



STATUTORY INSTRUMENTS

S.I. No. 190 of 2008

**RULES OF THE SUPERIOR COURTS (HEALTH (REPAYMENT
SCHEME) ACT 2006) 2008**

(Prn. A8/0783)

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SCHEME) ACT 2006) 2008

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, and the Courts of Justice Act 1936, section 68 (as applied by the Courts (Supplemental Provisions) Act 1961, section 48), and the Courts (Supplemental Provisions) Act 1961, section 14, and of all other powers enabling us in this behalf, do hereby make the following Rules of Court.

Dated this 3rd day of April 2008.

John L. Murray
Richard Johnson
Joseph Finnegan
William McKechnie
Elizabeth Dunne
Lyndon MacCann
Mary Cummins
Patrick O'Connor
Noel Rubotham

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

Dated this 11 day of June 2008.

DERMOT AHERN
Minister for Justice, Equality and Law Reform

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 17th June, 2008.*

S.I. No. 190 of 2008

RULES OF THE SUPERIOR COURTS (HEALTH (REPAYMENT
SCHEME) ACT 2006) 2008

1. The Rules of the Superior Courts are hereby amended by the insertion immediately following Order 105A, of the following:

“Order 105B

Health (Repayment Scheme) Act 2006

1. An appeal to the Court on a point of law under section 16(6) of the Health (Repayment Scheme) Act 2006 by a person affected by a determination of the appeals adjudicator shall, subject to this Order, be brought and conducted in accordance with Order 84C.

2. The originating notice of motion by which such appeal is initiated shall (save where either is the appellant) include as notice parties the Minister for Health and Children and the Health Service Executive.

3. On the return date of the originating notice of motion (or any adjournment of such hearing), the Court, on hearing any submissions made by the Minister for Health and Children or the Health Service Executive, may make an order joining either or both of those parties as respondents to the appeal.”

2. These Rules shall come into operation on the 9 day of July 2008.

3. These Rules shall be construed together with the Rules of the Superior Courts 1986 to 2008 and may be cited as the Rules of the Superior Courts (Health (Repayment Scheme) Act 2006) 2008.

EXPLANATORY NOTE

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

These Rules prescribe the procedure applicable in the case of an appeal to the High Court on a point of law under section 16(6) of the Health (Repayment Scheme) Act 2006.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
nó tríd an bpost ó
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,
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