

The role of the Court of Justice: questions referred for a preliminary ruling

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The role of the Court of Justice is to ensure that the 15 Member States and the institutions themselves comply with Community legislation.

The Union is based on a set of Treaties and on Community legislation, which, it must be remembered, takes precedence over national law. Today, Community law is so deeply enshrined in national law that almost half of the cases that come before the Court of Justice are preliminary rulings. That may be a technical term, but the explanation is relatively simple: when a national court rules on an issue, it must respect Community legislation. Where doubts arise, it may ask the Court of Justice of the European Communities to give a ruling, not on the substance of the case but on the interpretation that must be given to Community legislation in that particular instance. The rulings of the Court are final and legally binding.