3. Preliminary rulings: Article 267 TFEU

This chapter discusses Article 267 of the Treaty on the Functioning of the European Union (TFEU). Article 267 TFEU (ex Article 234 EC) gives the Court of Justice jurisdiction to deliver preliminary rulings on the validity and interpretation of EU law. The primary purpose of Article 267 is to ensure that EU law has the same meaning and effect in all the Member States. Where it considers a decision on a question of EU law is necessary to enable it to give judgment, any court may refer that question to the Court of Justice (the discretion to refer). Where a question of EU law is raised before a national court of last resort, that court must refer it to the Court of Justice (the obligation to refer).