27. **Referral of question of law to Court of Appeal, application for etc. (CPA s. 98(2)(d))**

(1) An application for an order under the CPA section 98(2)(d) referring a question of law to the Court of Appeal must be supported by an affidavit that —

    (a) formulates the question;

    (b) sets out the circumstances out of which the question arose; and

    (c) identifies the materials to which the Court of Appeal may need to refer to decide the question and which may be required for the purposes of complying with the *Supreme Court (Court of Appeal) Rules 2005*.

(2) The application and the supporting affidavit must be lodged, and served on each other party and on any person affected by the question.