



STATUTORY INSTRUMENTS.

S.I. No. 186 of 2022



RULES OF THE SUPERIOR COURTS (LODGMET AND TENDER) 2022

S.I. No. 186 of 2022

RULES OF THE SUPERIOR COURTS (LODGMET AND TENDER) 2022

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 31st day of January 2022.

Donal O'Donnell (Chairperson)

George Birmingham

Mary Irvine

Elizabeth Dunne

Brian R. Murray

Richard Humphreys

Yvonne McNamara

Grainne Larkin

Stuart Gilhooly

Liam Kennedy

James Finn

Mary Cummins

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

Dated this 21st day of March, 2022.

HELEN MCENTEE

Minister for Justice

S.I. No. 186 of 2022

RULES OF THE SUPERIOR COURTS (LODGMET AND TENDER) 2022

1. (1) These Rules, which may be cited as the Rules of the Superior Courts (Lodgment and Tender) 2022, shall come into operation on the 26th day of April 2022.

(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 2022.

2. The Rules of the Superior Courts are amended by the substitution for sub-rule (9) of rule 1 of Order 22 of the following sub-rule:

“(9) Notwithstanding sub-rule (7), in any case in which the plaintiff has, after the expiry of the time within which a defendant could make a payment into Court without leave, served:

- (i) a notice of replies to particulars, or
- (ii) additional particulars (without a request therefor), or
- (iii) a report of a medical practitioner concerning the plaintiff in a personal injuries action, in accordance with or for the purposes of Order 39, rule 46,

the defendant may, thereupon, without leave, make a payment or increase any payment made into Court within 21 days from the date thereof upon notice to the plaintiff.”

EXPLANATORY NOTE

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

These Rules substitute Order 22, rule 1(9) of the Rules of the Superior Courts to provide for a defendant to make or increase a lodgment or tender without leave of the court upon delivery of a further medical report by a plaintiff in personal injuries proceedings.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
D08 XAO6

Tel: 046 942 3100
r-phost: publications@opw.ie

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
MOUNTSHANNON ROAD,
KILMAINHAM, DUBLIN 8,
D08 XAO6

Tel: 046 942 3100
E-mail: publications@opw.ie

€3.00

