

Checklist

You must make a reference if you have

- 1. doubts**
- 2. about the interpretation or validity**
- 3. of Union law**
- 4. relevant to solve the case and there is**
- 5. no legal remedy (interpretation)**

or

you do NOT apply Union law (validity).

You may desist from a reference if

- 1. the CJEU had previously ruled on a materially identical question (acte éclairé) or**
- 2. the correct interpretation of applicable Union law is obvious (acte clair)**
 - to the courts of the other MS and to the CJEU,
 - in all language versions of the applicable Union law,
 - with regard to the particular terminology in all national legal systems of the MS,
 - in the light of the provisions of Community law as a whole.