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STATUTORY INSTRUMENTS

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**2009 No. 2092**

**The Civil Procedure (Amendment) Rules 2009**

**Amendments to the Civil Procedure Rules 1998**

**14.** In Part 68—

- (a) in the table of contents—
  - (i) for “Making of order of reference” substitute “Making of order”; and
  - (ii) after the entry “Making of order” so inserted, insert the entry—

“Request to apply the urgent preliminary ruling procedure Rule 68.2A”;
- (b) in rule 68.1—
  - (i) in sub-paragraph (c)(v), after “Contractual Obligations”, for “.” substitute “; and”;  
and
  - (ii) after sub-paragraph (c) insert—

“(d) “reference” means a request to the European Court for a preliminary ruling”;
- (c) in the heading to rule 68.2 omit “of reference”;
- (d) in rule 68.2(3), for “The request to the European Court for a preliminary ruling” substitute “The reference, which must contain the information required by the practice direction supplementing this Part.”;
- (e) after rule 68.2 insert—

**“Request to apply the urgent preliminary ruling procedure**

**68.2A.** Any request by the court to the European Court that the preliminary ruling be dealt with under its urgent preliminary ruling procedure must be made in a document separate from the order or in a covering letter.”; and

- (f) in rule 68.3—
  - (i) for paragraph (1) substitute—

“(1) The Senior Master will send a copy of—
    - (a) the order; and
    - (b) where relevant, any request to apply the urgent preliminary ruling procedureto the Registrar of the European Court.”; and
  - (ii) in paragraph (2), for “the proper officer” substitute “a court officer”.