



STATUTORY INSTRUMENTS.

S.I. No. 469 of 2018



RULES OF THE SUPERIOR COURTS (COURT OF APPEAL) 2018

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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, and of all other powers enabling us in this behalf, do hereby make the following Rules of Court.

Dated this 11th day of June, 2018.

Frank Clake
George Birmingham
Peter Kelly
Elizabeth Dunne
Michael Peart
Anthony Barr
Stuart Gilhooly
Liam Kennedy
Mary Cummins
Noel Rubotham
John Mahon

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

Dated this 11th day of November, 2018.

CHARLES FLANAGAN,
Minister for Justice and Equality.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 16th November, 2018.*

S.I. No. 469 of 2018

RULES OF THE SUPERIOR COURTS (COURT OF APPEAL) 2018

1. (1) These Rules, which may be cited as the Rules of the Superior Courts (Court of Appeal) 2018, shall come into operation on the 10th day of December 2018.

(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 2018.

2. The Rules of the Superior Courts are amended:

(i) by the substitution for sub-rule (5) of rule 3 of Order 86 of the following sub-rule:

“(5) Where a document (other than a notice of appeal) is presented for lodgment late, the Registrar may accept the document for lodgment without prejudice to the right of any party concerned to object to the late lodgment.”;

(ii) by the deletion from Order 86A of the title “**IV. Expedited Appeals**” and of rules 7, 8, 9, 10 and 11;

(iii) by the substitution for rule 12 of Order 86A of the following rule:

“12. An appeal to the Court of Appeal shall be brought by the lodgment in the Office for issue of a notice (in this Order called the “notice of appeal”) in the Form No 6, which shall set out:

(i) particulars of the decision that it is sought to appeal;

(ii) the grounds of the appeal;

(iii) the orders sought from the Court of Appeal;

(iv) a list of the documents intended to be relied on by the appellant in the appeal, and

(v) particulars of the appellant and of the respondent.”;

(iv) by the substitution for paragraph (b) of sub-rule (1) of rule 16 of Order 86A of the following paragraph:

“(b) the notice of appeal;”;

(v) by the substitution for paragraph (a) of sub-rule (1) of rule 17 of Order 86A of the following paragraph:

“(a) a copy of the notice of appeal;”;

(vi) by the substitution for rule 18 of Order 86A of the following paragraph:

“18. The Registrar may at any time list an appeal before the Court of Appeal on notice to the parties for the giving of such directions or the making of such orders for the conduct of the proceedings as the Court of Appeal considers appropriate in the circumstances.”; and

(vii) by the deletion from Appendix U of the Forms numbered as Forms No. 4 and 5.

EXPLANATORY NOTE

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

These Rules make amendments to Order 86A of the Rules of the Superior Courts, and consequential amendments, to remove the expedited appeals procedure under Part IV of that Order.

BAILE ÁTHA CLIATH
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