



STATUTORY INSTRUMENTS.

S.I. No. 202 of 2021



DISTRICT COURT (MAINTENANCE) RULES 2021

S.I. No. 202 of 2021

DISTRICT COURT (MAINTENANCE) RULES 2021

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, the European Communities (Rules of Court) Regulations 1972 (S.I. No. 320 of 1972), section 24 of the Interpretation Act 2005, and of all other powers enabling them in this behalf, do hereby, with the concurrence of the Minister for Justice, make the following rules of court.

Dated this 29th day of January 2021.

Colin Daly

Chairperson

Conal Gibbons

Shane McCarthy

Riobard Pierse

James Finn

Lisa Scott

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

Dated this 27th day of April 2021

HELEN MCENTEE

Minister for Justice

S.I. No. 202 of 2021

DISTRICT COURT (MAINTENANCE) RULES 2021

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, the European Communities (Rules of Court) Regulations 1972 (S.I. No. 320 of 1972) and section 24 of the Interpretation Act 2005, do hereby, with the concurrence of the Minister for Justice, make the following rules of court:-

1. (1) These rules may be cited as the District Court (Maintenance) Rules 2021.
- (2) These rules shall come into operation on the 5th day of May 2021 and shall be read together with all other District Court Rules for the time being in force.
- (3) The District Court Rules as amended by these Rules may be cited as the District Court Rules 1997 to 2021.

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

- (i) by the substitution for the title of Order 41B of the following title:
“SERVICE OF DOCUMENTS OUTSIDE THE STATE
WITHOUT THE PERMISSION OF THE COURT

RECOGNITION AND ENFORCEMENT IN THE STATE OF
CERTAIN JUDGMENTS GIVEN IN OTHER EU MEMBER
STATES AND CERTAIN OTHER STATES

REGULATION (EC) NO 1215/2012 ON JURISDICTION AND
THE RECOGNITION AND ENFORCEMENT OF
JUDGMENTS IN CIVIL AND COMMERCIAL MATTERS
(RECAST) (the “*Jurisdiction Regulation*”)

THE BRUSSELS CONVENTION OF THE EUROPEAN
COMMUNITIES ON JURISDICTION AND THE
ENFORCEMENT OF JUDGMENTS IN CIVIL AND
COMMERCIAL MATTERS, 1968 (the “*Brussels Convention*”)

THE LUGANO CONVENTION ON JURISDICTION AND
THE ENFORCEMENT OF JUDGMENTS IN CIVIL AND
COMMERCIAL MATTERS BETWEEN MEMBER STATES
OF THE EUROPEAN COMMUNITIES AND THE

EUROPEAN FREE TRADE ASSOCIATION, 2007 (the “*Lugano Convention*”)

REGULATION (EC) 4/2009 OF 18 DECEMBER 2008 ON JURISDICTION, APPLICABLE LAW, RECOGNITION AND ENFORCEMENT OF DECISIONS AND COOPERATION IN MATTERS RELATING TO MAINTENANCE OBLIGATIONS (the “*Maintenance Regulation*”)

THE ROME CONVENTION BETWEEN THE MEMBER STATES OF THE EUROPEAN COMMUNITIES ON THE SIMPLIFICATION OF PROCEDURES FOR THE RECOVERY OF MAINTENANCE PAYMENTS (the “*Rome Convention*”) AND THE MAINTENANCE ACT 1994

THE NEW YORK CONVENTION ON THE RECOVERY ABROAD OF MAINTENANCE (the “*New York Convention*”) AND THE MAINTENANCE ACT 1994

THE HAGUE CONVENTION ON THE INTERNATIONAL RECOVERY OF CHILD SUPPORT AND OTHER FORMS OF FAMILY MAINTENANCE 2007 (the “*Hague Maintenance Convention*”)

THE HAGUE CONVENTION ON JURISDICTION, APPLICABLE LAW, RECOGNITION, ENFORCEMENT AND CO-OPERATION IN RESPECT OF PARENTAL RESPONSIBILITY AND MEASURES FOR THE PROTECTION OF CHILDREN 1996 (the “*Hague Child Convention*”);

- (ii) by the insertion in sub-rule (2) of rule 1 of Order 41B, immediately following the definition of “2011 Regulations” of the following definition:

““2019 Regulations” means the European Union (Hague Maintenance Convention) Regulations 2019 (S.I. No. 594 of 2019)”;

- (iii) by the substitution in sub-rule (2) of rule 1 of Order 41B for the definitions of “the terms “2007 Hague Protocol”, “decision”, “enforceable maintenance order”, “enforcement order”, “maintenance debtor” and “maintenance order”” and “maintenance creditor” of the following definitions:

“the terms “2007 Hague Protocol” and “enforcement order”, have the meanings assigned to them respectively in Regulation 2 of the 2011 Regulations;

“the terms “decision”, “enforceable maintenance order” and “maintenance debtor” each have the meaning assigned to them respectively in Regulation 2 of the 2011 Regulations or, as the context requires, Regulation 2 of the 2019 Regulations;

““Hague Maintenance Convention” means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance done at The Hague on 23 November 2007;

“maintenance creditor” includes any body which, under the law of a reciprocating jurisdiction, is entitled to exercise their rights of redress of, or to represent, the creditor, and references in these Rules to a maintenance creditor or to a claimant (as defined herein) must be construed as including references to the Central Authority under the Maintenance Regulation, the Central Authority under the 1994 Act and the Central Authority under the Hague Maintenance Convention;”

- (iv) by the substitution for rule 22, the title preceding rule 23, and rule 23 of Order 41B, of the following rules and title:

“22 Provisions of Orders 54, 56 and 57 apply

22. (1) The provisions of Order 54, Order 56 and Order 57 (except rules 7 and 8 of that Order) apply and may be applied in respect of any decision recognised within the meaning of Article 17.1 of the Maintenance Regulation which is a maintenance order (by virtue of the 2011 Regulations) or, as the case may be, is deemed to be an antecedent order by virtue of Regulation 8(3) of the 2011 Regulations.

(2) Without prejudice to the generality of sub-rule (1), when:

- (a) a District Court Clerk receives a request in writing from a maintenance creditor or from the Central Authority under the Maintenance Regulation in relation to any sum payable by virtue of any decision recognised within the meaning of Article 17.1 of the Maintenance Regulation which is a maintenance order (by virtue of the 2011 Regulations) or, as the case may be, is deemed to be an antecedent order by virtue of Regulation 8(3)

of the 2011 Regulations, but not duly paid, the Clerk may proceed in accordance with the provisions of Order 56 (Attachment of Earnings) or rules 3 and 4 (but not rules 7 and 8) of Order 57 (Proceedings under section 8 of the Enforcement of Court Orders Act 1940), or

- (b) it appears to a District Court Clerk that any sums payable to him or her under any decision recognised within the meaning of Article 17.1 of the Maintenance Regulation which is a maintenance order (by virtue of the 2011 Regulations) or, as the case may be, is deemed to be an antecedent order by virtue of Regulation 8(3) of the 2011 Regulations, for transmission to the maintenance creditor are in arrears and he or she has received no request in writing under section 9(2) of the Family Law (Maintenance of Spouses and Children) Act 1976 in relation thereto, such Clerk may in his or her discretion, having considered the extent of the arrears and any other relevant matter, notify the maintenance creditor of the means of enforcement available in respect of the order.

(3) The provisions of Order 56 and Order 57 apply and may be applied in respect of any enforceable maintenance order which the Court has jurisdiction to enforce by virtue of Regulation 14 of the 2019 Regulations.

(4) Without prejudice to the generality of sub-rule (3), when a District Court Clerk receives a request in writing from the Central Authority under the Hague Maintenance Convention in relation to any sum payable by virtue of any enforceable maintenance order which the Court has jurisdiction to enforce by virtue of Regulation 14 of the 2019 Regulations and which is deemed to be a maintenance order (by virtue of the 2019 Regulations), but not duly paid, the Clerk may proceed in accordance with the provisions of Order 56 (Attachment of Earnings) or rules 3 and 4 (but not rules 7 and 8) of Order 57 (Proceedings under section 8 of the Enforcement of Court Orders Act 1940).

5 — ENFORCEMENT OF MAINTENANCE ORDERS UNDER THE MAINTENANCE REGULATION, THE 2011 REGULATIONS AND THE 2019 REGULATIONS

23 Registration of orders

23. (1) Where a copy of a maintenance order or a copy of an order varying or revoking such an order, in respect of which an

enforcement order has been made under the 2011 Regulations or a recognition order has been made under the 2019 Regulations, is received together with a copy of the relevant enforcement order or recognition order by a District Court Clerk from the Master of the High Court or the Central Authority, the Clerk must register particulars of each document received.

(2) If the enforcement order or, as the case may be, recognition order, referred to in sub-rule (1) has been made in respect of a maintenance order or an order varying a maintenance order, the Clerk must send by registered post to the maintenance creditor and the maintenance debtor a notice in the Form 41B.06 or as the case may be, Form 41B.20, Schedule C.

(3) If the enforcement order or, as the case may be, recognition order, referred to in sub-rule (1) has been made in respect of an order revoking a maintenance order, the Clerk must send by registered prepaid post to the maintenance debtor a copy of the revocation order and a statement of any amounts still due and payable under the maintenance order, which statement must contain, or be sent together with, an endorsement to the like effect as the endorsement on a notice under sub-rule (2).”;

- (v) by the substitution for rule 35 of Order 41B, of the following rule:

“35 Procedure under section 19 of the 1994 Act or Regulation 16 of the 2019 Regulations

35. (1) Subject to the provisions of section 19(8) of the 1994 Act, where on request from the Master of the High Court, pursuant to section 19(2) of the 1994 Act, a Judge of the District Court proposes to take the evidence of a person for the purposes of proceedings in a designated jurisdiction for the recovery of maintenance, the Clerk must issue and serve notice, in the Form 41B.14, Schedule C on the person concerned, the Central Authority under the 1994 Act, the Master of the High Court and on such other persons as the Court thinks fit. The notice must be served by registered post at least 21 days prior to the date fixed for taking the evidence.

(2) Where such evidence is taken on sworn deposition, the deposition must be in the Form 41B.15, Schedule C. The Clerk must send a certified copy thereof to the Central Authority under the 1994 Act for transmission to the requesting authority.

(3) Where, as provided for in section 19(9) of the 1994 Act, the requesting authority makes a request for the taking of evidence directly to the District Court, the provisions of this rule must, with any necessary modifications, apply in relation to such a request.

(4) If it is not possible to take the evidence within four months of the receipt of the request by the Central Authority under the 1994 Act, the Judge must certify the reasons for the non-execution of the request or for the delay in executing it and the Clerk must send the same to the Central Authority under the 1994 Act for transmission to the requesting authority.

(5) Subject to the provisions of Regulation 16 of the 2019 Regulations, where on request from the Master of the High Court, pursuant to Regulation 16(3) of the 2019 Regulations, a Judge of the Court proposes to take the evidence of a person residing in the State on foot of such request, the Clerk must issue and serve notice, in the Form 41B.14, Schedule C on the person concerned, the Central Authority under the Hague Maintenance Convention, the Master of the High Court and on such other persons as the Court thinks fit. The notice must be served by registered post at least 21 days prior to the date fixed for taking the evidence.

(6) Where such evidence is taken on sworn deposition, the deposition must be in the Form 41B.15, Schedule C. The Clerk must send a certified copy thereof to the Central Authority under the Hague Maintenance Convention for transmission to the requesting Central Authority concerned.

(7) If it is not possible to take the evidence within three months of the receipt of the request by the Central Authority under the Hague Maintenance Convention, the Judge must certify the reasons for the non-execution of the request or for the delay in executing it and the Clerk must send the same to the Central Authority under the Hague Maintenance Convention for transmission to the requesting Central Authority concerned.”, and

(vi) by the substitution for Order 57 of the Order set out in Schedule 1.

3. (1) The forms numbered 41B.14 and 41B.15 in Schedule 2 shall be substituted for the forms bearing the like numbers respectively in Schedule C to the District Court Rules 1997 (S.I. No. 93 of 1997).

(2) The form numbered 41B.20 in Schedule 2 shall be added to the forms in Schedule C to the District Court Rules 1997 (S.I. No. 93 of 1997), immediately following Form 41B.19.

Schedule 1

“Order 57

Proceedings under:

section 8 of the Enforcement of Court Orders Act 1940

**section 9A of the Family Law (Maintenance of Spouses and Children) Act
1976**

**section 52A of the Civil Partnership and Certain Rights and Obligations of
Cohabitants Act 2010**

Definitions

1. (1) In this Order:

“the Act of 1940” means the Enforcement of Court Orders Act 1940 (No. 23 of 1940);

“the Act of 1976” means the Family Law (Maintenance of Spouses and Children) Act 1976 (No. 11 of 1976);

“the Act of 2009” means the Enforcement of Court Orders (Amendment) Act 2009 (No. 21 of 2009);

“the Act of 2010” means the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 (No. 24 of 2010);

“the Act of 2011” means the Civil Law (Miscellaneous Provisions) Act 2011 (No. 31 of 2011);

“Maintenance Regulation” means Council Regulation (EC) 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations (OJ L7 of 10 January 2009, page 1);

“2011 Regulations” means the European Communities (Maintenance) Regulations 2011 (S.I. 274 of 2011) as amended by the European Communities (Maintenance) (Amendment) Regulations 2011 (S.I. No. 612 of 2011);

“2019 Regulations” means the European Union (Hague Maintenance Convention) Regulations 2019 (S.I. 594 of 2019).

(2) References in this Order to an “order” shall, as the circumstances require, be construed in accordance with:

- (a) sections 65 and 136 of the Act of 2010, or
- (b) regulation 10(2) of the 2011 Regulations, or

- (c) the definition of “enforceable maintenance order” in regulation 14(1) of the 2019 Regulations.

Venue

2. (1) Subject to sub-rule (2), proceedings to which this Order relates may be brought, heard or determined at any sitting of the Court for the court area where either party to the proceedings ordinarily resides or carries on any profession, business or occupation or where the order which it is sought to enforce was made and, save where the context otherwise requires, any reference in this Order to the “Clerk” is a reference to the Clerk for that court area.

(2) Notwithstanding sub-rule (1), proceedings to which this Order relates concerning an enforceable maintenance order to which the 2011 Regulations or, as the case may be, the 2019 Regulations apply may be brought, heard or determined at any sitting of the Court for:

- (a) where the maintenance debtor under the enforceable maintenance order concerned resides in the State, the court area in which the debtor resides or carries on any profession, business or occupation, or
- (b) where the maintenance debtor under the enforceable maintenance order concerned does not reside in the State but is employed by a person residing or having a place of business in the State or by a body whose seat of management or control is in the State, the court area in which the person resides or the body has its seat.

Application in writing for summons under section 8(1) of the Act of 1940

3. An application under section 8(1) of the Act of 1940 (as substituted by the Act of 2011) for the issue of a summons shall be in writing (and may be by the lodgment with the Clerk of a completed draft form of summons) and shall include:

- (a) a copy of the antecedent order concerned and, where relevant, a copy of any enforcement order made by the Master of the High Court in respect of the maintenance order concerned or, as the case may be, a copy of the extract in the form set out in Annex I or, as the case may be, Annex II, to the Maintenance Regulation, of the decision issued by the court of origin;
- (b) the period(s) for which the monetary amounts directed to be paid by the antecedent order have not been duly paid;
- (c) the amount of the arrears, and any amount provided by the antecedent order for costs and expenses which is unpaid;
- (d) a statement that the applicant understands that the information included in the application may have to be proved on oath at the hearing of any summons issued on foot of the application.

Issue of summons under section 8(1) of the Act of 1940

4. (1) The summons shall be in the Form 57.1 Schedule C. The summons shall, in addition to requiring the attendance of the defaulter at a sitting of the Court, also require the defaulter to complete, detach and lodge with the Clerk not less than one week before the date of the said sitting a statement of means and assets (in the Form 53.3 Schedule C, with the necessary modifications), which shall be attached to the summons.

(2) The applicant or solicitor for the applicant shall be entitled, on payment of the prescribed fee, to inspect and take or obtain copies of the statement of means at any time after it is lodged.

Distress warrant

5. A warrant of distress and sale under section 8(2)(c) of the Act of 1940 shall be in accordance with Form 57.2 Schedule C.

Application in writing for summons under section 9A(3) of the Act of 1976 or section 52A(3) of the Act of 2010

6. An application under section 9A(3) of the Act of 1976 (as inserted by the Act of 2011) or under section 52A(3) of the Act of 2010 (as inserted by section 146 of the Children and Family Relationships Act 2015) for the issue of a summons shall be in writing (and may be by the lodgment with the Clerk of a completed draft form of summons) and shall include:

- (a) a copy of the antecedent order concerned;
- (b) the period(s) for which the monetary amounts directed to be paid by the antecedent order have not been duly paid;
- (c) the amount of the arrears and any amount provided by the antecedent order for costs and expenses which is unpaid;
- (d) a statement that the applicant understands that the information included in the application may have to be proved on oath at the hearing of any summons issued on foot of the application.

Issue of summons under section 9A(3) of the Act of 1976 or section 52A(3) of the Act of 2010

7. The summons addressed to the debtor shall be in the Form 57.3 Schedule C.

Service of summonses and orders

8. (1) Order 41 shall apply to the service and lodgment of proof of service of a summons mentioned in rule 4.

(2) Order 51A, rules 8(5) to 8(8) inclusive shall apply to the service and lodgment of proof of service of a summons mentioned in rule 7.

(3) An order made under section 8(2)(a) or section 8(2)(b) of the Act of 1940 shall be in the Form 57.4 Schedule C and a copy of such order shall be sent by registered post by the Clerk to every person directed to pay monies to the Clerk.

Persons affected by garnishee order

9. (1) A person served with an order mentioned in rule 8(3) who is unable to comply with the order may apply to the Court by notice of application in the Form 57.5 Schedule C to set aside or vary the order. A copy of the notice shall be served on the defaulter and on the applicant not later than seven days before the hearing of the application and the original notice shall be lodged with the Clerk not later than four days before the hearing of the application.

(2) Where the Court is considering making an order under section 8(2)(a) or section 8(2)(b) of the Act of 1940, the Court may adjourn the hearing of the summons and direct that the person who would be directed to pay monies to the Clerk under any such order be put on notice of the adjourned application.

Warrant of arrest

10. A warrant of arrest issued under section 9A(5) of the Act of 1976 or 52A(5) of the Act of 2010 shall be in accordance with Form 57.6 Schedule C.

Warrant of detention

11. Where a failure by the maintenance debtor is treated as constituting contempt of court and an order of imprisonment is made, the warrant of detention shall be in accordance with Form 57.7 or 57.8 Schedule C, as appropriate.

Application to purge contempt

12. Where a person is imprisoned for contempt of court in accordance with section 9A of the Act of 1976 or section 52A of the Act of 2010:

- (a) the person shall be notified in writing of the action required to purge his contempt;
- (b) the Court may direct that, if the contempt has not previously been purged, the person shall be brought back before the Court at a place and time fixed by the Court.

Clerk to provide certificate and to be available to tender evidence

13. (1) Before the time fixed for the hearing of an application under section 8 of the Act of 1940, section 9A of the Act of 1976 or section 52A of the Act of 2010, any Clerk for another court area to whom payments under the maintenance order, variation order, interim order or enforceable maintenance order are payable shall send to the Clerk a certificate signed by him or her certifying the amount of monies outstanding on foot of such order.

(2) On the hearing of an application under section 8(1) of the Act of 1940, section 9A of the Act of 1976 or section 52A of the Act of 2010, without prejudice to any other evidence which may be required on that hearing, there shall be tendered or cause to be tendered as evidence—

- (a) the maintenance order, variation order, interim order, (as the case may be);
- (b) in the case of an enforceable maintenance order a copy of the maintenance order;
- (c) in the case of a decision referred to in Article 17.1 of the Maintenance Regulation, a copy of the extract in the form set out in Annex I or, as the case may be, Annex II, to the Maintenance Regulation, of the decision issued by the court of origin;
- (d) the application for the summons;
- (e) in the case of an enforceable maintenance order, a copy of the order made by the Master of the High Court, and
- (f) any other relevant document.

Provisions regarding warrants to apply

14. The provisions contained in Order 26 regarding warrants shall apply to warrants issued under this Order with the proviso that warrants of distress shall be addressed to and executed by the several Sheriffs and County Registrars.”

Schedule 2

41B.14

Notice that evidence will be taken

Schedule C
O. 41B, r. 35

**AN CHÚIRT DÚICHE
THE DISTRICT COURT**

District Court Area of

District No.

*In the matter of proceeding for the recovery of maintenance and entitled -v- in a court in a designated jurisdiction and a request from that court to obtain the evidence of a person residing in the State for the purposes of those proceedings.

*In the matter of a request from a requesting Central Authority for the purposes of Article 6(2)(g) of the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance done at The Hague on 23 November 2007 to obtain the evidence of a person residing in the State.

Record number:

NOTICE OF TIME AND PLACE AT WHICH EVIDENCE IS TO BE TAKEN

*Maintenance Act 1994, section 19(3)

*European Union (Hague Maintenance Convention) Regulations 2019 (S.I. No. 594 of 2019), Regulation 16(5)

WHEREAS the Judge of the District Court assigned to the above Court district has received a request from the Master of the High Court under:

*section 19(2) of the Maintenance Act 1994

*Regulation 16 of the European Union (Hague Maintenance Convention) Regulations 2019

to take the evidence of a person residing in Ireland at in the above Court district for the purposes of:

*proceedings at in a designated jurisdiction for the recovery of maintenance, a request to obtain such evidence having been made to the Central Authority by/on behalf of a court in a designated jurisdiction, namely, the Court in

*a request from a requesting Central Authority for the purposes of Article 6(2)(g) of the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance done at The Hague on 23 November 2007

TAKE NOTICE that the said Judge will take evidence of the person concerned, namely, on the..... day of 20...., at a.m./p.m. at the following place, when and where that person is hereby required to attend for the purpose of giving such evidence.

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

Signed District Court Clerk.

To: of: (the person concerned)

To: (the Central Authority)

To: The Master of the High Court

*delete whichever is inapplicable

41B.15
Deposition

Schedule C
O.41B, r.35

AN CHÚIRT DÚICHE
THE DISTRICT COURT

District Court Area of

District No.

*In the matter of proceedings for the recovery of maintenance and entitled -v in a court in a designated jurisdiction namely the court in and a request from that court to obtain the evidence of a person residing in the State, for the purposes of those proceedings

*In the matter of a request from a requesting Central Authority for the purposes of Article 6(2)(g) of the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance done at The Hague on 23 November 2007 to obtain the evidence of a person residing in the State

Record number:

DEPOSITION

*Maintenance Act 1994, section 19(4)

*European Union (Hague Maintenance Convention) Regulations 2019 (S.I. No. 594 of 2019), Regulation 16(7)

The deposition of of a person residing in Ireland at , who says upon oath as follows:—

Dated this day of 20....,

Signed:

Deponent

Sworn before me at a sitting of the District Court held at on this
day of 20....

Signed:

Judge of the District Court

*delete whichever is inapplicable

41B.20

Notice of registration

Schedule C
O41B, r.23(2)

ÉIRE
IRELAND

AN CHÚIRT DÚICHE
THE DISTRICT COURT

District Court Area of

District No.

In the matter of the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance done at The Hague on 23 November 2007

And In the matter of the European Union (Hague Maintenance Convention) Regulations 2019

To of, Maintenance debtor

ENDORSEMENT

This notice is issued to you as maintenance debtor, by the District Court. If you the maintenance debtor fail to make a payment due under the decision details of which are given below, a summons may be issued for you to attend before the District Court.

If you are concerned that you may not be able to comply with the terms of the decision, you should seek legal advice. The District Court cannot vary the terms of the decision.

NOTICE CONCERNING SUMS PAYABLE UNDER AN ENFORCEABLE MAINTENANCE ORDER

Between of Maintenance Creditor
and of Maintenance Debtor

Record number:

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 *(decision) *(made) *(as varied) on the day of 20.... by ‡..... and in respect of which a *(recognition order) *(declaration of enforceability) has been made by the Master of the High Court, Dublin on the day of 20.... are by virtue of Regulation 14(4) of the above-named Regulations of 2019 payable to the District Court Clerk assigned to 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 euro 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 assigned to the above District Court area,
District Court Office at.....

PARTICULARS OF SUMS DUE

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

In addition to the above sum you are obliged to pay €..... per week in accordance with the terms of the decision and the provisions of the above Regulations of 2019.

*Delete where inapplicable

‡State Court which made order

EXPLANATORY NOTE

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

These rules amend Order 57 and order 41B to provide for the operation of the European Union (Hague Maintenance Convention) Regulations 2019 (S.I. No. 594 of 2019).

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2,
D02 DR67.

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