



STATUTORY INSTRUMENTS.

S.I. No. 107 of 2024

CIRCUIT COURT RULES (ORDER 36) 2024

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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; section 70 of the Courts of Justice Act 1936, (as applied by section 48 of the Courts (Supplemental Provisions) Act 1961), and section 27 of the Courts (Supplemental Provisions) Act 1961, do hereby, with the concurrence of the Minister for Justice, make the annexed Rules of Court.

Dated this 8th day of February 2024.

Patricia Ryan Chairperson

John Aylmer

Tomás Keys

Tracy Ennis Faherty

Siún Hurley

Ann Spaine

Rita Considine

Brídín Concannon

James Finn

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

Dated this 20th day of March 2024.

Helen McEntee

Minister for Justice

S.I. No. 107 of 2024

CIRCUIT COURT RULES (ORDER 36) 2024

1. (1) These Rules, which may be cited as the Circuit Court Rules (Order 36) 2024, shall come into operation on the 29th day of March 2024.

(2) These Rules shall be construed together with the Circuit Court Rules 2001 to 2023.

(3) The Circuit Court Rules 2001 to 2023 as amended by these Rules may be cited as the Circuit Court Rules 2001 to 2024.

2. The Circuit Court Rules are amended by the substitution for rules 9 and 10 of Order 36 of the following rules:

“9. An execution order based on any decree of the Court or judgment in default of appearance or defence may be issued in the Office within six years from the date of such decree or judgment. After the expiration of six years from the date of such decree or judgment, an execution order may be issued with the leave of the Court. An application for such leave shall be made by motion on notice to the party sought to be made liable.

10. If, at any time after the making of a decree or judgment in default referred to in rule 9, any change has taken place, by death, assignment or otherwise, in the parties entitled or liable to execution, the party claiming to be so entitled may apply to the Court on notice for leave to issue execution, and the original decree or judgment may be amended so as to give effect to any order made by the Court on the application.”

EXPLANATORY NOTE

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

These rules amend Order 36 rules 9 and 10 of the Circuit Court Rules by removing a reference to decrees and judgments being in force for a period of twelve years.

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