



STATUTORY INSTRUMENTS.

**S.I. No. 582 of 2009**



RULES OF THE SUPERIOR COURTS (COMBINED COURT OFFICES)  
2009

**(Prn. A9/1943)**

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We, the Superior Courts Rules Committee, constituted pursuant to the provisions of the Courts of Justice Act 1936, section 67, by virtue of the powers conferred upon us by the Courts of Justice Act 1924, section 36, and the Courts of Justice Act 1936, section 68 (as applied by the Courts (Supplemental Provisions) Act, 1961 section 48), and the Courts (Supplemental Provisions) Act 1961, section 14, and of all other powers enabling us in this behalf, do hereby make the following Rules of Court.

Dated this 3rd day of December, 2009.

John L. Murray

Nicholas Kearns

William McKechnie

Elizabeth Dunne

Patrick O'Connor

Paul McGarry

Noel Rubotham

Maeve Kane.

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

Dated this 31st day of December, 2009.

DERMOT AHERN,  
Minister for Justice, Equality and Law Reform.

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 8th January, 2010.*

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1. These Rules shall come into operation on the 11th day of January 2010.
2. These Rules shall be construed together with the Rules of the Superior Courts 1986 to 2009 and may be cited as the Rules of the Superior Courts (Combined Court Offices) 2009.

3. The Rules of the Superior Courts are amended:

- (i) by the substitution in rule 1 of Order 85 for the definition of “the proper officer” of the following definition:

“ “the proper officer” means:

- (a) the officer for the time being managing the Central Office or
- (b) where any business of the Central Office in respect of the Central Criminal Court is specified in accordance with section 14 of the Courts and Court Officers Act 2009 as business that shall be transacted in a combined court office established under that section, and while so specified, the combined court office manager appointed under section 19 of that Act for that combined court office, or
- (c) the County Registrar of the County, City or other administrative area (other than the County or City of Dublin) in which the Central Criminal Court is, for the time being sitting as and when requested to perform functions of the proper officer under this Order in respect of such sitting by the officer for the time being managing the Central Office;”;

- (ii) by the substitution in rule 1 of Order 85 for the definition of “the Registrar” of the following definition:

“ “the Registrar” means:

- (a) the officer or each officer directed, pursuant to sub-paragraph (IA) of paragraph 6 of the Eighth Schedule to the Courts (Supplemental Provisions) Act 1961 as amended, by the officer for the time being managing the Central Office to act as Registrar to the Central Criminal Court as and when so directed,
- (b) where any business of the Central Office in respect of the Central Criminal Court is specified in accordance with section 14 of the Courts and Court Officers Act 2009 as

business that shall be transacted in a combined court office established under that section, and while so specified, any member of the staff of the Courts Service employed in that combined court office and directed in accordance with section 22(2) of that Act by a combined court office manager to act as registrar to the Central Criminal Court,

- (c) the County Registrar of the County, City or other administrative area (other than the County or City of Dublin) in which the Central Criminal Court is for the time being sitting, as and when requested to do so by the officer for the time being managing the Central Office or, where such County Registrar has delegated to a member of staff of the Circuit Court Office in the County concerned the functions performable by him pursuant to such request, that member of staff, as and for as long as such functions are so delegated.”;

- (iii) by the substitution in rule 1 of Order 86 for the definition of “the Registrar” of the following definition:

“ “the Registrar” means:

- (a) the Registrar of the Court of Criminal Appeal, or
- (b) where any business of the Office of the Registrar of the Supreme Court respecting the Court of Criminal Appeal is specified in accordance with section 14 of the Courts and Court Officers Act 2009 as business that shall be transacted in a combined court office established under that section, and while so specified, any member of the staff of the Courts Service employed in that combined court office and directed in accordance with section 22(2) of that Act by a combined court office manager to act as registrar to the Court of Criminal Appeal.”;

- (iv) by the substitution in rule 1 of Order 86A for the definition of “the Registrar” of the following definition:

“the Registrar” means:

- (a) the Registrar of the Courts-Martial Appeal Court, or
- (b) where any business of the Office of the Registrar of the Supreme Court respecting the Courts-Martial Appeal Court is specified in accordance with section 14 of the Courts and Court Officers Act 2009 as business that shall be transacted in a combined court office established under that section, and while so specified, any member of the staff of the Courts Service employed in that combined court directed in accordance with section 22(2) of that Act by a combined court

office manager to act as registrar to the Courts-Martial Appeal Court”;

(v) by the substitution for rule 1 of Order 114 of the following rule:

“1. The following persons shall have power to take affidavits and affirmations in all causes or matters pending in the High Court or Supreme Court and to administer the necessary oaths and affirmations for that purpose—

- (a) every Registrar, assistant Registrar, Court Clerk and senior Clerk of the High Court or the Supreme Court;
- (b) where any business of an office of the High Court or Supreme Court is specified in accordance with section 14 of the Courts and Court Officers Act 2009 as business that shall be transacted in a combined court office established under that section, and while so specified, any member of the staff of the Courts Service employed in that combined court office”;

(vi) by the substitution for rules 1 and 2 of Order 116 of the following rules:

“1. (1) The seals to be used in the respective offices of the Supreme Court and High Court shall be:

- (a) the seal of the Supreme Court;
- (b) the seal of the Chief Justice;
- (c) the seal of the High Court;
- (d) the seal of the High Court (Wards of Court);
- (e) the seal of the High Court (Bankruptcy);
- (f) the seal of the High Court (Probate);
- (g) the seal of the High Court (Central Criminal Court);
- (h) the seal of the Court of Criminal Appeal;
- (i) the seal of the Courts-Martial Appeal Court.

(2) Where part of the business of an office of the High Court or Supreme Court is specified in accordance with section 14 of the Courts and Court Officers Act 2009 as business that shall be transacted in a combined court office established under that section, and while so specified, a duplicate of the appropriate seal of the court to which that business relates shall, where appropriate, be used in that combined

court office in respect of the business concerned, and kept in the custody of the combined court office manager concerned.

(3) Where a duplicate seal is required to be used by virtue of sub-rule (2), such seal shall, in addition to identifying the court concerned, identify by serial number or otherwise the combined court office to which it relates.

2. (1) Subject to sub-rule (2), the seals of the Supreme Court, the Chief Justice, the Court of Criminal Appeal and the Courts-Martial Appeal Court shall be kept in the custody of the Registrar of the Supreme Court.

(2) Where the business of the office of the Supreme Court relating to the Court of Criminal Appeal or the Courts-Martial Appeal Court is specified in accordance with section 14 of the Courts and Court Officers Act 2009 as business that shall be transacted in a combined court office established under that section, and while so specified, the seal of the Court of Criminal Appeal or, as the case may be, the Courts-Martial Appeal Court, shall be kept in the custody of the combined court office manager concerned.”;

(vii) by the insertion, immediately after sub-rule (5) of rule 3 of Order 116, of the following sub-rule:

“(6) A duplicate seal required to be used by virtue of rule 1(2) shall be kept in the custody of the combined court office manager for the combined court office concerned.”;

and

(viii) by the insertion immediately following rule 3 of Order 125 of the following rule:

“4. (1) Where any business of an office of the High Court or Supreme Court or an office attached to the President of the High Court is specified in accordance with section 14 of the Courts and Court Officers Act 2009 as business that shall be transacted in a combined court office established under that section, and while so specified, any requirement of any provision of these Rules to lodge, file, leave, deliver or transmit a document in, at or to (as the case may be) the office concerned shall be satisfied by doing so in, at or to (as the case may be) that combined court office, and not otherwise.

(2) Any form in an Appendix to these Rules may be modified as necessitated by the provisions of sub-rule (1) and Part 3 of the Courts and Court Officers Act 2009.”

EXPLANATORY NOTE

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

These rules amend the Rules of the Superior Courts to facilitate the transaction of business in a combined court office established under section 14 of the Courts and Court Officers Act 2009.

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  
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AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,  
CONTAE MHAIGH EO,  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)  
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