



STATUTORY INSTRUMENTS.

S.I. No. 276 of 2014



CIRCUIT COURT RULES (REGISTERED POST) 2014

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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) and 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 25th day of November 2013.

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

Alison Lindsay
Tony Hunt
David Dodd
Gerard J. Doherty
Fiona Duffy Coady
Noel Rubotham
Patricia Casey

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

Dated this 10th day of June 2014.

Signed: FRANCES FITZGERALD
MINISTER FOR JUSTICE AND EQUALITY

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 20th June, 2014.*

S.I. No. 276 of 2014

CIRCUIT COURT RULES (REGISTERED POST) 2014

1. (1) These Rules, which may be cited as the Circuit Court Rules (Registered Post) 2014, shall come into operation on the 7th day of July 2014.

(2) These Rules shall be construed together with the Circuit Court Rules 2001 to 2013.

(3) The Circuit Court Rules as amended by these Rules may be cited as the Circuit Court Rules 2001 to 2014.

2. The Circuit Court Rules are amended:

(i) by the insertion in Interpretation of Terms provisions immediately following the definition therein of “The Principal Act” of the following definition:

“20A. “Registered post” means a registered items service (within the meaning of section 16(12) of the Communications Regulation (Postal Services) Act 2011 provided by a person who is for the time being deemed in accordance with section 38 of that Act to be a postal service provider authorised to provide a registered items service and registered as such in the register maintained in accordance with section 40 of that Act, and “pre-paid registered post”, “registered letter”, “insured post” and all cognate expressions shall be construed accordingly.”;

(ii) by the substitution for Form 1B in Schedule B to those Rules of the form in the Schedule hereto.

Schedule
FORM 1B

ENDORSEMENT OF SERVICE (REGISTERED POST)

In pursuance of section 7(3) of the Courts Act 1964 the within was served by me on the Defendant, by

†posting a true copy thereof at.....am/pm on the day of 20.... at..... Post Office in a registered prepaid envelope addressed to the said Defendant, the said..... at *.....

†by depositing a true copy thereof in an envelope at am/pm on the day of 20.... with a postal service provider authorised to provide a registered items service and registered as such in the register maintained under section 40 of the Communications Regulation (Postal Services) Act 2011.

Endorsed this day of 20....

Signed.....

STATUTORY DECLARATION OF SERVICE BY REGISTERED POST

I, of, aged eighteen years and upwards, do solemnly and sincerely declare:

1. That I did serve the within..... dated the day of 20.... on the within named Defendant by

†posting a true copy thereof at am/pm on the day of 20.... at..... Post Office in a registered prepaid envelope addressed to the Defendant, the said..... at *..... (being the last known residence/place of business of the Defendant)

†depositing a true copy thereof in an envelope at am/pm on the day of 20.... with a postal service provider authorised to provide a registered items service and registered as such in the register maintained under section 40 of the Communications Regulation (Postal Services) Act 2011.

2. †That the said envelope has not been returned undelivered to the sender.

†That the said envelope has been recorded as delivered on the day of 20....

And I make this solemn declaration conscientiously believing same to be true and by virtue of the Statutory Declarations Act 1938 and the Courts Act 1964 empowering this Declaration to be used as proof of service of the said †..... civil bill †..... (identify other originating document).

Signed.....

Declared before me..... (name in capitals) a

†notary public

†commissioner for oaths

†peace commissioner

†person authorised by (insert authorising statutory provision)..... to take and receive statutory declarations

by the said.....

†who is personally known to me,

†who is identified to me by..... who is personally known to me

†whose identity has been established to me before the taking of this Declaration by the production to me of

††passport no..... issued on the day of by the authorities of....., which is an authority recognised by the Irish Government,

††national identity card no..... issued on the day of by the authorities of..... which is an EU Member State, the Swiss Confederation or a Contracting Party to the EEA Agreement,

††Aliens Passport no..... issued on the day of by the authorities of..... which is an authority recognised by the Irish Government,

††refugee travel document no..... issued on the day of by the Minister for Justice and Equality,

††travel document (other than refugee travel document)..... issued on the day of by the Minister for Justice and Equality,

at..... this day of 20....

Signed

†notary public

†commissioner for oaths

†peace commissioner

†person authorised by (insert authorising statutory provision)..... to take and receive statutory declarations

*Postal address in full

†Delete words or clauses which are not applicable.

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††Where relevant, provide details of the document by which identity has been established, and delete the remaining alternatives.

Note: In accordance with section 7(6) of the Courts Act 1964, this declaration is to be made not earlier than 10 days after the day on which the envelope is posted.

EXPLANATORY NOTE

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

These rules amend the Circuit Court Rules by the insertion of a definition of “registered post” in the interpretation of terms to facilitate the operation of the Communications Regulation Act 2002 and the Communications Regulation (Postal Services) Act 2011.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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