



STATUTORY INSTRUMENTS.

S.I. No. 16 of 2014



RULES OF THE SUPERIOR COURTS (COURTS AND CIVIL LAW
(MISCELLANEOUS PROVISIONS) ACT 2013) 2014

RULES OF THE SUPERIOR COURTS (COURTS AND CIVIL LAW
(MISCELLANEOUS PROVISIONS) ACT 2013) 2014

We, the Superior Courts Rules Committee, constituted pursuant to the provisions of the Courts of Justice Act 1936, section 67, and reconstituted pursuant to the provisions of the Courts of Justice Act 1953, section 15, by virtue of the powers conferred upon us by The Courts of Justice Act 1924, section 36, the Courts of Justice Act 1936, section 68 (as applied by the Courts (Supplemental Provisions) Act 1961, section 48), 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 24th day of October, 2013.

Susan Denham

John Edwards

Anthony Barr

Paul McGarry

Michael Kavanagh

Mary Cummins

Noel Rubotham

John Mahon

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

Dated this 27th day of January 2014.

ALAN SHATTER
Minister for Justice and Equality

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 31st January, 2014.*

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RULES OF THE SUPERIOR COURTS (COURTS AND CIVIL LAW
(MISCELLANEOUS PROVISIONS) ACT 2013) 2014

1. (1) These Rules, which may be cited as the Rules of the Superior Courts (Courts and Civil Law (Miscellaneous Provisions) Act 2013) 2014, shall come into operation on the 3rd day of February 2014.

(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 2014.

2. The Rules of the Superior Courts are amended:

(i) by the substitution for rule 5(2) of Order 4, of the following rule:

“(2) The amount claimed for costs shall be:—

(a) If the demand does not exceed €15,000: Such sum as would be appropriate to a proceeding for a like amount in the District Court.

(b) If the demand exceeds €15,000 but does not exceed €75,000: Such sum as would be appropriate to a proceeding for a like amount in the Circuit Court.

(c) If the demand exceeds €75,000: €70 with €7 for each additional service after the first, and the costs of any order for issue and service, or service of the summons or notice in lieu thereof outside the jurisdiction, or for substituted or other service, or for the substitution of notice for service, or for declaring service effected sufficient, or for notice by advertisement of the issue of the summons, and this amount shall be exclusive of and in addition to all actual and necessary outlay.”;

(ii) by the substitution for rule 40 of Order 99, of the following rule:

“40. In cases within rule 39 or within Order 4, rule 5, where there has been an order for service of the summons or of notice thereof, out of the jurisdiction, or for substituted or other service, or for the substitution of notice for service, or declaring service effected sufficient or where more than one attendance has been necessary to effect service, or where there has been a notice by advertisement of the issuing of the summons under Order 9, rule 7, there shall

be added to the sums in rule 39 respectively mentioned the proper and necessary additional costs, to be ascertained on taxation (in cases of claims under €75,000 costs to be on the scale appropriate in the Circuit Court or District Court, as the case may be).”, and

(iii) by the substitution for the provisions of Part II of Appendix W of the following provisions:

“(1) DISTRICT COURT JURISDICTION: If the amount of the judgment does not exceed €15,000

— Such sum as would be appropriate to a judgment for a like amount in the District Court.

(2) CIRCUIT COURT JURISDICTION: If the amount of the judgment exceeds €15,000 but does not exceed €75,000

— Such sum as would be appropriate to a judgment for a like amount in the Circuit Court.

(3) HIGH COURT JURISDICTION: If the amount of the judgment exceeds €75,000

— €121 and €12 for each additional service after the first; and this amount shall in every case be exclusive of and in addition to all actual and necessary outlay.”

EXPLANATORY NOTE

(This note 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 by the substitution of rule 5(2) of Order 4, rule 40 of Order 99 and Part II of Appendix W to facilitate the increase in the monetary jurisdiction of the Circuit Court and District Court provided for in Part 3 of the Courts and Civil Law (Miscellaneous Provisions) Act 2013 (No. 32 of 2013).

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