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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 356**

Act of Sederunt (Sheriff Appeal Court Rules) 2015

PART 6

INCIDENTAL PROCEDURE: SPECIAL PROCEDURES

CHAPTER 21

PRELIMINARY REFERENCES TO THE CJEU

**Preparation of reference**

**21.3.**—(1) Where the Court decides that a reference is to be made, it is to make an order specifying—

- (a) by whom the reference is to be drafted and adjusted;
- (b) the periods within which the reference is to be drafted and adjusted.

(2) A reference is to be drafted in Form 21.3 unless the Court directs otherwise when it makes an order under paragraph (1).

(3) In drafting and adjusting the reference, parties are to have regard to the Recommendations to national courts and tribunals in relation to the initiation of preliminary ruling proceedings issued by the European Court<sup>(1)</sup>.

(4) When the reference has been drafted and any adjustments required by the Court have been made, the Court is to make and sign the reference.

(5) When the reference is made, the Clerk must notify the parties.