



STATUTORY INSTRUMENTS.

S.I. No. 216 of 2019



RULES OF THE SUPERIOR COURTS (PERSONAL INJURIES: SECTION
8 NOTICES) 2019

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Rules of the Superior Courts (Personal Injuries: Section 8 Notices) 2019

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 14th day of March, 2019.

George Birmingham

Elizabeth Dunne

Michael Peart

Teresa Pilkington

Stuart Gilhooly

Noel Rubotham

John Mahon

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

Dated this 15th day of May 2019.

Signed: CHARLES FLANAGAN

Minister for Justice and Equality

S.I. No.216 of 2019

Rules of the Superior Courts (Personal Injuries: Section 8 Notices) 2019

1. (1) These Rules, which may be cited as the Rules of the Superior Courts (Personal Injuries: Section 8 Notices) 2019, shall come into operation on the 19th day of June 2019.

(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 2019.

2. The Rules of the Superior Courts are amended:

(i) by the substitution in Order 1A for rule 6 of the following rule:

“6.(1) Where a plaintiff who has not served the notice required by section 8(1) of the Act within the time prescribed for service of such a notice alleges that there was a reasonable cause for such failure, the personal injuries summons shall include particulars of the cause of the said failure.

(2) Where a plaintiff alleges that he was unable, at the time at which a personal injuries summons was issued, to include in the personal injuries summons any of the information required by this Order to be specified in the personal injuries summons, he shall include in the personal injuries summons a statement of the reasons why it is claimed that any such information could not be provided at the time of issue of the summons. The plaintiff shall, at the time the personal injuries summons is served or as soon as may be thereafter (whether by amendment or otherwise) provide such of the information required by this Order as was not included in the personal injuries summons.”

EXPLANATORY NOTE

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

These Rules amend Rule 6 of Order 1A to facilitate the operation of section 8 of the Civil Liability and Courts Act 2004 as amended by section 13(2) of the Central Bank (National Claims Information Database) Act 2018.

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