



STATUTORY INSTRUMENTS.

**S.I. No. 598 of 2014**



DISTRICT COURT (GENERAL) RULES 2014

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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 and Equality, make the following rules of court.

Dated this 26th day of May 2014.

Rosemary Horgan	Chairperson
Mary C Devins	
Brian Sheridan	
Conal Gibbons	
Fiona Twomey	
Roy Pearson	
Noel A Doherty	
Michelle Johnston	

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

Dated this 18th day of December, 2014.

FRANCES FITZGERALD,  
Minister for Justice and Equality.

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 2nd January, 2015.*

S.I. No. 598 of 2014

## DISTRICT COURT (GENERAL) RULES 2014

1. (1) These Rules, which may be cited as the District Court (General) Rules 2014, shall come into operation on the 31st day of December, 2014.

(2) These Rules shall be construed together with the District Court Rules 1997 (S.I. No. 93 of 1997) and all other District Court Rules.

(3) The District Court Rules as amended by these Rules may be cited as the District Court Rules 1997 to 2014.

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

(i) by the insertion immediately following rule 4 of Order 12 of the following rules:

*“4A Notice to the Court*

4A. (1) Before any application, other than an *ex parte* application or an application for an adjournment, is made to the Court, the applicant must, unless any statute or rule otherwise provides, give at least 48 hours notice in writing to the Clerk of the Court at which the application concerned is to be made.

*(2) Mode of giving notice*

(2) Where under these Rules notice is required or authorised to be given to the Clerk or other parties, such notice must be in writing and may be given by leaving the notice with the Clerk or other parties or by forwarding the notice by prepaid post. Where the notice is forwarded by prepaid post, the date of receipt of notice shall be the day of the actual receipt of the notice.

*(3) Newspaper notices*

(3) Where any newspaper notice is required in any proceedings in the Court, the Court may, where necessary, determine in which newspaper any notice is to be inserted.

*4B Where last day is a Saturday, Sunday or day on which court office closed*

4B. Where the time for doing any act or taking any proceeding expires on a Saturday, a Sunday or on another day on which the offices of the Court are closed, and for that reason, the act or proceeding cannot be done or taken on that day, the act or proceeding shall, so far as regards the time of doing or taking the same, be held to be duly done or taken if done or taken on the day on which the offices are next open.”;

(ii) by the insertion immediately following rule 9 of Order 12 of the following rules:

*9A Size of documents*

“9A. All documents and forms for lodgment in the Court or for service in connection with proceedings in the Court, except accounts, maps and plans, must be written, printed or typewritten on paper of A4 size.”;

- (iii) by the insertion immediately following rule 15 of Order 12 of the following rule:

*“16 Clerical mistakes*

16. Any clerical mistake in any order or warrant, or any error arising in any order or warrant from any accidental slip or omission, may at any time be corrected by the Court.”, and

- (iv) by the substitution for rule 3 of Order 45E of the following rule:

*“3 Clerical errors*

3. (1) The Court may correct any clerical mistake in a judgment or order, or any error arising in a judgment or order from any accidental slip or omission, at any time on the application by notice of motion of the party seeking the correction on notice to the party sought to be affected by the correction.

(2) Notwithstanding sub-rule (1), on application in writing of any party, the Clerk assigned to the Court area concerned may with the approval of the Court, make such correction where each and every party affected consent in writing, each such consent to be lodged with the said Clerk.

(3) The Court may correct any clerical mistake in a warrant issued in civil proceedings, or any error arising in a warrant issued in civil proceedings from any accidental slip or omission, at any time before execution of the warrant on the application *ex parte* by the party seeking the correction.

EXPLANATORY NOTE

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

These Rules amend Order 12 and Order 45E of the District Court Rules in respect of the procedure for various matters including the giving of notice to the Court, newspaper notices, lodging of documents where the court office is closed on the last day for doing so, the size of documents and the correction of clerical errors.

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