



STATUTORY INSTRUMENTS.

S.I. No. 19 of 2019



CIRCUIT COURT RULES (ORDER 4) 2019

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We, the Circuit Court Rules Committee, constituted pursuant to the provisions of section 69 of the Courts of Justice Act 1936, by virtue of the powers conferred on us by section 66 of the Courts of Justice Act 1924 and section 70 of the Courts of Justice Act 1936, (as applied by section 48 of the Courts (Supplemental Provisions) Act 1961), section 27 of the Courts (Supplemental Provisions) Act 1961 and of all other powers enabling us in this behalf, do hereby, with the concurrence of the Minister for Justice and Equality, make the annexed Rules of Court.

Dated this 27th day of November 2018.

(Signed): Raymond Groarke
(Chairman of the Circuit Court Rules Committee)

Fiona Duffy Coady
Keith Walsh
Rita Considine
Noel Rubotham

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

Dated this 29th day of January 2019.

Signed: Charles Flanagan
MINISTER FOR JUSTICE AND EQUALITY

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 1st February, 2019*

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1. (1) These Rules, which may be cited as the Circuit Court Rules (Order 4) 2019, shall come into operation on the 19th day of February 2019.

(2) These Rules shall be construed together with the Circuit Court Rules 2001 to 2019.

(3) The Circuit Court Rules 2001 to 2019 as amended by these Rules may be cited as the Circuit Court Rules 2001 to 2019.

2. Order 4 of the Circuit Court Rules is amended:

(i) by the substitution for the Heading of that Order of the following heading:
“Court Seal and Authentication of Court Documents” ;

(ii) by the substitution for rule 1(4) of that Order of the following sub-rule:

“(4) The persons who may authenticate the impression of the Seal of the Court on a document mentioned in sub-rule (2) or a document mentioned in sub-rule (3) are:

(a) the County Registrar, or

(b) such person, or one of such persons, as may, for such period as may be specified, be nominated in writing for that purpose by the County Registrar, or

(c) where any business of the office of the Court in a county is specified in accordance with section 14 of the Courts and Court Officers Act 2009 as business that shall be transacted in a combined court office established under that section, and for the purposes of such business:

(i) the combined court office manager appointed under section 19 of that Act for that combined court office, or

(ii) such member of the staff of the Courts Service employed in that combined court office under section 21 of the Courts and Court Officers Act 2009 as may, for such period as may be specified, be nominated in writing for that purpose by the combined court office manager concerned.”;

And

(iii) by the substitution for rule 2 of that Order of the following rule:

“2. Where by reason of the re-arrangement of Circuits an embossing Seal is not available for a particular Circuit Court area then until such time as an embossing Seal becomes available, all

documents required by Rule 1 of this Order to be authenticated by the Seal of the Court shall be authenticated by the signatures of both the Circuit Court Judge and

- (a) the County Registrar for the said area or
- (b) where paragraph (c) of rule 1(4) of this Order applies, the combined court office manager concerned or member of the staff of the Courts Service employed in the combined court office nominated in writing for that purpose by that combined court office manager.

EXPLANATORY NOTE

(This does not form part of the instrument and does not purport to be a legal interpretation)

These Rules amend Order 4 of the Circuit Court Rules to remove the reference to authentication of the impression of the Seal of the Court or of a document being done on behalf of the County Registrar, where such authentication is done by certain other persons, and to confer an authenticating function on a combined court office manager and combined court office staff in circumstances to which Order 4 rule 2 applies.

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