**Form 23.3**

**Rule 23.3(2)**

**Reference to the European Court**

REQUEST

for

PRELIMINARY RULING

of

THE COURT OF JUSTICE OF THE EUROPEAN UNION

from

THE SHERIFF APPEAL COURT IN SCOTLAND

in the appeal in the cause

[A.B.] (designation and address)

PURSUER and [APPELLANT/RESPONDENT]

against

[C.D.] (designation and address)

DEFENDER and [RESPONDENT/APPELLANT]

(*Set out a clear and succinct statement of the case giving rise to the request for the ruling of the European Court in order to enable the European Court to consider and understand the issues of EU law raised and to enable governments of Member States and other interested parties to submit observations. The statement of case should include:*

1. *particulars of the parties;*
2. *the history of the dispute between the parties;*
3. *the history of the proceedings;*
4. *the relevant facts as agreed by the parties or found by the court or, failing such agreement or finding, the contentions of the parties on such facts;*
5. *the nature of the issues of law and fact between the parties;*
6. *the Scots law, so far as it is relevant;*
7. *the Treaty provisions or other acts, instruments or rules of EU law concerned; and*
8. *an explanation of why the reference is being made.*)

The preliminary ruling of the Court of Justice of the European Union is accordingly requested on the following questions:

(s*tate (in numbered paragraphs) the questions on which the ruling is sought*). Dated the (*day*) day of (*month and year*).

Appeal Sheriff