



STATUTORY INSTRUMENTS.

**S.I. No. 39 of 2012**



DISTRICT COURT (FINES) RULES 2012

**(Prn. A12/0266)**

S.I. No. 39 of 2012

DISTRICT COURT (FINES) RULES 2012

The District Court Rules Committee, in exercise of the powers conferred on them by section 91 of the Courts of Justice Act 1924, section 72 of the Courts of Justice Act 1936, section 34 of the Courts (Supplemental Provisions) Act 1961 and section 24 of the Interpretation Act 2005, do hereby, with the concurrence of the Minister for Justice and Equality, make the following rules of court.

Dated this 4th day of April 2011.

Miriam Malone                      Chairperson

Mary C. Devins

Thomas E. O'Donnell

Brian Sheridan

David Riordan

Roy Pearson

Noel A. Doherty

I concur in the making of the following rules of court.

Dated this 5th day of February 2012.

ALAN SHATTER,  
Minister for Justice and Equality.

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 10th February, 2012.*

S.I. No. 39 of 2012

DISTRICT COURT (FINES) RULES 2012

1. (1) These Rules, which may be cited as the District Court (Fines) Rules 2012, shall come into operation on the 26 day of February 2012.

(2) These Rules shall be construed together with the District Court Rules 1997 (S.I. No. 93 of 1997) and all other District Court Rules.

(3) The District Court Rules as amended by these Rules may be cited as the District Court Rules 1997 to 2012.

2. The District Court Rules 1997 (S.I. No. 93 of 1997) are amended by the substitution for rule 4 of Order 23 of the following rule:

“4. (1) Where the Court imposes a penalty it shall, in fixing the amount of the penalty take into consideration amongst other things the matters specified in section 14 of the Fines Act 2010.

Matters to be considered in fixing amount”

(2) Where the Court issues a direction in writing under section 14(5) of the Fines Act 2010 requiring the attendance of the person who has been convicted before the Court and the provision by that person of such information as the Court requires in relation to his or her financial circumstances, the direction may be in the Form 23.7, Schedule B. The Clerk shall transmit a copy of any such direction by ordinary post (or by any other means directed by the Court) to the person who has been convicted.”

3. The Form numbered 23.7 in Schedule 1 shall be inserted into the Forms in Schedule B the District Court Rules 1997 immediately following Form 23.6.

4. Each of the Forms in Schedule 2 shall be substituted for the Form bearing in each case the like number in the Forms in Schedule C to the District Court Rules 1997.

**SCHEDULE 1**

No. 23.7

FINES ACT 2010, Section 14(5)

**DIRECTION TO ATTEND SITTING OF THE COURT**

District Court Area of

District No.

.....Prosecutor

.....Accused

WHEREAS you the above-named accused were convicted by the District Court sitting at .....on the ..... day of ..... 20..... of the offence of .....

TAKE NOTICE THAT the Court has made a direction requiring you to attend before the Court at the sitting of the District Court to be held at ..... on the ..... day of ..... 20..... at ..... a.m./p.m., and to provide the Court with all such information as the Court may require in relation to your financial circumstances.

Under section 12 of the Fines Act 2010, your “financial circumstances” means—

- (a) the amount of your annual income,
- (b) the aggregate value of all property (real and personal) belonging to you,
- (c) the aggregate amount of all of your liabilities including any duty (moral or legal) to provide financially for members of your family or other persons,
- (d) the aggregate of all monies owing to you, the dates upon which they fall due to be paid and the likelihood of their being paid, and
- (e) such other circumstances as the court considers appropriate.

You are advised to have with you in Court on the above date at the time specified all information and relevant documents concerning your financial circumstances as so defined in section 12 of the Fines Act 2010, which would include, but are not limited to the following, where applicable:

- (a) as regards your annual income, P60, current payslip, Social Welfare Services Card or equivalent documents from the Department of Social Protection;
- (b) as regards the value of your property, current bank statement, bank deposit book, post office book, building society or credit union savings book for inspection, if you own a home and/or other premises, current mortgage statement;
- (c) as regards your liabilities, details of your household outgoings, any amounts you pay to financially support members of your family or other persons, including Court maintenance orders,
- (d) as regards money owing to you, details of the nature and the amount owing, (e.g. loans to family etc).

*\*[Insert any other specific information/documents directed by the Court in the particular case].*

Dated this .... day of ..... 20...

Signed .....  
District Court Clerk assigned to the said District Court area

To .....

of .....  
the above-named offender

**WARNING**

IF YOU knowingly or recklessly make a statement (orally or in writing) that is false or misleading in any material respect to the Court discharging its function under section 14(2) of the Fines Act 2010 concerning your financial circumstances, or if you fail or refuse to comply with this direction, you shall be guilty of an offence and shall be liable—

- (a) upon summary conviction to a Class B fine, being a fine not exceeding €4,000 or imprisonment for a term not exceeding 6 months or both, or
- (b) upon conviction on indictment to a fine not exceeding €25,000 or imprisonment for a term not exceeding 5 years or both.

\*Delete where inapplicable

SCHEDULE 2

No. 55.1

MAINTENANCE ORDERS ACT 1974, Section 14(8)(a)

NOTICE THAT PAYMENTS HAVE BECOME PAYABLE TO THE DISTRICT  
COURT CLERK FOR TRANSMISSION TO MAINTENANCE CREDITOR

To .....  
of .....  
Maintenance Debtor

**ENDORSEMENT**

**This notice is issued to you as maintenance debtor, by the District Court. If you the maintenance debtor fail to make a payment due under the enforceable maintenance order details of which are given below, a summons may be issued against you to attend before the District Court, or a warrant issued for you to be arrested and brought before the District Court which may lead to your being imprisoned for a period of up to three months.**

**If you are concerned that you may not be able to comply with the terms of the enforceable maintenance order, you should consult a lawyer practising in the country or region where the enforceable maintenance order was made.**

**The District Court cannot vary the terms of the enforceable maintenance order.**

**Under section 14(9) of the above-named Act of 1974 you are required to notify the District Court Clerk named below of any change in your address. Failure, without reasonable cause, to do so is an offence punishable on summary conviction to a Class E fine, being a fine not exceeding €500.**

District Court Area of ..... District No. ....

of..... Maintenance Creditor

of..... Maintenance Debtor

You are hereby given notice that the sums, particulars of which are set out below, payable by you under a maintenance order made on the..... day of..... 20...., by £..... and in respect of which an enforcement order was made by the Master of the High Court on the..... day of..... 20...., have pursuant to section 14(8)(a) of the above Act become payable to the District Court Clerk for the above court area for transmission to the Maintenance Creditor.

Sums payable under the order (including payments in respect of any sums due at the date of the receipt by you of this notice) should until further notice be paid in Irish currency (euro) to

The District Court Clerk,  
District Court Office,

at .....

whose office hours are from ..... to ..... Monday to Friday each week.

Dated this ..... day of..... 20.....

Signed .....

District Court Clerk for the above-named District Court area,  
District Court Office

at .....

PARTICULARS OF SUMS DUE

(Set out the details)

Total amount due at the date of this notice (including any arrears, costs and expenses): €.....

In addition to this last-named sum you are obliged to pay €..... per week in accordance with the terms of the order.

\*delete where inapplicable

‡State Court which made order

GUARDIANSHIP OF CHILDREN ACTS 1964 TO 1997

section 7(5)

ORDER OF REFUSAL

District Court Area of

District No.

..... Applicant

..... Respondent

UPON APPLICATION made to this Court on this date by the above-named applicant, of.....in the court (area and) district aforesaid, a testamentary guardian of..... born on.....,

\*..... born on.....,

(a) child(ren) residing at..... for an order under section 7 of the Act, the respondent, of..... being the surviving parent of the child(ren)

THE COURT being satisfied that notice of the application was duly served, and that the welfare of the child(ren) requires the making of this order;

HEREBY REFUSES to make the order sought and orders that the respondent shall remain sole guardian of the child(ren),

\*(AND DIRECTS as follows:—

Dated this .... day of ..... 20....

Signed .....  
Judge of the District Court

**WARNING**

Where this order contains a direction regarding the custody of a child or the right of access to a child, any person who fails or refuses to give up the child or to allow access to the child as required shall be guilty of an offence and shall be liable on summary conviction to a Class C fine, being a fine not exceeding €2,500 or to imprisonment not exceeding twelve months, or to both.

\*Delete where inapplicable



Schedule C  
O.58, r.4(2)

No. 58.5

GUARDIANSHIP OF CHILDREN ACTS 1964 TO 1997

section 7(5)

ORDER THAT TESTAMENTARY GUARDIAN SHALL ACT AS GUARDIAN JOINTLY  
WITH PARENT

District Court Area of

District No.

..... Applicant

..... Respondent

UPON APPLICATION made to this Court on this date by the above-named applicant,  
of.....in the court (area and) district aforesaid, a testamentary guardian  
of..... born on.....,

\*..... born on.....,

(a) child(ren) residing at..... for an order under section 7 of the Act, the respon-  
dent, of.....being the surviving parent of the child(ren)

THE COURT being satisfied that notice of the application was duly served, and that the welfare  
of the child(ren) requires the making of this order;

HEREBY ORDERS that the applicant shall act as guardian of the child(ren) jointly with the  
respondent;

\*(AND DIRECTS as follows:—

Dated this ..... day of .....20....

Signed .....  
Judge of the District Court

**WARNING**

Where this order contains a direction regarding the custody of a child or the right of access to a  
child, any person who fails or refuses to give up the child or to allow access to the child as required  
shall be guilty of an offence and shall be liable on summary conviction to a Class C fine, being a  
fine not exceeding €2,500 or to imprisonment not exceeding twelve months, or to both.

\*Delete where inapplicable

GUARDIANSHIP OF CHILDREN ACTS 1964 TO 1997

section 7(5)

ORDER THAT TESTAMENTARY GUARDIAN SHALL ACT AS GUARDIAN TO  
EXCLUSION OF PARENT

District Court Area of

District No.

..... Applicant

..... Respondent

UPON APPLICATION made to this Court on this date by the above-named applicant,  
of.....in the court (area and) district-aforsaid, a testamentary guardian  
of..... born on.....,

\*..... born on.....,

(a) child(ren) residing at..... for an order under section 7 of the Act,  
THE COURT being satisfied that notice of the application was duly served upon the respondent,  
the surviving parent of the child(ren), and that the welfare of the child(ren) requires the making  
of this order;

HEREBY ORDERS that the applicant shall act as guardian of the child(ren) to the exclusion of  
the respondent \* (so far as—

\*(regarding custody and access)—

THAT

(regarding maintenance)

that the said.....do pay to the said.....the weekly sum of €..... towards the  
maintenance of (each of) the said child(ren) namely..... born on..... until  
such child(ren) shall attain the age of 18 years, and thereafter if, when the child(ren) has/have  
attained that age, he/she

(i) is or will be, or if any order were made under this Act providing for payment of maintenance  
for the benefit of the child, would be receiving full-time education or instruction at a university,  
college, school or other educational establishment, and who has not attained the age of 23  
years, or

(ii) has a mental or physical disability to such extent that it is not reasonably possible for him or  
her to maintain himself or herself fully; making in all the total weekly sum of €.....,

(regarding costs)

THAT the respondent do pay to the applicant the sum of €..... being the costs of these pro-  
ceedings.

\*AND FURTHER ORDERS as follows;—

Dated this .... day of..... 20....

Signed .....

Judge of the District Court

**WARNING**

Where this order contains a direction regarding the custody of a child or the right of access to a  
child, any person who FAILS OR REFUSES to give up the child or to allow access to the child  
as required SHALL BE GUILTY OF AN OFFENCE and shall be liable on summary conviction  
to a Class C fine, being a fine not exceeding €2,500 or to imprisonment not exceeding TWELVE  
MONTHS, or to both.

\*Delete where inapplicable

GUARDIANSHIP OF CHILDREN ACTS 1964 TO 1997

section 11

ORDER ON QUESTION AFFECTING WELFARE OF CHILD(REN)

District Court Area of ..... District No. ....  
..... Applicant  
..... Respondent

UPON APPLICATION made to this Court on this date

\*[under section 11(1) of the Act, by the above-named applicant of..... in court \*(area and) district aforesaid, being a guardian of

..... born on .....

..... born on .....

child(ren) residing at..... for the Court's direction on the following question affecting the welfare of the child(ren)]—

\*[under section 11(4) of the Act, by the above-named applicant of..... in court \*(area and) district aforesaid, being the father of and not being a guardian of

..... born on .....

..... born on .....

child(ren) residing at..... whose father and mother have not married each other, for the Court's direction regarding the custody of the child(ren) and the right of access thereto of the applicant or the child('s)(rens') mother].

THE COURT being satisfied that notice of the application was duly served, and having heard the submissions made herein, and being satisfied that the welfare of the child(ren) requires the making of this order,

HEREBY DIRECTS (regarding custody and access — for example —)

\*that the custody care and control of the said child(ren) being given to the \*(applicant)

\*(respondent) and that access to the said child(ren) by the \*(respondent) \*(applicant) be allowed on every..... day between the hours of.....a.m./p.m., and..... a.m./p.m. the \*(applicant) \*(respondent) to collect the child(ren) from..... and return the child(ren) to..... and that access be allowed at such further or other times as may be agreed

—Provided that the party to whom custody of the said child(ren) is hereby given shall not remove the said child(ren) from the jurisdiction of this Court without having first obtained the consent in writing of the other party or the leave of this Court or of any other Court of competent jurisdiction.

(regarding maintenance — for example —)

\*that the said..... do pay to the said..... the weekly sum of €..... towards the maintenance of (each of) the said child(ren), namely..... born on.....

..... born on..... until such child shall attain the age of 18 years, and thereafter if, when the child has attained that age, he or she

(i) is or will be, or if any order were made under the Act providing for payment of maintenance for the benefit of the child, would be, receiving full-time education or instruction at a university, college, school or other establishment, and who has not attained the age of 23 years; or

(ii) has a mental or physical disability to such extent that it is not reasonably possible for him or her to maintain himself or herself fully;

making in all the total weekly sum of €.....

(regarding any other question or matter)

\*that (regarding costs)

\*that the above-named \*(respondent) \*(applicant) do pay to the above-named \*(applicant) \*(respondent) the sum of €..... being the costs of these proceedings.

Dated this.... day of ..... 20.....

Signed .....  
Judge of the District Court

**WARNING**

Where this order contains a direction regarding the custody of a child or the right of access to a child, any person who fails or refuses to give up the child or to allow access to the child as required shall be guilty of an offence and shall be liable on summary conviction to a Class C fine, being a fine not exceeding €2,500 or to imprisonment not exceeding twelve months, or to both.

\*Delete where inapplicable

Schedule C  
O.59, r.4 (1)

No. 59.1

DOMESTIC VIOLENCE ACT 1996

Section 2 (2)

SUMMONS FOR A SAFETY ORDER

District Court Area of

District No.

..... Applicant

..... Respondent

YOU ARE HEREBY REQUIRED to appear at the sitting of the District Court to be held at..... on the.... day of..... 20..., at.....a.m./p.m. to answer the application of the \*applicant \*(or the Health Service Executive on behalf of the applicant by virtue of section 6 of the above-mentioned Act) who is

\*the spouse of the respondent

\*not the spouse of the respondent but has lived with the respondent as husband or wife for a period of at least six months in aggregate during the period of twelve months immediately prior to this application

\*a parent of the respondent and the respondent being of full age and not, in relation to the parent, a dependent person,

\*of full age and residing with the respondent in a relationship which is not primarily contractual

and who resides at..... \*(in the Court District aforesaid) for a safety order directing that you shall not use or threaten to use violence against, molest or put in fear the \*applicant \*or any dependent person(s) \*and shall not watch or beset the place where the applicant \*and that dependent person(s) reside(s).

Dated this..... day of..... 20.....

Signed .....

Judge of the District Court  
District Court Clerk

To

of

Respondent

**\*WARNING**

IT IS AN OFFENCE under section 9 of the Family Home Protection Act 1976, as applied by section 8 of the Domestic Violence Act 1996, for a spouse to DISPOSE OF OR REMOVE ANY OF THE HOUSEHOLD CHATTELS pending the determination of the application herein, and if a safety order is made, while that order is in force (unless the other spouse consents or the Court permits it).

A spouse who contravenes that provision shall be liable on conviction to a Class D fine, being a fine not exceeding €1,000 or to imprisonment for a term not exceeding six months, or to both.

\*Delete where inapplicable

DOMESTIC VIOLENCE ACT 1996

Section 2

SAFETY ORDER

District Court Area of

District No.

..... Applicant

..... Respondent

THE APPLICATION of \*the applicant of..... \*(in the Court District aforesaid) (\*or the Health Service Executive on behalf of the applicant by virtue of section 6 of the above-mentioned Act) for a safety order against....., the above-named respondent of..... pursuant to the provisions of section 2 of the above Act coming, by summons duly served, before the Court this day, and the Court on the evidence given being of opinion that there are reasonable grounds for believing that the \*safety/welfare of the applicant \*and any dependent person so requires,

NOW THE COURT HEREBY DIRECTS THAT the respondent shall not use or threaten to use violence against, molest or put in fear the applicant or that dependent person,

\*and shall not watch or beset the place where the applicant \*or dependent person(s) reside(s).

THIS ORDER SHALL REMAIN IN FORCE FOR/UNTIL.....

\*SAVE AND EXCEPT.....

This ..... day of ..... 20.....

Signed .....

Judge of the District Court

To.....

Of....., Respondent

**\*WARNING**

A respondent who contravenes this order commits an offence and may be arrested without warrant by a member of the Garda Síochána, and on conviction shall be liable to a Class B fine, being a fine not exceeding €4,000 or to twelve months imprisonment or to both.

A copy of this order is being sent to the Garda Síochána station at.....

\*IT IS AN OFFENCE under section 9 of the Family Home Protection Act 1976, as applied by section 8 of the Domestic Violence Act 1996, for a spouse to DISPOSE OF OR REMOVE ANY OF THE HOUSEHOLD CHATTELS while this order is in force unless the other spouse consents or the Court on application permits it.

A spouse who contravenes that provision shall be liable on conviction to a Class D fine, being a fine not exceeding €1,000 or to imprisonment for a term not exceeding six months, or to both.

\*Delete where inapplicable

Schedule C  
O.59, r.5 (1)

No. 59.3

DOMESTIC VIOLENCE ACT, 1996

Section 3(2)

SUMMONS FOR A BARRING ORDER

District Court Area of

District No.

..... Applicant

..... Respondent

YOU ARE HEREBY REQUIRED to appear at the sitting of the District Court to be held at..... on the..... day of..... 20...., at... a.m./p.m. to answer the application of the \*applicant \*(or the Health Service Executive on behalf of the applicant by virtue of section 6 of the above-mentioned Act) who is

\*the spouse of the respondent

\*not the spouse of the respondent but has lived with the respondent as husband or wife for a period of at least six months in aggregate during the period of nine months immediately prior to this application

\*a parent of the respondent and the respondent being of full age and not, in relation to the parent, a dependent person,

for a barring order directing you to leave the place where the applicant \*or any dependent person resides at..... \*(in the Court District aforesaid) and prohibiting you from entering the place where the applicant \*or any dependent person resides until further order of the Court, or until such other time as the Court shall specify on the grounds that the \*safety/welfare of the applicant \*and any dependent person so requires.

Dated this ..... day of ..... 20.....

Signed .....

Judge of the District Court  
District Court Clerk

To

of

Respondent

**\*WARNING**

IT IS AN OFFENCE under section 9 of the Family Home Protection Act 1976, as applied by section 8 of the Domestic Violence Act, 1996, for a spouse to DISPOSE OF OR REMOVE ANY OF THE HOUSEHOLD CHATTELS pending the determination of the application herein, and if a barring order is made, while that order is in force (unless the other spouse consents or the Court permits it).

A spouse who contravenes that provision shall be liable on conviction to a Class D fine, being a fine not exceeding €1,000 or to imprisonment for a term not exceeding six months, or to both.

\*Delete where inapplicable

DOMESTIC VIOLENCE ACT 1996

Section 3

BARRING ORDER

District Court Area of

District No.

..... Applicant

..... Respondent

THE APPLICATION of \*the above-named applicant \*(of the Health Service Executive on behalf of the applicant by virtue of section 6 of the above mentioned Act) for a barring order against the above-named respondent pursuant to the provisions of section 3 of the above Act coming, by summons duly served, before the Court this day, and the Court on the evidence given being satisfied that the applicant, \*and any dependent person(s) reside(s) for the purpose of the section at..... \*(in the Court District aforesaid) and being of opinion that there are reasonable grounds for believing that the \*safety/welfare of the applicant \*and/\*any dependent person(s) requires the making of this order,

NOW THE COURT HEREBY DIRECTS YOU, the respondent, to leave the place where the \*applicant \*and any dependent person(s) reside(s) at..... \*(in the Court District aforesaid) on being notified of the making of this order,

AND PROHIBITS YOU FROM entering that place until the.....

day of.....20....., without leave of the Court

\*SAVE AND EXCEPT

\*AND FURTHER PROHIBITS YOU from

using or threatening to use violence against \*the applicant/any dependent person; molesting or putting in fear \*the applicant/any dependent person; attending at or in the vicinity of, or watching or besetting a place where, \*the applicant/any dependent person resides during the period aforesaid.

Dated this .... day of ..... 20.....

Signed .....  
Judge of the District Court

To.....

Of.....  
Respondent

**WARNING**

A respondent who contravenes this order, or who, while this order is in force, refuses to permit the applicant or any dependent person to enter in and remain in the place to which this order relates or does any act for the purpose of preventing the applicant or such dependent person from so doing commits an offence and may be arrested without warrant by a member of the Garda Síochána, and shall be liable on conviction to a Class B fine, being a fine not exceeding €4,000 or to twelve months imprisonment or to both.

A copy of this order is being sent to the Garda Síochána station at.....



\*IT IS AN OFFENCE under section 9 of the Family Home Protection Act, 1976, as applied by section 8 of the Domestic Violence Act 1996, for a spouse to DISPOSE OF OR REMOVE ANY OF THE HOUSEHOLD CHATTELS while this order is in force unless the other spouse consents or the Court on application permits it.

A spouse who contravenes that provision shall be liable on conviction to a Class D fine, being a fine not exceeding €1,000 or to imprisonment for a term not exceeding six months, or to both.

\*Delete where inapplicable

DOMESTIC VIOLENCE ACTS 1996 and 2002

Section 4

INTERIM BARRING ORDER

District Court Area of

District No.

..... Applicant

..... Respondent

WHEREAS \*the applicant above-named of .....

\*(or the Health Service Executive on behalf of the applicant by virtue of section 6 of the above-mentioned Act) has issued a summons for a barring order to be heard at the District Court at ... on the ..... day of .....20.....; at ..... am./pm.,

AND WHEREAS the Court is satisfied that the summons herein dated the ..... day of ..... 20..... \*was duly served on the respondent \*has not yet been served.

AND HAVING HEARD what was alleged on behalf of the applicant †and on behalf of the respondent.

†AND WHEREAS the Court on the evidence given is of opinion that there is an immediate risk of significant harm to the applicant \*and \*or any dependent person if this order is not made immediately, and the granting of a protection order would not be sufficient to protect the applicant \*and any dependent person.

AND WHEREAS the Court on the \*information in writing \*Affidavit sworn by the applicant is of opinion that there is an immediate risk of significant harm to the applicant \*and \*or any dependent person if this order is not made immediately, and the granting of a protection order would not be sufficient to protect the applicant \*and any dependent person.

AND WHEREAS the Court, having regard to the circumstances of the particular case, considers it necessary or expedient in the interests of justice, to make this order ex parte \*and notwithstanding the fact that the summons required by Order 59, rule 5 of the District Court Rules has not been served.

NOW THE COURT HEREBY DIRECTS YOU, the respondent to leave the place where the applicant \*and any dependent person reside(s) at \* ..... (in the Court District aforesaid) on being notified of the making of this order,

AND PROHIBITS YOU FROM entering such place until the ..... day of ....., 20..... without leave of the Court,

\*SAVE AND EXCEPT

\*AND FURTHER PROHIBITS YOU from

using or threatening to use violence against \*the applicant/\*any dependent person; molesting or putting in fear \*the applicant/\*any dependent person; attending at or in the vicinity of, or watching or besetting a place where the applicant/\*any dependent person reside(s)

during the period aforesaid.

TAKE NOTICE THAT THIS ORDER SHALL HAVE EFFECT FOR A PERIOD OF [ ] WORKING DAYS ONLY FROM ITS DATE, that is until the ..... day of

..... 20....., unless on application to this Court by the applicant and made on notice to you this order is confirmed within that period.

Application may be made to this Court by you or on your behalf to vary or discharge this order.

There are served on you with this order (or there will as soon as practicable be served on you) a copy of the \*information \*Affidavit grounding the application for this order and a note of the evidence given by the Applicant on said application.

Dated this .... day of ..... 20.....

Signed .....  
Judge of the District Court

To..... of .....  
Respondent.

**WARNING**

A respondent who contravenes this order, or who, while this order is in force refuses to permit the applicant or any dependent person to enter in and remain in the place to which this Order relates or does any act for the purpose of preventing the applicant or such dependent person from so doing commits an offence and may be arrested without warrant by a member of the Garda Síochána, and on conviction shall be liable to a Class B fine, being a fine not exceeding €4,000 or to twelve months imprisonment or to both.

A copy of this order is being sent to Garda Síochána Station

At .....

\*Delete where inapplicable

†Delete where Order is made ex parte

Delete where Order is made inter partes

DOMESTIC VIOLENCE ACT 1996

Section 5

PROTECTION ORDER

District Court Area of

District No.

..... Applicant

..... Respondent

WHEREAS \*the above-named applicant who resides at.....

\*(in the Court District aforesaid) \*(or the Health Service Executive on behalf of the applicant by virtue of section 6 of the above mentioned Act) has caused a summons to issue for hearing at a sitting of the Court at..... on the..... day of..... 20..... at..... a.m./p.m. pursuant to the provisions of section \*2/\*3 of the above Act for a \*safety/\*barring order against the above-named respondent residing at..... \*(in the Court District aforesaid) which application has not yet been determined by the Court;

AND WHEREAS the Court is of opinion that there are reasonable grounds for believing that the safety or welfare of the above-named applicant \*and (a) dependent person(s), so requires,

THE COURT HEREBY ORDERS that the above-named respondent shall not use or threaten to use violence against, molest or put in fear the above-named applicant \*or any dependent person(s), and

\*FURTHER ORDERS that the respondent shall not watch or beset the place where the applicant \*or (a) dependent person(s) reside(s).

\*SAVE AND EXCEPT

Dated this .... day of ..... 20.....

Signed .....  
Judge of the District Court

To

of

Respondent

**WARNING**

A respondent who contravenes this order commits an offence and may be arrested without warrant by a member of the Garda Síochána, and on conviction for a first offence, shall be liable to a Class B fine, being a fine not exceeding €4,000 or to twelve months imprisonment, or to both.

A copy of this order is being sent to the Garda Síochána station at.....

\*Delete where inapplicable

SCHEDULE C

O.62, r. 12 (2)

No. 62.5

ÉIRE

IRELAND

District Court Area of

District No.

In the matter of

\*Council Regulation (EC) No. 44/2001 on jurisdiction and the recognition and enforcement of judgment in civil and commercial matters (the “Jurisdiction Regulation”).

\*Council Regulation (EC) No. 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extra-judicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000.

\*The Convention of the European Communities on jurisdiction and the enforcement of judgments in civil and commercial matters (and the Protocol annexed thereto) signed at Brussels on the 27th day of September, 1968.

\*The Convention on jurisdiction and the enforcement of judgments in civil and commercial matters (and Protocol 1) signed at Lugano on the 16th day of September 1988.

\*The Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters signed at The Hague on the 15th day of November, 1965.

Section 9(9)(a) of the Jurisdiction of Courts and Enforcement of Judgments (European Communities) Act 1998.

To .....

of .....

Maintenance debtor

**ENDORSEMENT**

**This notice is issued to you as maintenance debtor, by the District Court. If you the maintenance debtor fail to make a payment due under the enforceable maintenance order details of which are given below, a summons may be issued against you to attend before the District Court, or a warrant issued for you to be arrested and brought before the District Court which may lead to your being imprisoned for a period of up to three months.**

**If you are concerned that you may not be able to comply with the terms of the enforceable maintenance order, you should consult a lawyer practising in the country or region where the enforceable maintenance order was made. The District Court cannot vary the terms of the enforceable maintenance order.**

**Under section 9(13) of the above-named Act of 1998 as so applied you are required to notify the District Court Clerk named below of any change in your address. Failure, without reasonable cause, to do so is an offence punishable on summary conviction by a Class C fine, being a fine not exceeding €2,500.**

NOTICE CONCERNING SUMS PAYABLE UNDER AN ENFORCEABLE MAINTENANCE ORDER

Between.....
of ..... Maintenance Creditor
and.....
of ..... Maintenance Debtor

YOU ARE HEREBY GIVEN NOTICE that the sums, particulars of which are set out below, payable by you, the above-named Maintenance Debtor, under a maintenance order \*(made) \*(as varied) on the..... day of..... 20.... by ‡.....and in respect of which an enforcement order has been made by the Master of the High Court, Dublin on the ..... day of..... 20.... are by virtue of section 9(9) of the above-named Act of 1998 payable to the District Court Clerk for the above-named District Court area for transmission to the Maintenance Creditor.

Sums payable under the order (including payments in respect of any sums due at the date of the receipt by you of this notice) should until further notice be paid in Irish currency (euro) to

The District Court Clerk,
District Court Office,
at .....

whose office hours are from..... to..... Monday to Friday each week.

Dated this ..... day of ..... 20 .....

Signed .....
District Court Clerk for the above-named District Court area,
District Court Office

at .....

IRELAND

PARTICULARS OF SUMS DUE
(Set out the details)

Total amount due in Irish currency at the date of this notice (including any arrears, costs and expenses): €.....

In addition to this last-named sum you are obliged to pay €..... per week in accordance with the terms of the order and the provisions of the above-named Act of 1998.

\*delete where inapplicable
‡State Court which made order

LOCAL GOVERNMENT (WATER POLLUTION) ACT 1977

ORDER UNDER SECTION 10(1) OF THE ACT

District Court Area of

District No.

..... Applicant  
of.....

..... Respondent  
of.....

UPON APPLICATION made to this Court to-day by the above-named applicant \*(having an interest in the waters concerned) for an order under section 10(1) of the above-mentioned Act in respect of the above-mentioned respondent,

THE COURT being satisfied that notice of the application was duly served and that the respondent has been given an opportunity of being heard in these proceedings, having heard the evidence tendered by the applicant \*(and by the respondent,) and being satisfied that the respondent-

\*[is causing/permitting/has during the period from ..... to ..... caused/permited polluting matter to enter waters and the entry \*is \*was not one to which section 3 (5) of the above-mentioned Act applies and \*is \*was not under and in accordance with a licence under section 171 of the Fisheries (Consolidation) Act 1959,]

\*[is discharging/causing/permitting to be discharged/has during the period from ..... to ..... discharged/caused/permited to be discharged \*trade effluent \*sewage effluent to waters and the discharge \*is \*was not one to which subsection (2) of section 4 of the above-mentioned Act applies and \*is \*was not under and in accordance with a licence under that section or under section 171 of the Fisheries (Consolidation) Act 1959,]

\*(and that the waters concerned are at..... in the said court district,)

\*(and that the said entry/discharge is taking place/took place from land/the premises at .....in the said court district,)

and being of opinion that the estimated cost of complying with this order will not exceed €6,348.69,

HEREBY DIRECTS the respondent..... of..... pursuant to section 10(1) of the said Act of 1977,

\*(to terminate the said entry/discharge within the period of ..... from the date of this order.)

\*(to mitigate/remedy the effects of the said entry/discharge in the following manner-  
within the period of ..... from the date of this Order.)

[to pay \*(to the applicant) \*(to..... of.....)

the sum of € ..... to defray

\*(part of) the costs incurred \*(by the applicant) \*(by the said.....) in investigating, mitigating, remedying the effects of the said entry/discharge.]

\*(AND ORDERS pursuant to section 10(3)(b) of the said Act of 1977, (as to costs)

.)

\*(AND ORDERS pursuant to section 10 (8) of the said Act of 1977, as follows:-

.)

Dated this .... day of ..... 20....

Signed .....

Judge of the District Court

**WARNING**

A person who does not comply with this order shall be guilty of an offence and shall be liable on summary conviction to a Class A fine, being a fine not exceeding, €5,000 or to imprisonment for a term not exceeding six months or to both (Section 10(2) of the said Act of 1977).

\*Delete where inapplicable



CRIMINAL JUSTICE ACT 2006, Section 115

CIVIL ORDER

District Court Area of

District No.

..... Applicant

..... Respondent

WHEREAS UPON APPLICATION made to the Court today by the above-named applicant, being a member of the Garda Síochána not below the rank of superintendent stationed at..... under section 115 of the above-mentioned Act for a civil order in respect of the above-named respondent, ....., who resides at.....in the court (area and) district aforesaid

THE COURT

BEING SATISFIED THAT notice of the application was duly served

[BEING SATISFIED

\*That the respondent has been issued a behaviour warning(s) in accordance with section 114 of the above-mentioned Act on .....20 .... and the respondent has not complied with one or more of the demands of the said warning(s), namely.....

\*and

\*That the respondent has been issued three or more behaviour warning(s) in accordance with section 114 of the above-mentioned Act in less than six consecutive months, namely on .....20..., on .....20... and on .....20...]

BEING SATISFIED THAT the respondent has behaved in an anti-social manner

BEING SATISFIED THAT this order is necessary to prevent the respondent from continuing to behave in that manner

BEING SATISFIED THAT having regard to the effect or likely effect of that behaviour on other persons, this order is reasonable and proportionate in the circumstances

HEREBY ORDERS pursuant to section 115 of the said Act of 2006 that the respondent be prohibited from.....

\*IT IS A \*TERM \*CONDITION OF THIS ORDER that.....

[here insert any terms or conditions imposed in accordance with Section 115(2) of the Act]

for a period of \*..... \*two years from the date this order is made.

Dated this..... day of..... 20.....

Signed .....  
Judge of the District Court

**WARNING**

A person who, without reasonable excuse, does not comply with a civil order to which the person is subject commits an offence and on conviction shall be liable to a Class B fine, being a fine not exceeding €4,000 or to imprisonment for a term not exceeding six months or to both.

To: The Respondent at.....

\*Delete where inapplicable

CHILDREN ACT 2001, Section 257D

BEHAVIOUR ORDER

Children Court Area of

District No.

..... Applicant  
..... Respondent

WHEREAS UPON APPLICATION made to the Court today by the above-named applicant, being a member of the Garda Síochána not below the rank of superintendent stationed at..... under section 257D of the above-mentioned Act for a behaviour order in respect of the above-named respondent, ....., being a child of or above the age of 12 years, who resides at.....in the court (area and) district aforesaid

THE COURT

BEING SATISFIED THAT notice of the application was duly served

BEING SATISFIED THAT the respondent notwithstanding \*his/her participation in the procedures provided for in section 257C of the said Act, has continued and is likely to continue to behave in an anti-social manner

BEING SATISFIED THAT this order is necessary to prevent the respondent from continuing to behave in that manner

BEING SATISFIED THAT having regard to the effect or likely effect of that behaviour on other persons, this order is reasonable and proportionate in the circumstances

HEREBY ORDERS pursuant to section 257D of the said Act of 2001 that the respondent be prohibited from.....

IT IS A \*TERM \*CONDITION OF THIS ORDER that.....

*[here insert any terms or conditions imposed in accordance with Section 257D(3) of the Act]*

for a period of \*..... \*two years from the date this order is made.

Dated this..... day of..... 20.....

Signed .....  
Judge of the District Court

**WARNING**

A child who, without reasonable excuse, does not comply with a behaviour order to which the child is subject commits an offence and on conviction shall be liable to a Class D fine, being a fine not exceeding to €1,000 or to detention in a children detention school for a term not exceeding three months or to both.

To: The Respondent at.....

\*Delete where inapplicable

HOUSING (MISCELLANEOUS PROVISIONS) ACT 1997

Section 4

\*INTERIM EXCLUDING ORDER \*INTERIM SITE EXCLUDING ORDER

District Court Area of

District No.

..... Applicant

..... Respondent

WHEREAS the applicant above-named of .....who is

\*the tenant of a house let to him/her by a housing authority

\*a relevant purchaser, within the meaning of section 1 of the Housing (Miscellaneous Provisions) Act 1997 (as amended), of a house

\*an authorised person, within the meaning of section 3A(1) of the above-mentioned Act of 1997

\*a housing authority which has provided a \*house \*site under the Housing Acts 1966 to 2002 or Part V of the Planning and Development Act 2000

\*has issued a notice of application for an \*excluding order \*site excluding order under the provisions of section 4 of the above-mentioned Act

†the Court, having regard to the circumstances of the particular case, considers it necessary or expedient in the interests of justice to make this order ex parte

AND WHEREAS the Court, on

\*(1) the information on oath and in writing of the applicant

\*(2) the affidavit of the applicant

is of opinion that there is an immediate risk of significant harm to \*the applicant \*the tenant

\*the relevant purchaser \*an authorised person, namely.....

\*or other occupant of the \*house \*site if this order is not made immediately

NOW THE COURT HEREBY

\*DIRECTS YOU, the respondent to leave the \*house \*site in respect of which the application was made and

\*PROHIBITS you from entering or being in the vicinity of that house

\*or (here specify any other house)

\*or being in or in the vicinity of (here specify any specified area, being an area one or more of the houses in which are under the control and management of a housing authority)

\*save where the following conditions, which are hereby specified, are complied with, namely:

\*PROHIBITS you from entering or being in the vicinity of that site

\*or (here specify any other site)

\*or being on or being in or in the vicinity of (here specify site) for the period during which the order is in force

\*save where the following conditions, which are hereby specified, are complied with, namely:

\*until ..... \*until further order of the court;

\*AND FURTHER PROHIBITS you from causing or attempting to cause any intimidation, coercion, harassment or obstruction of, threat to, or interference with the \*tenant \*relevant purchaser or other occupant of any house concerned \*an authorised person, namely,..... or other occupant of any site concerned.

†TAKE NOTICE THAT THIS ORDER SHALL HAVE EFFECT FOR A PERIOD OF [ ] WORKING DAYS ONLY FROM ITS DATE, that is until the.....day of.....20..., unless on application to this Court by the applicant and made on notice to you this order is confirmed within that period by order of the Court.

Application may be made to this Court by you or on your behalf to vary or discharge this order.

There are served on you with this order (or there will as soon as practicable be served on you) a copy of the \*information \*Affidavit grounding the application for this order.

Dated this .... day of ..... 20.....

Signed .....  
Judge of the District Court

To .....  
of .....  
Respondent

**WARNING**

A respondent who contravenes this order shall be guilty of an offence and may be arrested without warrant by a member of the Garda Síochána, and on conviction shall be liable to a Class C fine, being a fine not exceeding €2,500 or to twelve months imprisonment or to both.

A copy of this order is being sent to Garda Síochána Station

At .....  
.....

\*Delete where inapplicable  
†Where order made ex parte

EXPLANATORY NOTE

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

These Rules substitute rule 4 of Order 23 of the District Court Rules to facilitate the operation of section 14 of the Fines Act 2010.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,  
CONTAE MHAIGH EO,  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)  
nó trí aon díoltóir leabhar.

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