



STATUTORY INSTRUMENTS.

S.I. No. 428 of 2018



RULES OF THE SUPERIOR COURTS (APPEALS FROM THE CIRCUIT
COURT) 2018

S.I. No. 428 of 2018

RULES OF THE SUPERIOR COURTS (APPEALS FROM THE CIRCUIT COURT) 2018

We, the Superior Courts Rules Committee, constituted pursuant to the provisions of the Courts of Justice Act 1936, section 67, and reconstituted pursuant to the provisions of the Courts of Justice Act 1953, section 15, by virtue of the powers conferred upon us by the Courts of Justice Act 1924, section 36, the Courts of Justice Act, 1936, section 68 (as applied by the Courts (Supplemental Provisions) Act 1961, section 48), the Courts (Supplemental Provisions) Act 1961, and of all other powers enabling us in this behalf, do hereby make the following Rules of Court.

Dated this 11 day of June, 2018.

Frank Clarke
George Birmingham
Peter Kelly
Elizabeth Dunne
Michael Peart
Anthony Barr
Stuart Gilhooly
Liam Kennedy
Mary Cummins
Noel Rubotham
John Mahon

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

Dated this 3rd day of October, 2018.

CHARLES FLANAGAN
Minister for Justice and Equality

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 16th October, 2018.*

S.I. No. 428 of 2018

RULES OF THE SUPERIOR COURTS (APPEALS FROM THE CIRCUIT COURT) 2018

1. (1) These Rules, which may be cited as the Rules of the Superior Courts (Appeals from the Circuit Court) 2018, shall come into operation on the 31st day of October 2018.

(2) These Rules shall be construed together with the Rules of the Superior Courts.

(3) The Rules of the Superior Courts as amended by these Rules may be cited as the Rules of the Superior Courts 1986 to 2018.

2. The Rules of the Superior Courts are amended:

(i) by the substitution in rule 5 of Order 110 for “Such notice of appeal shall be in Form No. 3 in Appendix I” of “Such notice of appeal shall be in Form No. 1 in Appendix I with such modifications as may be necessary.”, and

(ii) by the substitution for Forms 1, 2 and 3 in Appendix I of the forms 1 and 2 as set out in the Schedule.

Schedule

No. 1.

O. 61, r. 2

NOTICE OF APPEAL TO HIGH COURT SITTING IN DUBLIN

 THE HIGH COURT

Circuit No....

County of.....

BetweenA.B. Plaintiff

andC.D.....Defendant

Take notice that the defendant C.D. [*or plaintiff A.B. or other person appealing*] hereby appeals to the High Court, sitting in Dublin at the first opportunity after the expiration of ten days from the date of service hereof from the whole of the judgment of the Circuit Court given herein the... day of....., 20... [*or from so much of the judgment, of the Circuit Court Judge given herein the... day of....., 20..., as [set out the portion complained of].*]

1. Appellant Details

Where there are two or more appellants by or on whose behalf this notice is being filed please provide relevant details for each of the appellants

Appellant's full name			
Original status of appellant in proceedings under appeal		Plaintiff	Defendant
		Applicant	Respondent
		Petitioner	Notice Party

Solicitor			
Name of firm			
Name of solicitor responsible for this appeal			
Email			
Address		Telephone no.	

Solicitor			
		Document Exchange no.	
Postcode		Ref.	

If the Appellant is not legally represented please complete the following

Current postal address
e-mail address
Telephone no.

2. Respondent Details

Where there are two or more respondents affected by this application for leave to appeal, please provide relevant details, where know, for each of those respondents

Respondent's full name			
Original status of respondent in proceedings under appeal		Plaintiff	Defendant
		Applicant	Respondent
		Petitioner	Notice Party

Solicitor			
Name of firm			
Name of solicitor responsible for this appeal			
Email			
Address		Telephone no.	
		Document Exchange no.	
Postcode		Ref.	

If the Respondent is not legally represented please complete the following

Current postal address
e-mail address
Telephone no.

Dated20....

(Signed)

Name:

Address:

To: Chief Registrar, Central Office, High Court

And to:, Respondent

at.....

No. 2.

O. 61, r. 2

NOTICE OF APPEAL TO HIGH COURT ON CIRCUIT

[Heading as in Form No. 1].

Take notice that the defendant C.D. [or plaintiff A.B., or other person appealing] hereby appeals to the High Court on Circuit sitting at at the next sitting thereof after the expiration of ten days from the date of service hereof from the whole of the judgment of the Circuit Court given herein, the... day of....., 20..., [or from so much of the judgment of the Circuit Court given herein theday of, 20..., as [set out the portion complained of].

1. Appellant Details

Where there are two or more appellants by or on whose behalf this notice is being filed please provide relevant details for each of the appellants

Appellant's full name			
Original status of appellant in proceedings under appeal		Plaintiff	Defendant
		Applicant	Respondent
		Petitioner	Notice Party

Solicitor			
Name of firm			
Name of solicitor responsible for this appeal			
Email			
Address		Telephone no.	
		Document Exchange no.	
Postcode		Ref.	

If the Appellant is not legally represented please complete the following

Current postal address
e-mail address
Telephone no.

2. Respondent Details

Where there are two or more respondents affected by this application for leave to appeal, please provide relevant details, where know, for each of those respondents

Respondent's full name			
Original status of respondent in proceedings under appeal		Plaintiff	Defendant
		Applicant	Respondent
		Petitioner	Notice Party

Solicitor			
Name of firm			
Name of solicitor responsible for this appeal			
Email			
Address		Telephone no.	
		Document Exchange no.	
Postcode		Ref.	

If the Respondent is not legally represented please complete the following

Current postal address
e-mail address
Telephone no.

Dated20....

(Signed)

Name:

Address:

To: County Registrar, County of

And to:, Respondent

at.....

EXPLANATORY NOTE

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

These Rules amend the Superior Court Rules by the substitution in rule 5 of Order 110 and by the substitution of Forms 1, 2 and 3 in Appendix I.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
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nó trí aon díoltóir leabhar.

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