



STATUTORY INSTRUMENTS.

**S.I. No. 379 of 2018**



CIRCUIT COURT RULES (FINES (PAYMENT AND RECOVERY)) 2018

CIRCUIT COURT RULES (FINES (PAYMENT AND RECOVERY)) 2018

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, section 7(10) of the Fines (Payment and Recovery) Act 2014 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 28 day of November 2017.

(Signed): Raymond Groarke  
(Chairman of the Circuit Court Rules Committee)

Jacqueline Linnane  
Fiona Duffy  
Keith Walsh  
Mairead Ahern  
Noel Rubotham

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

Dated this 25th day of September 2018.

Signed:  
CHARLES FLANAGAN,  
Minister for Justice and Equality.

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 28th September, 2018.*

## S.I. No. 379 of 2018

## CIRCUIT COURT RULES (FINES (PAYMENT AND RECOVERY)) 2018

1. (1) These Rules, which may be cited as the Circuit Court Rules (Fines (Payment and Recovery)) 2018, shall come into operation on the 17th day of October 2018.

(2) These Rules shall be construed together with the Circuit Court Rules 2001 to 2018.

(3) The Circuit Court Rules 2001 to 2018 as amended by these Rules may be cited as the Circuit Court Rules 2001 to 2018.

2. The Circuit Court Rules are amended:

(i) by the insertion in the “Interpretation of Terms” provisions immediately following paragraph 2 of the following paragraph:

“2A. “Combined court office manager” means a person appointed under section 19 of the Courts and Court Officers Act 2009 to be the manager of a combined court office established under section 14 of that Act.”;

(ii) by the insertion in paragraph 5 (“County Registrar”) of the “Interpretation of Terms” provisions, of the following sub-paragraph immediately after sub-paragraph (b)(ii):

“(iiA) Order 41A, rule 1;”, and

(iii) by the insertion immediately following Order 41 of the following Order:

“

*Order 41A (Fines (Payment and Recovery))*

1. (1) The County Registrar or (as the case may be) the combined court office manager may at any time after the due date for payment of any fine:

(a) imposed by the Court on appeal from the District Court, or

(b) imposed by the Court otherwise than on appeal,

issue a notice by ordinary prepaid post for the purposes of section 7(4) of the Fines (Payment and Recovery) Act 2014 requiring a fined person who has not paid the fine (or, as the case may be, a relevant instalment) by the due date for payment in accordance with that Act to appear before the Court at a date and time specified in the notice.

(2) The statement in writing of the financial circumstances of the fined person shall be in the Form 55 in the Schedule of Forms.”

4 [379]

3. The Form numbered 55 in Schedule 1 shall be added to the Schedule of Forms appended to the Circuit Court Rules 2001 to 2018, immediately following Form 54.

SCHEDULE 1

No. 55

O.41A r. 1

AN CHÚIRT CHUARDA

THE CIRCUIT COURT

CIRCUIT

COUNTY OF

.....Prosecutor

.....Accused

No.....

FINES (PAYMENT AND RECOVERY) ACT 2014, Section 7(4)

STATEMENT OF FINANCIAL CIRCUMSTANCES

Please note:

1. Please complete this Statement of Financial Circumstances carefully and accurately. If you need assistance in completing this Statement of Means, you may wish to contact your solicitor (if you have one), the Money Advice and Budgeting Service or a Citizens Information Centre.

2. If you knowingly or recklessly make a statement in your financial statement that is false or misleading in any material respect, you shall be guilty of an offence and shall be liable upon summary conviction to a Class B fine, being a fine not exceeding €4,000 or imprisonment for a term not exceeding 6 months or both.

3. If you are in receipt of any social welfare payments it is most important in your own interests that you bring with you your social services card and produce it to the Court.

4. If any of your details do not fit in the space provided, please attach a separate sheet giving those details.

5. You are advised to keep a copy of this Statement of Means and bring it with you to Court.

To the Circuit Court office at.....

As required by the notice served on me in the above-named proceedings, I now lodge the following statement of my financial circumstances.

1. Income: Please set out in this section each means by which your income is earned (e.g. employment) or the source of your income (e.g. social welfare benefits) and the annual amount you receive from each means or source.	€ (gross)	€ (net)
a.	€	€
b.	€	€
c.	€	€
2. Property (real and personal): Please give in this section a description of any assets which you own (e.g. money in bank, car etc) and the approximate value of each showing, where relevant, the gross value and the net value if the property is subject to any loan, etc). If you have no relevant assets, strike through this section.	€ (gross)	€ (net)
a.	€	€
b.	€	€
c.	€	€
3. Liabilities Please give in this section a description of any liabilities you have which you are currently repaying and the approximate value of each.		
a.		€
b.		€
c.		€
Please include details of your outgoings (e.g. rent, household expenses, gas/electricity, loan repayments) and the annual amount you pay for each.  Please also include in this section if you are at present making payments on foot of any other court orders (e.g. instalment orders, maintenance etc). If you are, please give details of the amounts and the reference numbers and bring with you to court copies of any relevant documents.		
a.		€
b.		€
c.		€
Please provide details in this section of other people who you are legally or morally liable to support, for example your children or any relative who relies on you. If there is no relevant person, strike through this section.		
Name:	Address:	Age:
Name:	Address:	Age:
Name:	Address:	Age:
4. Money owed to you Please give details of all monies owing to you, the dates upon which they fall due to be paid and the likelihood of their being paid.	Due date	
a.		€
b.		€
c.		€

5. Personal public service number (PPSN) Please state your personal public service number (PPSN)		
6. Employment details		
Please state the name and address of your employer		
Please provide your employee number, payroll number or equivalent, if applicable		

I say that, to the best of my knowledge and belief, the particulars given above and on any attached sheet are accurate and true.

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

Signed:..... fined person  
of.....

EXPLANATORY NOTE

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

These rules insert Order 41A into the Circuit Court Rules to facilitate the operation of the provisions of the Fines (Payment and Recovery) Act 2014.

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.

---

DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased from  
GOVERNMENT PUBLICATIONS,  
52 ST. STEPHEN'S GREEN, DUBLIN 2.  
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)  
or through any bookseller.

---

€2.54

