



STATUTORY INSTRUMENTS.

S.I. No. 200 of 2025

CIRCUIT COURT RULES (INTERROGATORIES) 2025

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We, the Circuit Court Rules Committee, by virtue of the powers conferred on us by section 66 of the Courts of Justice Act 1924, section 70 of the Courts of Justice Act 1936 (as applied by section 48 of the Courts (Supplemental Provisions) Act 1961), and section 27 of the Courts (Supplemental Provisions) Act 1961, with the concurrence of the Minister for Justice, make the following Rules of Court.

Dated this 5th day of March, 2025.

Patricia Ryan Chairperson

Sinéad Ní Chúlacháin

Tomás Keys

Tracy Ennis Faherty

Siún Hurley

Ann Spaine

Patricia Hickey

Brídín Concannon

James Finn

I concur in the making of the above Rules of Court.

Dated this 21st day of May 2025.

Jim O'Callaghan
Minister for Justice.

S.I. No. 200 of 2025

CIRCUIT COURT RULES (INTERROGATORIES) 2025

1. (1) These Rules, which may be cited as the Circuit Court Rules (Interrogatories) 2025, shall come into operation on the 13th day of June, 2025.

(2) These Rules shall be construed together with the Circuit Court Rules 2001 to 2025.

(3) The Circuit Court Rules 2001 to 2024 as amended by these Rules may be cited as the Circuit Court Rules 2001 to 2025.

2. These Rules shall apply in proceedings commenced from the date on which these Rules come into operation.

3. The Circuit Court Rules are amended by the substitution for rule 9 of Order 32 of the following provisions:

“Interrogatories

9. Subject to rules 10 and 11, a party (the “interrogating party”) may at any time after delivering his or her Civil Bill or Defence, as the case may be, and prior to the service of Notice of Trial, without the prior leave of the Court, deliver interrogatories in writing for the examination of any other party to the proceedings (the “interrogated party”).

10. (1) Interrogatories addressed to one party only and answers to such interrogatories must be copied to every other party.

(2) Where the interrogated party is a body corporate or an unincorporated body of persons, the interrogatories shall be answered by the secretary or such other person as is nominated by the interrogated party, but where the interrogating party requires a particular other officer, member, or employee of the interrogated party to answer particular interrogatories, he or she shall apply by motion on notice to the interrogated party for an order permitting such a requirement.

(3) Interrogatories shall be in the Form No. 57A in the Schedule of Forms and shall include a brief statement of the reasons why answers to each interrogatory or group of interrogatories are necessary for disposing fairly of the cause or matter or for saving costs.

(4) Without limiting the grounds on which objection may be made, interrogatories:

- (a) must be confined to questions as to facts in issue in the proceedings or facts reasonably relevant to establish facts in issue in the proceedings, but excluding questions concerning the evidence by which any fact might be proved;

- (b) must be confined to questions of fact the answer to each of which is likely to be within the knowledge of the person required to answer having, where appropriate, made any reasonably necessary inquiries;
- (c) must be confined to questions of fact which are amenable to answer by an affirmative, negative, or short statement of fact without narrative;
- (d) must be confined to questions of fact which are necessary either for disposing fairly of the cause or matter or for saving costs.

11. Notwithstanding rule 9, a party may not, without an order of the Court or County Registrar:

- (a) deliver interrogatories exceeding 20 in number to any other party; or
- (b) deliver more than one set of interrogatories to the same party.

12.(1) The interrogated party shall, within 21 days of delivery or such other time as is agreed or directed by the Court or the County Registrar, deliver to the interrogating party and file a notice setting out the grounds of any objection to any interrogatory which shall include, where relevant, details of any other means by which the interrogated party is willing to address the matter raised in the interrogatory concerned (including, without limitation, by delivering further particulars, by making an admission, or by producing documents).

(2) The interrogated party shall, at the same time, deliver to the interrogating party and file an affidavit, answering those interrogatories which the interrogated party is willing to answer, and verifying any facts relied on in any notice of objection delivered, and a copy of any such notice shall be exhibited to the affidavit.

13. Grounds of objection to an interrogatory shall be set out concisely. Such grounds may include that the interrogatory does not comply with the requirements of rule 10, or is not sufficiently material at that stage, or is not bona fide for the purpose of the proceedings, or any other proper ground of objection.

14. An affidavit in answer to interrogatories shall be in the Form No. 57B in the Schedule of Forms and shall include the text of each interrogatory prior to the answer or other response thereto.

15.(1) Where:

- (a) the interrogating party does not accept the sufficiency of the answers provided (including, where relevant, any proposal to address by other means a matter raised in an interrogatory), or does not accept any objection made, or
- (b) the interrogated party fails or omits to answer any interrogatory,

the interrogating party may apply to the Court or the County Registrar, within 14 days of the delivery of the interrogated party's affidavit and any notice of objection (or, as the case may be, within 14 days after the expiry of the time allowed for such delivery), by motion on notice to compel the delivery of answers, or further answers, or for any other appropriate relief.

(2) Such application shall be grounded upon an affidavit.

16. The interrogated party may rely on the affidavit in answer in opposing any such application, but is at liberty to deliver and file a further affidavit on the application.

17. On the hearing of an application under rule 15, the Court or the County Registrar may:

- (a) make an order requiring the interrogated party to answer or answer further, as the case may be, either by affidavit or by viva voce examination, as the Court or the County Registrar directs,
- (b) determine that the interrogated party is not required to answer:
 - (i) any interrogatory which does not comply with the requirements of rule 10;
 - (ii) any interrogatories which have been delivered unreasonably or vexatiously, or which are prolix, oppressive, unnecessary, or scandalous;
 - (iii) any interrogatories the imposition of a requirement to answer which might prejudice a fair hearing of the issues between the parties,

and may make such further or other order on the application as is just, including an order for the delivery of fresh interrogatories, an order for the delivery of further particulars, or an order for the production of documents.

18. The Court or the County Registrar may determine that the interrogated party is not required to answer an interrogatory notwithstanding that the question concerned might be admissible on the oral cross-examination of a witness.

Non-party discovery or interrogatories

19. Any person not a party to the cause or action before the Court who appears to the Court or to the County Registrar to be likely to have or to have had in his or her possession, custody, or power any documents which are relevant to an issue arising or likely to arise out of the cause or action, or is or is likely to be in a position to give evidence relevant to any such issue, may by leave of the Court or the County Registrar, upon the application of any party to the said cause or action, be directed by order of the Court or the County Registrar to answer such interrogatories, or to make discovery of such documents, or to permit inspection of such documents, provided that, in advance of the issuing of such notice of motion, such discovery shall be requested to be made voluntarily in accordance with the provisions of Rule 1 hereof, the request for voluntary discovery being made to the person against whom discovery is sought and the other parties to the proceedings. The provisions of this Order shall apply *mutatis mutandis* as if the said Order of the Court or the County Registrar had been directed to a party to the said cause or action, provided always that the party seeking such order shall indemnify such person in respect of all costs thereby reasonably incurred by such person, and such costs borne by the said party shall be deemed to be costs of that party in the proceedings.”

4. The Forms 57A and 57B in the Schedule shall be inserted in the appropriate sequence in the Schedule of Forms annexed to the Circuit Court Rules.

Schedule

No. 57A

O. 32, r. 10(3)

INTERROGATORIES.

[Title of action]

Interrogatories on behalf of the [plaintiff or defendant] for the examination of the [defendant or plaintiff].

Reasons

Answers to each of the following [groups of] interrogatories are necessary for disposing fairly of the cause or matter or for saving costs, for the following reasons.

Question 1 (or Questions 1 to n inclusive): [*Set out a brief statement of reasons*]

Question 2 (or Questions n to n inclusive): [*Set out a brief statement of reasons*], etc.

Interrogatories

[*Set out the interrogatories, which must each comply with the requirements of Order 32, rules 9 to 11, as individual numbered questions, to a maximum of 20, unless otherwise permitted by order of the Court or County Registrar*]

Question 1.....?

Question 2.....?

Question 3.....?

Etc.

AND TAKE NOTICE that if you fail to answer, or fail to answer sufficiently, on affidavit within 21 days of the delivery of these interrogatories, the [plaintiff or defendant] may apply to the Court or County Registrar pursuant to Order 32, rule 15 of the Circuit Court Rules for an order to compel the delivery of answers, or further answers, or for any other appropriate relief.

Dated:

No. 57B

O. 32, r. 14

ANSWER TO INTERROGATORIES.

[Title of action]

The answer of the [defendant or plaintiff] to the interrogatories for his or her examination by the [plaintiff or defendant].

I, [state name and address] aged 18 years and upwards make oath and say as follows:—

A. [Where the deponent answers on behalf of a body corporate or unincorporated body of persons, state the office or capacity in such body in which the deponent answers. In every case in which the deponent answers otherwise than from his or her own knowledge, state the deponent's means of knowledge and any inquiries made by the deponent prior to answering.]

The interrogatories and my answers (or, as the case may be, objections) to them are:

Question 1.....?

Answer 1:

Question 2.....?

Answer 2:

Etc.

[I beg to refer to the notice of objection delivered herein, upon a copy of which marked "A" I have signed my name prior to the swearing hereof. In support of the objections, I further say as follows:

Set out any facts relied on in any notice of objection delivered]

Sworn, etc.

EXPLANATORY NOTE

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

These rules amend Order 32 of the Circuit Court Rules to remove the requirement to seek the court's permission to deliver interrogatories where the number of interrogatories is not more than twenty, and insert Forms 57A and 57B to the rules on interrogatories and answers to interrogatories.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
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