



STATUTORY INSTRUMENTS.

S.I. No. 513 of 2016



DISTRICT COURT (ISSUE OF CIVIL PROCEEDINGS) RULES 2016

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The District Court Rules Committee, in exercise of the powers conferred on them by section 91 of the Courts of Justice Act 1924, section 72 of the Courts of Justice Act 1936, section 34 of the Courts (Supplemental Provisions) Act 1961, and section 24 of the Interpretation Act 2005, and of all other powers enabling them in this behalf, do hereby, with the concurrence of the Minister for Justice and Equality, make the following rules of court.

Dated this 25th day of July 2016.

Rosemary Horgan Chairperson

Mary C Devins

Brian Sheridan

Conal Gibbons

Roy Pearson

Noel A Doherty

Michelle Johnston

I concur in the making of the following rules of court.

Dated this 7th day of October 2016.

FRANCES FITZGERALD,
Minister for Justice and Equality.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 14th October, 2016.*

S.I. No. 513 of 2016

DISTRICT COURT (ISSUE OF CIVIL PROCEEDINGS) RULES 2016

1. (1) These Rules, which shall come into operation on the 8th day of November 2016, may be cited as the District Court (Issue of civil proceedings) Rules 2016.

(2) These Rules shall be construed together with the District Court Rules 1997 (S.I. No. 93 of 1997) and all other District Court Rules.

(3) The District Court Rules as amended by these Rules may be cited as the District Court Rules 1997 to 2016.

2. The District Court Rules 1997 (S.I. No. 93 of 1997) are amended:

(i) by the substitution for sub-rule (5) of rule 4 of Order 40 of the following sub-rule:

“(5) Except in a case to which section 7(6)(a)(ii) of the Courts Act 1964 applies, a claim notice which has been issued by a Clerk is deemed to have been issued on the date on which it was filed with the Clerk for issue.”, and

(ii) by the substitution for sub-rule (3) of rule 3 of Order 40A of the following sub-rule:

“(3) Except in a case to which section 7(6)(a)(ii) of the Courts Act 1964 applies, a personal injuries summons which has been issued by a Clerk is deemed to have been issued on the date on which it was filed with the Clerk for issue.”.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Rules amend Order 40 rule 5(4) and Order 40A rule 3(3) of the District Court Rules to provide for section 7(6)(a)(ii) of the Courts Act, 1964.

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