



STATUTORY INSTRUMENTS.

S.I. No. 460 of 2025

CIRCUIT COURT RULES (EU SERVICE REGULATION) 2025

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We, the Circuit Court Rules Committee, 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 and the European Communities (Rules of Court) Regulations 1972 (S.I. No. 320 of 1972), and with the concurrence of the Minister for Justice, Home Affairs and Migration, make the following Rules of Court.

Dated this 4th day of June 2025.

Patricia Ryan	_____	Chairperson
John Aylmer	_____	
Sinéad Ní Chúlacháin	_____	
Tomás Keys	_____	
Tracy Ennis Faherty	_____	
Siún Hurley	_____	
Patricia Hickey	_____	
James Finn	_____	

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

Dated this 26th day of September 2025.

Signed:

JIM O'CALLAGHAN
Minister for Justice, Home Affairs and Migration.

S.I. No. 460 of 2025

CIRCUIT COURT RULES (EU SERVICE REGULATION) 2025

1. (1) These Rules, which may be cited as the Circuit Court Rules (EU Service Regulation) 2025, shall come into operation on the 24th day of October 2025.

(2) These Rules shall be construed together with the Circuit Court Rules 2001 to 2025.

(3) The Circuit Court Rules 2001 to 2025 as amended by these Rules may be cited as the Circuit Court Rules 2001 to 2025.

2. These Rules shall apply in proceedings commenced from the date on which these Rules come into operation.

3. The Circuit Court Rules are amended:

(i) by the substitution of paragraph (b) of rule 3 of Order 14 of the following paragraph:

“(b) where service is effected in a state which is party to the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters done at the Hague on the 15th November 1965, but which is not a Member State of the European Union in which the Service Regulation referred to in Order 14B, rule 1 is in force, by a method permitted in accordance with that Convention, or”, and

(ii) by the substitution for Order 14B of the Order set out in the Schedule.

Schedule

“ORDER 14B

**SERVICE IN EU MEMBER STATES (INCLUDING THE STATE) OF
JUDICIAL AND EXTRAJUDICIAL DOCUMENTS**

1. In this Order, unless the context or subject matter otherwise requires:

a “Member State” or “Member States” means a Member State or Member States of the European Union (in this Order, the “EU”), with the exception of the Kingdom of Denmark;

“receiving agency” or “receiving agencies” means the entity or the entities designated by each of the Member States of the EU pursuant to Article 3(2) of the Service Regulation and in Ireland shall be the Combined Court Office situate at Castlebar in the County of Mayo or such other authority, or public officer or other person as is for the time being designated by the State pursuant to Article 3(2) of the Service Regulation;

the “Service Regulation” means Regulation (EU) 2020/1784 of the European Parliament and of the Council of 25 November 2020 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) (OJ L 405/40 of 2 December 2020);

“transmitting agency” or “transmitting agencies” means the entity or the entities designated by each of the Member States of the EU pursuant to Article 3(1) of the Service Regulation and in Ireland shall be the Combined Court Office situate at Castlebar in the County of Mayo or such other authority, or public officer or other person as is for the time being designated by the State pursuant to Article 3(1) of the Service Regulation.

2. This Order applies to the service of documents to which the Service Regulation applies in the matters referred to in Article 1 of the Service Regulation.

3. Any party to any proceedings to which the Service Regulation applies, who wishes to have a document served pursuant to the Service Regulation, must lodge with the transmitting agency:

- (a) two copies of the document to be served with an additional copy thereof for each person to be served;
- (b) a request for service of the document, in a language as provided for in Article 12(1) of the Service Regulation, as the case may be, in the Form A in Annex I to the Service Regulation;
- (c) an undertaking to pay the costs of service.

4. If any request for service does not comply with the provisions of these Rules, the transmitting agency shall inform the applicant and specify the objections to the request.

5. The transmitting agency shall, as soon as the request for service complies with the provisions of Rules 2 and 3, transmit the document or documents concerned in accordance with Article 8 and, where applicable, Article 5 of the Service Regulation.

6. The transmitting agency shall forward to the applicant, by the swiftest possible means of transmission:

- (i) a copy of any receipt referred to in Article 10 of the Service Regulation;
- (ii) a copy of any notice of return referred to in Article 10 of the Service Regulation together with the documents transmitted;
- (iii) any request for missing information or documents referred to in Article 10 of the Service Regulation; or
- (iv) a copy of any certificate evidencing the refusal of the addressee to accept service referred to in Article 12 of the Service Regulation, as the case may be,

as soon as practicable after receipt of those documents or requests by the transmitting agency.

7. When properly received, the receiving agency shall serve the document or documents by registered post or by another particular method requested by the transmitting agency, unless such a method is incompatible with Irish law, in accordance with Article 11 of the Service Regulation.

8. On receipt of a certificate provided for in Article 14 of the Service Regulation from the relevant receiving agency, the transmitting agency shall forthwith transmit the certificate to the applicant.

9. In addition to the method of service described in rule 3, a party to the proceedings may choose:

- (i) to request diplomatic or consular agents to effect service in another Member State in accordance with Article 17 of the Service Regulation (save where that Member State has indicated opposition to such method of service in the circumstances proposed, in accordance with Article 17(2) of the Service Regulation); or
- (ii) to effect service directly on a person who has a known address for service in another Member State by electronic means of service in accordance with, and subject to the conditions specified in, Article 19 of the Service Regulation; or

- (iii) to effect direct service in accordance with Article 20 of the Service Regulation.

10. (1) Subject to rule 10(5), judgment shall not be given or entered in default of appearance in the circumstances referred to in Article 22(1) of the Service Regulation in any proceedings to which this Order applies until it is established that:

- (i) the document was served by a method prescribed by the internal law of the Member State addressed for the service of documents in domestic actions upon persons who are within its territory; or
- (ii) the document was actually delivered to the defendant or to his residence by another method provided for by the Service Regulation,

and that in either case the service or delivery was effected in sufficient time to enable the defendant to defend the claim.

(2) Judgment in default of appearance in cases to which this Order applies shall only be entered with leave of the Court.

(3) An application for leave to enter judgment in default shall be made by motion on notice and shall be supported by an affidavit verifying the plaintiff's claim for relief and verifying the steps taken to serve the proceedings and supported by adequate proof thereof.

(4) The affidavit referred to in rule 10(3) shall, where the claim is one to which Regulation No. 1215/2012 (or, as the case may be, another European Union instrument concerning jurisdiction) applies, also state that in the deponent's belief:

- (i) each claim made by the originating document is one which, by virtue of Regulation No. 1215/2012 (or, as the case may be, such other European Union instrument), the Court has power to hear and determine; and
- (ii) no other Court has exclusive jurisdiction within the meaning of Regulation No. 1215/2012 (or, as the case may be, such other European Union instrument) to hear and determine such claim.

(5) The Court may give leave to enter judgment if no certificate of service or delivery has been received from the transmitting agency, provided that:

- (i) the document was transmitted by one of the methods provided for in the Service Regulation;
- (ii) a period of time (of not less than six months), considered adequate by the Court, has elapsed since the date of transmission of the document; and
- (iii) no certificate of any kind has been received, even though every reasonable effort has been made to obtain it through the competent authorities of the Member State addressed.

11. The Court may, at any stage, in the event of urgency, make orders for any provisional or protective measures required by the plaintiff.

12. (1) Any application to extend time for appealing any judgment obtained in default shall be made by motion on notice and shall be grounded upon the affidavit of the moving party, and the Court may, if satisfied that:

- (i) the application was made within a reasonable time after the defendant had knowledge of the judgment; and
- (ii) the defendant, without any fault on his part, did not have knowledge of the document in sufficient time to defend, or knowledge of the judgment in sufficient time to appeal; and
- (iii) the defendant has disclosed a *prima facie* defence to the action on the merits,

extend the time for appealing same, on such terms and conditions as appear just.

(2) No such application to set aside a judgment obtained in default shall be entertained if not made within a time that the Court shall deem to be reasonable.

(3) No application to extend the time for appealing the Judgment shall be entertained in respect of judgments concerning status or capacity of persons.

13. In the case of a default of appearance by a defendant to an originating document, the plaintiff shall file an affidavit in the appropriate Circuit Court Office verifying the facts relied upon and thereupon may apply to the Court for judgment in default of appearance.

14. Subject to the provisions of this Order, Orders 26 and 27 shall, in so far as practicable, apply to applications under this Order for leave to enter judgment.

15. To the extent that any rules contained in any other Order of these Rules are inconsistent with the provisions of the Service Regulation or of this Order, the provisions of the Service Regulation or of this Order shall prevail.

16. While the Agreement between the European Community and the Kingdom of Denmark on the service of judicial and extrajudicial documents in civil and commercial matters [annexed to Council Decision No. 2005/794/EC of 20 September 2005 (OJ L 300/53 of 17 November 2005) signed at Brussels on 19 October 2005 and approved on behalf of the Community by Council Decision No. 2006/326/EC of 27 April 2006 (OJ L 120/23 of 5 May 2006)] is for the time being in force, notwithstanding any other provision of these Rules to the contrary, the provisions of these Rules which relate to the Service Regulation shall apply in relation to the Kingdom of Denmark, to the extent permitted, and subject to any modifications made necessary, by such Agreement.”

EXPLANATORY NOTE

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

These rules update Order 14B to reflect the provisions of Service Regulation (EU) 2020/1784 which recasts Regulation (EC) 1393/2007 on the service of judicial and extrajudicial documents in civil or commercial matters (service of documents). These rules also insert a new rule in Order 14B to facilitate Article 19 of the Regulation on electronic service.

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