



STATUTORY INSTRUMENTS.

**S.I. No. 252 of 2016**



DISTRICT COURT (CRIMINAL JUSTICE (MISCELLANEOUS  
PROVISIONS) ACT 1997) RULES 2016

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DISTRICT COURT (CRIMINAL JUSTICE (MISCELLANEOUS  
PROVISIONS) ACT 1997) RULES 2016

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, and of all other powers enabling them in this behalf, do hereby, with the concurrence of the Minister for Justice and Equality, make the following rules of court.

Dated this 9th day of May 2016.

Rosemary Horgan Chairperson

Mary C. Devins

Brian Sheridan

Conal Gibbons

Anne Watkin

Shane McCarthy

Roy Pearson

Noel A. Doherty

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

Dated this 18th day of May 2016.

FRANCES FITZGERALD,  
Tánaiste and Minister for Justice and Equality.

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 20th May, 2016.*

S.I. No. 252 of 2016

DISTRICT COURT (CRIMINAL JUSTICE (MISCELLANEOUS  
PROVISIONS) ACT 1997) RULES 2016

1. (1) These Rules, which shall come into operation on the 16th day of June 2016, may be cited as the District Court (Criminal Justice (Miscellaneous Provisions) Act 1997) Rules 2016.

(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 2016.

2. (1) The forms numbered 34.37 and 34.38 in Schedule 1 shall be substituted for the forms bearing the like numbers respectively in Schedule B to the District Court Rules 1997 (S.I. No. 93 of 1997).

**Schedule 1**

No. 34.37

Criminal Justice (Miscellaneous Provisions) Act 1997, section 10(1)

(as substituted by Criminal Justice Act 2006, section 6(1)(a))

Information for Search Warrant

District Court Area of

District No.

THE INFORMATION of..... of.....

Who says on oath—

I am a member of the Garda Síochána not below the rank of sergeant.

I have reasonable grounds for suspecting that—

evidence of, or relating to, the commission of an arrestable offence (within the meaning of section 2(1) of the Criminal Law Act 1997, as amended by section 8 of the Criminal Justice Act 2006), to wit, the offence of ....., contrary to....., is to be found in a place (within the meaning of section 10(6) of the Criminal Justice (Miscellaneous Provisions) Act 1997), namely..... in the said court (area and) district.

The basis for such grounds is as follows—

And I hereby apply for the issue of a warrant under section 10(1) of the Criminal Justice (Miscellaneous Provisions) Act 1997 (as substituted by section 6(1)(a) of the Criminal Justice Act 2006) in respect of that place and any persons found at that place.

Signed.....

Informant

SWORN before me this..... day of..... 20....

Signed.....

Judge of the District Court

No. 34.38

Criminal Justice (Miscellaneous Provisions) Act 1997, section 10(1)

(as substituted by Criminal Justice Act 2006, Section 6(1)(a))

Search Warrant

District Court Area of

District No.

WHEREAS from the information on oath and in writing under section 10(1) of the above-mentioned Act of 1997 (as substituted by section 6(1)(a) of the Criminal Justice Act 2006) sworn before me on this day, by..... of..... a member of the Garda Síochána not below the rank of sergeant.

I AM SATISFIED THAT there are reasonable grounds for suspecting that—

evidence of or relating to the commission of an arrestable offence (within the meaning of section 2(1) of the Criminal Law Act 1997, as amended by section 8 of the Criminal Justice Act 2006), to wit, the offence of ....., contrary to....., is to be found in a place (within the meaning of section 10(6) of the Criminal Justice (Miscellaneous Provisions) Act 1997), namely..... in the court (area and) district aforesaid.

THIS IS TO AUTHORISE....., of....., a member of the Garda Síochána, accompanied by such other members of the Garda Síochána or persons or both as the said member thinks necessary,

TO ENTER, at any time or times within one week of the date of issue of this warrant, on production if so requested of this warrant, and if necessary by the use of reasonable force, the place namely..... in the said court (area and) district as aforesaid,

TO SEARCH that place and any persons found at that place, and

TO SEIZE anything found at that place, or anything found in the possession of a person present at that place at the time of the search, that the said member reasonably believes to be evidence of, or relating to, the commission of an arrestable offence.

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

Signed.....  
Judge of the District Court

To Superintendent/Inspector of the Garda Síochána  
at.....

EXPLANATORY NOTE

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

These rules amend the District Court Rules by substituting forms 34.37 and 34.38 in Schedule B to the District Court Rules 1997 (S.I. No. 93 of 1997).

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
FOILSEACHÁIN RIALTAIS,  
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)  
nó trí aon díoltóir leabhar.

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