



STATUTORY INSTRUMENTS.

S.I. No. 145 of 2019



DISTRICT COURT (SERVICE) (NO. 2) RULES 2019

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District Court (Service) (No. 2) Rules 2019

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, section 24 of the Interpretation Act 2005, the European Communities (Rules of Court) Regulations 1972 (SI 320 of 1972) 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 3rd day of December 2018.

Rosemary Horgan

Chairperson

Brian Sheridan

Conal Gibbons

Anne Watkin

Shane McCarthy

Noel A Doherty

Michelle Johnston

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

Dated this 4th day of April 2019.

CHARLES FLANAGAN

Minister for Justice and Equality

S.I. No. 145 of 2019

District Court (Service) (No. 2) Rules 2019

1. (1) These Rules, which shall come into operation on the 15th day of April 2019, may be cited as the District Court (Service) (No 2) Rules 2019.

(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 2019.

2. The District Court Rules 1997 (S.I. No. 93 of 1997) are amended by the substitution in rule 1 of Order 11 for the definitions of “Receiving Agency” and “Transmitting Agency” of the following definitions respectively:

““Receiving Agency”, for the purposes of the Service Regulation, when used in relation to the State means the Combined Court Office situate at Castlebar in the County of Mayo (but if another authority, or public officer or other person is for the time being designated by the State pursuant to Article 2(2) of the Service Regulation, shall be such other authority, or public officer or other person) and, when used in relation to any other State in which the Service Regulation applies, means the authority or authorities so designated by the relevant State under Article 2(2) of the Service Regulation to receive requests for the service of documents;” and

““Transmitting Agency”, when used in relation to the State means Combined Court Office situate at Castlebar in the County of Mayo (but if another authority, or public officer or other person is for the time being designated by the State pursuant to Article 2(1) of the Service Regulation, shall be such other authority, or public officer or other person) and when used in relation to any other State in which the Service Regulation applies, means the public officers, authorities or other persons designated by the relevant State under Article 2(1) of the Service Regulation to transmit requests for the service of documents;”.

EXPLANATORY NOTE

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

These Rules facilitate the transfer of the functions of the receiving agency and transmitting agency in the State for the purposes of Regulation No. 1393/2007 (Service Regulation). to the Courts Service Combined Court Office in Castlebar, County Mayo.

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