



STATUTORY INSTRUMENTS.

S.I. No. 15 of 2012



RULES OF THE SUPERIOR COURTS (SERVICE) 2012

(Prn. A12/0061)

RULES OF THE SUPERIOR COURTS (SERVICE) 2012

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 25th day of May, 2011.

John L. Murray

Nicholas Kearns

Joseph Finnegan

Elizabeth Dunne

John Edwards

Paul McGarry

Sasha Gayer

Patrick Groarke

Patrick O'Connor

Mary Cummins

Noel Rubotham

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

Dated this 16th day of January, 2012.

ALAN SHATTER,

Minister for Justice and Equality.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 20th January, 2012.*

S.I. No. 15 of 2012

RULES OF THE SUPERIOR COURTS (SERVICE) 2012

1. (1) These Rules shall come into operation on the 1st day of February 2012.

(2) These Rules shall be construed together with the Rules of the Superior Courts.

(3) The Rules of the Superior Courts as amended by these Rules may be cited as the Rules of the Superior Courts 1986 to 2012.

2. The Rules of the Superior Courts are amended by the substitution for rule 2 of Order 121 of the following rule:

“2. (1) The delivery or service of any document under these Rules, for which personal service is not required, shall be effected:

(a) by leaving the document or a copy thereof (as may be appropriate) at, or sending the document or a copy thereof (as may be appropriate) by registered prepaid post to, the residence or place of business in the State of the person to be served, or

(b) subject to sub-rule (2), by delivering the document or a copy thereof (as may be appropriate) to the solicitor (if any) who has accepted service or who is recorded in the proceedings as acting for that person in the proceedings to which the document relates by

(i) leaving the document or copy at that solicitor’s place of business in the State or at a document exchange service designated by that solicitor in accordance with sub-rule (2) through which that solicitor accepts documents, or

(ii) sending the document or copy by registered prepaid post to that solicitor’s place of business in the State.

(2) Delivery or service through a document exchange service under subparagraph (i) of paragraph (b) of sub-rule (1) shall:

(a) be effective provided the solicitor concerned has confirmed in writing to the party serving the document or copy (or that party’s solicitor) that he will accept service of documents in the action through the document exchange service designated by him;

(b) cease to be effective where, prior to such delivery or service, the solicitor concerned has in writing revoked such confirmation.

(3) Any affidavit verifying delivery or service through a document exchange service shall exhibit the written confirmation referred to in sub-rule (2) and contain an averment that such confirmation had not, at the time of such delivery or service, been revoked in accordance with this rule.”

EXPLANATORY NOTE

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

These rules amend Order 121 rule 2 of the Rules of the Superior Courts to permit, subject to certain conditions, service by document exchange of a document for which personal service is not required to be effected.

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,
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€1.27

