



STATUTORY INSTRUMENTS.

S.I. No. 142 of 2015



CIRCUIT COURT RULES (SEX OFFENDERS ACT 2001) 2015

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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) and 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 January 2014.

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

Alison Lindsay
Dervla Browne
Gerard J. Doherty
Fiona Duffy Coady
Noel Rubotham
Patricia Casey

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

Dated this 14th day of April, 2015.

FRANCES FITZGERALD,
Minister for Justice and Equality.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 24th April, 2015.*

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CIRCUIT COURT RULES (SEX OFFENDERS ACT 2001) 2015

1. (1) These Rules, which may be cited as the Circuit Court Rules (Sex Offenders Act 2001) 2015, shall come into operation on the 11th day of May, 2015.

(2) These Rules shall be construed together with the Circuit Court Rules 2001 to 2014.

(3) The Circuit Court Rules as amended by these Rules may be cited as the Circuit Court Rules 2001 to 2015.

2. The Circuit Court Rules are amended:

(i) by the substitution for rule 3 of Order 68 of the following rule:

“3. (1) Subject to sub-rule (2), all applications under section 16 of the Act for a sex offender order shall be made *ex parte* grounded upon an affidavit sworn by or on behalf of the applicant which said affidavit shall set out the matters referred to at section 16(2) of the Act together with any other relevant matters and the Court may make any order on such an application conditionally, or on such limitations, terms or conditions as to notice and otherwise as it considers appropriate to the case.

(2) The Court may, in any case in which it considers it appropriate to do so, adjourn the hearing of an application made in accordance with sub-rule (1) and direct that the respondent be notified of the date of the adjourned hearing and served with a copy of the grounding affidavit and any exhibits.”

EXPLANATORY NOTE

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

These Rules amend Order 68 rule 3 of the Circuit Court Rules to prescribe that applications under section 16 of the Sex Offenders Act 2001 will be made, as the default arrangement, ex parte, with discretion to the court to direct that the application be heard on notice.

BAILE ÁTHA CLIATH
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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; Fax: 01 - 6476843)
or through any bookseller.

€1.27

