



STATUTORY INSTRUMENTS.

S.I. No. 22 of 2019



CIRCUIT COURT RULES (MISCELLANEOUS) 2019

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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), 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 27th day of November 2018.

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

Fiona Duffy Coady
Keith Walsh
Rita Considine
Noel Rubotham

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

Dated this 29th day of January 2019.

Signed: CHARLES FLANAGAN
MINISTER FOR JUSTICE AND EQUALITY

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 5th February, 2019*

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1. (1) These Rules, which may be cited as the Circuit Court Rules (Miscellaneous) 2019, shall come into operation on the 19th day of February 2019.

(2) These Rules shall be construed together with the Circuit Court Rules 2001 to 2019.

(3) The Circuit Court Rules 2001 to 2019 as amended by these Rules may be cited as the Circuit Court Rules 2001 to 2019.

2. The Circuit Court Rules are amended by the substitution for rule 10 of Order 67 of the following rule:

“10.(1) Subject to sub-rule (2), a party suing or defending by a Solicitor shall be at liberty to change his Solicitor, or to discharge his Solicitor and sue or defend in person, and any party suing or defending in person shall be at liberty to appoint a Solicitor without an order for the purpose. Notice of such change, discharge or appointment shall be filed in the Office, and served on the opposite party, or his Solicitor (if any), and on the Solicitor discharged.

(2) Notwithstanding sub-rule (1), a party seeking to discharge his Solicitor and sue or defend in person in any proceedings to which Order 59 or 59A applies shall not do so without an order of the Court, such order to be applied for by motion on notice to the Solicitor.”

EXPLANATORY NOTE

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

These Rules substitute rule 10 of Order 67 of the Circuit Court Rules and provide that a party seeking to discharge his solicitor and sue or defend in person in proceedings to which Order 59 or 59A applies must apply for an order of the court.

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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