



STATUTORY INSTRUMENTS.

S.I. No. 471 of 2018



DISTRICT COURT (SERVICE) RULES 2018

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The District Court Rules Committee, in exercise of the powers conferred on them by section 91 of the Courts of Justice Act 1924, section 72 of the Courts of Justice Act 1936, section 34 of the Courts (Supplemental Provisions) Act 1961, section 24 of the Interpretation Act 2005, and of all other powers enabling them in this behalf, do hereby, with the concurrence of the Minister for Justice and Equality, make the following rules of court.

Dated this 18th day of June 2018.

Rosemary Horgan Chairperson

Mary C Devins

Anne Watkin

Shane McCarthy

Riobard Pierse

Noel A Doherty

Michelle Johnston

I concur in the making of the following rules of court.

Dated this 12th day of November 2018.

CHARLES FLANAGAN

Minister for Justice and Equality

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 16th November, 2018.*

S.I. of 2018

DISTRICT COURT (SERVICE) RULES 2018

1. (1) These Rules, which shall come into operation on the 10th day of December 2018, may be cited as the District Court (Service) Rules 2018.

(2) These Rules shall be construed together with the District Court Rules 1997 (S.I. No. 93 of 1997) and all other District Court Rules.

(3) The District Court Rules as amended by these Rules may be cited as the District Court Rules 1997 to 2018.

2. The District Court Rules 1997 (S.I. No. 93 of 1997) are amended:

(i) by the substitution for rule 6 of Order 41A of the following rule:

“6 Where the Service Regulation applies (service in the European Union outside the State)

6. Where the person to be served is in another State in which the Service Regulation applies, service must be in accordance with the provisions of the Service Regulation which, in addition to lodgment for service with the Transmitting Agency in accordance with rule 11(2), may include:

(a) service by diplomatic or consular agents, in accordance with Article 13 of the Service Regulation (save where that Member State has communicated, in accordance with Article 23(1) of the Service Regulation, that it is opposed to the service of documents in its territory by diplomatic or consular agents), or

(b) direct service, in accordance with Article 15 of the Service Regulation (save where that Member State has communicated in accordance with Article 23(1) of the Service Regulation that it is opposed to direct service of documents in its territory).”.

EXPLANATORY NOTE

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

These Rules amend Order 41A, Rule 6 of the District Court Rules by removing reference therein to the option for a party to effect service of a document in another Member State by registered post.

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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.

€1.27

