



STATUTORY INSTRUMENTS.

S.I. No. 85 of 2016



CIRCUIT COURT RULES (LOCAL ELECTIONS (PETITIONS AND
DISQUALIFICATIONS) ACT 1974) 2016

CIRCUIT COURT RULES (LOCAL ELECTIONS (PETITIONS AND
DISQUALIFICATIONS) ACT 1974) 2016

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 20th day of October 2015.

(Signed): Raymond Groarke

(Chairman of the Circuit Court Rules Committee)

Alison Lindsay

Sarah Berkeley

Keith Walsh

Mairead Ahern

Rita Considine

Noel Rubotham

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

Dated this 23rd day of February 2016.

Signed: FRANCES FITZGERALD,
Minister for Justice and Equality.

S.I. No. 85 of 2016

CIRCUIT COURT RULES (LOCAL ELECTIONS (PETITIONS AND
DISQUALIFICATIONS) ACT 1974) 2016

1. (1) These Rules, which shall come into operation on the 25th day of February 2016, may be cited as the Circuit Court Rules (Local Elections (Petitions and Disqualifications) Act 1974) 2016.

(2) These Rules shall be construed together with the Circuit Court Rules 2001 to 2016.

(3) The Circuit Court Rules 2001 to 2016 as amended by these Rules may be cited as the Circuit Court Rules 2001 to 2016.

2. Order 58 of the Circuit Court Rules is amended:

by the substitution for rules 8 to 11 inclusive of the following rules:

“8. Every appeal to the Court of Appeal under section 7(3) of the Act shall be by notice of appeal.

9. (1) Every notice of appeal shall contain:

(a) the terms and provisions of the order of the Court appealed against, and

(b) the grounds of appeal.

(2) Every notice of appeal shall be in accordance with Form 38A of the Schedule of Forms, or such modification as may be necessary.

10. The Rules of the Superior Courts relating to service and entry of an appeal to the Court of Appeal shall apply to service and entry of every appeal under section 7(3) of the Act.

11. The appellant must lodge a copy of the notice of appeal with the County Registrar within 14 days of the date of the order appealed against.”

3. The Form numbered 38A in Schedule 1 shall be substituted for the forms bearing the numbers 38A and 38B respectively in the Schedule of Forms annexed to the Circuit Court Rules.

Schedule 1

FORM 38A

AN CHÚIRT CHUARDA

THE CIRCUIT COURT

CIRCUIT

COUNTY OF

IN THE MATTER OF THE LOCAL ELECTIONS (PETITIONS AND DISQUALIFICATIONS) ACT, 1974 AND IN THE MATTER OF THE LOCAL ELECTIONS FOR (INSERT AREA).....HELD ON THE.... DAY OF.....

BETWEEN

.....Petitioner/Plaintiff

AND

.....Respondent/Defendant

NOTICE OF APPEAL

TAKE NOTICE that the above named.....Appellant

will on the expiration of four days of the service hereof or the next available opportunity thereafter, apply to the Court of Appeal by way of Appeal from the Judgment and Order of the Circuit Court dated the.... day of..... on the grounds hereunder set out.

AND TAKE NOTICE that the following are the terms and provisions of the said Order appealed against:

AND TAKE NOTICE that the following are the grounds of Appeal:

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

Signed.....

Appellant/Solicitor for the Appellant

To: The Respondents

EXPLANATORY NOTE

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

These rules amend Order 58 of the Circuit Court Rules and the Schedule of forms annexed to those Rules by the substitution of Form 38A and the deletion of Form 38B

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.

€2.54



Wt. (B31874). 285. 2/16. Essentra. Gr 30-15.