



STATUTORY INSTRUMENTS.

S.I. No. 9 of 2016



**RULES OF THE SUPERIOR COURTS (JURISDICTION,
RECOGNITION AND ENFORCEMENT OF JUDGMENTS) 2016**

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RECOGNITION AND ENFORCEMENT OF JUDGMENTS) 2016

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, section 14, the European Communities (Rules of Court) Regulations 1972 (S.I. No. 320 of 1972) and of all other powers enabling us in this behalf, do hereby make the following Rules of Court.

Dated this 12th day of February 2015.

Susan Denham
Sean Ryan
Nicolas Kearns
William McKechnie
Anthony Barr
Paul McGarry
Gerard Meehan
Stuart Gilhooly
Michael Kavanagh
Mary Cummins
Noel Rubotham

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

Dated this 11th day of January, 2016.

FRANCES FITZGERALD,
Minister for Justice and Equality.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 15th January, 2016.*

S.I. No. 9 of 2016

RULES OF THE SUPERIOR COURTS (JURISDICTION,
RECOGNITION AND ENFORCEMENT OF JUDGMENTS) 2016

1. (1) These Rules, which may be cited as the Rules of the Superior Courts (Jurisdiction, Recognition and Enforcement of Judgments) 2016, shall come into operation on the 12th day of January 2016.

(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 2016.

(4) Notwithstanding the commencement of these Rules, any application to the High Court concerning:

(a) a judgment given in legal proceedings instituted in a Member State of the European Union (other than the State) before 10 January 2015;

(b) an authentic instrument formally drawn up or registered before 10 January 2015, or

(c) a court settlement approved or concluded before 10 January 2015,

which falls within the scope of Council Regulation (EC) No. 44/2001 of 22 December 2000 on jurisdiction and enforcement of judgments in civil and commercial matters may be commenced, continued and determined as if these Rules had not come into force.

2. The Rules of the Superior Courts are amended:

(i) by the substitution for rule 1A of Order 4 of the following rule:

“1A. Where an indorsement of claim on an originating summons concerns a claim which by virtue of Regulation No. 1215/2012, Regulation No. 2201/2003, the 1968 Convention or the Lugano Convention, the Court has power to hear and determine, the following provisions shall apply:

(1) The originating summons shall be endorsed before it is issued with a statement that the Court has the power under Regulation No. 1215/2012, Regulation No. 2201/2003, the 1968 Convention or the Lugano Convention to hear and determine the claim and shall specify the particular provision or provisions of Regulation No. 1215/2012, Regulation No. 2201/2003, the 1968 Convention or the Lugano Convention (as the case may be) under which the Court should assume jurisdiction.

(2) The originating summons shall be endorsed before it is issued with a statement that no proceedings between the parties concerning the same cause of action are pending between the parties in another Member State of the European Union or in a Contracting State of the Lugano Convention.

(3) In matters referred to in Sections 3, 4 or 5 of Regulation No. 1215/2012 where the policyholder, the insured, a beneficiary of the insurance contract, the injured party, the consumer or the employee is the defendant, the originating summons shall be endorsed before it is issued with a statement that:

- (i) the defendant has a right to contest the jurisdiction of the Court and that if he or she wishes to do so, he or she should enter an appearance to contest jurisdiction in accordance with Order 11A, rule 8, and
- (ii) if he or she enters an unconditional appearance, the Court has jurisdiction under Article 26.1 of Regulation No. 1215/2012, and
- (iii) if he or she does not enter an appearance, judgment may be given in default against him or her.”;

- (ii) by the substitution for sub-rule (2) of rule 14 of Order 5 of the following sub-rule:

“(2) Service of an originating summons or other originating document or notice of an originating summons or other originating document out of the jurisdiction is permissible without the leave of the Court, if, but only if, it complies with the following conditions:

- (i) each claim made by the summons or other originating document is one which by virtue of Regulation No. 1215/2012, Regulation No. 2201/2003, the 1968 Convention or the Lugano Convention, the Court has power to hear and determine, and
- (ii) no proceedings between the parties concerning the same cause of action are pending between the parties in another Member State of the European Union or in a Contracting State of the Lugano Convention.”;

- (iii) by the substitution for Order 11A of the Order set out in Schedule 1;

- (iv) by the substitution for sub-rule (1) of rule 4 of Order 11B of the following sub-rule:

“4. (1) Where two or more defendants are parties to proceedings to which the provisions of this Order apply, but not every such co-defendant is domiciled in:

- (i) a Member State of the European Union;
- (ii) a Contracting State of the Lugano Convention, or
- (iii) a state in which of the 1968 Convention is in force,

for the purposes of the 1998 Act, Regulation No. 1215/2012 or the Lugano Convention, then the provisions of Order 11 requiring leave to serve out of the jurisdiction shall apply to each and every such co-defendant.”;

- (v) by the deletion from rule 1 of Order 11D of the definition:

““Regulation No. 44/2001” has the same meaning as in Order 11A, rule 9;”

- (vi) by the substitution for sub-rule (4) of rule 5 of Order 11D of the following sub-rule:

“(4) The affidavit referred to in sub-rule (3) shall also state that in the deponent's belief:

- (i) each claim made by the summons is one which, by virtue of Regulation No. 1215/2012 (or, as the case may be, Regulation No. 2201/2003) or any amendment thereto, the Court has power to hear and determine, and
- (ii) no other Court has exclusive jurisdiction within the meaning of Regulation No. 1215/2012 or, as the case may be, of Regulation No. 2201/2003, to hear and determine such claim.”;

- (vii) by the substitution for sub-rule (4) of rule 2 of Order 12 of the following sub-rule:

“(4) For the purposes of this rule:

“domicile” is to be determined, as the case may be, in accordance with the provisions of:

Article 2 of Regulation 2201/2003,

Articles 62 and 63 of Regulation No. 1215/2012,

Articles 59 and 60 of the Lugano Convention, or

section 15 and the Ninth Schedule of the 1998 Act”;

- (viii) by the substitution for Order 13A of the Order set out in Schedule 2;

(ix) by the substitution for Order 19, rule 3A of the following rule:

“3A. Where a statement of claim concerns a claim which the Court has power to hear and determine by virtue of any of Regulation No. 1215/2012, Regulation No. 2201/2003, the Lugano Convention or the 1968 Convention, the following provisions shall apply:

(1) The statement of claim shall be endorsed with a statement that the Court has power under Regulation No. 1215/2012, Regulation No. 2201/2003, the Lugano Convention or the 1968 Convention (as the case may be) to hear and determine the claim and shall specify the particular provision or provisions of the relevant instrument concerned under which the Court should assume jurisdiction; and

(2) The statement of claim shall be endorsed with a statement that no proceedings between the parties concerning the same cause of action are pending between the parties in another Member State of the European Union or (as the case may be) in a Contracting State of the Lugano Convention.”;

(x) by the substitution for rules 8 and 9 of Order 29 of the following rules:

“8. No defendant shall be entitled to an order for security for costs in proceedings for the enforcement of a judgment under Chapter III of Regulation No.1215/2012, Chapter III of Regulation No. 2201/2003, Title III of the Lugano Convention, or Title III of the 1968 Convention solely on the ground that the plaintiff is a foreign national or that he or she is not domiciled or resident in the State in which enforcement is sought.

9. For the purposes of rule 8, “domicile” is to be determined, as the case may be, in accordance with the provisions of:

Article 2 of Regulation 2201/2003,

Articles 62 and 63 of Regulation No. 1215/2012,

Articles 59 and 60 of the Lugano Convention, or

section 15 and the Ninth Schedule of the 1998 Act”;

(xi) by the substitution for Order 42A of the Order set out in Schedule 3;

(xii) by the substitution in rule 1 of Order 125 for the definition therein of “Regulation No. 44/2001” of the following definition:

““Regulation No. 1215/2012” means Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast) (O.J. L. 351/1 of 20 December 2012)”, and

(xiii) by the substitution for Form No. 6 in Part II of Appendix A of the form in Schedule 4.

3. (1) The forms numbered 1A, 1B and 1C in Part 1 of Schedule 5 shall be added to the forms in Part I of Appendix F to the Rules of the Superior Courts immediately following Form No. 1:

(2) The forms numbered 1A, 1B and 1C in Part 2 of Schedule 5 shall be added to the forms in Part II of Appendix F to the Rules of the Superior Courts immediately following Form No. 1:

Schedule 1**“Order 11A****Service out of the Jurisdiction under Regulation (EC) No. 1215/2012 or the Lugano Convention (Civil and Commercial Matters)**

1. The provisions of this Order only apply to proceedings which are governed by Article 1 of Regulation No. 1215/2012 or by Article 1 of the Lugano Convention and, so far as practicable and applicable, to any order, motion or notice in any such proceedings.

2. Service of an originating summons or notice of an originating summons out of the jurisdiction is permissible without the leave of the Court if, but only if, it complies with the following conditions:

(a) in the case of proceedings which are governed by Article 1 of Regulation No. 1215/2012—

(1) the claim made by the summons or other originating document is one which, by virtue of Regulation No. 1215/2012, the Court has power to hear and determine, and

(2) no proceedings between the parties concerning the same cause of action are pending between the parties in another Member State of the European Union, or

(b) in the case of proceedings which are governed by Article 1 of the 2007 Lugano Convention—

(1) the claim made by the summons or other originating document is one which, by virtue of the Lugano Convention and the 1998 Act, the Court has power to hear and determine, and

(2) no proceedings between the parties concerning the same cause of action are pending between the parties in another Contracting State of the Lugano Convention.

3. Where an originating summons or notice of an originating summons is to be served out of the jurisdiction under rule 2, the time to be inserted in the summons within which the defendant served therewith shall enter an appearance (including an appearance entered solely to contest jurisdiction by virtue of Article 26(1) of Regulation No. 1215/2012 or Article 24 of the Lugano Convention) shall be:

(1) five weeks after the service of the summons or notice of summons exclusive of the day of service where an originating summons or notice of an originating summons is to be served in the European territory of another Member State of the European Union or of another Contracting State of the Lugano Convention, or

(2) six weeks after the service of the summons or notice of summons exclusive of the day of service where an originating summons or notice of an originating summons is to be served in any non-European territory of another Member State of the European Union or of another Contracting State of the Lugano Convention.

4. (1) Where two or more defendants are parties to proceedings to which the provisions of this Order apply, but not every such co-defendant is domiciled in:

- (i) a Member State of the European Union, or
- (ii) a Contracting State of the Lugano Convention,

for the purposes of Regulation No. 1215/2012, the Lugano Convention or the 1998 Act, then the provisions of Order 11 requiring leave to serve out of the jurisdiction shall apply to each and every such co-defendant.

(2) This rule shall not apply to proceedings to which the provisions of Article 24 of Regulation No. 1215/2012 or Article 22 of the Lugano Convention concerning exclusive jurisdiction, or Article 25 of Regulation No. 1215/2012 or Article 23 of the Lugano Convention concerning prorogation of jurisdiction, apply. Service of such proceedings on all co-defendants shall be governed by the provisions of this Order.

5. (1) Subject to the provisions of Regulation No. 1215/2012 or, as the case may be, of the Lugano Convention, where the parties to any contract have agreed without conferring jurisdiction for the purpose of Article 25 of Regulation No. 1215/2012 or Article 23 of the Lugano Convention, that service of any summons in any proceedings relating to such contract may be effected at any place within or without the jurisdiction on any party or on any person on behalf of any party or in any manner specified or indicated in such contract, then, in any such case, notwithstanding anything contained in these Rules, service of any such summons at the place (if any) or on the party or on the person (if any) or in the manner (if any) specified or indicated in the contract shall be deemed to be good and effective service wherever the parties are resident. If no place, or mode, or person be so specified or indicated, service shall be effected in accordance with these Rules.

(2) Where a contract contains an agreement conferring jurisdiction to which the provisions of Article 25 of Regulation No. 1215/2012 or Article 23 of the Lugano Convention concerning prorogation of jurisdiction apply and the originating summons is issued for service out of the jurisdiction without leave under rule 2 and is duly served in accordance with these Rules, the summons or notice of summons shall be deemed to have been duly served on the defendant.

6. Where the defendant is not, or is not known or believed to be, a citizen of Ireland, notice of summons and not the summons itself shall be served upon him.

7. Subject to the provisions of this Order, notice in lieu of summons shall be given in the manner in which summonses are served.

8. Where a defendant wishes to enter an appearance to contest the jurisdiction of the Court for the purposes of Article 26(1) of Regulation No. 1215/2012 or Article 24 of the Lugano Convention, he may do so by entering an appearance in Form No. 6 in Appendix A, Part II.

9. While any amendments to the Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters annexed to Council Decision No. 2005/790/EC of 20 September 2005 (OJ L 299/61 of 16 November 2005) signed at Brussels on 19 October 2005 and approved on behalf of the Community by Council Decision No. 2006/325/EC of 27 April 2006 (OJ L 120/22 of 5 May 2006) which have the effect of applying the provisions of Regulation No. 1215/2012 to the Kingdom of Denmark are for the time being in force, notwithstanding any other provision of these Rules to the contrary, the provisions of these Rules which relate to Regulation No. 1215/2012 shall apply in relation to the Kingdom of Denmark, to the extent permitted, and subject to any modifications made necessary, by that Agreement, and the provisions of these Rules which relate to the 1968 Convention shall not apply. While at any time such amendments to the said Agreement are not in force, Order 11B shall apply in relation to proceedings involving a defendant domiciled in the Kingdom of Denmark.

10. For the purpose of this Order:

“domicile” is to be determined in accordance with the provisions of Articles 62 and 63 of Regulation No. 1215/2012 or, as the case may be, of Articles 59 and 60 of the Lugano Convention;

“summons” includes, where the context so admits or requires, any other originating document.”

Schedule 2

“Order 13A

Default of Appearance under Regulation No. 1215/2012, Regulation No. 2201/2003, the Lugano Convention and the Jurisdiction of Courts and Enforcement of Judgments Act 1998

1. Where an originating summons has been issued out of the jurisdiction under Order 11A, rule 2, Order 11B, rule 2 or Order 11C, rule 2, the plaintiff shall not be entitled to enter judgment except with leave of the Court.

2. An application for leave to enter judgment shall be made on notice and shall be supported by an affidavit stating that in the deponent's belief:

(1) each claim made by the summons is one which by virtue of Regulation No. 1215/2012, Regulation No. 2201/2003, the Lugano Convention or the 1998 Act (as the case may be) the Court has power to hear and determine, and

(2) no other Court has exclusive jurisdiction within the meaning of Article 24 of Regulation No. 1215/2012 or Article 22 of the Lugano Convention or Article 16 of the 1968 Convention (as the case may be) to hear and determine such claim, and

(3) where the summons or notice of the summons was served out of the jurisdiction under Order 11A, rule 2, Order 11B, rule 2 or Order 11C, rule 2, such service has taken place in due and proper form,

and giving in each case the source of grounds of such belief.

3. In the case of default of appearance by any defendant to an originating summons, the plaintiff shall:

(1) in the case of a plenary summons, (other than a personal injuries summons as defined in Order 1A), deliver a statement of claim by filing the same in the Central Office; or,

(2) in the case of a special summons file a grounding affidavit in the Central Office; or,

(3) in the case of a personal injuries summons, a summary summons or any other originating document, file an affidavit in the Central Office verifying the facts relied upon,

and thereupon may apply to court for a judgment in default of appearance.

4. Subject to the provisions of this Order, Order 13 shall, so far as practicable, apply to applications under this Order for leave to enter a judgment.

5. For the purpose of this Order, “summons” includes, where the context so admits or requires, any other originating document.”.

Schedule 3

“Order 42A

Protective Measures and Enforcement of Judgments, Authentic Instruments, Court Settlements and Decisions under the Jurisdiction of Courts and Enforcement of Judgments Act 1998, Council Regulation (EC) No. 1346/2000, Council Regulation (EC) No. 2201/2003, Council Regulation (EC) No. 4/2009 and Council Regulation (EC) No. 1215/2012

1. For the purposes of this Order:-

“2007 Hague Protocol” means the Hague Protocol of 23 November 2007 on the law applicable to maintenance applications;

“2011 Regulations” means the European Communities (Maintenance) Regulations 2011 (S.I. No. 274 of 2011);

“decision” has the same meaning as in Article 2.1.1 of the Maintenance Regulation;

“insolvency judgment” means a judgment referred to in Article 25 of the Insolvency Regulation;

the “Insolvency Regulation” means Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings (OJ L 160/1 of 30 June 2000);

the “Maintenance Regulation” means Council Regulation (EC) No. 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations (OJ L 7/1 of 10 January 2009);

“relevant European Union instrument” means, as the case may be,

- (a) Regulation No. 1215/2012, or
- (b) the Lugano Convention as applied by the 1998 Act, or
- (c) Regulation No. 2201/2003, or
- (d) the Insolvency Regulation, or
- (e) the Maintenance Regulation;

“relevant order” means, as the case may be:

- (a) an order granting leave to enforce a judgment under Chapter III of Regulation No. 2201/2003, or
- (b) an order granting leave to enforce a judgment under sections 7 and 8 of the 1998 Act, or

- (c) an order granting leave to enforce a judgment under sections 20E and 20F of the 1998 Act, or
- (d) an enforcement order under Article 30 of the Maintenance Regulation and Regulation 9(3) of the 2011 Regulations;

“relevant provisional measures” means, as the case may be,

- (a) provisional, including protective, measures under Article 35 of Regulation No. 1215/2012 or section 13 of the 1998 Act (including an application for provisional (including protective) measures under the Lugano Convention by virtue of section 20K of the 1998 Act), or
- (b) provisional, including protective, measures of a kind referred to in Article 20 of Regulation No. 2201/2003 (but not including any such measures which may be sought as interim directions pursuant to section 12 or section 26 of the Child Abduction and Enforcement of Custody Orders Act 1991, and to which Order 133, rule 6 applies), or
- (c) preservation measures under Article 38 of the Insolvency Regulation, or
- (d) provisional, including protective, measures under Article 14 of the Maintenance Regulation.

2. An application for relevant provisional measures shall be made *ex parte* to the High Court.

3. (1) An application for relevant provisional measures shall be grounded upon an affidavit specifying the relevant provisional measures sought pursuant to:

- (a) Article 35 of Regulation No. 1215/2012 or section 13 of the 1998 Act (including an application for provisional (including protective) measures under Article 31 of the Lugano Convention by virtue of section 20K of the 1998 Act), or
- (b) Article 20 of Regulation No. 2201/2003, or
- (c) Article 38 of the Insolvency Regulation, or
- (d) Article 14 of the Maintenance Regulation.

(2) The affidavit by which the application is made, in addition to setting out the information and exhibiting the documents necessary to ground the application, shall:

- (a) state the nature of the proceedings or intended proceedings and exhibit a certified true copy of the document or documents used or proposed to be used to institute the proceedings;

- (b) specify the Member State of the European Union or, in the case of applications under the Lugano Convention, the Contracting State of the Lugano Convention in which the proceedings have been commenced or are to be commenced;
- (c) state the particular provisions of the relevant European Union instrument by which the court of the Member State of the European Union (or, in the case of an application under the Lugano Convention, of the Contracting State of the Lugano Convention) has assumed jurisdiction or, in the case of intended proceedings, would be entitled to assume jurisdiction.

4. The Court may make *ex parte* any interim order for relevant provisional measures upon such terms as to costs or otherwise or subject to such undertaking, if any, as the Court may think just; and any party affected by such order may move to set it aside. Every application for an interlocutory order for relevant provisional measures shall be brought by notice of motion.

5. (1) An application for the enforcement of a judgment pursuant to Chapter III of Regulation No. 2201/2003 or sections 7 or 20E of the 1998 Act shall be made *ex parte* to the Master.

(2) Where an application under the Maintenance Regulation for the recognition and enforcement of a decision given in a Member State not bound by the 2007 Hague Protocol is to be sent by the Central Authority to the Master in accordance with Regulation 17(2) of the 2011 Regulations, the Central Authority shall lodge with the Master the documents referred to in rule 8, and the determination of the application shall be notified in accordance with Regulation 17(3) of the 2011 Regulations.

(3) Any application under the Maintenance Regulation for the recognition and enforcement of a decision given in a Member State not bound by the 2007 Hague Protocol other than an application referred to in sub-rule (2) shall be made by motion *ex parte* grounded upon an affidavit specifying the protective measures (if any) requested by the applicant pursuant to Article 14 (and subject to Article 36(3)) of the Maintenance Regulation and exhibiting the documents mentioned in rule 8(a), (b) and (c).

(4) The provisions of sub-rules (2) and (3) shall apply *mutatis mutandis* to a decision given in a Member State bound by the 2007 Hague Protocol to which paragraph (a) or (b) of Article 75 of the Maintenance Regulation applies.

6. An application for enforcement referred to in rule 5(1) shall be made by motion *ex parte* grounded upon an affidavit specifying the protective measures (if any) requested by the applicant pursuant to section 13(3) of the 1998 Act or, as the case may be, section 20K, of the 1998 Act, and exhibiting:

- (a) in the case of an application pursuant to Article 38 of the Lugano Convention, the judgment which is sought to be enforced or a certified or otherwise duly authenticated copy thereof and the certificate referred to in Article 54 of the Lugano Convention, or

(b) in the case of an application pursuant to Article 28 of Regulation No. 2201/2003, the judgment which is sought to be enforced or a certified or otherwise duly authenticated copy thereof and the certificate referred to in Article 39 of Regulation No. 2201/2003 and, in the case of a judgment given in default, the original or certified copy of a document which establishes that the party in default was served with the document or documents instituting the proceedings or with the equivalent document, or any document indicating that the defendant has accepted the judgment unequivocally, or

(c) in any other case:

(1) the judgment which is sought to be enforced or a certified or otherwise duly authenticated copy thereof;

(2) in the case of a judgment given in default, the original or certified copy of a document which establishes that the party in default was served with the document or documents instituting the proceedings or with an equivalent document or documents in sufficient time to enable him to arrange for his defence;

(3) documents which establish that, according to the law of the state in which it has been given, the judgment is enforceable and has been served;

(4) where applicable, a document showing that the applicant is in receipt of legal aid in the state in which the judgment was given.

7. The affidavit grounding the application for enforcement referred to in rule 5(1) shall also state:

(1) whether the said judgment provides for the payment of a sum or sums of money;

(2) whether interest is recoverable on the judgment or part thereof in accordance with the law of the state in which the judgment was given, and if such be the case, the rate of interest, the date from which the interest is recoverable, and the date on which interest ceases to accrue;

(3) an address for service of proceedings on the party making the application and, to the best of the deponent's knowledge and belief, the name and usual or last known address or place of business of the person against whom judgment was given;

(4) the grounds on which the right to enforce the judgment is vested in the party making the application;

(5) as the case may require, that at the date of the application the judgment has not been satisfied, or the judgment has not been fully satisfied, and the part or amount in respect of which it remains unsatisfied.

8. An application for recognition and enforcement referred to in rule 5(2) shall specify the protective measures (if any) requested by the Central Authority on behalf of the applicant pursuant to Article 14 (and subject to Article 36(3)) of the Maintenance Regulation and shall include:

- (a) a duly authenticated copy of the decision which is sought to be enforced;
- (b) the extract referred to in Article 28(1)(b) of the Maintenance Regulation;
- (c) where necessary, a transliteration or translation (done in accordance with rule 19) of the content of the extract referred to in paragraph (b) into Irish or English.

9. Where the party making the application under rule 5 does not produce the documents referred to in rules 6, 7 or 8, the Master may, if he sees fit, adjourn the application to allow the applicant an opportunity to produce the said documents or, alternatively, accept equivalent documents, or dispense with the production of the said documents.

10. (1) A relevant order made under the 1968 Convention or the Lugano Convention shall state the period in accordance with:

- (a) Article 36 of the 1968 Convention, or
- (b) Article 43(5) of the Lugano Convention,

(as the case may be) within which an appeal may be made against the relevant order for enforcement, and shall:

- (i) contain a notification that execution of the judgment or decision will not issue until after the expiration of that period, and
- (ii) specify the protective measures (if any) granted pending execution.

(2) A relevant order made under Regulation No. 2201/2003 shall:

- (i) state the period in accordance with Article 33(5) of Regulation No. 2201/2003 within which an appeal may be made against the relevant order for enforcement, and
- (ii) contain a notification that execution of the judgment or decision may issue before the expiration of that period, and
- (iii) contain a notification that execution of the judgment or decision may be stayed on application to the Court in the event of an ordinary appeal in the Member State of origin, and
- (iv) specify the protective measures (if any) granted pending execution.

(3) A relevant order made under the Maintenance Regulation shall:

- (i) state the period in accordance with Article 32 of the Maintenance Regulation within which an appeal may be made against the relevant order for enforcement, and
- (ii) contain a notification that execution of the judgment or decision may issue before the expiration of that period, and
- (iii) contain a notification that execution of the judgment or decision shall, on application to the Court of the party against whom enforcement is sought, be stayed if the enforceability of the judgment or decision is suspended in the Member State of origin by reason of an appeal, and
- (iv) specify the protective measures (if any) granted pending execution.

11. Notice of the making of a relevant order shall be served together with the relevant order on the person against whom the relevant order was made by delivering it to him personally or in such other manner as the Master may direct. The provisions of Order 11A, Order 11B or Order 11C as appropriate shall apply in relation to such a notice as they apply in relation to an originating summons. Notice of the making of a relevant order under the Maintenance Regulation shall also be given to the Central Authority by delivering a copy of the relevant order to the Central Authority by registered post or in such other manner as the Master may direct.

12. The notice of enforcement shall state:

- (a) full particulars of the judgment or decision declared to be enforceable and the relevant order,
- (b) the name and address of the party making the application and his address for service,
- (c) the protective measures (if any) granted in respect of the property of the person against whom judgment was given,
- (d) the right of the person against whom the relevant order was made to appeal to the High Court against the relevant order, and
- (e) the period within which an appeal against the relevant order may be made.

13. (1) If enforcement is authorised by the Master, the party against whom enforcement is sought may, subject to sub-rules (2), (3), (4) and (5), appeal against the relevant order to the High Court within one month of service thereof or, where the relevant order is made under the Maintenance Regulation, within thirty days of service thereof. All such appeals may be brought by notice of motion which shall be served on the party in whose favour the relevant order

was granted by the Master. In the case of a relevant order under the Maintenance Regulation, the notice of motion shall also be served on the Central Authority, but the Central Authority shall not be required to participate in the appeal proceedings. The High Court shall have power to stay the proceedings, on such terms as it sees fit, if an ordinary appeal has been brought against the judgment which is sought to be enforced in the Member State of the European Union (other than the State) or the Contracting State of the 1968 Convention or Contracting State of the Lugano Convention (other than the State) in which that judgment was given; or if the time for such an appeal has not yet expired, the High Court may specify the time within which such an appeal is to be lodged in the courts of that Member State of the European Union or that Contracting State of the 1968 Convention or Contracting State of the Lugano Convention (as the case may be). A copy of any order made in an appeal concerning a relevant order under the Maintenance Regulation shall also be served by the appellant on the Central Authority.

(2) In the case of enforcement proceedings under Chapter III of Regulation No. 2201/2003, if the party against whom enforcement is sought is habitually resident in a Member State of the European Union other than the State, the time for appealing shall be two months and shall run from the date of service, either on him personally or at his residence.

(3) In the case of enforcement proceedings under Title III of the 1968 Convention, if the party against whom enforcement is sought is domiciled in a Member State of the European Union other than the State, the time for appealing shall be two months and shall run from the date of service, either on him personally or at his residence.

(4) In the case of enforcement proceedings under Title III of the Lugano Convention, if the party against whom enforcement is sought is domiciled in a Contracting State of the 1968 Convention or Contracting State of the Lugano Convention other than the State the time for appealing shall be two months and shall run from the date of service, either on him personally or at his residence.

(5) In the case of proceedings under Section 2 of Chapter IV of the Maintenance Regulation, if the party against whom enforcement is sought is habitually resident in a Member State of the European Union other than the State, the time for appealing shall be 45 days and shall run from the date of service, either on him personally or at his residence.

14. If the application for enforcement of the judgment or recognition and enforcement of the decision is refused, the applicant may appeal to the High Court within five weeks from the perfection of the order of the Master. The appeal shall be brought by notice of motion grounded upon an affidavit establishing that the party against whom enforcement is sought has been notified of the appeal and the date specified for the hearing of the appeal in sufficient time to enable him to arrange for his defence or, alternatively, that all necessary steps have been taken to this end.

15. (1) Execution shall not issue on a judgment or decision in respect of which a relevant order has been made under the 1968 Convention, the Lugano Convention or, as the case may be, the Maintenance Regulation, until after the expiration of the period specified in accordance with the provision of rule 13 applicable to the proceedings concerned, or if that period has been extended by the Court, until after the expiration of any such extended period.

(2) If an appeal is made to the High Court under rule 13, execution of a judgment or decision in respect of which a relevant order has been made under the 1968 Convention the Lugano Convention or, as the case may be, the Maintenance Regulation, shall not issue until after such appeal (including any further appeal) is determined.

(3) Any party wishing to issue execution on a judgment or decision in respect of which a relevant order has been made must produce to the appropriate officer an affidavit of service of the relevant order concerned granting leave to enforce a judgment or decision and of any order made in the jurisdiction in relation to the judgment or decision.

16. (1) The following provisions of this rule shall apply to appeals to the Court of Appeal under:

(a) Article 34 of Regulation No. 2201/2003, or

(b) Article 41 of the 1968 Convention, or

(c) Article 44 of the Lugano Convention, or

(d) Article 33 of the Maintenance Regulation

from a decision of the High Court granting or refusing recognition or enforcement (as the case may be) of a judgment or decision.

(2) Notwithstanding Order 86A, rules 9 and 13, every such appeal shall be lodged within five weeks from the date of perfection of the order of the High Court.

(3) It shall be the duty of the Registrar of the Court of Appeal to apply to the appropriate Registrar of the High Court for a signed copy of the note made by the High Court Judge of any question of law raised before him and of the facts and evidence relating thereto and of his decision thereon and on the question or matters submitted to him. Such copies shall be received for the use of the Court of Appeal and shall be used and received at the hearing of the appeal. The Registrar of the Court of Appeal shall further apply to such appropriate High Court Registrar for the transmission to him for the use of the Court of Appeal of a file of all documents and papers relating to the case. If such note as aforesaid cannot be produced, the Court of Appeal shall have power to hear and determine the appeal upon any other evidence or statement of what occurred before the High Court Judge which the Court of Appeal may deem sufficient.

(4) Subject to the provisions of this rule, the provisions of Order 86A, shall, so far as practicable, apply to an appeal mentioned in sub-rule (1).

17. The foregoing rules of this Order shall apply to an application for recognition of a judgment or decision as they apply to an application for enforcement of a judgment with the exception that the applicant shall not be required to produce the documents referred to in rules 6(c)(3) and (4).

18. The foregoing rules of this Order shall apply as appropriate to an application:

- (a) for the enforcement of an instrument or settlement referred to in Title IV of the 1968 Convention or in Title IV of the Lugano Convention, or
- (b) for the enforcement of an instrument or agreement referred to in Section 5 of Chapter III of Regulation No. 2201/2003, or
- (c) for the recognition or enforcement of a court settlement or authentic instrument referred to in Article 48 of the Maintenance Regulation.

19. Where any judgment, decision, order or document which is required for the purposes of this Order is not in one of the official languages of the State, a translation thereof into the Irish or English language certified by a person competent and qualified for the purpose in one of the Member States of the European Union, Contracting States of the 1968 Convention or Contracting States of the Lugano Convention, as appropriate to the case, shall be admissible as evidence of same. The competence and qualification of the translator shall be verified by affidavit.

20. In the case of a judgment or decision of the High Court, the Court of Appeal or the Supreme Court sought to be enforced in another Member State of the European Union or in a Contracting State of the Lugano Convention, a Registrar of the High Court or the Registrar of the Court of Appeal or Supreme Court (as the case may be) shall, at the request of an interested party, give such party a copy of the order and the written judgment (if any) of the Court duly authenticated.

21. (1) In the case of a judgment or decision of the High Court, the Court of Appeal or the Supreme Court sought to be enforced or recognised in another Member State of the European Union or a Contracting State of the Lugano Convention, any application for a certificate signed by a Registrar of the High Court or the Registrar of the Court of Appeal or Supreme Court (as the case may be) shall be made on affidavit to the said Registrar.

(2) The affidavit by which an application mentioned in sub-rule (1) is made shall:

- (a) state the nature of the proceedings;

- (b) state the particular provision or provisions of Regulation No. 1215/2012 or of Regulation No. 2201/2003 or of the 1968 Convention or of the Lugano Convention by which the Court assumed jurisdiction;
- (c) state the date on which the time for the lodging of an appeal against the judgment or decision will expire or, if it has expired, the date on which it expired;
- (d) state whether notice of appeal against, or in any case where the defendant does not appear, a notice to set aside, the judgment or decision has been entered;
- (e) state whether the judgment is for the payment of a sum of money, the rate of interest, if any, payable on the sum and the date from which interest is payable;
- (f) include annexed thereto two certified true copies of the originating summons or other process by which the proceedings were begun together with one copy of all the proceedings.

(3) In the case of a judgment or decision of the High Court, the Court of Appeal or the Supreme Court sought to be enforced or recognised in another Member State of the European Union or a Contracting State of the Lugano Convention, any application by a party for an extract in the form in Annex I or Annex II to the Maintenance Regulation, signed by a Registrar of the High Court or the Registrar of the Court of Appeal or Supreme Court (as the case may be) shall be made to the said Registrar, and the requesting party shall:

- (a) lodge with the said Registrar an official duplicate or certified copy of the order recording the decision, and
- (b) file an affidavit in support of the request which affidavit shall:
 - (i) state the particular provision or provisions of the Maintenance Regulation by which the Court assumed jurisdiction,
 - (ii) state the equivalent of the details required in paragraphs (a), (c), (d) and (e) of sub-rule (2), and
 - (iii) give such further information as is required to be provided in the form in Annex I or Annex II to the Maintenance Regulation, as is within the applicant's knowledge, in the sequence in which the information appears in the form concerned.

(4) The certificate mentioned in sub-rule (1) signed by the Registrar of the Court shall, as the case may be, be in the form in Annex I to Regulation 1215/2012, or be in the form in Annex V to the Lugano Convention or be in the form in Annex I or II, as appropriate, to Regulation No. 2201/2003, or in any other case, shall be in accordance with Form No. 1 in Part III of Appendix F and shall be sealed with the seal of the High Court (or the Court of Appeal or

Supreme Court, as the case may be), having annexed to it a certified true copy of the originating summons or other originating document by which the proceedings were commenced.

(5) An extract mentioned in sub-rule (3) signed by the Registrar of the Court shall be in the form in Annex I or Annex II, as appropriate, to the Maintenance Regulation, and shall have annexed to it a certified true copy of the originating summons or other originating document by which the proceedings were commenced.

(6) In the case of a judgment or decision in default of appearance, the affidavit grounding an application under sub-rule (2) shall, in addition, exhibit a certified true copy of the document which establishes that the person in default was served with the document instituting the proceedings.

22. (1) Where a party seeks enforcement in the State pursuant to Article 47 of Regulation No. 2201/2003 of a judgment of a kind referred to in Article 41(1) or Article 42(1) of Regulation No. 2201/2003 given in another Member State of the European Union, the application for such enforcement shall be by originating notice of motion entitled:

“The High Court

Family Law

In the Matter of Article 41 or 42 [as the case may be] of Regulation No. 2201/2003

And In the Matter of the Foreign Proceedings entitled “ ”.

(2) The said originating notice of motion shall be grounded on an affidavit exhibiting the documents referred to in Article 45 of Regulation No. 2201/2003 and shall specify the orders or other reliefs sought from the Court for the purposes of the enforcement of the judgment.

(3) The Court may give such directions as appear appropriate as to the service of the originating notice of motion.

23. (1) In this rule, “domestic judgment” means any:

- (a) judgment of the Court (including a judgment given or order made by consent or a settlement made a rule of court);
- (b) judgment of the Court of Appeal (including a judgment given or order made by consent or a settlement made a rule of court);
- (c) judgment of the Supreme Court (including a judgment given or order made by consent or a settlement made a rule of court), or
- (d) judgment entered in the Central Office pursuant to these Rules or on foot of any order,

to which Regulation No. 1215/2012 applies.

(2) Subject to Regulation No. 1215/2012 and to this Order, the provisions of these Rules, in relation to the enforcement of a domestic judgment, shall apply to:

- (a) a judgment to which Article 39 of Regulation No. 1215/2012 applies;
- (b) an authentic instrument to which Article 58(1) of Regulation No. 1215/2012 applies, and
- (c) a court settlement to which Article 59 of Regulation No. 1215/2012 applies,

and any reference in any of the said Rules to a “judgment” shall, where the context so admits, include a reference to such a judgment, authentic instrument or court settlement.

(3) Where an application is made by a person for enforcement measures under these Rules, in respect of a judgment, authentic instrument or court settlement referred to in sub-rule (2), such person shall, in addition to producing to the proper officer the documents required in support of the person’s request or application for such measures, produce to the proper officer:

- (a) the documents referred to in Article 42(1) or, as the case may be, Article 42(2) and, where required, Article 42(3) or Article 42(4) of Regulation No. 1215/2012 and
- (b) an affidavit verifying service of the certificate issued pursuant to Article 53 of Regulation No. 1215/2012 in the manner required by Article 43(1) of Regulation No. 1215/2012 and confirming whether or not the requirements of Article 43(2) (as to service of a translation of the judgment) apply and if so, that they have been complied with.

(4) The following applications to the Court concerning a judgment, authentic instrument or court settlement referred to in sub-rule (2) shall be made:

- (a) where no proceedings concerning the judgment, authentic instrument or court settlement referred to in sub-rule (2) have already been commenced before the Court, by originating notice of motion to the Court entitled “In the matter of Regulation No. 1215/2012” and grounded upon an affidavit sworn by or on behalf of the moving party, or
- (b) where proceedings concerning the same judgment, authentic instrument or court settlement referred to in sub-rule (2) have already been commenced before the Court, by motion on notice

in those proceedings, grounded upon an affidavit sworn by or on behalf of the moving party:

- (i) an application pursuant to Article 45 of Regulation No. 1215/2012 for refusal of recognition;
- (ii) an application pursuant to Article 46 of Regulation No. 1215/2012 for refusal of enforcement;
- (iii) an application for a decision under Regulation 5(1)(c) of the European Union (Civil and Commercial Judgments) Regulations 2015 that there are no grounds for refusal of recognition of a judgment, or
- (iv) an application on the grounds set out in Article 38 of Regulation No. 1215/2012 to suspend proceedings before the Court.

(5) Save where the Court, being satisfied as to the urgency of the application, otherwise permits, copies of the originating notice of motion or notice of motion and affidavit referred to in this rule (and any exhibits to that affidavit) shall be served by the moving party (*a*) not later than seven days before the date fixed for the hearing of the originating notice of motion or notice of motion, on the opposing party or person by or against whom enforcement is sought and (*b*) on such other person or persons as the Court may direct.

(6) A party or (in the case of an authentic instrument) person who can demonstrate his or her entitlement to the benefit of a judgment, authentic instrument or court settlement referred to in sub-rule (2) shall be at liberty to apply to the proper officer in the Central Office to cause particulars of the judgment, authentic instrument or court settlement to be entered in the books kept for the purpose set out in Order 41, rule 6 in the like manner as is provided for in Order 41, rule 6 in relation to domestic judgments. For the avoidance of doubt, such a person shall not be obliged to apply to the proper officer for this purpose.”

Schedule 4

No 6

O.11A, r. 8

THE HIGH COURT

*In the matter of Article 26(1) of Council Regulation (EU) No. 1215/2012

*In the matter of Article 24 of the Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, done at Lugano on the 30th day of October 2007

Between *AB*,

Plaintiff

and *CD*

Defendant

Enter an Appearance for *CD*, the [†-named] defendant in this action without prejudice and solely to contest the jurisdiction of the court.

Dated

Signed *EF*

Solicitor for the [†-named] defendant

The registered place of business of *EF* is [or *CD*, the defendant in person]

To: The Registrar of the Central Office.

Take Notice that I have this day entered an appearance without prejudice and solely to contest the jurisdiction of the court at the Central Office, Four Courts, Inns Quay, Dublin 7, for the above defendant to the [notice of] originating summons (*or other originating document*) in this action.

Dated

Signed

To:

† Insert as appropriate
*Delete where inapplicable

Schedule 5

Part 1

No. 1A

THE HIGH COURT

Record No: 20

IN THE MATTER OF THE EUROPEAN COMMUNITIES (CIVIL AND
COMMERCIAL JUDGMENTS) REGULATIONS 2015

PRAECIPE FOR FIERI FACIAS

Between

Plaintiff

and

Defendant

SEAL AN ORDER OF FIERI FACIAS directed to the Sheriff of the County of / to the County Registrar for the County of to levy against the sum of € †(being the equivalent in euro of the sum of as of the day of 20) and interest thereon at the rate of per centum per annum, from the day of 20 and € costs †(being the equivalent in euro of the sum of as of the day of 20) and interest thereon at the rate of per centum per annum from the said date.

Judgment *(or as the case may be, authentic instrument/court settlement) dated the day of 20 .

Certificate (Annex I *(or as the case may be, Annex II) to Regulation No. 1215/2012) done at (copy annexed)

I certify that the sum of € is due to the Plaintiff after all just credits and allowances.

Dated this day of 20 .

Signed:- _____
Solicitors for the Plaintiff

*delete where inapplicable
†where foreign judgment is expressed in a currency other than euro.

No. 1B

THE HIGH COURT

Record No: 20

IN THE MATTER OF THE EUROPEAN COMMUNITIES (EUROPEAN ENFORCEMENT ORDER) REGULATIONS 2005

PRAECIPE FOR FIERI FACIAS

Between

Plaintiff

and

Defendant

SEAL AN ORDER OF FIERI FACIAS directed to the Sheriff of the County of / to the County Registrar for the County of to levy against the sum of € †(being the equivalent in euro of the sum of as of the day of 20) and interest thereon at the rate of per centum per annum, from the day of 20 and € costs †(being the equivalent in euro of the sum of as of the day of 20) and interest thereon at the rate of per centum per annum from the said date.

Judgment dated the day of 20 .

European Enforcement Order dated the day of 20 (copy annexed)

I certify that the sum of € is due to the Plaintiff after all just credits and allowances.

Dated this day of 20 .

Signed:- _____ Solicitors for the Plaintiff

*delete where inapplicable
†where foreign judgment is expressed in a currency other than euro.

THE HIGH COURT

Record No: 20

IN THE MATTER OF THE EUROPEAN COMMUNITIES (EUROPEAN ORDER FOR PAYMENT) REGULATIONS 2008

PRAECIPE FOR FIERI FACIAS

Between

Plaintiff

and

Defendant

SEAL AN ORDER OF FIERI FACIAS directed to the Sheriff of the County of / to the County Registrar for the County of to levy against the sum of € †(being the euro equivalent of as of the day of 20) and interest thereon at the rate of per centum per annum, from the day of 20 and € costs †(being the euro equivalent of as of the day of 20) and interest thereon at the rate of per centum per annum from the said date.

European Order for Payment dated the day of 20 . (copy annexed)

I certify that the sum of € is due to the Plaintiff after all just credits and allowances.

Dated this day of 20 .

Signed:- Solicitors for the Plaintiff

*delete where inapplicable
†where foreign judgment is expressed in a currency other than euro.

Part 2

No. 1A

THE HIGH COURT

Record No: 20 FJ

IN THE MATTER OF THE EUROPEAN COMMUNITIES (CIVIL AND
COMMERCIAL JUDGMENTS) REGULATIONS 2015

FIERI FACIAS

Between

Plaintiff

and

Defendant

To The Sheriff / County Registrar of / for greeting.

Whereas by Judgment *(or as the case may be, authentic instrument/court settlement) of the (*insert details of foreign Court*) obtained by the plaintiff against the defendant and dated the day of 20 in proceedings bearing case number/claim number (insert number)

Between

Plaintiff

and

Defendant

it was ordered that the plaintiff do recover the sum of and costs against the defendant and by Certificate (Annex I *(or as the case may be, Annex II) to Regulation No. 1215/2012) done at same is enforceable within the state.

YOU ARE HEREBY COMMANDED that of the goods and chattels of the defendant, in your bailiwick you cause to be made the sum of € †(being the equivalent in euro of the sum of as of the day of 20) and interest thereon at the rate of (*insert rate*) from the day of 20 which said sum of money and interest were lately adjudged to be paid by the said to the said by the judgment *(or as the case may be, authentic instrument/court settlement) hereinbefore recited

And that of the goods and chattels of the said _____ in your bailiwick
you further cause to be made the said sum of _____ and interest thereon
at the rate of (*insert rate*) from the _____ day of _____ 20 ____ .

And that you have that money and interest aforesaid before the High Court
immediately after the execution hereof to be paid to the said _____ in
pursuance of the said judgment *(or as the case may be, authentic
instrument/court settlement). And in what manner you shall have executed this
order make appear to the High Court immediately after the execution thereof.
And have there then this order.

By order, etc

REGISTRAR

Levy € _____ and € _____ for costs of execution, &c., and also interest on
€ _____ at _____ per centum per annum, from the _____ day
of _____ and also interest on € _____ at _____ per centum per
annum from the said date until payment; besides Sheriff's poundage, officers'
fees, costs of levying, and all other legal incidental expenses.

This order was issued by _____ of _____

Solicitor for the said _____

The said CD is a _____ and his/her place of abode is at _____ in
your bailiwick.

*delete where inapplicable

†where foreign judgment is expressed in a currency other than euro.

No. 1B

THE HIGH COURT

Record No: 20 FJ

IN THE MATTER OF THE EUROPEAN COMMUNITIES (EUROPEAN ENFORCEMENT ORDER) REGULATIONS 2005

FIERI FACIAS

Between

Plaintiff

and

Defendant

To The Sheriff / County Registrar of / for greeting.

Whereas by order of the (insert details of Foreign Court) dated the day of 20 in proceedings with Reference Number , entitled:

Between

Plaintiff

and

Defendant

It was ordered that the plaintiff recover against the defendant the sum of and for costs. And the said order having been certified as a European Enforcement Order on the day of 20

YOU ARE HEREBY COMMANDED that of the goods and chattels of the defendant, in your bailiwick you cause to be made the sum of € †(being the equivalent in euro of hereinbefore mentioned as of the day of 20) and also interest thereon at the rate of (insert rate) per centum per annum from the of 20 which said sum of money and interest was lately adjudged to be paid by the said to the said by the judgment hereinbefore recited

And that of the goods and chattels of the said _____ in your bailiwick you further cause to be made the said sum of € _____ (costs) †(being the equivalent in euro of the sum of hereinbefore recited as of the _____ day of _____ 20____) together with interest thereon at the rate of (insert rate) per centum per annum from the _____ day of _____ 20____

And that you have that money before the High Court immediately after the execution hereof to be paid to the said _____ in pursuance of the said judgment. And in what manner you shall have executed this order make appear to the High Court immediately after the execution thereof. And have there then this order.

By order,

REGISTRAR

Levy € _____ and € _____ for costs of execution, &c., and also interest on € _____ at _____ per centum per annum, from the _____ day of _____ and also interest on € _____ at _____ per centum per annum from the said date until payment; besides Sheriff's poundage, officers' fees, costs of levying, and all other legal incidental expenses.

This order was issued by of _____
Solicitor for the said _____

The said CD is a _____ and his/her place of abode is at _____ in your bailiwick.

*delete where inapplicable

†where foreign judgment is expressed in a currency other than euro.

No. 1C

THE HIGH COURT

Record No: 20 FJ

IN THE MATTER OF THE EUROPEAN COMMUNITIES (EUROPEAN ORDER FOR PAYMENT) REGULATIONS 2008

FIERI FACIAS

Between

Plaintiff

and

Defendant

To The Sheriff / County Registrar of / for greeting.

Whereas by order of the Court of dated the day of 20

in proceedings with Reference Number , entitled:

Between

Plaintiff

and

Defendant

It was ordered that the plaintiff, , recover against the defendant, , the sum of and for costs.

And the said order having been declared enforceable in accordance with Article 18 of Regulation (EC) No 1896/2006

YOU ARE HEREBY COMMANDED that of the goods and chattels of , the defendant, in your bailiwick you cause to be made the sum of € †(being the equivalent in euro of as of the day of 20) plus interest at the rate of (insert rate) per centum per annum from the day of 20 which said sum of money and interest was lately adjudged to be paid by the said , to the said by the said judgment hereinbefore recited.

And that of the goods and chattels of the said _____, in your bailiwick you further cause to be made the said sum of € _____ costs †(being the equivalent in euro of the sum of _____ hereinbefore recited as of the _____ day of _____ 20____)

And that you have that money before the High Court immediately after the execution hereof to be paid to the said _____ in pursuance of the said judgment. And in what manner you shall have executed this order make appear to the High Court immediately after the execution thereof. And have there then this order.

By order etc

REGISTRAR

Levy € _____ and € _____ for costs of execution, &c., and also interest on € _____ at _____ per centum per annum, from the _____ day of _____ and also interest on € _____ at _____ per centum per annum from the said date until payment; besides Sheriff's poundage, officers' fees, costs of levying, and all other legal incidental expenses.

This order was issued by _____ of _____

Solicitor for the said _____

The said CD is a _____ and his/her place of abode is at _____ in your bailiwick.

*delete where inapplicable

†where foreign judgment is expressed in a currency other than euro.

EXPLANATORY NOTE

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

These rules amend the Rules of the Superior Courts by the substitution of Orders 11A, 13A and 42A in full and the amendment of various other Orders together with the substitution of Form No. 6 in Appendix A, Part II and the addition of 6 forms to Appendix F of those Rules to facilitate the operation of Regulation (EU) No. 1215/2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast).

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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