
STATUTORY INSTRUMENTS

2010 No. 60

The Criminal Procedure Rules 2010

PART 75

REQUEST TO THE EUROPEAN COURT FOR A PRELIMINARY RULING

Preparation of request

75.2.—(1) The court may—

- (a) make an order for the submission of a request—
 - (i) on application by a party, or
 - (ii) on its own initiative;
- (b) give directions for the preparation of the terms of such a request.

(2) The court must—

- (a) include in such a request—
 - (i) the identity of the court making the request,
 - (ii) the parties' identities,
 - (iii) a statement of whether a party is in custody,
 - (iv) a succinct statement of the question on which the court seeks the ruling of the European Court,
 - (v) a succinct statement of any opinion on the answer that the court may have expressed in any judgment that it has delivered,
 - (vi) a summary of the nature and history of the proceedings, including the salient facts and an indication of whether those facts are proved, admitted or assumed,
 - (vii) the relevant rules of national law,
 - (viii) a summary of the relevant contentions of the parties,
 - (ix) an indication of the provisions of European Union law that the European Court is asked to interpret, and
 - (x) an explanation of why a ruling of the European Court is requested;
- (b) express the request in terms that can be translated readily into other languages; and
- (c) set out the request in a schedule to the order.