



STATUTORY INSTRUMENTS.

S.I. No. 215 of 2019



CIRCUIT COURT RULES (PERSONAL INJURIES: SECTION 8 NOTICES)
2019

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We, the Circuit Court Rules Committee, constituted pursuant to the provisions of section 69 of the Courts of Justice Act 1936, by virtue of the powers conferred on us by section 66 of the Courts of Justice Act 1924 and section 70 of the Courts of Justice Act 1936, (as applied by section 48 of the Courts (Supplemental Provisions) Act 1961), section 27 of the Courts (Supplemental Provisions) Act 1961, and of all other powers enabling us in this behalf, do hereby, with the concurrence of the Minister for Justice and Equality, make the annexed Rules of Court.

Dated this 20th day of March 2019.

(Signed): Raymond Groarke

(Chairman of the Circuit Court Rules Committee)

Jacqueline Linnane

Fiona Duffy Coady

Keith Walsh

Sabina Purcell

Mairead Ahern

Noel Rubotham

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

Dated this 15th day of May 2019.

Signed: CHARLES FLANAGAN

Minister for Justice and Equality

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1. (1) These Rules, which may be cited as the Circuit Court Rules (Personal Injuries: Section 8 Notices) 2019, shall come into operation on the 19th day of June 2019.

(2) These Rules shall be construed together with the Circuit Court Rules 2001 to 2019.

(3) The Circuit Court Rules 2001 to 2019 as amended by these Rules may be cited as the Circuit Court Rules 2001 to 2019.

2. The Circuit Court Rules are amended by the substitution in Order 5A for rule 4 of the following rule:

“4.(1) Where a plaintiff who has not served the notice required by section 8(1) of the Act within the time prescribed for service of such a notice alleges that there was a reasonable cause for such failure, the personal injuries summons shall include particulars of the cause of the said failure.

(2) Where a plaintiff alleges that he was unable, at the time at which a personal injuries summons was issued, to include in the personal injuries summons any of the information required by section 10 of the Act to be specified in the personal injuries summons, he shall include in the personal injuries summons a statement of the reasons why it is claimed that any such information could not be provided at the time of issue of the summons. The plaintiff shall, at the time the personal injuries summons is served or as soon as may be thereafter (whether by amendment or otherwise) provide such of the information required by section 10 as was not included in the personal injuries summons.”

EXPLANATORY NOTE

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

These Rules amend Orders 5A of the Circuit Court Rules to facilitate the operation of section 8 of the Civil Liability and Courts Act 2004 as amended by section 13(2) of the Central Bank (National Claims Information Database) Act 2018.

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)

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