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STATUTORY RULES OF NORTHERN IRELAND

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**1981 No. 225**

County Court Rules (Northern Ireland) 1981

ORDER 23

References to the European Court

**Interpretation**

1. In this Order—

“the European Court” means the Court of Justice of the European Communities; and

“order” means an order referring to the European Court for a preliminary ruling under Article 177 of the Treaty establishing the European Economic Community, Article 150 of the Treaty establishing the European Atomic Energy Community or Article 41 of the Treaty establishing the European Coal and Steel Community.

**Making of order**

2.—(1) The court may make an order at any stage in the course of an action or matter whether of its own motion or on application by a party before or at the hearing thereof.

(2) Where an application for an order is made before the hearing nothing in Rule 1 of Order 14 shall be construed as authorising the hearing of the application other than by the judge in person and that Rule shall apply accordingly.

**Schedule to order to set out request for ruling**

3. An order shall be in Form 109 and shall set out in a schedule the request for the preliminary ruling of the European Court and the court may give directions as to the manner and form in which the schedule is to be prepared.

**Stay of proceedings pending ruling**

4. The proceedings in which an order is made shall, unless the court otherwise orders, be stayed until the European Court has given a preliminary ruling on the question referred to it.

**Transmission of order to the European Court**

5. When an order has been made the chief clerk shall send a copy thereof to the parties and to the Registrar of the European Court; but, where there is a right of appeal against the order he shall not do so, unless the court otherwise orders, until the time for appealing has expired or, as the case may be, until any appeal has been decided or disposed of.