



STATUTORY INSTRUMENTS.

**S.I. No. 221 of 2019**



CIRCUIT COURT RULES (RENEWAL OF CIVIL BILL) 2019

S.I. No. 221 of 2019

CIRCUIT COURT RULES (RENEWAL OF CIVIL BILL) 2019

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 20<sup>th</sup> day of March 2019.

(Signed): Raymond Groarke

(Chairman of the Circuit Court Rules Committee)

Jacqueline Linnane

Fiona Duffy Coady

Keith Walsh

Sabina Purcell

Mairead Ahern

Noel Rubotham

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

Dated this 17<sup>th</sup> day of May 2019.

Signed: CHARLES FLANAGAN

MINISTER FOR JUSTICE AND EQUALITY

S.I. No. 221 of 2019

CIRCUIT COURT RULES (RENEWAL OF CIVIL BILL) 2019

1. (1) These Rules, which may be cited as the Circuit Court Rules (Renewal of Civil Bill) 2019, shall come into operation on the 19<sup>th</sup> day of June 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. The Circuit Court Rules are amended:

(i) by the substitution for Order 12 of the Order set out in Schedule 1, and

(ii) by the substitution for rule 6 of Order 67 of the following rule:

“6.(1) Subject to sub-rule (2) and to any relevant provision of statute, the Court shall have power to enlarge or abridge the time appointed by these Rules, or fixed by any order enlarging time, for doing any act or taking any proceeding, and may also declare any step taken or act done to be sufficient, upon such terms (if any) as the Court may direct, and any such enlargement may be ordered or such direction given although the application for same is not made until after the expiration of the time appointed or allowed.

(2) Sub-rule (1) does not apply to any application to which Order 12 applies.”

3. The Form 25 in Schedule 2 shall be substituted for the form bearing the like number set out in the Schedule to the Circuit Court Rules.

## Schedule 1

### “Order 12

#### Renewal of Civil Bill

1.(1) No Civil Bill shall be in force for more than twelve months from the day of the date thereof, including the day of such date; but if any defendant therein named shall not have been served therewith, the plaintiff may apply before the expiration of twelve months to the County Registrar for the County in which the Civil Bill was issued for leave to renew the Civil Bill.

(2) The County Registrar on an application made under sub-rule (1), if satisfied that reasonable efforts have been made to serve such defendant, or for other good reason, may order that the Civil Bill be renewed for three months from the date of such renewal inclusive.

(3) After the expiration of twelve months, and notwithstanding that an order may have been made under sub-rule (2), an application to extend time for leave to renew the Civil Bill shall be made to the Court.

(4) The Court on an application under sub-rule (3) may order a renewal of the Civil Bill for three months from the date of such renewal inclusive where satisfied that there are special circumstances which justify an extension, such circumstances to be stated in the order.

(5) The Civil Bill shall, where an order of renewal has been made, be renewed by being stamped with the date of the day, month and year of such renewal; such stamp to be provided and kept for that purpose in the appropriate Office and to be impressed upon the Civil Bill by the proper officer, upon delivery to him by the plaintiff or his solicitor of a memorandum in the Form 25; and a Civil Bill or other originating document so renewed shall remain in force and be available to prevent the operation of any statute whereby a time for the commencement of the action may be limited and for all other purposes from the date of the issuing of the Civil Bill.

2. In any case where a Civil Bill has been renewed on an *ex parte* application, any defendant shall be at liberty before entering an appearance to serve notice of motion to set aside such order.

3. The production of a Civil Bill purporting to be marked with a stamp showing the same to have been renewed in the manner aforesaid, shall be evidence of its having been so renewed and of the commencement of the action as of the first date of such Civil Bill for all purposes.

4. Where a Civil Bill of which the production is necessary, has been destroyed or lost the Court upon being satisfied of the destruction or loss, and of the correctness of a copy thereof, may order that such copy shall be sealed and served in lieu of the original Civil Bill or other originating document.”

Schedule 2

FORM 25

AN CHÚIRT CHUARDA

THE CIRCUIT COURT

CIRCUIT

COUNTY OF

MEMORANDUM OF RENEWAL OF CIVIL BILL

BETWEEN

..... Plaintiff

AND

..... Defendant

It is hereby certified that the Civil Bill issued herein on the .... day of ..... was renewed by Order of the County Registrar/Court made herein on the .... day of ..... which said renewal was for a period of three months. A certified copy of the said Order is annexed hereto at Annex A.

Signed .....  
Plaintiff/Solicitors for the Plaintiff

To: The County Registrar

EXPLANATORY NOTE

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

These rules amend Order 12 regulating the time limits within which and the circumstances within which a civil bill may be renewed, and effect a related amendment to rule 6 of Order 67.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
FOILSEACHÁIN RIALTAIS,  
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2  
(Teil: 01 - 6476834 nó 1890 213434)

---

DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased from  
GOVERNMENT PUBLICATIONS,  
52 ST. STEPHEN'S GREEN, DUBLIN 2.  
(Tel: 01 - 6476834 or 1890 213434)

---

€ 3.00

