



STATUTORY INSTRUMENTS.

**S.I. No. 367 of 2009**

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DISTRICT COURT (SERVICE IN MEMBER STATES OF JUDICIAL  
AND EXTRA-JUDICIAL DOCUMENTS IN CIVIL OR COMMERCIAL  
MATTERS) RULES 2009

**(Prn. A9/1280)**

S.I. No. 367 of 2009

DISTRICT COURT (SERVICE IN MEMBER STATES OF JUDICIAL  
AND EXTRA-JUDICIAL DOCUMENTS IN CIVIL OR COMMERCIAL  
MATTERS) RULES 2009

The District Court Rules Committee, in exercise of the powers conferred on them by section 91 of the Courts of Justice Act 1924, section 72 of the Courts of Justice Act 1936, section 34 of the Courts (Supplemental Provisions) Act 1961 and section 24 of the Interpretation Act 2005, do hereby, with the concurrence of the Minister for Justice, Equality and Law Reform, make the following rules of court.

Dated this 22nd day of June of 2009.

Miriam Malone                      Chairperson

Uinsin Mac Gruairc

Thomas E O'Donnell

Brian Sheridan

Roy Pearson

Noel A Doherty

I concur in the making of the following rules of court.

Dated this 10th day of September 2009

DERMOT AHERN  
Minister for Justice, Equality and Law Reform

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 15th September, 2009.*

S.I. No. 367 of 2009

DISTRICT COURT (SERVICE IN MEMBER STATES OF JUDICIAL  
AND EXTRA-JUDICIAL DOCUMENTS IN CIVIL OR COMMERCIAL  
MATTERS) RULES 2009

1. These rules may be cited as the District Court (Service in Member States of Judicial and Extra-Judicial Documents in civil or commercial matters) Rules 2009.

2. These rules shall come into operation on the 8th day of October 2009 and shall be construed together with the District Court Rules 1997 to 2009.

3. The District Court Rules 1997 (S.I. No. 93 of 1997) are amended:

(a) by the substitution in rule 1 of Order 11 for the definition of “Service Regulation” of the following definition:

“ *“Service Regulation” means Regulation (EC) No. 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extra-judicial documents in civil or commercial matters (service of documents) and repealing Council Regulation No. 1348/2000 (O.J. L. 324/79)*”;

(b) by the substitution for paragraph (c) of rule 6 of Order 11 of the following:

“*In a case where the person to be served is in another State in which the Service Regulation applies, service shall be effected in accordance with the provisions of the Regulation, which may include service by diplomatic or consular agents, in accordance with Article 13 of the Service Regulation (save where that Member State has communicated, in accordance with Article 23(1) of the Service Regulation, that it is opposed to the service of documents in its territory in the said manner), by registered post in accordance with Article 14 of the Service Regulation or by direct service, in accordance with Article 15 of the Service Regulation. In any other case where the person to be served is in another State which is a party to the Hague Convention, service shall be effected in accordance with the provisions of the Convention (which may include service by post under paragraph (a) provided the destination State has not made an objection to such service under Article 10 (a) of the Hague Convention)*”;

(c) by the insertion in rule 1 of Order 62, immediately following the definition of “maintenance order” of the following definition:

“ *“Service Regulation” has the same meaning as in Order 11, rule 1*”;

(d) by the substitution for sub-rule (1) of rule 4 of Order 62 of the following:

*“4. (1) The provisions of the Service Regulation shall apply to proceedings brought in the District Court by virtue of the Jurisdiction Regulation. The provisions of The Hague Convention of 15th November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (hereinafter referred to as “The Hague Convention”) shall apply to proceedings brought in the District Court by virtue of the Conventions.”, and*

(e) by the substitution for sub-rule (5) of rule 5 of Order 62 of the following:

*“(5) A notice and certificate returned under paragraph (4) shall be served as indicated in rule 4 (which may include service by post provided that if such service is into a Contracting State in which the Hague Convention applies, the State of destination has not made an objection to such service under Article 10 (a) of The Hague Convention) or, where appropriate, in accordance with the provisions of Order 11 of these Rules, upon the defendant and, where the documents are to be served in the European territory of another Member State or Contracting State they shall be served at least five weeks prior to the date of sitting of the Court before which the proceedings have been listed for hearing. Where the documents are to be served in any non-European territory of another Contracting State, they shall be served at least six weeks prior to that date.”;*

4. The Forms numbered 62.1, 62.2, 62.3, 62.4, 62.5, 62.7 and 62.8 in Schedule 1 shall be substituted for the Forms bearing the like numbers in Schedule C of the District Court Rules 1997 (S.I. No. 93 of 1997).

SCHEDULE 1

No. 62.1

ÉIRE  
IRELAND

AN CHÚIRT DÚICHE

THE DISTRICT COURT

District Court Area of

District No.

In the matter of

\*Council Regulation (EC) No. 44/2001 on jurisdiction and the recognition and enforcement of judgment in civil and commercial matters.

\*Regulation (EC) No. 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extra-judicial documents in civil or commercial matters (service of documents).

\*The Convention of the European Communities on jurisdiction and the enforcement of judgments in civil and commercial matters (and the Protocol annexed thereto) signed at Brussels on the 27th day of September, 1968.

\*The Convention on jurisdiction and the enforcement of judgments in civil and commercial matters (and Protocol 1) signed at Lugano on the 16th day of September, 1988.

\*The Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters signed at The Hague on the 15th day of November, 1965.

**NOTICE OF INSTITUTION OF PROCEEDINGS**

Between .....  
of ..... Plaintiff  
and.....  
of ..... Defendant

YOU ARE HEREBY GIVEN NOTICE that proceedings have been instituted against you, the above-named defendant, domiciled at .....

by the above-named Plaintiff, \*(ordinarily resident) \*(carrying on a profession/business/ occupation) at .....  
.....\*(in the District Court area aforesaid), claiming as follows:—

The proceedings have been listed for hearing at the sitting of the District Court to be held at ..... on the ..... day of .....  
20 ..... at a.m./p.m.

IF YOU INTEND TO APPEAR OR TO BE REPRESENTED AT THE HEARING OF THESE PROCEEDINGS you (or your solicitor) should complete and sign the two Notices of Intention to Appear attached hereto, post one to the District Court Clerk at the address shown below so soon as to reach his or her office not later than four days before the above-mentioned date of hearing and post the other to the plaintiff or the solicitor for the plaintiff.

IF YOU FAIL TO RETURN THE ATTACHED NOTICES THE COURT MAY IN CERTAIN CIRCUMSTANCES PROCEED TO HEAR AND DETERMINE THE PROCEEDINGS WITHOUT FURTHER NOTICE TO YOU:

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

Signed .....  
District Court Clerk for the above-named district court area,  
District Court Office at .....  
IRELAND

To .....  
of .....  
the above-named defendant.

These proceedings have been issued \*(by the Plaintiff) \*(by .....  
solicitors of ....., Solicitors for the Plaintiff)

\*delete where inapplicable

..... detach this page .....

**NOTICE OF INTENTION TO APPEAR**

TAKE NOTICE THAT ..... (the Defendant)

domiciled at .....

INTENDS TO APPEAR (or) TO BE REPRESENTED at the hearing of the proceedings brought against him/her by ..... (the Plaintiff)

of .....

and which are listed for hearing at the sitting of the District Court to be held at ..... on the ..... day of ..... 20..... at ..... a.m./p.m.

\*(FOR THE PURPOSE OF DEFENDING THE PROCEEDINGS)

\*(FOR THE PURPOSE SOLELY OF CONTESTING THE JURISDICTION OF THE COURT)\*(AND IN THE EVENT OF THE COURT NOT DECLINING JURISDICTION FOR THE PURPOSE OF DEFENDING THE PROCEEDINGS).

Any further communications regarding these proceedings should be forwarded \*(to the defendant at the above address) \*(to ..... at ..... )

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

Signed .....

\*Defendant/\*Solicitor for Defendant

of .....

To: District Court Clerk,

District Court Office,

at .....

IRELAND

\*delete where inapplicable

..... detach this page .....

**NOTICE OF INTENTION TO APPEAR**

TAKE NOTICE THAT ..... (the Defendant)

domiciled at .....

INTENDS TO APPEAR (or) TO BE REPRESENTED at the hearing of the proceedings brought against him/her by ..... (the Plaintiff) of

..... and which are listed for hearing at the sitting of the District Court to be held at ..... on the ..... day of ..... 20..... at ..... a.m./p.m.

\*(FOR THE PURPOSE OF DEFENDING THE PROCEEDINGS)

\*(FOR THE PURPOSE SOLELY OF CONTESTING THE JURISDICTION OF THE COURT)\*(AND IN THE EVENT OF THE COURT NOT DECLIN-  
ING JURISDICTION FOR THE PURPOSE OF DEFENDING THE PROCEEDINGS).

Any further communications regarding these proceedings should be forwarded \*(to the defendant at the above address) \*(to ..... at ..... )

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

Signed .....

\*Defendant/\*Solicitor for Defendant

of .....

To: District Court Clerk,

District Court Office,

at .....

IRELAND

\*delete where inapplicable



No.62.2

SCHEDULE C  
0.62, rr.5 (3), 15

ÉIRE  
IRELAND

AN CHÚIRT DÚICHE

THE DISTRICT COURT

District Court Area

District No.

In the matter of

\*Council Regulation (EC) No. 44/2001 on jurisdiction and the recognition and enforcement of judgment in civil and commercial matters (the “Jurisdiction Regulation”).

\*Regulation (EC) No. 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extra-judicial documents in civil or commercial matters (service of documents).

\*The Convention of the European Communities on jurisdiction and the enforcement of judgments in civil and commercial matters (and the Protocol annexed thereto) signed at Brussels on the 27th day of September, 1968.

\*The Convention on jurisdiction and the enforcement of judgments in civil and commercial matters (and Protocol 1) signed at Lugano on the 16th day of September, 1988.

\*The Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters signed at The Hague on the 15th day of November, 1965.

**CERTIFICATE AS TO COURT’S JURISDICTION**

Between .....  
of ..... Plaintiff  
and.....  
of ..... Defendant

I .....\*(the Plaintiff) \*(solicitor for Plaintiff) do hereby certify

1. that the claim(s) made in the document instituting the above-named proceedings which was lodged with this certificate \*is a claim/\*are claims which under the \*(Jurisdiction Regulation) \*(Jurisdiction of Courts and Enforcement of Judgments (European Communities) Act 1998), the Court has power to hear and determine by virtue of the provisions of Article(s) .....of \*(the Jurisdiction Regulation) \*(the 1968 Convention) \*(the Lugano Convention)

2. that the claims(s) brought by the Plaintiff \*is a claim/\*are claims which the Court has jurisdiction to hear and determine by reason of the fact(s) that  
\*\* .....

3. that no proceedings involving the same cause of action are pending between the parties in another \*Member State \*Contracting State.

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

Signed .....

\*Plaintiff/\*Solicitor for Plaintiff

\*delete where inapplicable

\*\*for examples of clauses which might be inserted here see overleaf

**\*\*EXAMPLES OF CLAUSES WHICH MIGHT BE USED, AS APPROPRIATE, IN RECITAL No. 2 ON FORM 62.2**

— the defendant is domiciled \*(in the District Court Area above-named within the jurisdiction of the Honourable Court) \*(in the Member State/Contracting State of .....)

— the claim against the defendant arises out of a contract and the place for performance of the obligations under the contract is within the jurisdiction of the Honourable Court and therefore, by virtue of Article 5.1 of the \*(Jurisdiction Regulation) \*(1968 Convention) \*(Lugano Convention) above-named, the Court has jurisdiction.

— the claim against the defendant is a claim in tort and the harmful event giving rise to the cause of action occurred within the jurisdiction of the Honourable Court.

— the claim against the defendant relates to and/or arises out of the operation of a branch, agency or other establishment of the defendant which said branch, agency or establishment is situated within the jurisdiction of the Honourable Court.

— the claim against the defendant is a claim in which the plaintiff is a policy holder under a policy of insurance and it is therefore a claim to which \*(Article 9 of the Jurisdiction Regulation) \*(Article 8.2 of the 1968 Convention) \*(Article 8.2 of the Lugano Convention) above-named applies. The Plaintiff is ordinarily resident/carries on a profession, business or occupation in the District Court Area above-named within the jurisdiction of the Honourable Court.

— the claim against the defendant is brought by the plaintiff in his/her capacity as a consumer in relation to a consumer contract to which \*(Article 16 of the Jurisdiction Regulation) \*(Article 14 of the 1968 Convention) \*(Article 14 of the Lugano Convention) above-named applies. The plaintiff is ordinarily resident/carries on a profession, business or occupation in the District Court Area above-named within the jurisdiction of the Honourable Court

— the claim against the defendant is a claim to which \*(Article 22 of the Jurisdiction Regulation) \*(Article 16 of the 1968 Convention) \*(Article 16 of the Lugano Convention) (relating to exclusive jurisdiction) above-named applies and the Honourable Court has exclusive jurisdiction to hear and determine the claim because

*(give details as in relevant provisions of Article 22/Article 16)*

— the claim against the defendant arises out of a contract/agreement made between the plaintiff and the defendant which provided, *inter alia*, that the Honourable Court was to have jurisdiction in relation to matters arising thereout and, by virtue of \*(Article 23 of the Jurisdiction Regulation) \*(Article 17 of the 1968 Convention) \*(Article 17 of the Lugano Convention) above-named, the Honourable Court is entitled to assume jurisdiction.

ÉIRE  
IRELAND

AN CHÚIRT DÚICHE

THE DISTRICT COURT

District Court Area of

District No.

In the matter of

\*Council Regulation (EC) No. 44/2001 on jurisdiction and the recognition and enforcement of judgment in civil and commercial matters (the “Jurisdiction Regulation”).

\*Regulation (EC) No. 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extra-judicial documents in civil or commercial matters (service of documents).

\*The Convention of the European Communities on jurisdiction and the enforcement of judgments in civil and commercial matters (and the Protocol annexed thereto) signed at Brussels on the 27th day of September, 1968.

\*The Convention on jurisdiction and the enforcement of judgments in civil and commercial matters (and Protocol 1) signed at Lugano on the 16th day of September, 1988.

\*The Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters signed at The Hague on the 15th day of November, 1965.

\*Section 14 of the Jurisdiction of Courts and Enforcement of Judgments (European Communities) Act 1998.

**CERTIFICATE BY DISTRICT COURT CLERK**

Between .....  
of ..... Plaintiff  
and .....  
of ..... Defendant

I, ....., the District Court Clerk for the above named District Court area, do hereby certify as follows:—

1. that the above-named proceedings were in respect of a claim by the plaintiff against the defendant brought before this Court on ..... day of ..... 20 ..... by \*(civil) summons issued on the ..... day of ..... 20 ..... claiming as follows

2. that \*(the document instituting the proceedings) \*(notice of the institution of the proceedings) was served upon the defendant on the ..... day of ..... 20..... in the following manner—

3. that the defendant \*(appeared) \*(did not appear) at the hearing of the proceedings.

4. that the defendant \*(was represented) \*(was not represented) at the hearing of the proceedings.

5. that the Court assumed jurisdiction in the proceedings pursuant to the provisions of Article(s) ..... of \*(the Jurisdiction Regulation) \*(the 1968 Convention) \*(the Lugano Convention) above-named, on the grounds that—

6. that the Court gave judgment against the \*(defendant) \*(plaintiff) as follows:—

\*7 that the said judgment carries interest at the rate of ..... percent per annum on the judgment debt only (exclusive of costs and expenses) that is to say, on the sum of € ..... from the ..... day of ..... 20..... until it is paid.

8. that \*(notice of appeal against) \*(notice to set aside) the judgment \*(has been entered) \*(has not been entered).

9. that the time for lodging an appeal against the judgment \*(expired) \*(will expire) on the ..... day of ..... 20.....

10. that enforcement of the judgment is not for the time being stayed or suspended and that the time available for its enforcement has not expired.

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

Signed .....  
District Court Clerk for the above-named district court area,  
District Court Office at .....  
IRELAND

\*delete where inapplicable

ÉIRE  
IRELAND

AN CHÚIRT DÚICHE

THE DISTRICT COURT

District Court Area of

District No.

In the matter of

\*Council Regulation (EC) No. 44/2001 on jurisdiction and the recognition and enforcement of judgment in civil and commercial matters (the “Jurisdiction Regulation”).

\*Regulation (EC) No. 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extra-judicial documents in civil or commercial matters (service of documents).

\*The Convention of the European Communities on jurisdiction and the enforcement of judgments in civil and commercial matters (and the Protocol annexed thereto) signed at Brussels on the 27th day of September, 1968.

\*The Convention on jurisdiction and the enforcement of judgments in civil and commercial matters (and Protocol 1) signed at Lugano on the 16th day of September, 1988.

\*The Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters signed at The Hague on the 15th day of November, 1965.

**CERTIFICATE THAT JUDGMENT IS ENFORCEABLE IN THE STATE  
AND HAS BEEN SERVED**

Between .....  
of ..... Plaintiff  
and .....  
of ..... Defendant

I ..... the District Court Clerk for the above-named District Court area, do hereby certify as follows:—

1. that the judgment given in the above-named proceedings at the sitting of the District Court held at ..... on the ..... day of ..... 20 ..... is enforceable in this State, and

2. that on the .... day of ..... 20 ..... a copy of the said judgment was served by registered/insured post upon the defendant at the following address—

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

Signed .....  
District Court Clerk for the above-named district court area,  
District Court Office at .....  
IRELAND

\*delete where inapplicable

ÉIRE  
IRELAND

AN CHÚIRT DÚICHE

THE DISTRICT COURT

District Court Area of

District No.

In the matter of

\*Council Regulation (EC) No. 44/2001 on jurisdiction and the recognition and enforcement of judgment in civil and commercial matters (the “Jurisdiction Regulation”).

\*Regulation (EC) No. 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extra-judicial documents in civil or commercial matters (service of documents).

\*The Convention of the European Communities on jurisdiction and the enforcement of judgments in civil and commercial matters (and the Protocol annexed thereto) signed at Brussels on the 27th day of September, 1968.

\*The Convention on jurisdiction and the enforcement of judgments in civil and commercial matters (and Protocol 1) signed at Lugano on the 16th day of September, 1988.

\*The Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters signed at The Hague on the 15th day of November, 1965.

Section 9(9)(a) of the Jurisdiction of Courts and Enforcement of Judgments (European Communities) Act 1998.

**NOTICE CONCERNING SUMS PAYABLE UNDER AN  
ENFORCEABLE MAINTENANCE ORDER**

Between .....  
of ..... Maintenance Creditor  
and .....  
of ..... Maintenance Debtor

YOU ARE HEREBY GIVEN NOTICE that the sums, particulars of which are set out below, payable by you, the above-named maintenance debtor, under a maintenance order \*(made) \*(as varied) on the ..... day of ..... 20 ... by ..... and in respect of which an enforcement order has been made by the Master of the High Court, Dublin on the .... day of ..... 20 ... are by virtue of section 9(9) of the above-named Act of 1998 payable to the District Court Clerk for the above-named district court area for transmission to the maintenance creditor.



Sums payable under the order (including payments in respect of any sums due at the date of the receipt by you of this notice) should until further notice be paid in Irish currency to

The District Court Clerk,  
District Court Office,  
at .....  
whose office hours are from ..... to ....., Monday to Friday each week.

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

Signed .....  
District Court Clerk for the above-named district court area,  
District Court Office at .....  
IRELAND

PARTICULARS OF SUMS DUE  
(Set out the details)

Total amount due in Irish currency at the date of this notice (including any arrears, costs and expenses): € .....

In addition to this last-named sum you are obliged to pay € ..... per week in accordance with the terms of the order and the provisions of the above-named Act of 1998

To .....  
of .....  
the maintenance debtor

NOTE

Under section 9(13) of the above-named Act of 1998 as so applied you are required to notify the above-named district court clerk of any change in your address. Failure, without reasonable cause, to do so is an offence punishable on summary conviction by a fine not exceeding €1,270.

\*delete where inapplicable

ÉIRE  
IRELAND

AN CHÚIRT DÚICHE

THE DISTRICT COURT

District Court Area of

District No.

In the matter of

\*(Article 2) \*(Article 5.2) of \*Council Regulation (EC) No. 44/2001 on jurisdiction and the recognition and enforcement of judgment in civil and commercial matters (the “Jurisdiction Regulation”).

\*(Article 2) \*(Article 5.2) of \*The Convention of the European Communities on jurisdiction and the enforcement of judgments in civil and commercial matters (and the Protocol annexed thereto) signed at Brussels on the 27th day of September, 1968.

\*The Convention on jurisdiction and the enforcement of judgments in civil and commercial matters (and Protocol 1) signed at Lugano on the 16th day of September, 1988.

And in the matter of

\*Regulation (EC) No. 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents).

\*The Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters signed at The Hague on the 15th day of November, 1965.

And in the matter of

Section 9 of the Jurisdiction of Courts and Enforcement of Judgments (European Communities) Act 1998

**SUMMONS TO \*VARY \*REVOKE A MAINTENANCE ORDER**

Between .....

of ..... Maintenance Creditor

and .....

of ..... Maintenance Debtor

YOU ARE HEREBY REQUIRED TO APPEAR at the sitting of the District Court to be held at ..... on the ... day of .... 20 ... at ..... a.m./p.m. upon the hearing of an application by the above-named \*(maintenance creditor)

\*(maintenance debtor) residing at .....  
(in the court area and district aforesaid to have the maintenance order which  
was made on the ... day of .... 20... by † ..... whereby the above-  
named maintenance debtor was ordered to pay ††.....  
.....  
.....  
.....

\*(being an order in respect of which an enforcement order was made on the  
... day of .... 20 ..... by the Master of the High Court at Dublin).

\*VARIED \*REVOKED on the following grounds—

IF YOU INTEND TO APPEAR OR TO BE REPRESENTED AT THE  
HEARING OF THESE PROCEEDINGS you (or your solicitor) should com-  
plete and sign the two Notices of Intention to Appear attached hereto, post one  
to the District Court Clerk at the address shown below so soon as to reach his  
or her office not later than four days before the above-named date of hearing,  
and post the other notice to the other party in the proceedings or to that party's  
solicitor, as the case may be.

IF YOU FAIL TO RETURN THE ATTACHED NOTICES THE COURT  
MAY IN CERTAIN CIRCUMSTANCES PROCEED TO HEAR AND  
DETERMINE THE PROCEEDINGS WITHOUT FURTHER NOTICE TO  
YOU.

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

Signed .....

District Court Clerk for the above-named district court area,

District Court Office at .....

IRELAND

To .....

of .....

\*(in the court area and district aforesaid)

\*(maintenance creditor)

\*(maintenance debtor)

*Add two Notices of Intention to Appear as in Form 62.1*

\*delete where inapplicable

†state court which made order

†† give details of the order

ÉIRE  
IRELAND

AN CHÚIRT DÚICHE

THE DISTRICT COURT

District Court Area of

District No.

In the matter of \*(Article 2) \*(Article 5.2) of

\*Council Regulation (EC) No. 44/2001 on jurisdiction and the recognition and enforcement of judgment in civil and commercial matters (the “Jurisdiction Regulation”).

\*The Convention of the European Communities on jurisdiction and the enforcement of judgments in civil and commercial matters (and the Protocol annexed thereto) signed at Brussels on the 27th day of September, 1968.

\*The Convention on jurisdiction and the enforcement of judgments in civil and commercial matters (and Protocol 1) signed at Lugano on the 16th day of September, 1988.

And in the matter of

\*Regulation (EC) No. 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents).

\*The Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters signed at The Hague on the 15th day of November, 1965.

And in the matter of

Section 9 of the Jurisdiction of Courts and Enforcement of Judgments (European Communities) Act 1998

**ORDER \*VARYING \*REVOKING A MAINTENANCE ORDER**

Between .....

of ..... Maintenance Creditor

and .....

of ..... Maintenance Debtor

WHEREAS by maintenance order dated the...day of..... 20 ..... made by †

\*(in respect of which an enforcement order was made on the ... day of ..... 20 ..... by the Master of the High Court at Dublin) the above-named maintenance debtor now residing at ..... \*(in court area and district aforesaid) was ordered to pay to the above-named maintenance creditor, now residing at ..... \*(in court area and district aforesaid) the sum of Euro € .....

AND WHEREAS an application was made by summons to this Court today by the \*(maintenance creditor) \*(maintenance debtor) for an order \*varying \*revoking the said maintenance order,

AND HAVING HEARD the evidence tendered by or on behalf of the \*(maintenance creditor) \*(and) \*(maintenance debtor),

AND BEING SATISFIED

(1) that the \*(summons) \*(notice of the institution of these proceedings) was duly served upon the \*(maintenance creditor) \*(maintenance debtor) residing at ..... on the .... day of ..... 20 ...

(2) that the \*summons \*notice was served in sufficient time to enable the party served to arrange for a defence,

(3) that the \*summons \*notice included a statement of the substance of the said application,

THE COURT HEREBY ORDERS THAT THE SAID MAINTENANCE ORDER

\*BE REVOKED

\*BE VARIED AS FOLLOWS

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

Signed: .....

Judge of the District Court

\*delete where inapplicable  
†state court which made order

EXPLANATORY NOTE

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

These Rules amend Order 11 and Order 62 on foot of Council Regulation (EC) No. 1393/2007 of 13 November 2007 which applies from November 2008 and which repeals Council Regulation (EC) No. 1348/2000.

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

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