten sposób nowy zarzut, który jest niedopuszczalny | thus raises a new, and inadmissible, plea | soulevant ainsi un moyen (ou grief) nouveau irrecevable |
| W tych okolicznościach, gdyby zainteresowana strona mogła obalić wspomniane domniemanie, podnosząc zwykłe twierdzenia niepoparte dowodami, byłoby ono w znacznym stopniu bezużyteczne | In those circumstances, if, in order to rebut that presumption, it were sufficient for a party concerned to put forward mere unsubstantiated assertions, the presumption would be largely deprived of its usefulness | Dans ces conditions, s'il suffisait à une partie intéressée de réfuter ladite présomption en avançant de simples affirmations non étayées, celle-ci serait largement privée de son utilité |
| wskazując | | |
| żądał tego na piśmie, wskazując kwestie, jakie mają być przedyskutowane podczas posiedzenia | requested it in writing, indicating the agenda points to be discussed | le demandait par écrit en précisant les questions à l'ordre du jour devant être discutés |
| Po drugie, ci klienci twierdzą, że mieli „dostęp do wymienianych informacji”, nie odnosząc się do rozmów z importerami i wskazując tytułem jedyne przykłady dostępu do zamieszczanego co tydzień na | On the other hand, the customers concerned claim that they had 'access to the information exchanged' without referring to discussions with importers and mentioning , as the only example, access to the | D'autre part, les clients concernés allèguent qu'ils avaient «accès à l'information échangée», sans faire état de discussions avec les importateurs et en mentionnant , comme seul |

| | | |
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| stronie internetowej spółki Weichert wykazu przyjęć bananów.] | weekly list of banana arrivals on Weichert's intranet site | exemple, l'accès à la liste hebdomadaire des arrivages de bananes sur le site Intranet de Weichert |
| wskazując jako podstawę prawną art. 29 TUE | adopted on the basis of Article 29 TEU | prise sur la base de l'article 29 TUE |
| wskazując, że | when it states that | en indiquant que |
| nie wskazując jednak , na czym polegał błąd Komisji w zakresie ich interpretacji | without, however, indicating to what extent the Commission made an error in their interpretation | sans toutefois indiquer dans quelle mesure la Commission aurait commis une erreur |
| należy uznać, że wskazując , iż „należy przeanalizować tę kwestię”... skarżąca uznała | by stating that it was going 'to work on that issue' (.the applicant) | en indiquant qu'elle allait «travailler cette question» (...la requérante a fait) |
| orzekając | | |
| Sąd, orzekając w sprawie skarg o stwierdzenie nieważności decyzji Komisji nakładających karę na mocy art. 81 WE | when the Court adjudicates on an action for annulment of a decision imposing a penalty adopted by the Commission pursuant to Article 81 EC | le Tribunal, lorsqu'il se prononce sur des recours en annulation dirigés contre des décisions de sanction prises par la Commission au titre de l'article 81 CE |
| stosując | by using/ in applying | en appliquant |
| Komisja ustaliła w niniejszym przypadku kwotę grzywnien, stosując metodę określoną w wytycznych | the Commission determined the amount of the fines in the present case by applying the method laid down in the Guidelines | déterminé le montant des amendes en faisant application de la méthode définie dans les lignes directrices |
| Stosując pojęcia pozwalające obu stronom na zrozumienie, czy ceny ulegną podwyższeniu, obniżeniu, czy pozostaną na tym samym poziomie | in such terms that both parties would understand whether the prices should go up, go down or stay the same | en utilisant des termes permettant aux deux parties de comprendre si les prix devaient augmenter, baisser ou rester au même niveau |
| stosując | by means of | au moyen de |
| stosując w spornej decyzji wytyczne z 2006 r | in applying the 2006 Guidelines | en appliquant les lignes directrices de 2006 |
| stosując przepisy prawa konkurencji | when it applies competition law | lorsqu'elle applique le droit de la concurrence |
| stosując kryterium odpowiednie dla oceny czasu uczestnictwa w naruszeniu | according to the relevant criterion for the determination of the duration of participation in the infringement | selon le critère qui est pertinent pour l'appréciation de la durée de la participation à l'infraction |
| twierdząc | | |
| Komisja popelniła błąd , twierdząc , że skarżąca nie przedstawiła | the Commission was wrong to consider that it had not submitted | la Commission a considéré à tort qu'elle n'avait pas rapporté |
| Ponadto skarżące zniekształcają wypowiedź pana C1 twierdząc , że ten ostatni | the applicants twist the words of Mr C1 by claiming that he | les requérantes déforment les propos de M. C1 en prétendant que ce dernier |
| twierdząc jednocześnie, że | at the same time claiming that | tout en soutenant que |
| Również Komisja odwołuje się w swojej argumentacji do art. 215 | The Commission for its part also refers to Article 215(2) TFEU in | La Commission invoque, elle aussi, l'article 215, paragraphe 2, TFUE dans son |

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| ust. 2 TFUE, twierdząc , że przepis ten stanowi | its arguments and contends that that provision constitutes | argumentation et fait valoir que cette disposition constitue |
| twierdząc , iż Trybunał potwierdził w nim, że | when they assert that the Court of Justice confirmed there that | ils affirment que la Cour y a confirmé que |
| W związku z tym skarżąca nie ma racji, twierdząc , że nie znała warunków przypisywania spółce dominującej odpowiedzialności za naruszenie | Accordingly, the applicant cannot properly claim that it was not aware of the conditions in which liability for an infringement would be imputed to a parent company | Dès lors, elle ne saurait prétendre à bon droit que les conditions d'imputation de la responsabilité d'une infraction à une société mère lui étaient inconnues |
| Komisja naruszyła prawo, twierdząc – w motywie 369 zaskarżonej decyzji – że nie miała obowiązku | the Commission erred in law in taking the view , at recital 369 to the contested decision, that | la Commission a commis une erreur de droit en estimant , au considérant 369 de la décision attaquée, que |
| naruszając | | |
| naruszając w ten sposób koncepcję właściwą postanowieniom traktatu dotyczącym reguł konkurencji | thus undermining the concept inherent in the provisions of the Treaty relating to competition | portant ainsi atteinte à la conception inhérente aux dispositions du traité relatives à la concurrence |
| nie naruszając w ten sposób prawa do obrony zainteresowanych przedsiębiorstw | without the rights of defence of the undertakings concerned being affected as a result | sans que les droits de la défense des entreprises concernées s'en trouvent affectés |
| naruszając w ten sposób art. 253 WE | thereby infringing Article 253 EC | violant ainsi l'article 253 CE |
| ze względu na to, że zarzucane im zachowania, które, naruszając z dużą dozą prawdopodobieństwa jednocześnie normy prawa karnego, a przynajmniej cywilnego , były częścią | because of the alleged conduct on their part which, while also falling in all probability within the scope of criminal or, at the least, civil law , was part of a | en raison de leurs agissements allégués qui, tout en relevant également et très probablement des droits pénal ou, à tout le moins, civil , s'inscrivaient dans |
| naruszając tym samym wymogi określone w orzecznictwie | in breach of the requirements laid down in the case-law | en violation des exigences posées par la jurisprudence |
| naruszając jej prawo do obrony | by breaching its rights of defence | en violant ses droits de la défense |
| naruszając zasady odpowiedzialności za własne czyny | in breaching the principle of personal liability and | en violant les principes de responsabilité du fait personnel |
| nie naruszając zasady legalności kar | without committing a breach of the principle that | c'est sans violer le principe de légalité des peines que |
| naruszając tym samym wymogi określone w orzecznictwie | in breach of the requirements laid down in the case-law | en violation des exigences posées par la jurisprudence |
| naruszając porozumienie o podziale klientów | in breach of a customer-sharing agreement | en méconnaissant un accord sur la répartition des clients |
| ustalając | | |
| ustalając swą ofertę cenową dla spółki Aldi | when it was setting its price offer to | lorsqu'elle établissait son offre de prix |
| Ustalając mnożnik wynoszący 15% wartości sprzedaży gaczu parafinowego | In fixing the proportion at 15% of the value of slack-wax sale | En fixant le coefficient à 15 % de la valeur des ventes |
| ustalając wysokość grzywny nałożonej solidarnie na | when calculating the amount of the fine imposed jointly and severally on it | dans le cadre du calcul du montant de l'amende qui lui a été imposée |

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| instytucja ta nie naruszyła więc wskazanego postanowienia, ustalając w niniejszej sprawie, że datą rozpoczęcia naruszenia | the Commission did not infringe that provision in the present case by determining the date on which the infringement began on the French | c 'est sans enfreindre cette disposition que la Commission a fixé , en l'espèce, la date de début de l'infraction |
| ustalając wskaźnik dla produktu | when setting the product benchmark | pour définir le référentiel de produit |
| działając | | |
| zastrzeżenie skarżącej, jakoby Komisja, działając zgodnie z zasadą administracji i ekonomii procesowej, powinna była | the Commission ought, in accordance with the principles of sound administration and procedural economy, to have suspended the procedure | s'agissant du grief de la requérante selon lequel la Commission aurait dû, conformément aux principes de bonne administration et d'économie de la procédure, suspendre |
| zakładając, że Izba podjęła decyzję, działając jako związek przedsiębiorstw | on the assumption that it did take decisions in its capacity as an association of undertakings | à supposer qu'il ait pris des décisions en sa qualité d' association d'entreprises |
| Spółka dominująca Total SA przedstawia również listę niektórych innych dziedzin, którymi się zajmuje, działając na rzecz całej grupy | Total SA also lists certain other matters such as [...] which are in the hands of Total SA for the whole group | Total SA dresse également la liste de certains autres sujets tels que [...] se trouvant dans les mains de Total SA pour le compte de l'ensemble du groupe |
| działając w ten sposób | In so doing | En agissant de la sorte |
| włączając [including] | | |
| włączając w to pana C1 | including Mr C1 | y compris M. C1 |
| Komisja nie popełniła błędu, włączając wartość sprzedaży mikrowosków do wartości sprzedaży | the Commission did not err in including the micro-wax sales in the value of sales | la Commission n'a pas commis d'erreur lors de l'inclusion des ventes de microcires dans la valeur des ventes |
| stanowiąc [acting] | | |
| Rada, stanowiąc na wniosek państwa członkowskiego | 'The Council, acting upon a proposal by | «Le Conseil, statuant sur proposition d'un État membre |
| spółki te, stanowiąc jedno przedsiębiorstwo w rozumieniu art. 81 WE | those companies constituting the undertaking , within the meaning of Article 81 EC | ces sociétés qui composaient l'entreprise , au sens de l'article 81 CE |
| Gaz de France i E.ON Ruhrgas potwierdziły, że od dłuższego czasu traktują pisma Direktion G oraz Direktion I jako „nieważne i nieistniejące”, stanowiąc w tym porozumieniu , że wskazane pisma zostają uchylone z mocą wsteczną | Gaz de France and E.ON Ruhrgas confirmed that they had long regarded the Direktion G and Direktion I letters as 'null and void' and that that agreement repealed those letters with retroactive effect. | Gaz de France et E.ON Ruhrgas ont confirmé qu'elles considéraient depuis longtemps les lettres Direktion G et Direktion I comme «nulles et non avenues», cet accord abrogeant lesdites lettres avec effet rétroactif |
| licząc [counting] | | |
| nie licząc oświadczeń złożonych przez | apart from Chiquita's statements contained in its application for immunity and the documents attached thereto | outre les déclarations de Chiquita contenues dans sa demande d'immunité et les documents joints |
| 12 miesięcy, licząc od dnia jego publikacji w Dzienniku Urzędowym Unii Europejskiej | 2 months from the date of its publication in the Official Journal of the European Union | douze mois à partir de la date de sa publication au Journal officiel de l'Union européenne |

| | | |
|---|--|---|
| będąc [being] | | |
| Będąc świadomymi tego kontekstu | With knowledge of that background | conscients de ce contexte |
| uwzględnienie tej decyzji narusza również prawo do obrony Compagnie, ponieważ nie będąc adresatem tej decyzji, nie mogła ona przedstawić swoich uwag | the fact that that decision was taken into account also constitutes a breach of Compagnie de Saint-Gobain's rights of defence, since, as it was not an addressee of that decision, it was not in a position to comment either o | La prise en compte de cette décision méconnaîtrait également les droits de la défense de la Compagnie, dès lors que cette dernière, n'étant pas destinataire de celle-ci, n'a été en mesure de faire valoir ses observations |
| kierując (się) [being guided-refl] | | |
| jedyny akcjonariusz samodzielnie określa, kierując się swoim własnym interesem, zasady i tryb podejmowania decyzji spółki zależnej oraz decyduje o zakresie jej autonomii operacyjne | it is the sole shareholder that defines, alone and according to its own interests , the procedure whereby the subsidiary takes decisions and that determines the subsidiary's operational autonomy | c'est l'actionnaire unique qui définit seul et selon ses propres intérêts les modalités de prise de décision de la filiale et qui décide de l'étendue de l'autonomie opérationnelle de celle-ci |

Table 81: Perfective adverbial participles -wszy/-wszy

| PL | EN | FR |
|--|--|---|
| uznawszy | | |
| uznawszy, że | Having found that | Ayant constaté que |
| Uznawszy, że pismo to stanowi w istocie wniosek o zastosowanie środka organizacji postępowania na podstawie art. 64 regulaminu postępowania przed Sądem, Sąd wezwał Radę, Komisję i Zjednoczone Królestwo do przedstawienia uwag w tym względzie, co też uczestnicy ci uczynili w dniach, odpowiednio, 10, 11 i 7 grudnia 2012 r. W swoich uwagach Rada poinformowała też Sąd, że pismem z dnia 27 listopada 2012 r | Since this was, in essence, a request to adopt a measure of organisation of procedure, within the meaning of Article 64 of the Rules of Procedure, the Court invited the Council, the Commission and the United Kingdom to submit their observations on that request, which they all did, on 10, 11 and 7 December 2012 respectively. | S'agissant , en substance, d'une demande d'adoption d'une mesure d'organisation de la procédure, au sens de l'article 64 du règlement de procédure, le Tribunal a invité le Conseil, la Commission et le Royaume-Uni à présenter leurs observations à cet égard, ce qu'ils ont fait, respectivement, les 10, 11 et 7 décembre 2012 |
| stwierdziwszy | After finding that, having found that | Ayant constaté que |
| uwzględniwszy | | |
| uwzględniwszy szczególnie charakter rozpatrywanego produktu | in the light of the specific nature of the relevant product | compte tenu de la nature spécifique du produit en cause |
| wziąwszy | | En effet, étant donné que les augmentations de prix |
| wziąwszy pod uwagę, iż | since the note constitutes in any event evidence | étant donné que cette dernière constitue de toute façon une preuve de |
| wziąwszy pod uwagę więzy ekonomiczne | having regard especially to the economic links | eu égard en particulier aux liens économiques |

| | | |
|--|--|--|
| począwszy [starting-pfv] | | |
| Począwszy od drugiego półrocza 2002 r | From the second half of 2002 | À compter du second semestre 2002 |
| począwszy od końca 2002 | from late 2002 | à partir de la fin 2002 |
| począwszy od | since 1994 | depuis 1994 |
| które obejmowały wszelkie kwestie, począwszy od warunków atmosferycznych w Europie, skończywszy na plotkach branżowych | which included any topic from weather conditions in Europe to industry gossip | qui comprenaient n'importe quel sujet depuis les conditions atmosphériques en Europe jusqu'à des bavardages sur le secteur |
| Począwszy od dnia 4 listopada 2004 r | Beginning on 4 November 2004, | À compter du 4 novembre 2004 |
| począwszy od dnia 1 marca 2006 r | with effect from 1 March 2006, | à compter du 1er mars 2006 |
| grupa Shell ma zamiar podwyższyć ceny gaczu stosowane w sektorze producentów płyt wiórowych o 8–10%, począwszy od dnia 1 czerwca 1999 | that Shell intended to increase the prices of slack wax used in the particle board sector by 8 to 10% on 1 June 1999 | avait l'intention d'augmenter les prix du gatsch utilisé dans le secteur des panneaux de particules, de 8 à 10 % dès le 1er juin 1999. |
| zważywszy [considering-pfv] | taking into account, since | Compte tenu de tout ce qui précède, compte tenu de |
| zważywszy że to Del Monte | bearing in mind that it was Del Monte which | étant rappelé que c'était Del Monte qui |
| zważywszy na to, że | since | étant donné que |
| zważywszy że zaskarżona decyzja zawiera kilka odniesień do występowania takich dowodów, do których skarżąca nie miała dostępu | while the contested decision, moreover, contains a number of indications of the existence of such evidence to which the applicant did not have access | la décision attaquée contenant d'ailleurs plusieurs indications de l'existence de telles preuves, auxquelles elle n'a pas eu accès |
| zważywszy na trudność uzyskania | In view of the difficulty of -ing | Compte tenu de la difficulté de |
| zważywszy że z uwagi na sam jego charakter nie może ono w żadnym razie zostać uznane za ograniczenie konkurencji ze względu na cel. | since , by its very nature, it could, under no circumstances, be considered as a restriction of competition by object. | étant donné que , par sa nature même, celle-ci ne pourrait en aucun cas être considéré comme une restriction de la concurrence par objet. |
| zważywszy na dużą liczbę małych laboratoriów | given the large number of small laboratories | étant donné le grand nombre de petits laboratoires |
| Zważywszy na powyższe | In the light of the foregoing | Eu égard à ce qui précède |
| wyjąwszy [excluding-pfv] | | |
| Tak więc wyjąwszy te dwa dokumenty, | with the exception of the latter two documents | hormis pour ces deux derniers documents |

Table 82: Pronouns

| PL | EN | FR |
|--|--|---|
| Personal pronouns | | |
| on, ona, ono, oni/one [he, she, it, theypro:nom] | | |
| a ponadto Komisja nie wyjaśniła, w jaki sposób miałyby ona przekształcać te dotyczące | the Commission having failed, moreover, to explain how the applicant would have been able to transform that ex post | la Commission n'expliquant d'ailleurs pas la manière dont elle aurait pu transformer ces |

| | | |
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| przeszłości informacje w decydujący wpływ | information into decisive influence | informations rétrospectives en une influence déterminante |
| że doprowadziła ona do uzgodnionej praktyki mającej na celu ograniczenie konkurencji w rozumieniu art. 81 WE | that they gave rise to a concerted practice having as its object the restriction of competition within the meaning of Article 81 EC | qu' elles ont donné lieu à une pratique concertée ayant pour objet de restreindre la concurrence au sens de l'article 81 CE |
| że skutkiem tego uchyliła się ona od obowiązku zbadania tego, czy wymiana ta miała jakiegokolwiek antykonkurencyjne skutki | that, by doing so, it avoided the obligation to consider whether that information exchange had any anti-competitive effect | et que, ce faisant, elle s'est soustraite à l'obligation d'examiner s'ils avaient un effet anticoncurrentiel quelconque |
| Przepis ten przewidywał też, że decyzja podlega stałemu przeglądowi, jest ona odpowiednio przedłużana lub zmieniana, jeżeli Rada uzna, że jej cele nie zostały osiągnięte | Under that same article, the decision was to be kept under constant review and was to be renewed, or amended as appropriate, if the Council deemed that its objectives had not been met | Selon cette même disposition, elle était constamment réexaminée et était renouvelée, ou modifiée, le cas échéant, si le Conseil estimait que ses objectifs n'avaient pas été atteints |
| Niniejsza decyzja podlega stałemu przeglądowi, jest ona odpowiednio przedłużana lub zmieniana, jeżeli Rada uzna, że jej cele nie zostały osiągnięte | This Decision shall be kept under constant review and shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met | La présente décision est constamment réexaminée et est renouvelée, ou modifiée, le cas échéant, si le Conseil estime que ses objectifs n'ont pas été atteints |
| ponieważ względem skarżącej nie zostały rozpoczęte żadne szczególne czynności dochodzeniowe, została ona w swym przekonaniu pozbawiona prawa do wyjaśnienia | in the absence of measures of investigation undertaken against it, the applicant was deprived of its right to explain | en l'absence de mesures d'enquête diligentées à son égard, la requérante aurait été privée de son droit d'expliquer |
| pismo w sprawie przedstawienia zarzutów skierowane przez Komisję do przedsiębiorstwa, na które zamierza ona nałożyć sankcję za naruszenie reguł konkurencji | the statement of objections which the Commission sends to an undertaking on which it envisages imposing a penalty for an infringement of the competition rules | la communication des griefs adressée par la Commission à une entreprise à l'égard de laquelle elle envisage d'infliger une sanction pour violation des règles de la concurrence |
| jeśli w swej opinii posiada ona także informacje uzasadniające skierowanie takiego pisma | where it considers that it otherwise has information that justifies issuing the statement of objections | lorsqu'elle considère qu' elle dispose par ailleurs d'informations justifiant l'envoi d'une telle communication |
| skarżąca nie przedstawiła żadnych konkretnych dowodów na potwierdzenie zarzutu, iż została ona z tego powodu pozbawiona możliwości dostarczenia dowodów na to, że | the applicant has put forward no specific element establishing that it was thereby deprived of the opportunity to adduce evidence that it | la requérante n'avance aucun élément concret établissant qu' elle ait été, de ce fait, privée de la faculté de fournir la preuve que |
| grzywny, do której zapłaty została ona zobowiązana solidarnie z Arkema France | a fine imposed on it jointly and severally with Arkema France | une amende qui lui a été imposée solidairement avec Arkema France |
| nie mogła ona pominąć warunków, w których dokonała tego przypisania | the applicant could not be unaware of the conditions on | celle-ci ne pouvait ignorer les conditions d'une telle imputation |

| | | |
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| | which such liability was imputed | |
| musi ona zawierać wystarczające uzasadnienie względem każdego z adresatów | it must include an adequate statement of reasons with respect to each of the addressees | elle doit comporter une motivation suffisante à l'égard de chacun des destinataires |
| Skarżąca twierdzi, że nie istniało porozumienie co do cen oraz że w każdym razie nie uczestniczyła ona w tym spotkaniu. | The applicant claims that there was no agreement on prices and that, in any event, it was not present at that meeting. | La requérante allègue qu'il n'existait pas d'accord sur les prix et que, en tout état de cause, elle n'était pas présente à cette réunion. |
| jego, jej, ich [his, her, its, theirpro:poss] | | |
| ocena, czy uzasadnienie aktu spełnia wymogi art. 253 WE, winna opierać się nie tylko na jego brzmieniu, ale także uwzględniać okoliczności jego wydania | the question whether the statement of reasons meets the requirements of Article 253 EC must be assessed with regard not only to its wording but also to its context | la motivation d'un acte satisfait aux exigences de l'article 253 CE doit être appréciée au regard non seulement de son libellé mais aussi de son contexte |
| jego streszczenie | their summary | et leur exposé |
| i rzeczywiście wywierało taki wpływ poprzez kształtowanie jego postępowania na rynku | effectively influenced Weichert in determining Weichert's market behaviour | influence sur Weichert en déterminant son comportement sur le marché |
| odpowiedzialny za to zachowanie tej spółki, które jest poza jego kontrolą | conduct of that company that is beyond its control | responsable du comportement de cette société, qui est au-delà de son contrôle |
| pojęcie przedsiębiorstwa obejmuje każdy podmiot wykonujący działalność gospodarczą, niezależnie od jego statusu prawnego i sposobu jego finansowania | that the concept of undertaking covered any entity engaged in an economic activity, regardless of its legal status and the way in which it is financed | la notion d'entreprise comprenait toute entité exerçant une activité économique, indépendamment du statut juridique de cette entité et de son mode de financement |
| tęgo rodzaju domniemanie jest niezgodne z zasadą niezależności osoby prawnej, gdyż jego przyjęcie automatycznie prowadzi do uznania odpowiedzialności spółki dominującej za naruszenia popełnione przez jej spółkę zależną. | such a presumption is incompatible with the principle of autonomy of legal persons, since it means that the parent company is automatically liable for the infringements committed by its subsidiary | une telle présomption est incompatible avec le principe d'autonomie de la personne morale, dès lors qu' elle entraîne la responsabilité automatique de la société mère pour les infractions commises par sa filiale. |
| (skarżąca) jej prawo do obrony zostało naruszone zarówno przed doręczeniem jej pisma w sprawie przedstawienia zarzutów, jak i po jego doręczeniu. | (The applicant's) its rights of defence were breached before and after the statement of objections was notified to it . | (La requérante) ses droits de la défense ont été violés avant et après que la communication des griefs lui a été notifiée |
| swój ... [possessive pronouns connected with the sentence subject] | | |
| podczas gdy rynek bananów w rzeczywistości odzyskiwał swój zwykły poziom | when the banana market was eventually recovering to its normal level | alors que le marché de la banane était finalement en train de revenir à son niveau normal |
| aby zasadnie poprzeć swój wniosek o znaczeniu ceny referencyjnej w sektorze bananów | its conclusion regarding the relevance of quotation prices in the banana industry | sa conclusion quant à la pertinence des prix de référence dans le secteur de la banane |

| | | |
|---|---|---|
| Skarżąca ponowiła swój wniosek pismem wysłanym w dniu 21 sierpnia 2008 r. do urzędnika przeprowadzającego spotkanie wyjaśniające | The applicant renewed its request by letter sent on 21 August 2008 to the hearing officer | La requérante a renouvelé sa demande par une lettre envoyée le 21 août 2008 au conseiller-auditeur |
| kiedy Weichert przedstawiała swoją odpowiedź na pismo w sprawie przedstawienia zarzutów, aby zakwestionować istnienie naruszenia i swój w nim udział | that when Weichert submitted its reply to the statement of objections and contested the very existence of the infringement and its involvement therein | lorsque Weichert a présenté sa réponse à la communication des griefs pour contester l'existence même de l'infraction et sa participation à celle-ci |
| Komisja opiera swój wniosek dotyczący przypisania spółkom Sasol Holding in Germany i Sasol Ltd odpowiedzialności za działania przedsiębiorstwa Schümann Sasol International | Commission bases its conclusion regarding the imputation of liability to Sasol Holding in Germany and Sasol Ltd for the conduct of Schümann Sasol International | la Commission fonde sa conclusion relative à l'imputation à Sasol Holding in Germany et à Sasol Ltd de la responsabilité pour les agissements de Schümann Sasol International |
| swa, swe... [archaic form of swój] | | |
| Demonstrative pronouns | | |
| ten, ta, to, te, ci (+inflected variants) [this, that, these, those] | | |
| przy czym ten ostatni podmiot został uznany za | the latter being described as | ce dernier opérateur étant qualifié de |
| Ten podział | This brand-division | Cette division |
| w ramach funkcjonującego w ten sposób rynku | it is in the context of the functioning of (...) that | c'est dans le cadre du fonctionnement du marché (...) que |
| w odpowiedzi na ten zarzut | in response to that complaint | en réponse à celui-ci |
| Ten kalendarz jest zgodny ze | That timetable is consistent with | Ce calendrier correspond à |
| EKA poparła ten wniosek dowodami w postaci dokumentów | EKA supported that application by documentary evidence | EKA a étayé ladite demande par de preuves documentaires |
| Argument ten jest zatem bezskuteczny | the argument is therefore ineffective | L' argument est donc inopérant |
| zapłaty części grzywny nałożonej na ten związek | payment of part of the fine imposed on the association | le paiement d'une partie de l'amende infligée à l' association |
| taki, taka, takie (+inflected variants) [such] | | |
| Del Monte postrzegała siebie jako podmiot, który posiada faktyczną lub prawną możliwość wywierania wpływu na politykę cenową oraz prowadzenie bieżących spraw spółki Weichert i w praktyce taki wpływ wywierał | Del Monte regarded itself as being in a position or having the right to influence Weichert's pricing policy and to exert influence on the day-to-day management of Weichert's business, and that in practice it did exert such influence | del Monte se considérait comme étant en mesure ou disposant du droit d'influencer la politique de tarification de Weichert et d'exercer une influence sur la gestion journalière des affaires de Weichert, et l'exerçait concrètement |
| mające taki sam charakter | having the same nature | qui partagent la même nature |
| czy środek taki można uznać za pomoc państwa w rozumieniu art. 87 | whether such a measure can be characterised as State aid within the meaning of Article 87 EC | si une telle mesure peut être qualifiée d'aide d'État au sens de l'article 87 CE |

| | | |
|--|---|--|
| niezależnie od siebie przyznały, że taki podział istniał, i szczegółowo go opisały.] | have independently admitted, and described in detail, such customer allocation. | ont indépendamment admis, et décrit en détail, une telle répartition |
| tam [there] | | |
| przy czym rzeczywista cena maksymalna odpowiada wskazanej tam cenie referencyjnej | the maximum actual price corresponded to the quotation price indicated | le prix réel maximal correspondant à l'indication du prix de référence |
| i przytoczone tam orzecznictwo | and the case-law cited | et la jurisprudence citée |
| Komisja opisała tam również cele gospodarcze ogłoszone przez organy Izby | the Commission also describes there the economic objectives announced by the bodies of the Association.K | La Commission y décrit également les objectifs économiques annoncés par les organes de l'Ordre |
| Indefinite pronouns and quantifiers | | |
| wszystek [all] | n.d. | n.d. |
| wszelki [all] | | |
| w celu podważenia wszelkiej możliwości | to challenge any possibility | à contester toute possibilité |
| wszelkie umowy zawierane przez podjęcie wszelkie działania konieczne do tego, aby | any agreement concluded by will take all necessary actions to | tout accord conclu par mettra en œuvre toutes les actions nécessaires à |
| wszelkie informacje wykorzystywane przez Komisję jako dowód w dochodzeniu | extended to all information used as evidence by | étendu à toutes les informations utilisées par la Commission à titre de preuve dans une enquête |
| na potrzeby wszelkich innych pytań Komisji | any further questions | pour toute autre question |
| Wszelka odmienna wykładnia pociągałaby za sobą naruszenie | Any other interpretation would imply | Toute autre interprétation impliquerait une violation |
| a wszelkie sprawozdania finansowe, które Arkema France przekazywała skarżącej, nie wykraczały poza zakres wymogów | that the mere fact that it submitted its accounts to the applicant remained strictly within the limits of the obligations o | que la seule reddition des comptes à laquelle Arkema France procédait à son égard (la requérante)restait strictement dans les limites des obligations |
| uwag skarżącej z dnia 27 września 2007 r. w odpowiedzi na to pismo ponad wszelką wątpliwość wynika jednak | it none the less follows unambiguously from the applicant's observations of 27 September 2007 in response to that statement of objection | il ressort toutefois sans ambiguïté des observations de la requérante du 27 septembre 2007 |
| stwierdzenie ponad wszelką wątpliwość | beyond all reasonable doubt | au-delà de tout doute raisonnable |
| wszelkie domniemania powinny być obwarowane ograniczeniami zapewniającymi prawo do obrony | every presumption must be confined within reasonable limits which maintain the rights of the defence | toute présomption doit être encadrée par des limites préservant les droits de la défense |
| skarżąca odesłała do wszelkich informacji przekazanych przez spółkę dominującą Total SA | the applicant referred to all the information communicated by Total SA | la requérante a renvoyé à l'intégralité des informations communiquées par Total SA |
| złożone przez grupę Sasol oświadczenie rozwiewa wszelkie wątpliwość | Sasol's statement dispels any uncertainty | La déclaration de Sasol dissipe toute incertitude |
| jest elementem współistniejącym wraz z wszelkim zachowaniem | a consubstantial element of any conduct covered by Article 81 | un élément consubstantiel à tout comportement relevant du |

| | | |
|--|---|---|
| wchodzącym w zakres stosowania art. 81 | | champ d'application de l'article 81 |
| każdy [each, every] | | |
| każdy podmiot gospodarczy | each economic operator | tout opérateur économique |
| każdej zgodnej z prawem wymiany informacji | every legitimate information exchange | tout échange légitime |
| wymiana informacji mająca umożliwić każdemu importerowi dokonanie w jak najlepszy sposób oceny warunków rynkowych | exchange information to allow each importer to better assess market conditions | échanger des informations afin de permettre à chaque importateur de mieux évaluer les conditions du marché |
| W każdym razie | In any event | en toute hypothèse/en tout état de cause/en tout cas/de toute façon |
| oryginał każdego pisma procesowego | the original of every pleading | l'original de tout acte de procédure |
| prawidłowość pełnomocnictw do reprezentowania przed Sądem każdego ze skarżących | the reality of the authority to act given by each of the applicants to their representatives | la réalité du mandat donné par chacun des requérants à |
| wystarczające uzasadnienie względem każdego z adresatów | must include an adequate statement of reasons with respect to each of the addressee | une motivation suffisante à l'égard de chacun des destinataires |
| przy każdej zmianie | Whenever there is a change | À chaque modification |
| polegający na kontrolowaniu i ustalaniu cen każdego z tych produktów | namely to control and determine the prices for both products | la fixation du prix de chacun de ces produits |
| żaden [none] | | |
| żaden importer | no importer | aucun importateur |
| żaden z klientów | none of the customers | aucun des clients |
| w żaden sposób nie reagując | without reacting at all | sans réaction quelconque |
| nie uwzględni w żaden sposób postanowień umowy | totally disregards the terms of the partnership agreement | fait donc totalemt abstraction des termes de l'accord |
| samo to obiektywne stwierdzenie nie stoi w żaden sposób w sprzeczności ze | That simple objective finding is not in any way inconsistent with | Ce simple constat objectif n'est contredit en aucune façon par |
| w żaden sposób | in no way | en aucune manière |
| nie istnieje żaden wyrok sugerujący taką odpowiedzialność | there is no case that would suggest such liability | qu'il n'existe aucun arrêt suggérant une telle responsabilité |
| w żaden sposób nie zmienia | does not in any way alter | ne modifie en rien |
| Komisja w żaden sposób nie wyjaśnia | The Commission does not offer any explanation | La Commission n'expliquerait nullement |
| grupa Sasol nie organizowała ani w żaden sposób nie określała | the applicants submit that Sasol did not organise or structure the price discussion in any way | Sasol n'aurait ni organisé ni structuré d'une quelconque manière la discussion |
| nie istniał żaden szczególny schemat postępowania | without , however, following a fixed scheme | sans toutefois suivre un schéma spécifique |
| żaden przepis prawny nie podważa tej wykładni | that interpretation is not contradicted by any legal proviso | aucune disposition légale ne contredit cette interprétation |
| nie jest poparte żadnymi innymi dowodami | which is not supported by other evidence | n'est pas étayée par d'autres éléments |

| | | |
|--|---|--|
| Komisja nie dokonała żadnych dostosowań wskazanej kwoty podstawowej | the Commission did not adjust that basic amount | la Commission n'a pas ajusté ce montant de base |
| jakikolwiek [any] | | |
| istnieje jakikolwiek dowód na to | there is any proof of the fact that | une preuve quelconque du fait que |
| wpłynąć w jakikolwiek sposób | have any influence over | influencer de quelque manière que ce soit |
| miała jakikolwiek wpływ | any influence over | la moindre influence sur |
| mogły one wywierać jakikolwiek wpływ na | might have somehow influenced | avoir influencé d'une manière quelconque |
| Komisja popełniła jakikolwiek błąd | the Commission had in any way erred in using | une quelconque erreur |
| jakakolwiek próba wprowadzenia Komisji w błąd | any attempt to mislead the Commission | toute tentative d'induire |
| miał jakikolwiek wpływ na treść | have any effect on the content of | avoir une quelconque incidence sur |
| jakakolwiek możliwość systematycznego powoływania się na | any systematic use of presumptions of | tout recours systématique à |
| dowolny [any] | | |
| lecz zazwyczaj następowały w dowolnym czasie w przedziale od [godziny 9] do południa | but generally occurred at any time between 9 a.m. and 12 | mais se déroulaient généralement à n'importe quel moment entre [9 heures] et midi |
| w dowolnym punkcie wejścia i wyjścia | at any inlet or outlet point on that gas pipeline | en n'importe quel point d'entrée et de sortie sur ledit gazoduc |
| niektóry [some] | | |
| po wstępnym zbadaniu niektórych środków dowodowych | a provisional examination of certain evidence | un examen provisoire de certain s moyens de preuve |
| niektóre z opisanych kontaktów naruszały indywidualnie art. 81 WE, lecz że kontakty te, ogólnie rzecz ujmując | not that some of the communications described infringed Article 81 EC individually but that all the contacts, taken together | que certaines des communications décrites enfreignaient individuellement l'article 81 CE, mais que ces contacts, pris globalement |
| dla obliczenia ceny bananów w niektórych innych transakcjach | for banana pricing formulae in certain other transactions | pour un certain nombre d'autres transactions |
| niektóre z tych dyskusji prowadziły do wymiany bardziej szczegółowych informacji | some of those discussions leading to more specific exchanges on | que quelques-unes de ces discussions entraînaient des échanges |
| względem jedynie niektórych z tych przedsiębiorstw | with respect to only some of them | à l'égard de certain s d'entre elles |
| w przypadku niektórych zachowań o charakterze zмовы | certain collusive conduct | certain s comportements collusoires |
| w niektórych przypadkach | in certain cases | dans certain s cas |
| którykolwiek | | |
| użytego w którymkolwiek miejscu zaskarżonej decyzji | used in a given part of the contested decision | utilisé à un quelconque endroit de la décision attaquée |
| którymkolwiek ze zgodnych z prawem celów WPZiB | any legitimate objective of the CFSP Policy | un quelconque objectif légitime de la PESC |
| Adjectival deictic expressions | | |

| | | |
|---|--|--|
| niniejszy [this] | | Dans le cas d'espèce |
| W niniejszym przypadku | In the present case | en l'espèce |
| w niniejszym przypadku zostały spełnione przesłanki zastosowania zwolnienia | and even of any evidence that the conditions for the grant of an exemption were satisfied in the present case | les conditions du bénéficiaire d'une exemption étaient réunies en l'espèce |
| (rozporządzenie) które obowiązywało w czasie zaistnienia okoliczności faktycznych będących przedmiotem niniejszej sprawy | (Regulation) in force at the material time | (le règlement) en vigueur à l'époque des faits |
| niniejsza sprawa | the present action/case | la présente affaire |
| w niniejszym przypadku | on this occasion | à cette occasion |
| Niniejszy wniosek | the application | Cette demande |
| następujący [following] | | |
| wysokość tych kwot podstawowych została ustalona w następujący sposób | the basic amounts were as follows | les montants de base s'établissaient comme suit |
| Następujące przedsięwzięcia | The following undertakings | Les entreprises suivantes |
| do dwóch następujących pod siebie tygodni | corresponding to two consecutive weeks with | correspondant à deux semaines successives |
| brzmi następująco | is worded as follows | est ainsi libellé |
| Komisja oparła się na pochodzącej od grupy MOL notatce zawierającej następujące zapisy: | the Commission relied on a MOL note containing the references ‘ | la Commission s'est fondée sur une note de MOL contenant les mentions « |
| poniższy [below-adj] | | |
| Ze wszystkich poniższych uwag wynika, że | It follows from all the foregoing considerations that | Il résulte de l'ensemble des considérations qui précèdent que |
| Poniższe rozważania | What follows therefore relates solely to | Les développements qui suivent |
| powyższy [above-adj] | | |
| Powyższa argumentacja skarżącej opiera się na | The applicant's arguments in that regard are based on | Cette argumentation de la requérante est fondée sur |
| Z powyższego wynika, że | it follows that | Il s'ensuit que |
| Z całości powyższych rozważań wynika, że | It follows from all of the foregoing that | Il résulte de l'ensemble des considérations qui précèdent que |
| Powyższe informacje | that information | Ces indications |
| powyższe ustalenia | those findings | Ces considérations |
| Z powyższego wynika, że | It follows that | Il s'ensuit que |
| W związku z powyższym | Accordingly | Partant |
| W świetle powyższych rozważań | In the light of all of the foregoing | Au regard de tout ce qui précède |
| Z powyższego instytucja ta wywodzi | The Commission inferred that | Elle en a déduit que |
| odnośny [respective] | | |
| odnośnym przedsięwzięciom | the participating undertakings | les entreprises concernées |
| udzielenia odpowiedzi na pytania odnośnie do faktów i dostarczenia dokumentów | to answer factual questions and to provide documents | obligées de répondre à des questions factuelles et de produire des document |

| | | |
|--|---|---|
| Odnosnie do naruszenia ciągłego | As regards a continuing infringement | en ce qui concerne l'infraction continue |
| wypełnienia obowiązku uzasadnienia odnośnie do twierdzenia o przypisaniu grupie Sasol roli przywódcy | state reasons as to the finding regarding Sasol's role as leader | motivation quant à la constatation concernant le rôle de meneur de Sasol |
| W przypisie 337 tej decyzji Komisja wskazuje odnośnie do dnia | At footnote 337 to the contested decision, the Commission states, vis-à-vis the date on which the cartel ended | Dans sa note en bas de page n° 337 de ladite décision, la Commission indique, concernant la date de fin de l'entente |
| decyzji okoliczności faktycznej czy prawnej, odnośnie do której nie miała możliwości złożenia wyjaśnień | the contested decision with respect to which it was unable to provide an explanation | la décision attaquée à propos duquel elle n'aurait pas pu s'expliquer |
| odnośnie do stwierdzenia , że naruszenie dotyczące rabatów wywołało niewielkie skutki | as regards the fact that the infringement relating to discounts did not have a great effect and that, in particular | quant au fait que l'infraction sur les ristournes n'aurait eu que peu d'effe |
| potencjalne lub rzeczywiste skutki odnośnych decyzji | the potential or actual effects of the decisions in question | les effets potentiels ou réels des décisions visées |
| na odnośnym rynku krajowym | in their respective home market | dans le marché domestique respectif |
| tymczasem odnośnie do szczególnego przypadku porozumień | In addition, as regards the specific case of agreements which | Or, en ce qui concerne le cas spécifique des accords |
| Odnosnie do | With regard to | Quant à |
| pozostały [remaining] | | |
| pozostałe podmioty na rynku | other market operators were aware | des autres acteurs du marché |
| oddalić skargę w pozostałym zakresie | and the action dismissed as to the remainder | le recours étant rejeté pour le surplus |
| zawarte w pozostałych kolumnach | relating to the other columns | relatives aux autres colonnes |
| W przedmiocie pozostałych argumentów podniesionych przez skarżące | The applicants' remaining arguments | Sur les autres arguments des requérantes |
| a pozostałe omawiane przedsiębiorstwa | undertakings in question | entreprises en cause |
| określony | | des conditions visées au paragraphe, les conditions fixées au |
| w odniesieniu do określonych decyzji | in respect of certain decisions | au regard de certaines décisions |
| określonego w HGB | as defined by the HGB | tel que définie par le HGB |
| obowiązki określone w art. 7 | the responsibilities set out in clause 7(2) | les attributions définies à l'article 7 |
| w przypadku określonym w | in the case provided for at point 8 | dans le cas prévu par le paragraphe |
| co wywołuje określone skutki prawne | That obligation is expressly laid down by the second paragraph of Article which produces certain legal effects | qui produit certaines effets juridiques |

| | | |
|---|---|---|
| o niezbyt precyzyjnie określonych granicach | whose outlines are not precisely defined | aux contours non précisément définis |
| wymóg ten został wyraźnie określony w | That obligation is expressly laid down by the second paragraph of Article 275 TFEU | Cette exigence est expressément consacrée à l'article 275 |
| jako że według nich samo posiadanie przez nich określonego statusu | since the applicants consider that the status of a person | dans la mesure où les requérants considèrent que la qualité d'une personne |
| nie odpowiada wymogom określonym w orzecznictwie | do not comply with the principles to be found in the case-law | ne seraient pas conformes aux principes dégagés par la jurisprudence |
| podwyższenie nałożonej na skarżącą grzywny o 70% nie ma wystarczająco dokładnie określonej podstawy prawnej | The 70% increase of the amount of the fine imposed on the applicant therefore has no legal basis | L'augmentation du montant de l'amende de 70 % infligée à la requérante ne reposerait donc sur aucune base légale |
| warunek określony w pkt 21 | the evidence fulfilling the condition in point 21 | la condition énoncée au point 21 |
| określonym w | defined by | défini dans |
| rzeczony | | |
| Z rzeczonego dokumentu wynika | That document shows | Ce document montre |
| rzeczony przedsiębiorstwa | those undertakings | ces entreprises |
| Interwenient twierdzi, że rzeczony pismo | The intervener maintains that the letter has | L'intervenante allègue que ladite lettre |
| podwyższając tę kwotę o 50% ze względu na rzeczoną rolę przywódcy | did not increase the basic amount of the fine excessively by applying a 50% increase on account of Sasol's leadership role | n'a pas augmenté d'une façon excessive le montant de base de l'amende en appliquant une majoration de ce montant de base de 50 % en raison de ce rôle de meneur |
| Wydaje się to wynikać z faktu, iż ów dokument odnosi się do rzeczonyj spółki za pomocą akronimu SARL, a nie SELARL | That seems to be capable of being inferred from the fact that it is referred to as a simple SARL and not as an SELARL. | Cela semble pouvoir être déduit du fait qu' elle y est référencée comme une simple SARL et non comme une SELARL. |
| rzeczony rynek | that market | ledit marché |
| osiągnąć połowy rzeczonego kapitału | so high as to represent 50% of the capital | la moitié dudit capital |
| wspomniany | this | ce |
| zachowanie wchodzi w zakres zastosowania wspomnianego komunikatu | their conduct falls within the scope of the Leniency Notice | leur comportement entre dans le champ d'application de la communication susvisée |
| Po wysłuchaniu wspomnianych przedsiębiorstw | Following the hearing of the undertakings concerned | À la suite de l'audition des entreprises concernées |
| które leży u podstaw wspomnianego aktu | in the summary of reasons underpinning that decision | dans l'exposé des motifs qui sous-tend ladite décision |
| wspomniany fragment | the abovementioned consideration | la considération susvisée |
| W celu zapewnienia spójności ze wspomnianą decyzją Rady | therefore, be amended to ensure consistency with this Council Decision | doit donc être modifiée de manière à assurer la cohérence avec cette décision du Conseil |
| we wspomnianym motywie | at that recital | audit considérant |
| także wspomniany w ramach zarzutu ósmego | already mentioned in the context of the eighth plea | déjà mentionné dans le cadre du huitième moyen |

| | | |
|---|---|--|
| małych laboratoriów, których dotyczyła wspomniana korespondencja | small laboratories to which the letters in question related | de petits laboratoires concernés par les courriers invoqués |
| mogą uzasadnić odstępianie Komisji od wspomnianej metodologii | may justify departing from such methodology | peuvent justifier que la Commission s'écarte de cette méthodologie |
| na które to żądania wspomniane podmioty udzieliły odpowiedzi | to which they replied | auxquelles ceux-ci ont répondu |
| wystarczy, że wspomniane przedsięwzięcia wykażą istnienie okoliczności | it is sufficient for those undertakings to prove the existence of circumstance | il suffit à ces dernières de démontrer l'existence de circonstances |
| raz w celu wzajemnego informowania się o wspomnianych strategiach | and to find out about their respective strategies | pour s'informer de leur stratégie respective |

Table 83: Complex prepositions as a special case of legal phrasemes

| PL | EN | FR |
|--|--|---|
| do spraw [in charge of] | | |
| Wysokiego Przedstawiciela Unii do Spraw Zagranicznych i Polityki Bezpieczeństwa | Member State or the High Representative of the Union for Foreign Affairs and Security Policy | haut représentant de l'Union pour les affaires étrangères et la politique de sécurité |
| miała zastosowanie do spraw zawisłych przed Sądem | was of immediate application in disputes pending before this Court | était d'application immédiate aux litiges pendant |
| ma zastosowanie wyłącznie w odniesieniu do spraw będących w toku | (the code) is to apply only to ongoing and future cases | doit s'appliquer qu' aux affaires en cours |
| komisji do spraw kulturowych, rodzinnych i społecznych na temat projektu ustawy | Cultural, Family and Social Affairs Committee | la commission des affaires culturelles, familiales et sociales sur le projet de loi |
| stanowisko prawnika-specjalisty do spraw prawa własności intelektualnej | lawyer specialising in intellectual property right | juriste spécialisé dans les droits de propriété intellectuelle |
| w przypadku [in the case of] | in a given case, in sb's case, as regards, in the context of, in the case of, on | dans un cas donné, dans le cas de, dans un cas où, s'agissant de, dans le cadre d'une infraction, sur, pour |
| w przypadku kwestii szczególnych | on specific points | sur des points spécifiques |
| w przypadku silnie skoncentrowanego rynku oligopolistycznego | on a highly concentrated oligopolistic market | sur un marché oligopolistique fortement concentré |
| w przypadku ciągłych lub powtarzających się naruszeń | in the case of continuing or repeated infringements | pour les infractions continues |
| na podstawie [on the basis of] | on the basis of, falling within the scope of | sur la base de, sur le fondement de l'article, au titre des articles, en vertu des règles de la concurrence |
| na podstawie dotyczących produkcji i wysyłki decyzji | as a result of the production and shipping decisions | en fonction des décisions de production et d'expédition |

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| na podstawie posiadanych przez nią dowodów nie można wyciągnąć wniosku | the evidence in its possession did not lead to the conclusion that | les preuves en sa possession ne conduisaient pas à la conclusion |
| zostały oparte na podstawie związku między cenami transakcyjnymi a cenami referencyjnymi | anti-competitive object is based on a link between transaction prices and quotation prices, | s'appuie sur un lien entre les prix de transaction et les prix de référence |
| postępowania na podstawie art. 101 | a proceeding under Article 101 | à une procédure d'application de l'article 101 |
| na podstawie komunikatu w sprawie współpracy z 2002 r | under the 2002 Leniency Notice | en vertu de la communication sur la coopération de 2002 |
| Na podstawie sprawozdania sędziego sprawozdawcy | Upon hearing the Report of the Judge-Rapporteur | Sur rapport du juge rapporteur |
| na podstawie art. 65 lit | pursuant to Article 65 | conformément à l'article 65 |
| informacji zebranych na podstawie krajowego prawa karnego | information obtained in application of national criminal law | d'informations recueillies en application du droit pénal national |
| na podstawie rozporządzenia nr 1/2003 | under Regulation No 1/2003 | relevant du règlement no 1/2003 |
| na podstawie dostępnych dowodów | in the light of the evidence available | au vu des preuves dont elle disposait |
| na podstawie postanowień umowy akcjonariuszy | based on the provisions of the shareholders' agreement | fondé sur les stipulations du pacte d'actionnaires |
| ponieważ ograniczyła się do odrzucenia tych informacji na podstawie niepopartych niczym twierdzeń, przypuszczeń i całkowicie teoretycznych domniemywań | since it merely rejected those elements by unsubstantiated assertions, assumptions and purely theoretical presumptions, which do not correspond to the reality of the operation of the Elf Aquitaine group at the material time | dès lors qu'elle s'est contentée de rejeter lesdits éléments par des affirmations non motivées, des suppositions et des présomptions purement théoriques, qui ne correspondent pas à la réalité du fonctionnement de |
| na podstawie treści przepisu | on the basis of the relevant provision | à partir du libellé de la disposition pertinente |
| jeżeli decyzja wydana na podstawie art. 81 | decision taken in application of Article 81 | lorsqu'une décision d'application de l'article 81 CE |
| w zakresie [in respect of] | in so far as, so far as concerns sth, as regards, concerning, in that it does, as regards | dans la mesure où, pour autant que + subj/ind, quant à, en ce que |
| ograniczały niepewność co do przyszłych decyzji konkurentów w zakresie cen referencyjnych | decreased uncertainty concerning competitors' future decisions on quotation prices | réduit l'incertitude entourant les décisions futures des concurrents en ce qui concerne les prix de référence |
| Weichert nie stanowiła konkurencji dla spółki Chiquita w zakresie dotyczącym produktu, o którym | Wichert was not in competition with Chiquita for the product in respect of which | Weichert n'était pas en concurrence avec Chiquita pour le produit au sujet duquel |
| Komisja może wysłuchać przedsiębiorstwa lub związku[ów] przedsiębiorstw, które są stronami postępowań prowadzonych przez Komisję w zakresie objętym przedstawionymi zarzutami | the Commission shall give the undertakings or associations of undertakings which are the subject of the proceedings conducted by the Commission the opportunity of being heard | la Commission donne aux entreprises et associations d'entreprises visées par la procédure menée par la Commission l'occasion de faire connaître leur point de vue au |

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| | on the matters to which the Commission has taken objection | sujet des griefs retenus par la Commission |
| w zakresie , w jakim Komisja uznała, że | inasmuch as the Commission found that | pour autant que la Commission a constaté que |
| praktyk w zakresie rabatów | practice of discounts | la pratique des ristournes |
| działaniem organu władzy publicznej, które nie mieści się w zakresie art. 101 TFEU | actions were those of a public authority falling outside the scope of Article 101 TFEU | autorité publique échappant à l'article 101 TFUE |
| ograniczenia w zakresie posiadania udziałów w kapitale przez osoby niebędące analitykami medycznymi | restrictions on the holding of capital by non-biologists | des restrictions relatives à la détention du capital par des non-bilogistes |
| uprawnień w zakresie prowadzenia spraw | participatory powers | pouvoirs de gestion |
| zamiaru prawodawcy w zakresie podziału prawa własności udziałów] | intention as regards the dismemberment of the shareholding in | l'intention du législateur quant au démembrement des parts sociales |
| zniesiono monopol w zakresie importu i eksportu gazu | abolished the monopolies on imports and exports of gas | supprimé le monopole d' importation et d'exportation de gaz |
| w drodze [by way of] | by which | par lequel |
| informacje te były od tej pory uzyskiwane od dostawców w drodze telefonicznej | was now obtained by calling suppliers | cette information était désormais obtenue en appelant les fournisseurs |
| występując ze zwykłym żądaniem informacji lub w drodze decyzji | by simple request or by decision | par simple demande ou par voie de décision |
| zatem nie chodzi tu o żądania informacji wystosowane w drodze decyzji | are not, therefore, decisions calling for information | il ne s'agit donc pas de décisions de demandes de renseignements |
| na drodze postanowień szczególnych | by means of specific provisions | par le biais de dispositions spécifiques |
| działania stanowiły pewnego rodzaju koordynację i współpracę, w drodze których strony dokonały świadomego zastąpienia ryzyk wynikających z konkurencji praktyczną współpracą między nimi | Those activities presented a form of coordination and cooperation whereby the parties knowingly substituted practical cooperation between them for the risks of competition | ces activités présentant une forme de coordination et de coopération par laquelle les parties avaient sciemment substitué la coopération pratique entre elles aux risques de la concurrence |
| podziewany popyt na rynku był oceniany w drodze dyskusji na temat sytuacji rynkowej | expected market demand was assessed by discussing the market situation | la demande de marché escomptée était évaluée en discutant de la situation du marché |
| w drodze rozporządzenia wykonawczego | by means of an implementing regulation | par un règlement d'exécution |
| w drodze decyzji | by decision | par voie de décision |
| tylko w drodze należyście uzasadnionego wyjątku od zasady niezależności ekonomicznej osoby prawnej można uznać, że | it is only by way of duly justified exception to the principle of the economic autonomy of legal persons that | ce n'est que par exception dûment justifiée au principe de l'autonomie économique de la personne morale que |
| podlega zgłoszeniu w drodze oświadczenia | must be declared | doit faire l'objet d'une déclaration |

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| zmiany te są skuteczne dopiero po uzyskaniu ich zatwierdzenia w drodze zarządzeń prefekta , a następnie po wpisaniu na listy prowadzone przez samorząd zawodow | those changes would take effect only after amending prefectoral orders had been obtained and an entry subsequently made in the registers | ces modifications ne seraient effectives qu'à compter de l'obtention d'arrêtés préfectoraux modificatifs et des inscriptions ordinales subséquentes, |
| w terminie [within the time limit of] | | |
| w terminie wyznaczonym w tym celu pracownikom | within the period specified for Chiquita's employees | dans le délai imparti à à cet effet aux employés |
| skarga została wniesiona w terminie | the action was brought in time | le recours a été introduit dans les délais |
| W terminie wyznaczonym im przez Sąd | Within the period granted to them for that purpose | dans le délai qui leur avait été imparti à cette fin |
| w terminie około 3 lat i 10 miesięcy | at the close of a period of around 3 years and 10 months | à l'issue d' un délai d' environ trois ans et dix mois |
| w razie [in the case of] | | |
| w razie konieczności | if necessary | au besoin |
| w celu [in order to, for the purpose of] | to,in order to, in -ing, with the intention of, with the aim of | en vue de, pour + inf, visant à/ viser à, afin de + inf, dans une intention de, |
| w celu zapewnienia skutku odstrasżającego | for deterrence | au titre de l'effet dissuasif |
| zgodnie z [according to] | | |
| zgodnie z żądaniem skarżącej | as the applicant claims | ce que revendique la requérante |
| zgodnie z pkt | According to | Selon le paragraphe |
| zgodnie z metodą przedstawioną w wytycznych | in accordance with the method set out in the Guidelines | selon la méthode exposée dans les lignes directrices |
| zgodnie z prawem | legitimately | légitimement |
| zgodnie z orzecnictwem | according to the case-law | selon la jurisprudence |
| Zgodnie z art. 87 | in accordance with the third subparagraph of Article 87 | Conformément à l'article 87 |
| zgodnie z art. 20 | pursuant to Article 20 | en application de l'article 20= |
| zgodnie z orzecnictwem utrwalonym od czasu wydania wyroku Trybunału z dnia 30 czerwca 1966 r. | It has, since the judgment of 30 June 1966 in LTM (Case 56/65, ECR 235, at 249), been settled case-law | Selon une jurisprudence constante depuis l'arrêt de la Cour du 30 juin 1966 |
| zgodnie z art. 87] | Under Article 87(3) of | Aux termes de l'article 87 |
| zgodnie z pkt 30 | in accordance with point 30 | conformément au point 30 |
| prawo Unii nie zawiera ogólnej zasady, zgodnie z którą kara musiałaby być proporcjonalna do znaczenia przedsiębiorstwa na rynku produktów będących przedmiotem naruszenia | Union law contains no general principle that the penalty must be proportionate to the undertaking's size on the product market in respect of which the infringement was committed | le droit de l'Union ne contient pas de principe d'application générale selon lequel la sanction doit être proportionnée à l'importance de l'entreprise sur le marché des produits faisant l'objet de l'infraction |
| udowodnienia mu winy zgodnie z ustawą | presumed to be innocent until his guilt has been established according to law | jusqu'à ce que sa culpabilité ait été légalement établie |
| w sprawie [in the matter of] | | |

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| komunikatu w sprawie współpracy | the Leniency Notice | communication sur la coopération |
| w sprawie wprowadzenia w życie regul konkurencji | on the implementation of the rules on competition | relatif à la/portant sur la mise en œuvre des règles de concurrence |
| przepisy wytycznych w sprawie metody ustalania grzywien | Guidelines on the method of setting fines | des lignes directrices pour le calcul des amendes |
| (ww. w pkt 51 wyroki: w sprawie Akzo Nobel i in. przeciwko Komisji, pkt 59-w sprawie Elf Aquitaine przeciwko Komisji, pkt 55) | (Akzo Nobel and Others v Commission, paragraph 51 above, paragraph 59, and Elf Aquitaine v Commission, paragraph 51 above, paragraph 55) | (arrêts Akzo Nobel e.a./Commission, point 51 supra, point 59, et Elf Aquitaine/Commission, point 51 supra, point 55) |
| umowie w sprawie dystrybucji | the distribution agreement | l'accord de distribution |
| cała procedura w sprawie zatwierdzenia | approval procedure | la procédure d'agrément |
| za pomocą pisma w sprawie przedstawienia zarzutów | by means of the notification of the statement of objections | moyennant la communication des griefs |
| stanowisko francuskiego posła Langa w sprawie projektu ustawy | the view expressed by Mr Lang, a French deputy, when a draft law aimed at prohibiting the dismemberment of shares was being discussed | d'une prise de position de M. Lang, député français, à l'occasion d' une proposition de loi |
| zajęcie ostatecznego stanowiska w sprawie | adopt a definitive position on | prendre définitivement position sur |
| rozporządzeniem 2011-504 z dnia 9 maja 2011 r. w sprawie kodyfikacji części legislacyjnej kodeksu energetycznego | Regulation 2011-504 of 9 May 2011 codifying the legislative part of the Energy Code | l'ordonnance 2011-504, du 9 mai 2011, portant codification de |
| ustawą o zmianie ustawy w sprawie nowych regulacji w dziedzinie prawa energetycznego | First Law amending the Law on the reform of energy industry la | loi portant modification de la loi portant réglementation nouvelle du droit de l'énergie |
| w rozumieniu [within the understanding of] | | |
| nie mieli żadnego przełożonego w rozumieniu hierarchicznym w rozumieniu hierarchicznym | the general partners did not have any superior in the hierarchical sense | les commandités n'avaient aucun supérieur au sens hiérarchique du terme |
| w rozumieniu art. 81 | within the meaning of Article 81 EC | au sens de l'article 81 |
| w rozumieniu art. 81 WE. | under Article 81 EC. | en vertu de l'article 81 CE |
| z tytułu [for, back translated as under the title of] | | |
| z tytułu okoliczności łagodzących | in respect of mitigating circumstances/ on account of mitigating circumstances/ on the basis of... | au titre des circonstances atténuantes |
| kwoty grzywny należnej z tytułu art. 2 lit. c) zaskarżonej decyzji | the fine payable under Article 2(c) | le montant de l'amende dû au titre de l'article 2 |
| z tytułu naruszenia, o którym mowa w art. 1, nakłada się następujące grzywny na | For the infringement referred to in Article 1, the following fines are imposed | les amendes suivantes sont infligées pour l'infraction visée à l'article 1er |
| grupa Sasol została ukarana z tytułu czynów, za które sama ponosi odpowiedzialność | was sanctioned according to its own responsibility | a bien été sanctionnée eu égard à sa propre responsabilité |

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| nie mogą zostać uznane za odpowiedzialne z tytułu działalności ich spółki zależnej | cannot be held liable for activities of [their] subsidiary | ne puissent être tenues [pour] responsables des activités de leur filiale |
| nałożenia na spółkę dominującą kary z tytułu bezprawnego zachowania jej spółki | imposing the penalty on the parent company for its subsidiary's unlawful conduct | infliger à une société mère la sanction relative au comportement infractionnel de sa filiale |
| zarówno korzyści, jak i kary z tytułu bezprawnych działań mają wyłącznie finansowy charakter | both the benefits and the penalties for unlawful activities are purely pecuniary | tant les bénéfices que les sanctions des activités illégales sont purement pécuniaires |
| z tytułu odpowiedzialności osobistej | in its personal capacity/ the personal fine imposed on the applicant / impose a personal sanction on the applicant | à titre personnel/ l'amende personnelle imposée à la requérante/ sanctionner de manière personnelle |
| z tytułu powrotu do naruszenia | for repeated infringement | au titre de la récidive |
| kwoty pobrane z tytułu świadczonej usługi | sums levied for service provided | les sommes prélevées au titre d'un service rendu |
| na terytorium [in the territory of] | | |
| na terytorium objętym przez umowę | in the territory covered by the distribution agreement | sur le territoire couvert par l'accord |
| na terytorium EOG | within the EEA | à l'intérieur du territoire de l'EEE |
| w EOG | in the EEA | dans l'EEE |
| na terytorium Unii | within the European Union | à l'intérieur de l'Union |
| do sprzedaży na terytorium zarezerwowanym dla drugiej strony wyłącznie ilości ograniczonych | to sell only limited quantities to the territory reserved for the other party | vendre seulement des quantités limitées vers le territoire réservé à l'autre partie |
| przedsiębiorstwa zobowiązywały się wzajemnie, że nie będą dostarczać energii elektrycznej lub gazu na terytorium drugiej strony | undertakings agreed not to supply electricity or gas in each other's territories / on the other's territory | des entreprises s'accordaient pour ne pas fournir d'électricité ou de gaz sur le territoire l'une de l'autre |
| z zastrzeżeniem [subject to, BT with reservations as to] | | |
| z zastrzeżeniem dowodu przeciwnego | subject to proof to the contrary | sous réserve de la preuve contraire |
| z zastrzeżeniem pewnej ograniczonej elastyczności pomiędzy kwartałami | subject to some limited flexibility between quarters | sous réserve d'une certaine flexibilité limitée entre les trimestres |
| Komisja wspomniała w motywie 34 zaskarżonej decyzji, z zastrzeżeniem, że dojrzewaniem może | mentioned by the Commission in recital 34 to the contested decision, where it refers to the fact that ripening may | évoqués par la Commission au considérant 34 de la décision attaquée avec la mention selon laquelle la maturation peut être |
| pierwszy element związany jest z zastrzeżeniem opartym na wywieraniu niezgodnego z prawem wpływu na wnioskodawcę ubiegającego się o zwolnienie z grzywny | the first part concerns the claim alleging the exercise of undue influence over the immunity applicant | le premier élément étant relatif au grief tiré de l'exercice d'une influence illégale sur le demandeur d'immunité |

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| że zostają one utworzone z zastrzeżeniem warunków zawieszającego | new SELs are formed subject to the suspensory condition | elles sont constituées sous la condition suspensive |
| wraz z [together with] | with | avec |
| ustała wraz z odejściem na emeryturę pracownika | ended altogether when a Dole employee retired | cessé avec le départ en retraite d'un salarié |
| obniżka ta wraz z wynikającą z niej kwotą grzywny | that reduction and the resulting amount of the fine | cette réduction et le montant de l'amende qui en résulte |
| wraz z komplementariuszami | jointly with the general partners of | conjointement avec les associés commandités de |
| wraz z wprowadzonymi zmianami | as amended | tel que modifié |
| wraz z objęciem stanowiska przez nowego dyrektora generalnego Del Monte w kwietniu 2003 r | with the arrival of a new Del Monte general manager in April 2003 | avec l'arrivée du nouveau directeur général de Del Monte |
| wraz z wieloma innymi czynnikami | in conjunction with (many other factors) | conjointement avec de nombreux autres facteurs |
| wraz z krótkim komentarzem do | together with a brief commentary on | accompagnées d'un bref commentaire de la situation |
| wraz z odejściem na emeryturę pracownika spółki Dole | ended altogether when a Dole employee retired | ont complètement cessé avec le départ en retraite de |
| obniżka ta wraz z wynikającą z niej kwotą grzywny | reduction and the resulting amount of the fine | cette réduction et le montant de l'amende |
| udział grupy Total w nim zakończył się dopiero wraz z kontrolami” | Total's involvement in the cartel did not end prior to the inspections.' | la participation de Total à l'entente n'a pas pris fin avant les inspections. |
| że naruszenie to rozpoczęło się wraz z decyzją przyjętą na spotkaniu administracyjnym | the infringement began, according to the Commission, with the decision taken at the administrative meeting of the CCG on 11 December 2003 | cette infraction débute, selon la Commission, par la décision prise à la réunion administrative |
| jest elementem współistniejącym wraz z wszelkim zachowaniem wchodzącym w zakres stosowania art. 81 ust. 1 WE | a substantial element of any conduct covered by Article 81 | un élément substantiel à tout comportement relevant du champ d'application de l'article 81 |
| wraz z wejściem w życie | on the entry into force of | l'entrée en vigueur de la loi de |
| wraz z upływem terminu wyznaczonego na | on the expiry of the period for the implementation of | après l'expiration du délai imparti pour la mise en œuvre d |
| czyli wraz z dniem 10 sierpnia 2000 | by 10 August 2000 | soit pour le 10 août 2000 |
| w wysokości [in the amount of] | | |
| pożyczki dla pracowników w wysokości przekraczającej | loans to employees of amounts exceeding | les prêts aux salariés d'un montant supérieur à |
| udziału w wysokości 80% | the 80% shareholding | 80 % des parts |
| kwotę w wysokości od 15 do 25% wartości sprzedaży | in the basic amount a sum of between 15% and 25% | le montant de base une somme comprise entre 15 % et 25 % |
| zmniejszenie grzywny w wysokości 10% | A reduction of 10% | Une réduction de 10 % |
| dodatkowej kwoty w wysokości 15% | an additional amount of 15% | un montant additionnel de 15 % de |
| podstawowa kwota grzywny składa się z kwoty w wysokości do 30% | the basic amount consists of an amount of up to 30% | le montant de base de l'amende est constitué d'un montant pouvant aller jusqu'à 30 % |

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| ustalenia i zastosowania górnej granicy grzywny w wysokości 10% | establish and apply the 10% ceiling | établir et d'appliquer le plafond de 10 % |
| Stopa podwyższenia w wysokości 50% | The rate of increase of 50% | Le taux de majoration de 50 % |
| grzywnę w wysokości 22 700 000 EUR | a fine of EUR 22 700 000 | une amende de 22 700 000 euros |
| podwyżkę w wysokości 70% podstawowej kwoty grzywny | an increase of 70% of the basic amount of the fine | une majoration de 70 % du montant de base |
| grzywnę w wysokości 22 700 000 EUR | imposed a fine, first, in the amount of EUR 22 700 000 | une amende, premièrement, d'un montant de 22 700 000 euros |
| wynik w wysokości [poufne] EUR | a figure of EUR [confidential] | un chiffre de [confidentiel] d'euros |
| w związku z [in connection with] | accordingly, therefore | dès lors, partant, de ce fait |
| w związku z wejściem w życie | follows the entry into force of | suite à l'entrée en vigueur du |
| W art. 3, który należy czytać w związku z art. 1] | In Article 3, which must be read in conjunction with Article 1(h) | À l'article 3, devant être lu en combinaison avec l'article 1er |
| należy czytać w związku z | clear from a reading of Article 21 TEU in conjunction with Article 29 TEU | la lecture combinée des articles 21 TUE et 29 TUE |
| W związku z powyższym ograniczały | They therefore decreased | Elles ont donc réduit |
| W związku z | In that regard | À cet égard |
| w związku z tym | Thus | Aussi |
| w związku z zarzucanymi jej powiązaniem z | because of his alleged links with | en raison de ses prétendus liens avec |
| każdej decyzji pozostającej w związku z aktem | also covering any decision relating to a measure | toute décision relative à une mesure |
| w związku z tym samym domniemanym naruszeniem | in relation to the same suspected infringement | présentée au sujet de la même infraction présumée |
| Wynika stąd, że Komisja nie naruszyła wytycznych z 2006 r., w związku z czym argument przedstawiony w tym zakresie przez skarżącą należy odrzucić | It follows that the Commission did not breach the 2006 Guidelines and the argument which the applicant puts forward in that regard must therefore be rejected | Il s'ensuit que la Commission n'a pas violé les lignes directrices de 2006, de sorte que l'argument de la requérante présenté à cet égard doit être rejeté |
| w ramach [within the framework of] | | |
| W ramach działalności dotyczącej bananów rozróżniano trzy poziomy marki bananów | The banana business distinguished three levels of banana brands | L'activité bananière distinguait trois niveaux de marque de banane |
| w ramach środków organizacji postępowania | by way of measures of organisation | dans le cadre des mesures d'organisation |
| w ramach grupy Del Monte | within the Del Monte group | au sein du groupe Del Monte |
| w ramach takiej osoby prawnej rozróżnia dwa rodzaje wspólników | two types of partners within such a legal person | deux types d'associés au sein d' une telle personne morale |
| w ramach jej działalności | in connection with its business | dans le cadre de son activité |
| w ramach niniejszego postępowania | in these proceedings | dans la présente instance |

| | | |
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| w ramach zaistniałego pomiędzy przedsiębiorstwami Weichert i WAL sporu | in proceedings between | dans le cadre d'un litige l'opposant [Weichert] à WAL |
| w ramach porozumień umownych | under contractual arrangements | dans le cadre d'accords contractuels |
| W ramach tych środków państwa członkowskie zostały między innymi zobowiązane do | Those measures included, in particular, the obligation on Member States to | ces mesures comprenaient, notamment, l'obligation, pour les États membres |
| w ramach drugiej części zarzutu pierwszego | in the context of the second part of the first plea | dans le cadre de la deuxième branche du premier moyen |
| W ramach postępowań wszczętych przez Komisję | In the procedures initiated by the Commission | Dans le cadre des procédures engagées par la Commission |
| w ramach wykonywania swoich uprawnień dyskrecjonalnych | apply in the exercise of its discretion | dans le cadre de l'exercice de son pouvoir d'appréciation |
| obliczona w ramach pierwszego etapu ustalania grzywny | obtained in the context of the first stage of setting the fine | obtenu dans le cadre de la première phase de fixation de l'amende |
| w ramach programu łagodzenia kar | under the leniency programme | en application du programme de clémence |
| w okresie [within the period of] | | |
| w okresie od dnia 28 lipca 2004 r. do dnia 8 kwietnia 2005 r. | during the period from 28 July 2004 to 8 April 2005 | pendant la période allant du 28 juillet 2004 au |
| W okresie, którego dotyczy zaskarżona decyzja | During the period concerned by the contested decision | Au cours de la période concernée par la décision attaqué |
| w okresie od lutego do początku kwietnia 2005 r. | in the period from February to early April 2005 | au cours de la période allant de février à début avril 2005 |
| w okresie luty–kwiecień 2005 | in February-April 2005 | en février-avril 2005 |
| w okresie, w przybliżeniu, od września 2004 r. do czerwca 2006 r | from September 2004 until June 2006 approximately, | entre septembre 2004 et juin 2006 environ |
| W okresie zaistnienia okoliczności faktycznych | At the material time | À l'époque des faits |
| w okresie istnienia wspólnego przedsiębiorstwa | the joint venture period | durant la période d'entreprise commune |
| stanowisko, które pozwala uznać, że w okresie jego sprawowania była | while occupying that post | lors de l'exercice de ces fonctions |
| w okresie istnienia danego SEL | during the lifetime of an SEL | au cours de la vie d'une SEL |
| w okresie, w którym przygotowywano zaskarżoną decyzję | at the time when the contested decision was drafted | à l'époque où la décision attaquée a été préparée |
| w okresie objętym naruszeniem | at the time of the infringement | à l'époque de l'infraction |
| w okresie sześciu tygodni po spotkaniach technicznych | within six weeks after Technical Meetings | dans les six semaines après les réunions techniques |
| w okresie jej uczestnictwa w kartelu | during the period of its participation | durant la période de sa participation à l'entente |
| w trybie [under, BT in the manner of] | | |
| umowy w trybie ofertowym | supply contracts | des contrats d'offre |
| na rzecz [for, in favour of] | | |
| niezgodnego z prawem działania dokonanego na rzecz innej osoby | unlawful act committed in favour of a third party | une illégalité commise en faveur d' autrui |

| | | |
|---|---|--|
| mająca prawa głosowania na rzecz Del Monte | voting rights for Del Monte | des droits de vote en faveur de Del Monte |
| porozumienie na rzecz koordynacji cen | institutionalised cartel to coordinate their prices | une entente institutionnalisée pour coordonner leurs prix |
| został zniesiony na rzecz skali od 0% do 30% | has been abolished, and a scale from 0% to 30% introduced | a été aboli et une échelle allant de 0 à 30 % a été introduite |
| przekazanie dokumentów na rzecz Nucleo Speciale Tutela Mercat | the transfer of documents to the Nucleo Speciale Tutela Mercati | le transfert des documents au Nucleo Speciale Tutela |
| nie przemawia przeciwko, ale, wręcz przeciwnie, na rzecz ich wiarygodności. wiarygodności jego notatek | does not plead against, but rather in favour of their reliability/ reliability of his note taking | ne plaide pas contre mais, au contraire, en faveur de leur crédibilité/de la fiabilité de sa prise de notes |
| żadnej okoliczności łagodzącej uzasadniającej przyznanie na rzecz Arkema France lub skarżącej obniżki grzywny | Commission finds no attenuating circumstance in favour of Arkema France | circonstance atténuante au profit d'Arkema France |
| kosztem usłudze wykonanej na rzecz lekarzy | their cost to a service supplied to practitioner | par leur coût à un service rendu aux praticiens |
| przez niemieckiego adwokata działającego na rzecz anonimowego klienta | acting on behalf of an unidentified client | par un avocat allemand agissant pour le compte d'un client anonyme |
| ze względu na [in respect to] | by object, due to, as a result of, because, negative -in the absence of, taking the view that, in view of | par objet, en raison de, au regard de, du fait que, du fait de, en l'absence de, considérant que, compte tenu de |
| ze względu na powrót do naruszenia | for repeated infringement | pour récidive |
| ze względu na naturę | by their nature | par leur nature même |
| ze względu na okoliczności łagodzące | on account of mitigating circumstances | au titre des circonstances atténuantes |
| ze względu na zasadę równego traktowania | under the principle of equal treatment | au nom du principe d'égalité de traitement |
| ze względu na to, że Komisja może przypisać odpowiedzialność za naruszenie spółce dominującej, lecz nie ma takiego obowiązku | since the Commission is able, but under no obligation, to impute liability for the infringement to a parent company | dès lors que la Commission dispose de la faculté, mais non de l'obligation, d'imputer |
| Ze względu na tę dodatkową wagę czynów | in view of this additional gravity | Au regard de cette gravité supplémentaire |
| ze względu na okoliczność, iż | in view of the fact that | eu égard au fait que |
| ze względu na istnienie barier legislacyjnych | by means of legislative and regulatory barriers | en raison de barrières législatives |
| zasadę proporcjonalności, przeinaczając wagę naruszenia ze względu na to, że | breached the principle of proportionality by mischaracterising the gravity of the infringement, first, by relying on the fact that | violé le principe de proportionnalité en dénaturant la gravité de l'infraction, premièrement, en se fondant sur le fait que |
| ze względu na to, że dotyczą stwierdzenia przez Komisję, że | in so far as it relates to the Commission's finding that | en ce qu'il est relatif à la constatation par la Commission de |
| ze względu na to, że uczestnicy ci prawdopodobnie będą dążyć do umniejszenia znaczenia | considering the possibility that those participants might tend to play down the importance of | étant donné qu'il est possible que ces participants aient |

| | | |
|---|--|---|
| | | tendance à minimiser l'importance de |
| w formie [in the form of] | | |
| w formie widełek/przedziału cenowego | in the form , inter alia, of a price range | sous la forme , notamment, d'une fourchette |
| w formie skoordynowanych cen oficjalnych | in the form of coordinated official prices | sous la forme de prix officiels coordonné |
| systemu uzgadniania cen w formie , w jakiej został on wprowadzony | the price coordination scheme as set up at the meeting of 28 July 2004 | systeme de coordination des prix tel qu'il a été mis sur pied |
| odwołują się też do innych tekstów – jakkolwiek tylko w formie cytatów | refer, if only by citation , to other texts | les requérants se réfèrent également, ne fût-ce que par renvoi , à d'autres textes |
| częstymi kontaktami w formie spotkań dwustronnych lub wielostronnych | frequent contacts in the form of bi-and multilateral meetings | des contacts fréquents sous la forme de réunions bilatérales ou multilatérales |
| zapytane w formie pisemnej i na rozprawie przez Sąd | Questioned by the Court, both in writing and at the hearing | Interrogées par le Tribunal sur l'interprétation de (...) par écrit et à l'audience |
| działa w formie przedsiębiorstw indywidualnych | operate as one-person firms | fonctionnant sous forme d'entreprises individuelles |
| w formie porozumienia czy też uzgodnionej praktyki | in the form of an agreement or of a concerted practice | sous forme d'accord ou de pratique concertée |
| z wyjątkiem [except for, with the exception of] | apart from, except for, except in respect of, with the exception of, save in, other than, | à l'exception de, excepté pour, excepté deux appels, sauf pour le cas de, en dehors de, |
| z wyjątkiem przypadku | save in the case of | sauf en cas de |
| wszystkich skarżących z wyjątkiem tych, o których będzie mowa w pkt 168 | the applicants other than those referred to in paragraph | l'ensemble d'entre eux à l'exception de ceux mentionnés au point 169 ci-après |
| zaskarżonej decyzji, z wyjątkiem przeprowadzenia analizy ograniczających konkurencję skutków rozpatrywanej praktyki | and there was no examination of the restrictive effects on competition of the practice in question | à l'exclusion de tout examen des effets restrictifs de concurrence de la pratique en cause |
| z wyjątkiem zapisu ustnego wniosku EKA o | With the exception of the transcript of EKA's oral application for immunity | Sous réserve de la transcription de la demande orale de |
| rozdzielenie udziału w kapitale od prawa głosu nie jest możliwe, z wyjątkiem przypadku wniesienia wkładu w postaci know-how, pracy lub usług | (it is not possible) to split the shareholding from the voting rights, except where there is a contribution in kind | (il n'est pas possible) de dissocier participation au capital et droit de vote, sauf recours à l'apport en industrie |
| z wyjątkiem nadzwyczajnych okoliczności | save in exceptional circumstances | sauf circonstances exceptionnelles |
| z wyjątkiem rzeczywiście nadzwyczajnych okoliczności | other than in wholly exceptional circumstances | sauf circonstances tout à fait exceptionnelles |
| w stosunku do [in relation to] | | |
| zajmowanej na nim przez Weichert w stosunku do innych podmiotów gospodarczych | Weichert's positioning in relation to that of other operators | positionnement de Weichert par rapport à celui des autres opérateurs |
| oczekiwań w stosunku do spółki Weichert | expectations in regard to Weichert | attentes à l'égard de Weichert |

| | | |
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| Del Monte posiadała uprawnienia kontrolne w stosunku do pozwoleń przywozowych spółki Weichert | Del Monte had powers of control in respect of Weichert's import licences | cette dernière détenait un pouvoir de contrôle des licences d'importation de la première |
| wysokości podaży w stosunku do popytu | the level of supply in relation to demand / supply vs. demand | l'offre par rapport à la demande |
| Interwenient twierdzi, że rzeczone pismo nie ma w stosunku do niego żadnej wartości dowodowej | The intervener maintains that the letter has no evidential value in respect of the intervener itself | L'intervenante allègue que ladite lettre n'a aucune valeur probatoire à son égard |
| w sytuacji, gdy Komisja ogranicza się do zastosowania jednolitej lub niemalże jednolitej stawki na najniższym przewidzianym poziomie w stosunku do najpoważniejszych ograniczeń konkurencji | Where the Commission simply applies a rate equal or almost equal to the minimum rate laid down for the most serious restrictions | Or, lorsque la Commission se contente d'appliquer un taux égal ou presque égal au taux minimal prévu pour les restrictions les plus graves |
| nie zawierały konkretnych zarzutów w stosunku do zaskarżonej decyzji | did not contain any specific plea challenging the contested decision | ne comportaient pas de griefs concrets à l'encontre de la décision attaquée |
| ustalane w stosunku do oficjalnej ceny [referencyjnej] Fyffes | set by reference to Fyffes' official [quotation] price | fixés par rapport au prix [de référence] officiel de Fyffes |
| warunkach niestawiających jej w wyraźnie mniej korzystnej sytuacji w stosunku do strony przeciwne | do not place him at a substantial disadvantage vis-à-vis his opponent | ne la placent pas dans une situation de net désavantage par rapport à son adversaire |
| decyzja Komisji jest wystarczająco uzasadniona względem spółek dominujących w stosunku do spółek zależnych, które dopuściły się naruszenia | to contain an adequate statement of reasons in regard to the parent companies of the subsidiaries | pour être suffisamment motivée à l'égard des sociétés mères des filiales ayant commis l'infraction |
| nieznacznej liczby akcji posiadanych przez wspólników prowadzących działalność w stosunku do łącznej liczby akcji | the small proportion of shares held by practising partners by comparison with the total number of shares | la faible part d'actions détenues par les associés exerçant leur activité par rapport au total des actions |
| dotyczącego podobno podległej roli Izby w stosunku do prefekta | subordinate role to that played by the prefect | rôle subordonné par rapport au préfet |
| różnorodnych praktyk wykluczających w stosunku do konkurentów | by various eliminatory practices towards competitors | pratiques éliminatoires diverses à l'égard des concurrents |
| niedogodności nie mogą być nadmierne w stosunku do zamierzonych celów | the disadvantages caused must not be disproportionate to the aims pursued | les inconvénients causés ne doivent pas être démésurés par rapport aux buts visés |
| nakłada na Komisję obowiązek stosowania w stosunku do przedsiębiorstw tych samych reguł, które stosuje w stosunku do siebie samej | requires that the Commission apply to undertakings the rules which it applies to itself | imposerait à la Commission d'appliquer aux entreprises les règles qu'elle s'applique à elle-même |
| w porozumieniu z [in agreement with] | | |
| W porozumieniu z dnia 13 sierpnia 2004 r | By an agreement of 13 August 2004 | Par un accord du 13 août 2004 |
| w wyniku [as a result of] | | |
| w wyniku czego co tydzień podążała | and therefore merely followed | et ne faisait donc que suivre |

| | | |
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| i Weichert nie konkurowała ze spółką Chiquita, w wyniku czego nie można zakwalifikować zarzucanych zachowań jak | that the applicant's arguments that Weichert was not in competition with Chiquita, a situation that would preclude the conduct in question from | que l'argumentation de la requérante selon laquelle Weichert n'était pas en concurrence avec Chiquita, situation prohibant la qualification d'infraction unique de |
| w wyniku czego Komisja stwierdziła, że kontakty miały miejsce z częstotliwością około 20–25 tygodni rocznie | This led the Commission to estimate that the frequency of those contacts was approximately 20 to 25 weeks per year | ce qui a conduit la Commission à retenir une fréquence d'environ 20 à 25 semaines par an |
| zysków osiągniętych w wyniku naruszenia | gains improperly made as a result of the infringement | le montant des gains illicites réalisés grâce à l'infraction |
| w wyniku stosowania systemu kontyngentów | as a result of the quota regime | à la suite du régime de contingents |
| co nastąpiło w niniejszym przypadku w wyniku zawarcia umowy spółki z dnia 12 marca 1992 r | what had happened in the present case, with the partnership agreement of 12 March 1992 | ce qui s'était produit, en l'espèce, avec l'accord d'association du 12 mars 1992 |
| Komisja nie obniży jednak grzywny jedynie w wyniku ustalenia, że sytuacja finansowa przedsiębiorstwa jest niekorzystna | it will not base any reduction granted for this reason in the fine on the mere finding of an adverse or loss-making financial situation | accordée à ce titre par la Commission sur la seule constatation d' une situation financière défavorable ou déficitaire |
| dotyczącego w istocie przekroczenia uprawnień w wyniku naruszenia granic nakazu kontroli | misuse of powers owing to failure to observe the limits of the inspection remit | d'un excès de pouvoir déoulant du non-respect des limites du mandat d'inspection |
| w wyniku identycznego rozumowania | on the basis of the same reasoning | sur la base d' un raisonnement identique |
| nowych warunków rynkowych powstałych w wyniku liberalizacji europejskich rynków gazu | the new market conditions following the liberalisation of the European gas markets | nouvelles conditions du marché faisant suite à la libéralisation des marchés européens du gaz |
| z uwzględnieniem [in consideration of] | | |
| z uwzględnieniem kontekstu gospodarczego | in the economic context | compte tenu du contexte économique |
| z uwzględnieniem motywów | the account must be taken of | en tenant compte des motifs |
| z uwzględnieniem wszelkich okoliczności istotnych dla danego przypadku | taking account of all the relevant circumstances of the case | tenant compte de toutes les circonstances pertinentes de l'espèce |
| które rozpatrywane w całości i z uwzględnieniem jego kontekstu | read in its context and in its entirety | lue dans son contexte et dans sa totalité |
| ustalana z uwzględnieniem dużej liczby elementów | determined by reference to numerous factors | être établie en fonction d' un grand nombre d'éléments |
| z uwzględnieniem obrotu spółki Vara | with regard to Vara's turnover | par rapport au chiffre d'affaires de Vara |
| skutków związanych z uwzględnieniem zarzutów pierwszego i szóstego | the consequences of upholding the first and sixth pleas in law | conséquences attachées à l' accueil des premier et sixième moyens |
| i z uwzględnieniem więzów ekonomicznych | having regard in particular to economic links | eu égard en particulier aux liens économiques |

| | | |
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| z uwzględnieniem wagi | on the basis of the factors of gravity | imposée à partir des facteurs de gravité |
| zatwierdzone z uwzględnieniem górnej granicy 25% | approved within the limit of 25% | autorisées dans la limite de 25 % |
| z uwzględnieniem wszystkich okoliczności faktycznych | in the light of all the factual circumstances | compte tenu de toutes les circonstances de fait |
| w odniesieniu do [with reference to] | | en ce qui concerne |
| zakwestionowały znaczenia tych ustaleń w odniesieniu do Dole | challenged its relevance in regard to Dole | contesté la pertinence s'agissant de Dole |
| zmowy praktyki dotyczyły ustalania cen w odniesieniu do cen referencyjnych | the collusive arrangements concerned the fixing of prices concerning the quotation prices | les pratiques collusoires étaient relatives à la fixation des prix concernant les prix de référence |
| jest bowiem żółtą ceną referencyjną, która jest stosowana w odniesieniu do dostaw z poniedziałku | is a yellow quote which is true for deliveries as of next week Monday | est une référence jaune qui s'applique aux livraisons du lundi |
| (ceny referencyjnej) w odniesieniu do owoców w transporcie, które powinny przybyć zielone w poniedziałek trzeciego tygodnia | (quotation price) for fruit in the process of being transported before arriving green on the Monday of the third week | (prix de référence) pour des fruits en voie d'acheminement devant arriver verts le lundi de la troisième semaine |
| współpracy w dziedzinie wysyłki między spółkami Chiquita i Pacific w odniesieniu do portów Salerno (Włochy) i Ejo [Αἴγιον] (Grecja) | shipping cooperation between Chiquita and Pacific in relation to the ports of Salerno (Italy) and Aigio (Greece) | une coopération en matière d'expédition entre Chiquita et Pacific en ce qui concerne les ports de Salerno (Italie) et d'Aigion (Grèce) |
| strategii spółki Chiquita w odniesieniu do Włoch | Chiquita's strategy in relation to Italy | la stratégie de Chiquita au regard de l'Italie |
| w odniesieniu do przyszłości ANIPO | with regard to the future of ANIPO | à propos de l'avenir de l'ANIPO |
| w odniesieniu do notatek pana P1 mówiących o | as regards Mr P1's notes expressing the idea o | à propos des notes de M. P1 exprimant l'idée de |
| w odniesieniu do okresu Schümanna | as regards the Schümann period | pour ce qui est de la période Schümann |
| w odniesieniu do tego klienta | in connection with this customer | à propos de ce client |
| brak jest precyzji w odniesieniu do dokładnej daty przyjętej przez Komisję | lacks precision as to the exact date taken by the Commission | manque de précision par rapport à la date exacte retenue par la Commission |
| W szczególności w odniesieniu do noszącego znamiona naruszenia zachowania Arkema France | As regards , in particular, the unlawful conduct of Arkema France | S'agissant en particulier du comportement infractionnel d'Arkema France |
| w odniesieniu do jego zadania polegającego na kontroli następczej dokumentów dotyczących SE | in the context of its remit of a posteriori verification of the documents relating to the SELs | dans le cadre de sa mission de vérification a posteriori des documents relatifs aux SEL |
| w czasie [at the time of] | | |
| w czasie zaistnienia okoliczności faktycznych | at the material time | à l'époque des faits |
| uzyskane w czasie tych kontaktów | obtained from the contact | obtenus lors du contact |

| | | |
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| podania dokładnej ilości tygodni w roku, w czasie których miała miejsce wymiana informacji tego drugiego rodzaju | specify a number of weeks per year for the second type of exchange | préciser un nombre de semaines par an en ce qui concerne ce second type d'échange |
| w czasie gdy ten kontakt miał miejsce | around the time of that contact | à l'époque de ce contact |
| w czasie całego postępowania | throughout the proceedings | pendant toute la procédure |
| zmieniać się w czasie | may have varied over time | varié dans le temps |
| W czasie tych rozmów | In such calls | Lors de ces appels |
| w czasie trwania naruszenia | throughout the infringement | au moment de l'infraction |
| w czasie trwania naruszenia | at the material time | au moment des faits en cause |
| w czasie trwania naruszenia będącego przedmiotem decyzji | at the time of the facts at issue | à l'époque des faits en cause |
| w ciągu [in the course of] | | |
| w ciągu dwóch poprzednich tygodni | in the last couple of weeks | au cours des deux dernières semaines |
| w ciągu trzeciego tygodnia | during the third week | durant la troisième semaine |
| liczbę lat, w ciągu których dokonywano naruszenia | the number of years of infringement | le nombre d'années d'infraction |
| zaangażowała się w ciągu trzech lat (na przestrzeni) | fully engaged, for three years | pleinement engagée, pendant trois ans |
| w ciągu roku 2005 | in the course of 2005 | dans le courant de l'année 2005 |
| w ciągu tygodnia | of a week | de la semaine |
| w ciągu 48 godzin | within 48 hours | dans les 48 heures |
| W ciągu całego czasu trwania naruszenia | Throughout the period of the infringement | Pendant toute la durée de l'infraction |
| z zakresu [in the scope of] | | |
| w dochodzeniach z zakresu prawa konkurencji | in a competition investigation | une enquête en matière de concurrence |
| postępowaniu z zakresu prawa konkurencji | in a competition law procedure | une procédure relevant du droit de la concurrence |
| wyłączenie pewnych konkretnych elementów z zakresu udzielonego im dostępu do akt nie było w niniejszej sprawie zgodne z prawem | Restricting access to certain material in the file was not legitimate | la soustraction de certains éléments de l'accès au dossier n'était pas légitime |
| w orzecznictwie z zakresu pomocy państwa odnoszącym się do możliwości przypisania środka przyjętego przez przedsiębiorstwo | the case-law on the imputation to the State of a measure adopted by a public undertaking | la jurisprudence relative à l'imputation à l'État d'une mesure prise par une entreprise |
| nomenklaturze czynności z zakresu analityki medycznej | nomenclature of clinical tests | la nomenclature des actes de biologie médicale |
| porozumień wyłączonych z zakresu zastosowania prawa konkurencji | exempt from the application of the legislation on competition | exemptés de l'application de la législation sur la concurrence |
| z wyłączeniem [with the exclusion of] | | |
| z wyłączeniem Compagnie | and not Compagnie de Saint-Gobain | à l'exclusion de la Compagnie |
| z wyłączeniem sprzedaży gazu | with the exception of the sales of gas | à l'exception des ventes de gaz |

| | | |
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| do czasu [by the time of] | | |
| Dole oświadcza, że konkurenci dzwonili do niej od czasu do czasu | Dole states that competitors would occasionally call it | Dole déclare que les concurrents l'appelaient de temps à autre |
| Chiquita wyjaśniła również, iż od czasu do czasu strony | Chiquita further explained that, on occasion | Chiquita explique encore que, de temps à autre |
| uważa się za niewinnego do czasu udowodnienia mu winy zgodnie z ustawą | presumed to be innocent until his guilt has been established according to law | présumée innocente jusqu'à ce que sa culpabilité ait été légalement établie |
| domniemaniem zgodności z prawem do czasu stwierdzenia ich nieważności lub cofnięcia | presumed to be lawful, until such time as they are annulled or withdrawn | une présomption de validité aussi longtemps qu' elles n'ont pas été annulées ou retirées |
| co do [as to] | | |
| strony są zgodne co do tego, że | it is common ground that | il est constant que |
| szerokim zakresem uznania co do metody ustalania grzywien | wide discretion as regards the method of calculating fines | large pouvoir d'appréciation pour ce qui est de la méthode de calcul des amendes |
| przyjęcie bananów do portów Europy Północnej co do zasady odbywało się co tydzień | Banana shipments to Northern European ports generally arrived on a weekly basis | Les arrivages de bananes aux ports nord-européens étaient généralement hebdomadaires |
| co do zasady ustalana około godz. 14.00 | was generally set at around 2 p.m. | fixé vers 14 heures en général |
| niepewności co do zachowania stron | uncertainty as to the conduct of the parties | incertitude liée au comportement des parties |
| wskaźniki rynkowe co do przewidywanych zmian w zakresie cen bananów | the quotation prices served at least as market signals, trends and/or indications as to the intended development of banana prices and | indications pour le marché en ce qui concerne l'évolution envisagée du prix des bananes |
| Jednakże Komisja i skarżąca zajmują odmienne stanowiska co do zakresu obowiązywania umowy spółki | The Commission and the applicant disagree , however, as to the effect of the partnership agreement | La Commission et la requérante s'opposent , en revanche, sur la portée de l'accord d'association |
| W przedmiocie oceny co do istoty materiału dowodowego zgromadzonego przez Komisję | The substantive assessment of the evidence gathered by the Commission i | Sur l' appréciation au fond des éléments réunis par la Commission |
| Co do zasady | Usually | Généralement |
| Co do spotkania technicznego | As regards the technical meeting | S'agissant de la réunion technique |
| wątpliwości co do dalszego uczestnictwa grupy Repsol w kartelu.] | shows that Sasol had doubts as to Repsol's continuing participation in the cartel | des doutes quant à la continuation de la participation de Repsol à l'entente. |
| jest jasny co do zgodności z prawem takiej konstrukcji w okresie trwania naruszenia | is unambiguous as to the legality of such a construction during the infringement period | est dénué d'ambiguïté quant à la légalité d'une telle construction pendant la durée de l'infraction |
| na okres [for a period of] | | |
| uprawnienia zostały rozszerzone na okres poprzedzający wysłanie pisma | rights were extended (...) to the period preceding the notification of the statement of objections | droits susvisés étaient (...) étendus à la période précédant l'envoi de la communication des grief |

| | | |
|--|--|--|
| nałożyła podlegające stałemu przeglądowi środki ograniczające na okres 12 miesięcy | imposed restrictive measures for a renewable 12-month period | (a) imposé, pour une période renouvelable de douze mois, des mesures restrictives |
| umów przesyłowych zawieranych na okres minimalnie jednego roku | transmission contracts for a minimum term of one year | contrats d'acheminement d'une durée minimale d'un an |
| na okres jej udziału w naruszeniu | the duration of its participation in the infringement | la durée de sa participation à l'infraction |
| w toku [in the course of] | | |
| w toku postępowania | in the course of proceedings | en cours d' instance |
| w toku postępowania | in the course of the procedure | au cours de la procédure |
| w toku dochodzenia | in the course of the investigation | au cours de l'enquête/ En cours d' enquête |
| w toku postępowania administracyjnego | throughout the administrative procedure on/during the administrative procedure | au cours de la procédure administrative/ lors de la procédure administrative sur |
| obejmuje obowiązek współpracy pełnej, trwałej i bezzwłocznej w toku całego postępowania | cooperate fully, on a continuous basis and expeditiously throughout the procedure | une coopération totale, permanente et rapide tout au long de la procédure |
| w toku kontroli | during the inspectio | pendant les inspections/ au cours des inspections |
| w toku swojego dochodzenia | gathered by the Commission in its investigation | dans le cadre de son enquête |
| faktów ustalonych w toku dochodzenia | the facts established by the investigation | des faits établis par l'enquête |
| w toku kontroli dokumentów pochodzących z okresu po 1999 r | having seized documents dating from after 1999 during its inspections | lors de ses inspections des documents postérieurs à 1999 |
| w toku postępowania administracyjnego. | during the administrative procedure. | pendant/ durant la procédure administrative |
| przez okres [for a period of] | | |
| przez okres krótszy niż | for a shorter duration than | pour une durée plus courte que |
| przez okres ponad siedmiu miesięcy | a period of over seven months | pendant une période de plus de sept mois |
| przez okres około dwudziestu cykli negocjacji | for approximately 20 negotiation cycles | pour environ vingt cycles de négociation |
| obowiązywać przez okres 12 miesięcy | could apply for a period of 12 months | pour une période de douze mois |
| przez okres 5 lat i 4 miesiące | for a period of five years and four months | durant une période de 5 ans et 4 mois |
| przez okres 7 lat | for a period of 7 years | pendant une durée de sept ans |
| przed upływem [before the lapse of] | | |
| trzy miesiące przed upływem terminu | three months before the end of the term | trois mois avant l'échéance du terme |
| na terenie [in the area of] | | |
| na terenie Niemiec | in German territory | sur le territoire allemand |
| dokonanej przez każde uczestniczące przedsiębiorstwo na terenie EOG | each participating undertaking's carglass sales within the EEA | réalisées par chaque entreprise participante au sein de l'EEE |

| | | |
|--|--|--|
| z powodu [for a reason of] | due to, on account of, because of, given sth, as a result of, having failed to (in case of absence), due to, on account of, by reason of, owing to, on the ground that | à cause de, en raison de, du fait de, faute de (in case of absence), au motif que |
| w wypadku [in the event] [in the case/BT: in the accident] | if, in the case of, in respect of, for sth, | en cas de, dans le cas de, pour qqch |
| brana pod uwagę w wypadku naruszeń tego rodzaju | taken into account for such infringements | prise en compte pour de telles infractions |
| Jednakże w wypadku gdy analiza treści praktyki uzgodnionej nie wskazuje na wystarczający stopień szkodliwości dla konkurencji | Where , however, the analysis of the terms of the concerted practice does not reveal a sufficient degree of harm to competition | Cependant, dans l'hypothèse où l'analyse de la teneur de la pratique concertée ne révélerait pas un degré suffisant de nocivité à l'égard de la concurrence |
| za pośrednictwem [via, BT through the mediation of] | | |
| za pośrednictwem swej spółki zależnej | through its subsidiary | par l'intermédiaire de sa filiale |
| za pośrednictwem swojej własnej jednostki znajdującej się w Hamburgu | through its own entity in Hamburg | par le biais de sa propre entité située à Hambourg |
| za pośrednictwem rozmów z danymi przedsiębiorstwam | by means of discussions with the undertakings | par le biais des discussions avec les entreprises |
| można było uzyskać z różnych źródeł publicznych lub prywatnych za pośrednictwem zbierania informacji o rynku | information available from various public and private sources through market intelligence | disponibles auprès de diverses sources publiques et privées par le biais des services d'informations mercuriales |
| zwiększenie przyznanej im ilości bananów za pośrednictwem nabycia pozwoleń | increased banana volumes allocated to them by purchasing licences | augmenter, par le biais de l'achat de licences, le volume des bananes qui leur était alloué |
| za pośrednictwem swojego przedstawiciela | through its representative | par le biais de son représentant |
| za pośrednictwem formularza wpisu | by means of a registration form | par le biais d'un formulaire d'inscription |
| z mocy [under, BT by power of] | n.d. | n.d. |
| w imieniu [on behalf of] | | |
| działającego w imieniu Weichert | acting for Weichert | agissant pour le compte de Weichert |
| w imieniu ochrony zdrowia publicznego | by invoking the protection of public health | au nom de la protection de la santé publique |
| w imieniu przedsiębiorstwa | on behalf of an undertaking | au nom d' une entreprise |
| w imieniu producentów płyt wiórowych | participated in discussions about slack wax for particle board producers | pour le compte de producteurs de panneaux de particules |
| w trakcie [during the course of] | | |
| w trakcie postępowania administracyjnego | during the administrative procedure | au cours de la procédure administrative |
| w trakcie dochodzenia | during the investigation | lors de l'enquête |
| w trakcie przesłuchań | in the course of interviews | au cours d' entretiens |
| w trakcie tego okresu | during that period | pendant cette période |

| | | |
|---|--|--|
| w trakcie wskazanego okresu | during that period | pendant ladite période |
| w trakcie spotkań | during the meetings | durant les réunions |
| w trakcie spotkania | at the meeting | lors de la réunion |
| z chwilą [upon, BT at the moment of] | | |
| najpóźniej z chwilą, w której przedkłada dowody | no later than the time at which it submits evidence | au plus tard au moment où elle fournit les éléments de preuve |
| za okres [for a period of] | | |
| okresy trwania naruszenia, podczas których grupa ta w ogóle nie prowadziła działalności w Europie, czyli za okres Schümanna | for periods of an infringement in which it was not active in Europe at all (the Schümann period) | pour les périodes d'une infraction pendant lesquelles ledit groupe n'était pas du tout présent en Europe, en l'occurrence pendant la période Schümann |
| na okres poprzedzający jej zbycie i nowej spółce dominującej za okres po jej nabyciu | for the period prior to the transfer and thereafter to the new parent company | pour la période antérieure à la cession et à la nouvelle société mère pour la suite |
| za okres od dnia 3 września 1992 r. do dnia 28 kwietnia 2005 r | for the period from 3 September 1992 to 28 April 2005 | pour la période allant du 3 septembre 1992 au 28 avril 2005 |
| uznanego za okres „rośnięcia w siłę” | described as the ‘roll-out’ period, | qualifiée de période de «montée en puissance |
| za pomocą [with the help of] | | |
| za pomocą pisma w sprawie przedstawienia zarzutów | by means of the notification of the statement of objections | moyennant la communication des griefs |
| takie oświadczenia powinny zostać potwierdzone za pomocą innych środków dowodowych | such statements must be corroborated by other evidence | doivent être corroborées au moyen d' autres éléments de preuve |
| poparcia swych twierdzeń za pomocą dostarczonych jej dowodów | to build its case on the basis of the evidence provided | d'étayer ses conclusions au moyen des preuves |
| szereg oświadczeń dotyczących okoliczności faktycznych w sektorze bananów może być zweryfikowany za pomocą informacji dostępnych publicznie | a number of factual statements on the banana business can be verified due to the information being in the public domain | un certain nombre de déclarations factuelles sur le secteur de la banane peuvent être vérifiées en raison d' informations accessibles au public |
| Za pomocą jedynej zawartej w skardze wzmianki (...) nie można podważyć ww. wyciągniętego przez Komisję wniosku | The mere mention (...) is not capable of contradicting the Commission's finding | le seul rappel (...) n'est pas de nature à contredire la conclusion susvisée de la Commission |
| za pomocą dwustronnej wymiany informacji | by means of the bilateral communications | par le biais des communications bilatérales |
| za pomocą tych tabeli można również przeprowadzić porównanie z | those tables also make comparison possible with | Ces tableaux permettent également des comparaisons avec |
| potwierdzać za pomocą dodatkowych poszlak | corroborate the presumption of the exercise of decisive influence by adducing additional element | corroborer la présomption d'exercice d'une influence déterminante par des indices additionnels |
| wszystkie trzy zastrzeżenia skarżącej, za pomocą których zmierza ona do wykazania | three complaints whereby the applicant seeks to establish that | chacun des trois griefs de la requérante visant à établir que |

| | | |
|---|---|--|
| nie przedstawiła żadnego argumentu ani dowodu, za pomocą których mogłaby podważyć okoliczność, że | puts forward no argument or evidence to call in question the fact that | n'avance aucun argument ou preuve visant à remettre en cause que |
| niezależnie od [irrespective of] | | |
| niezależnie od okresu uczestnictwa danego przedsiębiorstwa w naruszaniu przepisów | irrespective of the duration of the undertaking's participation in the infringement | indépendamment de la durée de la participation d'une entreprise à l'infraction |
| niezależnie od jej statusu prawnego | regardless of its legal status | indépendamment du statut juridique |
| niezależnie od sporu dotyczącego zmiany statusu prawnego spółki Weicher | otwithstanding their differences concerning the modification of Weichert's legal status | nonobstant leur différend sur la modification du statut juridique de Weichert |
| niezależnie od tego , czy chodzi o kontynuację ewentualnego niezgodnego z prawem zachowania, nieodpowiednią komunikację z konkurentami, czy dostarczanie | whether it be non-termination of possible illegal conduct, inappropriate communications with competitors or provision of | qu'il s'agisse de la continuation d'un comportement illégal éventuel, de communications inadéquates avec les concurrents ou de la fourniture de |
| niezależnie od znaczenia | irrespective of the relevance of | indépendamment de la pertinence de |
| niezależnie od siebie | separately | séparément |
| do celów [for the purposes of] | in order to, in relation to, for the purposes of, | aux fins de + qqch / inf |
| do celów zastosowania art. 81 WE | for the purposes of the application of Article 81 [EC] | pour les besoins de l'application de l'article 81 CE |
| nie powinny być wykorzystywane do celów innych niż wymienione w upoważnieniu | not be used for purposes other than those specified in the order | être utilisé dans des buts autres que ceux indiqués dans le mandat |
| wykorzystanie tych dokumentów do celów administracyjnych | use those documents for administrative purposes | utiliser lesdits documents à des fins administratives |
| wykorzystania do celów dochodzenia w zakresie prawa konkurencji | for the purposes of a competition law investigation | aux fins d'une enquête en matière de droit de la concurrence |
| nie powinny być nieproporcjonalne w stosunku do celów | must not be disproportionate to the objectives pursued | ne doivent pas être démesurées par rapport aux objectifs visés |
| stanowi istotne kryterium do celów ustalenia zakresu | a relevant criterion for the purposes of determining scope of | un critère pertinent aux fins de la détermination de la portée de |
| do celów wydania niniejszego wyroku | for the purposes of the judgment | aux fins de l'arrêt |
| »dokumenty« do celów prowadzonych przez nich negocjacji z | get "documents" for their negotiations with | des 'documents' pour leurs négociations avec |
| w postaci [in the form of] | | |
| spór w postaci , w jakiej powstał pomiędzy | the dispute, as established by | le litige, tel qu' il a été constitué entre |
| rozporządzenia nr 17 i nr 1/2003 w postaci takiej, jaka | competition rules, as established by | règles de concurrence, tel que |

| dowody w postaci dokumentów | documentary evidence | preuves documentaires |
|---|--|---|
| informacji między spółkami Dole i Chiquita w postaci takiej, jaka | communications between Dole and Chiquita, as reported by | communications de prétarification entre Dole et Chiquita, telle que rapportée |
| w postaci wykresów danych liczbowych dotyczących | in the form essentially of graphs | sous la forme essentiellement de graphiques |
| Komisja zgromadziła materiał dowodowy w postaci dowodów z dokumentów | the Commission gathered a body of documentary evidence | la Commission a réuni un ensemble de preuves documentaires |
| zastosowanie środka w postaci zamrożenia środków finansowych | the application of a fund freezing measure | l'application d'une mesure de gel de fonds |
| środka zmierzającym do osiągnięcia celu w postaci ochrony zdrowia publicznego | a means of attaining the objective of protecting public health | moyen d'atteindre l'objectif de protection de la santé publique |
| w postaci pism wysyłanych przez | in the form of letters sent by | sous forme de courriers envoyés par |
| przekazanie umów w postaci niezgodnej z prawdą | any untruthful communication thereof (contracts) | la communication mensongère des contrats |
| kary w postaci zakazu wykonywania działalności przez | a ban of greater or lesser duration on practising as a pharmacist | imposer des sanctions d'interdiction d'exercice de la pharmacie |
| w zależności od [depending on] | | |
| w zależności od wagi naruszenia | depending on the degree of gravity of the infringement | en fonction du degré de gravité de l'infraction |
| w zależności od ich potrzeb | according to their needs | en fonction de leurs besoins |
| każdą skrzynkę mieszczącą 42 funty bananów w zależności od odmiany | fixed prices for each 42 lb box of bananas according to variety | carton de bananes de 42 livres, suivant la variété de celles-ci |
| w zależności od rodzaju wymienianych informacji | according in particular to the type of information exchanged | selon notamment le type d'informations échangées |
| w zależności od różnych metod | in accordance with various arrangements | selon différentes modalités |
| w zależności od pewnych okoliczności łagodzących i (SIC) | in accordance with certain aggravating and mitigating circumstance | en fonction de certaines circonstances atténuantes |
| w zależności od źródła informacji | depending on the source of information | en fonction de la source d'information |
| w zależności od czasu trwania udziału | by reference to the duration of the participation | en fonction de la durée de la participation |
| w zależności od osiągniętych rezultatów | depending on the results obtained | en fonction des résultats obtenus |
| w zależności od rzeczywistej wagi stwierdzonego naruszenia | by reference to the actual gravity of the infringement found | en fonction de la gravité réelle de l'infraction constatée |
| w zależności od konkretnej sytuacji każdego uczestnika | in the light of the particular situation of each participant | eu égard à la situation particulière de chaque participant |
| w zależności od cech każdego przypadku | according to the specific features of each case | selon les caractéristiques propres à chaque cas d'espèce |
| bez względu na [regardless of] | | |
| Bez względu na okoliczności | In any event | En tout état de cause |

| | | |
|--|---|---|
| bez względu na markę, wliczając w to własną sprzedaż markowych bananów | without differentiation by brand , including its own sales of branded bananas | sans différenciation selon la marque , y compris ses propres ventes de bananes de marque |
| nie są zasadne, bez względu na to, czy odnoszą się one do uzgodnionych praktyk mających związek z pismami wyjaśniającymi, czy do praktyk niezależnych od tych pism | are unfounded, whether they refer to a concerted practice in connection with the side letters or to one independent of them | ne sont pas fondés, que ceux-ci se réfèrent à une pratique concertée en relation avec les lettres d'accompagnement ou indépendamment de celles-ci |
| bez względu na stwierdzony błąd dotyczący daty rozpoczęcia naruszenia w Niemczech | notwithstanding the errors identified regarding the start date of the infringement in Germany | nonobstant l'erreur constatée concernant la date de début de l'infraction en Allemagne |
| na skutek [as a result of] | in accordance with, as a result of, by effect, to be the consequence of, following | par l'effet de (duquel), par effet, résulter de, à la suite de |
| naruszenia ze względu na skutek | infringements by effect | infractions par effet |
| VS naruszenia ze względu na cel | infringements by object | infractions par objet |
| pod rygorem [under the pain of] | | |
| pod rygorem umorzenia postępowania | failing which there will be no need to adjudicate | sous peine de non-lieu à statuer |
| niezgodnie z [contrary to] | | |
| niezgodnie z postanowieniami tej umowy | acted contrary to the terms of that agreement | sans respecter les termes dudit accord |
| niezgodnie z prawem przypisała odpowiedzialność | unlawfully imputed liability fo | illégalement imputé la responsabilité |
| Takie domniemanie jest zaś niezgodnie z prawem | such a presumption is unlawful | une telle présomption serait illégale |
| w dziedzinie [in the area of] | | |
| naruszenie w dziedzinie konkurencji | an infringement in competition matters | une infraction en matière de concurrence |
| przysługującego jej w dziedzinie nakładania grzywien zakresu uznania | margin of discretion in the imposition of fines | appréciation dont elle dispose en matière d'imposition d'amendes |
| traktat w dziedzinie prawa konkurencji | Treaty in the area of competition law | le traité dans le domaine du droit de la concurrence |
| decyzji Komisji w dziedzinie konkurencji | Commission decisions on competition matters | les décisions de la Commission en matière de concurrence |
| na mocy [pursuant to/BT: by power of article] | | |
| na mocy krajowego prawa cywilnego | under national civil or even criminal law | en vertu du droit civil national |
| zakazane na mocy art. 101 TFUE | prohibited by Article 101 TFEU / prohibited under | interdits par l'article 101 TFUE/ prohibée par l'article 101 |
| grzywien nakładanych na mocy art. 15 | fines imposed pursuant to Article 15 | des amendes infligées en application de l'article 15 |
| wniosek o zwolnienie z grzywiny na mocy obwieszczenia Komisji | apply for immunity pursuant to the Commission notice on immunity | une demande d'immunité au titre de la communication de la Commission |
| przysługującego im na mocy art. 27 ust. 1 rozporządzenia nr 1/2003 prawa do obrony | rights of the defence as recognised by Article 27 | des droits de la défense tels que reconnus par l'article 27 |

| | | |
|---|--|---|
| rozpatrywanych środków ograniczających, przedłużonych na mocy decyzji 2011/101 | When account is taken of the objective of the restrictive measures concerned, renewed by Decision 2011/101 | des mesures restrictives en question, reconduites par la décision 2011/101 (voir point 97 ci-dessus) |
| ustanowione na mocy rozporządzenia nr 314/2004 | the restrictive measures established by Regulation No 314/2004 | les mesures restrictives instituées par le règlement no 314/2004 |
| wielokrotnie przedłużany, ostatnio na mocy decyzji Rady 2010/92/WPZiB | extended on several occasions, most recently until 20 February 2011 by Council Decision 2010/9 | prorogée à plusieurs reprises, en dernier lieu jusqu'au 20 février 2011, par la décision 2010 |
| samorząd zawodowy utworzony na mocy ustawy | a professional association created by law | un ordre professionnel créé par la loi |
| jej zachowanie nie powinno zostać ukarane na mocy art. 101 TFEU | its conduct should not be penalised under Article 101 TFEU | son comportement ne devrait pas être sanctionné dans le cadre de l'article 101 TFEU |
| na mocy okólnika | in application of Circular No 98/585 | en application de la circulaire no 98-585 |
| łącznie z [inclusive of] | | |
| zbadany łącznie z nim | examined in that context | examiné dans ce cadre |
| łącznie z przedstawieniem umów sprzedaży | including by producing contracts of sale | y compris en produisant des contrats de vente |
| łącznie z „opłatą wejściową” | including the 'entry fee' | y compris le «droit d'entrée» |
| nawet łącznie z oszustwem | even when considered together with the cheating | même considéré ensemble avec la tricherie rappelée |
| przy pomocy [with the help of] | | |
| wyrażony przy pomocy użycia spójnika „lub” | indicated by the use of the conjunction 'or' | marqué par l'emploi de la conjonction «ou» |
| wyrażony przy pomocy spójnika „lub” | indicated by the conjunction 'or' | marqué par la conjonction «ou» |
| w miarę [in line with] | | |
| w miarę możliwości | to the extent possible | dans la mesure du possible |
| w miarę możliwości | if possible | si possible |
| przy użyciu [with the use of] | | |
| przy użyciu cen oficjalnych jako skróconej informacji o | using official prices as a summary signal about | en utilisant des prix officiels comme un signal résumé de |
| przy użyciu jej własnych zasobów finansowych | with the assistance of its own financial resources | avec l'aide de ses propres moyens financiers |
| pod względem [in respect of] | | |
| skarżąca nie może skutecznie pod względem prawnym ograniczyć przedmiotu korespondencji ze spółką Weichert wyłącznie do | the applicant cannot legitimately reduce the object of the correspondence with Weichert to | la requérante ne saurait valablement réduire l'objet de la correspondance échangée avec Weichert à |
| Komisja w niniejszej sprawie w sposób wystarczający pod względem prawnym przedstawiła okoliczności faktyczne i prawne o istotnym znaczeniu w kontekście wydanej przez nią decyzji] | the Commission stated to the requisite legal standard its reasons for imputing Weichert's unlawful conduct to Del Monte / established to the requisite legal standard / the Commission was able to prove sufficiently the existence o | la Commission a motivé à suffisance de droit l'imputation à Del Monte du comportement infractionnel de Weichert. / a établi à suffisance de droit / démontrer à suffisance de droit l'existence de |

| | | |
|--|---|---|
| nieścista pod względem faktycznym | factually wrong | inexacte sur le plan factuel |
| zarówno pod względem faktycznym, jak i prawnym | both in fact and in law | tant en fait qu'en droit |
| pod względem obrotu niewielka spółka w porównaniu z jej konkurentami] | being small in terms of turnover compared to its competitors | de petite envergure en termes de chiffre d'affaires en comparaison de ses concurrents |
| które mogą różnić się pod względem charakteru i znaczenia w zależności od cech każdego przypadku | the nature and importance of which may vary according to the specific features of each case | dont le caractère et l'importance peuvent varier selon les caractéristiques propres à chaque cas d'espèce |
| znajdowały się w sytuacji identycznej pod względem możliwości przyznania obniżki grzywny | in the same situation from the aspect of the grant of a reduction of the fine | se trouvaient pas dans une situation identique eu égard à l'octroi d'une réduction d'amende |
| są niezależne pod względem prawnym i ekonomicznym | both have their own legal and economic autonomy | disposeraient toutes deux d'une autonomie juridique et économique propre |
| w wystarczający pod względem prawnym wykazać | it adequately demonstrates | démontre à suffisance |
| pod względem geograficznym | in geographic terms | sur le plan géographique |
| w oparciu o [on the basis of] | | |
| w oparciu o wszystkie okoliczności faktyczne | on the basis of factual evidence/ on the basis of the matters of fact and of law | sur la base d'un ensemble d'éléments factuels/en fonction des éléments de fait et de droit |
| w oparciu o ich odpowiednie wkłady finansowe | on the basis of their respective financial contributions | sur la base de leur apport financier respectif |
| standardową miarę, w oparciu o którą [Weichert] mogła określić dokładnie [swe] własne szacunki | (witness testimony) a yard stick against which [Weichert] could measure the accuracy of [its] own estimates | mesure étalon, à partir de laquelle [Weichert] pouvait déterminer la précision de [ses] propres estimations |
| ustalane w danym tygodniu w oparciu o dotyczące produkcji i wysyłki decyzje | determined, for any given week, as a result of the production and shipping decisions | déterminées, pour une semaine donnée, en fonction des décisions de production |
| podział w oparciu o markę | brand-division | division en fonction des marques |
| przyjęta w oparciu o odpowiednią podstawę prawną | adopted on an adequate legal basis | adoptée sur le fondement d'une base juridique appropriée |
| w oparciu o zarzuty podniesione przez zainteresowaną osob | on the basis of pleas in law raised by the person concerned | sur la base des moyens soulevés par la personne concernée |
| w oparciu o ścisłą wykładnię pojęcia | on the basis of a correct interpretation of the concept of | sur la base d'une interprétation exacte de la notion de |
| w oparciu o domniemanie wywierającego decydującego wpływu | on the basis of the presumption of the exercise of decisive influence | sur la base de la présomption d'exercice d'une influence déterminante |
| w oparciu o wielkość udziałów w jej kapitale | on the sole basis of the level of capital held by the parent company | sur le seul fondement du niveau de détention du capital de celle-ci |
| obliczanie grzywien następowało w oparciu o wagę i czas trwania naruszenia | finer are to be calculated by reference to the gravity and duration of the infringements | le calcul des amendes devrait être effectué par référence à la gravité et à la durée des infractions |

| | | |
|---|--|--|
| począwszy od [beginning with] | | |
| począwszy od 1994 r. | since 1994 | depuis 1994 |
| Począwszy od drugiego półrocza 2002 r | From the second half of 2002 | À compter du second semestre 2002 |
| począwszy od końca 2002 r. | from late 2002 onwards | à partir de la fin 2002 |
| począwszy od 18 tygodnia 2005 r. | as from week 18 of 2005 | à partir de la semaine 18 de 2005 |
| począwszy od kolejnego tygodnia | as of the following week | dès la semaine suivante |
| począwszy od dnia 1 czerwca 1999 r. | as of 1 June 1999 | dès le 1er juin 1999 |
| począwszy od dnia 15 czerwca 1995 r | from 15 June 1995 | à partir du 15 juin 1995 |
| które obejmowały wszelkie kwestie, począwszy od warunków atmosferycznych w Europie, skończywszy na plotkach branżowych | which included any topic from weather conditions in Europe to industry gossip | qui comprenaient n'importe quel sujet depuis les conditions atmosphériques en Europe jusqu'à des bavardages sur le secteur |
| Począwszy od dnia 4 listopada 2004 | Beginning on 4 November 2004 | À compter du 4 novembre 2004 |
| począwszy od spotkania technicznego, które odbyło się w dniach 26 i 27 czerwca 2001 r., skarżąca ponownie rozpoczęła regularne uczestnictwo w spotkaniach technicznych | after the technical meeting held on 26 and 27 June 2001, the applicant began to attend the technical meetings regularly again | à partir de la réunion technique des 26 et 27 juin 2001, la requérante a recommencé à assister régulièrement aux réunions techniques |
| z uwagi na [in view of] | with, since, given sth, on account of, in the light of, in order to, by their very nature, taking into account the fact that, owing to | avec qqch + participe passé, qqch étant + participe passé, compte tenu de, en raison de, eu égard à, en vue de, par leur nature même [z uwagi na ich charakter], en tenant compte du fait que [z uwagi na okoliczność, że] |
| z uwagi na błędne stwierdzenie praktyki uzgodnionej o celu antykonkurencyjnym | owing to the – incorrect – finding of the existence of a concerted practice having an anti-competitive objec | du fait de la conclusion, erronée, quant à l'existence d'une pratique concertée ayant un objet anticoncurrentiel |
| ani tym bardziej z uwagi na udział spółki dominującej w naruszeniu | (not), a fortiori, because the parent company is involved in the infringement | ni, à plus forte raison, une implication de la première dans ladite infraction |
| z uwagi na sam ich charakter | by their very nature | par leur nature même |
| z uwagi na delegacje lub inne zobowiązania | due to travel and other commitments | à cause des déplacements ou autres engagements |
| z uwagi na to, iż produkt, którego ten rynek dotyczy, łatwo się psuje | in view of the perishable nature of the relevant product | compte tenu de la nature périssable du produit en cause |
| z uwagi na przemoc organizowaną i popełnianą przez władze | given the violence organised and committed by the Zimbabwean authorities | au vu des violences organisées et commises par les autorités |
| Z uwagi na cel rozpatrywanych środków ograniczających | When account is taken of the objective of the restrictive measures concerned | Compte tenu de l'objectif des mesures restrictives en question |

| | | |
|--|---|---|
| z uwagi na to, że Arkema France uczestniczyła w naruszeniu przez co najmniej cztery lata | since Arkema France participated in the infringement for at least four years | dans la mesure où Arkema France a participé à l'infraction pendant quatre ans |
| z uwagi na więzy ekonomiczne i prawne łączące ją z Arkema France | because of its economic and legal links with Arkema France | en raison des liens économiques et juridiques qui l'unissaient à Arkema France |
| to z uwagi na fakt, iż Arkema France i skarżąca stanowiły jedno przedsiębiorstwo | since Arkema France and the applicant constituted a single undertaking | dès lors qu'Arkema France et la requérante constituaient une seule entreprise |
| z uwagi na osiągnięcie przez przedsiębiorstwo szczególnie wysokich obrotów | in consideration of the size of the undertaking's turnover | en raison de l'importance du chiffre d'affaires global de l'entreprise |
| Z uwagi na okoliczność, iż nie ma żadnego dowodu świadczącego o tym, że | as there is no evidence that | compte tenu du fait qu'il n'existe aucune preuve attestant que |
| z uwagi na czas trwania naruszenia | having regard to the duration of the infringement | au regard de la durée de l'infraction |
| na temat [on the subject of] | | |
| wypowiedzenia się na temat takiego środka dowodowego | express their views on such evidence | se prononcer sur un tel élément de preuve |
| Ponadto przedstawiona w motywach 387 i 399–410 zaskarżonej decyzji dyskusja na temat decydującego wpływu skarżącej na zachowanie spółki Weicher | the discussion in recitals 387, 399 to 410 to the contested decision as to whether the applicant had decisive influence over Weichert's conduct | la discussion contenue aux considérants 387, 399 à 410 de la décision attaquée concernant l'existence d'une influence déterminante de la requérante sur le comportement |
| nie przedstawiła żadnych uwag na temat udzielonej przez spółkę Weichert odpowiedzi | it made no comment on Weichert's reply to the statement of objections | n'a présenté aucune observation au sujet de la réponse de Weichert |
| wymianę informacji na temat cen referencyjnych bananów | exchange of banana quotation prices | l'échange des prix de référence des bananes |
| całokształcie dwustronnej wymiany informacji na temat sytuacji rynku bananów | complex of bilateral communications on banana market conditions | ensemble de communications bilatérales sur la situation du marché de la banane |
| nie przedstawili specjalnych uwag ani na temat sposobu, w jaki Komisja uwzględniła przy obliczaniu kwoty grzywny te dwie wyżej wymienione okoliczności | submitted specific comments on the way in which the Commission took the two aforementioned factors into account | n'ont présenté d'observations spécifiques ni sur la manière dont la Commission a pris en compte les deux éléments susvisés |
| grupa Sasol, chcąc korzystać z jego rozległej wiedzy na temat działalności spółki HOS] | Sasol wanted to tap his in-depth knowledge of the HOS business | Sasol souhaitait exploiter sa connaissance approfondie des activités de HOS |
| zaskarżone akty zawierają informacje na temat konkretnych zachowań | the contested acts contain additional references to the specific conduct | les actes attaqués comportent des références à des agissement concrets |
| wymiany poufnych informacji handlowych na temat cen i wielkości sprzedaży | exchanging commercially sensitive information on prices and sales volumes | d'échanger des informations commercialement sensibles sur les prix et les volumes de ventes |
| stworzyć możliwość przedstawienia stanowiska na temat prawdziwości i znaczenia dla sprawy faktów i okoliczności podnoszonych przez Komisję | make known its views on the truth and relevance of the facts and circumstances alleged | de faire connaître utilement son point de vue sur la réalité et la pertinence des faits et des circonstances alléguée |

| | | |
|--|--|---|
| informacji na temat polityki Izby | information about the Association's policy | des informations au sujet de la politique de l'Ordre |
| uwagach na temat wysokości rabatów | observations on the level of discounts | des observations sur le niveau des ristournes |
| wymiany poufnych informacji na temat dostawy gazu ziemnego | information relating to the supply of natural gas | informations confidentielles concernant la fourniture de gaz nature |
| na zasadzie [on the principle of] | | |
| na zasadzie odpowiedzialności solidarnej | jointly and severally | conjointement et solidairement |
| byli uprawnieni do działania i składania oświadczeń w imieniu spółki jedynie na zasadzie reprezentacji łącznej | empowered only jointly to act and sign on behalf of the joint venture | n'étaient habilités que conjointement à agir et à signer pour le compte de l'entreprise commune |
| uchwał na zasadzie jednogłośności | unanimous resolutions | résolutions à l'unanimité |
| na zasadzie pewności prawa | the principle of legal certainty | le principe de la sécurité juridique |
| Izba opiera się w istocie na zasadzie niezależności analityków medycznych | the Association relies on the principle of the independence of biologists | L'Ordre s'appuie sur le principe de l'indépendance du biologiste |
| 25% udziałów na zasadzie pełnej własności | fully owned 25% of the shares | 25 % de titres en pleine propriété |
| włącznie z [inclusive of] | | |
| poważnych naruszeń praw człowieka, włącznie z naruszeniem wolności wyrażania opinii, stowarzyszeń i pokojowych zgromadzeń | where the serious infringements of human rights and of the freedom of opinion | de graves atteintes aux droits de l'homme et à la liberté d'expression et d'association ainsi qu' à la liberté de réunion pacifique continuent de se produire dans le pays |
| odnośnie do [with regard to] | | |
| odpowiedzi na pytania odnośnie do faktów | answer factual questions | répondre à des questions factuelles |
| odnośnie do rozporządzenia nr 17 | with respect to Regulation No 17 | concernant le règlement no 17 |
| porozumienia odnośnie do cen i ilości | agreement on prices and volumes | un accord sur les prix et les volumes |
| odnośnie do art. 81 | in relation to Article 81 | s'agissant de l'article 81 |
| Odnośnie do naruszenia ciągłego | As regards a continuing infringement | En ce qui concerne l'infraction continue |
| odnośnie do stwierdzenia, że naruszenie | As regards the fact that the infringement | quant au fait que l'infraction |
| Odnośnie do argumentu, że | As for the argument that | Quant à l'argument selon lequel |
| odnośnie do załącznika nr 2 do | with regard to Appendix 2 to | concernant l'annexe 2 de |
| ze strony [on behalf of] | | |
| współpracy ze strony tej spółki | Weichert's cooperation | la coopération de Weichert |
| otrzymywania informacji ze strony pozostałych służb tej instytucji | to receive notifications from other departments of the institution | recevoir des signalisations de la part des autres services de l'institution |
| co jest wymagane w ramach współpracy oczekiwanej ze strony wnioskodawcy | required as part of the cooperation expected of an immunity applicant | ce qui était requis au terme de la coopération attendue d'un demandeur d'immunité |

| | | |
|--|--|--|
| ubiegającego się o zwolnienie z grzywny | | |
| bezprawne zachowania ze strony spółki Chiquita i skarżących | illegal conduct by Chiquita and the applicants | un comportement illégal de la part de Chiquita et des requérantes |
| bez sprzeciwu ze strony skarżących | without being contradicted by the applicants | sans être contredite par les requérantes |
| jedynym przedstawicielem ze strony spółki Pacific | the only representative on Pacific's side | le seul représentant du côté de Pacific |
| współpracy ze strony członków kartelu | the cooperation given by members of a cartel | la coopération fournie par les membres d'une entente |
| strategii w stosunku do grup laboratoriów ze strony kierownictwa Izby | a strategy towards groups of laboratories on the part of the managing bodies of the Association | une stratégie à l'égard des groupes de laboratoires de la part des instances dirigeantes de l'Ordre |
| nie wymagało uzyskiwania ze strony spółki dominującej Total SA | it was never required to seek Total SA's authorisation for the investments | jamais requis qu'elle obtienne l'autorisation de Total SA |
| zastosowania odwetu ze strony przedsiębiorstwa | gave rise to reprisals on the part of the undertaking | ont donné lieu à des représailles de la part de l'entreprise |
| w świetle [in light of] | in the light of, in view of | au regard de, à la lumière de, compte tenu de, eu égard à |
| W świetle orzecznictwa przytoczonego w pkt 479, 480 i 484 | from the case-law referred to in paragraphs 479, 480 | au vu de la jurisprudence citée aux points 479, 480 p |
| w świetle EKPC | under the ECHR | au regard de la CEDH |
| w świetle art. 81 | for the purposes of Article 81 EC | au sens de l'article 81 CE |
| W świetle wszystkich powyższych rozważań | It follows from all the foregoing that | il résulte de l'ensemble de ce qui précède que |
| bez uszczerbku [without prejudice to] | | |
| bez uszczerbku dla | without prejudice to | sans préjudice de |
| o pozostaje bez uszczerbku dla późniejszego zbadania argumentacji skarżących w odniesieniu do | does not prejudice | ce qui ne préjuge pas de |
| ds. [in charge of – abbrev.] | | |
| zespoły ds. sprzedaży w Hamburgu | the Hamburg sales teams | les équipes de vente de Hambourg |
| Komisji i Organizacji Narodów Zjednoczonych ds. Wyżywienia i Rolnictwa (FAO) | Food and Agriculture Organisation of the United Nations (FAO) | Organisation des Nations unies pour l'alimentation et l'agriculture (FAO) |
| Komisji Dyrekcję Generalną ds. Konkurencji | Commission Directorate-General for Competition | la direction générale de la concurrence de la Commission |
| członka Komisji właściwego ds. konkurencji | Commissioner for Competition | membre de la Commission chargé de la concurrence |
| funkcjonariuszem ds. przesłuchań | hearing officer | conseiller auditeur |
| (IGAS) (francuskiej generalnej inspekcji ds. społecznych | French Inspectorate-General for Social Affairs (IGAS) | Inspection générale des affaires sociales française (IGAS) |
| francuska dyrekcja generalna ds. konkurencji, konsumentów i zwalczania oszustw | French Directorate General for Competition, Consumption and | direction générale de la concurrence, de la consommation et de la |

| | | |
|-----------------------------------|-------------------------------------|--|
| | the Repression of Fraud (DGCCRF) | répression des fraudes française (DGCCRF) |
| na bazie [on the basis of] | n.d. | n.d. |

A.1.

Article 288 of the TFEU

To exercise the Union's competences, the institutions shall adopt regulations, directives, decisions, recommendations and opinions. A regulation shall have general application. It shall be binding in its entirety and directly applicable in all Member States. A directive shall be binding, as to the result to be achieved, upon each Member State to which it is addressed, but shall leave to the national authorities the choice of form and methods. A decision shall be binding in its entirety. A decision which specifies those to whom it is addressed shall be binding only on them. Recommendations and opinions shall have no binding force.

A.2.

Article 19(1) of the TEU

The Court of Justice of the European Union shall include the Court of Justice, the General Court and specialised courts. It shall ensure that in the interpretation and application of the Treaties the law is observed. Member States shall provide remedies sufficient to ensure effective legal protection in the fields covered by Union law.

A.3.

Article 42 the Rules of Procedure of the Court of Justice

Language service of the Court

The Court shall set up a language service staffed by experts with adequate legal training and a thorough knowledge of several official languages of the European Union.

A.4.

Article 267 of the TFEU (ex Article 234 TEC)

The Court of Justice of the European Union shall have jurisdiction to give preliminary rulings concerning:

- (a) the interpretation of the Treaties;

(b) the validity and interpretation of acts of the institutions, bodies, offices or agencies of the Union;

Where such a question is raised before any court or tribunal of a Member State, that court or tribunal may, if it considers that a decision on the question is necessary to enable it to give judgment, request the Court to give a ruling thereon.

Where any such question is raised in a case pending before a court or tribunal of a Member State against whose decisions there is no judicial remedy under national law, that court or tribunal shall bring the matter before the Court.

If such a question is raised in a case pending before a court or tribunal of a Member State with regard to a person in custody, the Court of Justice of the European Union shall act with the minimum of delay.”

A.5.

Article 263 of the TFEU (ex Article 230 TEC)

The Court of Justice of the European Union shall review the legality of legislative acts, of acts of the Council, of the Commission and of the European Central Bank, other than recommendations and opinions, and of acts of the European Parliament and of the European Council intended to produce legal effects vis-à-vis third parties. It shall also review the legality of acts of bodies, offices or agencies of the Union intended to produce legal effects vis-à-vis third parties.

It shall for this purpose have jurisdiction in actions brought by a Member State, the European Parliament, the Council or the Commission on grounds of lack of competence, infringement of an essential procedural requirement, infringement of the Treaties or of any rule of law relating to their application, or misuse of powers.

The Court shall have jurisdiction under the same conditions in actions brought by the Court of Auditors, by the European Central Bank and by the Committee of the Regions for the purpose of protecting their prerogatives.

Any natural or legal person may, under the conditions laid down in the first and second paragraphs, institute proceedings against an act addressed to that person or which is of direct and individual concern to them, and against a regulatory act which is of direct concern to them and does not entail implementing measures.

Acts setting up bodies, offices and agencies of the Union may lay down specific conditions and arrangements concerning actions brought by natural or legal persons against acts of these bodies, offices or agencies intended to produce legal effects in relation to them.

The proceedings provided for in this Article shall be instituted within two months of the publication of the measure, or of its notification to the plaintiff, or, in the absence thereof, of the day on which it came to the knowledge of the latter, as the case may be.

A.6.

Article 253 of the TFEU (ex Article 223 TEC)

The Judges and Advocates-General of the Court of Justice shall be chosen from persons whose independence is beyond doubt and who possess the qualifications required for appointment to the highest judicial offices in their respective countries or who are jurisconsults of recognised competence; they shall be appointed by common accord of the governments of the Member States for a term of six years, after consultation of the panel provided for in Article 255.

Every three years there shall be a partial replacement of the Judges and Advocates-General, in accordance with the conditions laid down in the Statute of the Court of Justice of the European Union.

The Judges shall elect the President of the Court of Justice from among their number for a term of three years. He may be re-elected.

Retiring Judges and Advocates-General may be reappointed.

The Court of Justice shall appoint its Registrar and lay down the rules governing his service.

The Court of Justice shall establish its Rules of Procedure. Those Rules shall require the approval of the Council.

A.7.

Article 59 of the Rules of Procedure of the Court of Justice

Preliminary report

1. When the written part of the procedure is closed, the President shall fix a date on which the Judge-Rapporteur is to present a preliminary report to the general meeting of the Court.
2. The preliminary report shall contain proposals as to whether particular measures of organisation of procedure, measures of inquiry or, if appropriate, requests to the referring court or tribunal for clarification should be undertaken, and as to the formation to which the case should be assigned. It shall also contain the Judge-Rapporteur's proposals, if any, as to whether to dispense with a hearing and as to whether to dispense with an Opinion of the Advocate General pursuant to the fifth paragraph of Article 20 of the Statute.

3. The Court shall decide, after hearing the Advocate General, what action to take on the proposals of the Judge-Rapporteur.

A.8.

Article 20 of the Statute of the Court of Justice of the European Union

The procedure before the Court of Justice shall consist of two parts: written and oral.

The written procedure shall consist of the communication to the parties and to the institutions of the Union whose decisions are in dispute, of applications, statements of case, defences and observations, and of replies, if any, as well as of all papers and documents in support or of certified copies of them.

Communications shall be made by the Registrar in the order and within the time laid down in the Rules of Procedure.

The oral procedure shall consist of the hearing by the Court of agents, advisers and lawyers and of the submissions of the Advocate General, as well as the hearing, if any, of witnesses and experts.

Where it considers that the case raises no new point of law, the Court may decide, after hearing the Advocate General, that the case shall be determined without a submission from the Advocate General.

A.9.

Article 252 of the TFUE (ex Article 222 TEC)

The Court of Justice shall be assisted by eight Advocates-General. Should the Court of Justice so request, the Council, acting unanimously, may increase the number of Advocates-General.

It shall be the duty of the Advocate-General, acting with complete impartiality and independence, to make, in open court, reasoned submissions on cases which, in accordance with the Statute of the Court of Justice of the European Union, require his involvement.

A.10.

Article 87 of the Rules of Procedure of the Court of Justice

Content of a judgment

A judgment shall contain:

- (a) a statement that it is the judgment of the Court,
- (b) an indication as to the formation of the Court,
- (c) the date of delivery,

- (d) the names of the President and of the Judges who took part in the deliberations, with an indication as to the name of the Judge-Rapporteur,
- (e) the name of the Advocate General,
- (f) the name of the Registrar,
- (g) a description of the parties or of the interested persons referred to in Article 23 of the Statute who participated in the proceedings,
- (h) the names of their representatives,
- (i) in the case of direct actions and appeals, a statement of the forms of order sought by the parties,
- (j) where applicable, the date of the hearing,
- (k) a statement that the Advocate General has been heard and, where applicable, the date of his Opinion,
- (l) a summary of the facts,
- (m) the grounds for the decision,
- (n) the operative part of the judgment, including, where appropriate, the decision as to costs.

A.11.

Article 32 of the Rules of Procedure of the Court of Justice

Procedures concerning deliberations

1. The deliberations of the Court shall be and shall remain secret.
2. When a hearing has taken place, only those Judges who participated in that hearing and, where relevant, the Assistant Rapporteur responsible for the consideration of the case shall take part in the deliberations.
3. Every Judge taking part in the deliberations shall state his opinion and the reasons for it.
4. The conclusions reached by the majority of the Judges after final discussion shall determine the decision of the Court.

A.12.

Article 1

The official languages and the working languages of the institutions of the Union shall be Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish.

Article 2

Documents which a Member State or a person subject to the jurisdiction of a Member State sends to institutions of the Community may be drafted in any one of the official languages selected by the sender. The reply shall be drafted in the same language.

Article 3

Documents which an institution of the Community sends to a Member State or to a person subject to the jurisdiction of a Member State shall be drafted in the language of such State.

List of Figures

| | |
|--|----|
| Figure 1: A flowchart of the procedure of the ECJ | 32 |
| Figure 2: A typical judgment of the ECJ- heading..... | 40 |
| Figure 3: A typical judgment of the ECJ- legal background..... | 41 |
| Figure 4: A typical judgment of the ECJ- operative part | 42 |

List of Tables

| | |
|--|-----|
| Table 1: Selected routine formulae in the judgments of the ECJ..... | 43 |
| Table 2: Selected variants of routine formulae in the judgments of the ECJ..... | 45 |
| Table 3: Lemmatised entries of który | 64 |
| Table 4: Global statistics for the corpora analysed in the study..... | 67 |
| Table 5: A comparison of raw and normalised frequencies..... | 68 |
| Table 6: The if-then mental model..... | 107 |
| Table 7: Patterns of purpose..... | 111 |
| Table 8: Causal relations | 114 |
| Table 9: Grand Total of Mental Models..... | 119 |
| Table 10: Deontic modality: obligation | 120 |
| Table 11: Permission and prohibition | 122 |
| Table 12: The verb być..... | 126 |
| Table 13: Passive voice | 127 |
| Table 14: Grand Total of Passive voice, -no/-to impersonal pattern and the się impersonal pattern..... | 129 |
| Table 15: Total of Impersonal and passive variants of stosować and Patterns used in definitions | 130 |
| Table 16: Top L1 collocates of się in present tense | 131 |
| Table 17: Top L1 collocates of się in all tenses | 132 |
| Table 18: Impersonal and passive variants of stosować [to apply]..... | 133 |
| Table 19: Patterns used in definitions | 134 |
| Table 20: Hypotaxis vs Parataxis markers | 136 |
| Table 21: Parataxis | 137 |
| Table 22: Hypotaxis | 141 |

| | |
|--|-----|
| Table 23: Total left collocates of należy | 146 |
| Table 24: Addition and enumeration..... | 147 |
| Table 25: Addition: top conjunctions | 148 |
| Table 26: Exclusion and contrast | 153 |
| Table 27: Epistemic modality adjectives and other epistemic stance markers | 155 |
| Table 28: Epistemic Stance | 155 |
| Table 29: Epistemic Modality: Adjectives | 157 |
| Table 30: Present adverbial participles –ąc..... | 160 |
| Table 31: Perfective adverbial participles -wszy/-wszy..... | 161 |
| Table 32: Pronouns..... | 164 |
| Table 33: Top Collocates of powodu and przyczyny..... | 180 |
| Table 34: Top collocates of musi, należy and powinien | 180 |
| Table 35: Top E/F/P-LOC Total right collocates of może..... | 181 |
| Table 36: Top E/F/P-LOC JUDG..... | 181 |
| Table 37: The -no/-to pattern..... | 181 |
| Table 38: The -no/-to pattern and its top colligations IN E/F/P-LOC | 181 |
| Table 39: The -no/-to pattern and its top colligations JUDGPL | 182 |
| Table 40: Additional collocates of się..... | 182 |
| Table 41: Total paratactic coordinators..... | 182 |
| Table 42: Other paratactic coordinators | 183 |
| Table 43: Top E/F/P-LOC collocates of który | 183 |
| Table 44: Top JUDGPL collocates of który..... | 184 |
| Table 45: Top collocates który, która | 184 |
| Table 46: Hypotaxis (total)..... | 185 |
| Table 47: Other hypotactic coordinators | 186 |
| Table 48: Top E/F/P-LOC L1 collocates of iż | 187 |
| Table 49: Top JUDGPL L1 collocates of iż..... | 187 |
| Table 50: Top E/F/P-LOC L1 collocates of że | 188 |
| Table 51: Top JUDGPL L1 collocates of że | 188 |
| Table 52: Collocates of top participles..... | 189 |
| Table 53: Collocates of top participles..... | 189 |
| Table 54: Complex prepositions as a special case of legal phrasemes | 189 |
| Table 55: legal phrasemes overrepresented in JUDGPL | 193 |
| Table 56: legal phrasemes underrepresented in JUDGPL..... | 193 |

| | |
|---|-----|
| Table 57: legal phrasemes overrepresented in E/F-LOC | 194 |
| Table 58: legal phrasemes overrepresented in in P-LOC..... | 195 |
| Table 59: Keywords: Nouns..... | 196 |
| Table 60: Keywords: Adjectives and Adverbs..... | 198 |
| Table 61: Keywords: Verbal forms | 199 |
| Table 62: The if-then mental model..... | 205 |
| Table 63: Patterns of purpose..... | 207 |
| Table 64: Causal relations | 208 |
| Table 65: Top Collocates of powodu and przyczyny..... | 211 |
| Table 66: Deontic modality: obligation | 212 |
| Table 67: Top collocates of musi, należy and powinien | 212 |
| Table 68: Permission and prohibition | 214 |
| Table 69: Total right collocates of może..... | 216 |
| Table 70: The -no/-to pattern and its top colligations | 217 |
| Table 71: Impersonal and passive variants of stosować [to apply]..... | 219 |
| Table 72: Top L1 collocates of się | 221 |
| Table 73: Patterns used in definitions | 222 |
| Table 74: Parataxis | 224 |
| Table 75: Hypotaxis | 233 |
| Table 76: Addition and enumeration..... | 241 |
| Table 77: Exclusion and contrast | 248 |
| Table 78: Epistemic stance..... | 249 |
| Table 79: Epistemic modality: adjectives | 253 |
| Table 80: Present adverbial participles –ąc..... | 254 |
| Table 81: Perfective adverbial participles -wszy/-wszy..... | 262 |
| Table 82: Pronouns..... | 263 |
| Table 83: Complex prepositions as a special case of legal phrasemes | 273 |