



STATUTORY INSTRUMENTS.

**S.I. No. 104 of 2026**



DISTRICT COURT (DONOR-ASSISTED HUMAN REPRODUCTION)  
RULES 2026

S.I. No. 104 of 2026

DISTRICT COURT (DONOR-ASSISTED HUMAN REPRODUCTION)  
RULES 2026

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, and section 24 of the Interpretation Act 2005, with the concurrence of the Minister for Justice, Home Affairs and Migration, make the following rules of court.

Dated this 11<sup>th</sup> day of November 2025.

Alan Mitchell	_____
Monika Leech	_____
Joyce Good Hammond	_____
Ann McGarry	_____
Eoin Martin	_____
Ciara McMahan	_____
James Finn	_____

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



GIVEN under my Official Seal,  
23 March, 2026.

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

S.I. No. 104 of 2026

DISTRICT COURT (DONOR-ASSISTED HUMAN REPRODUCTION)  
RULES 2026

1. (1) These Rules, which shall come into operation on the 20th day of April 2026, may be cited as the District Court (Donor-Assisted Human Reproduction) Rules 2026.

(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 2026.

2. The District Court Rules 1997 (S.I. No. 93 of 1997) are amended by the substitution for rule 9 of Order 58 of the following rule:

*“Application for declaration of parentage: DAHR*

9. (1) An application to the Court under section 21 of the 2015 Act for a declaration of parentage shall be preceded by the issue by the applicants of a notice in the Form 58.54, Schedule C.

(2) The child to whom an application for a declaration under section 21 of the 2015 Act relates shall be named as a respondent to the application and may, notwithstanding any other provisions of these Rules, appear in the proceedings by a next friend.

(3) The application shall be grounded on an affidavit sworn by each applicant, and where necessary other affidavit evidence in support of the application, which shall:

- (i) include, and verify, the facts grounding the statement that the child to whom the application relates is a child to whom section 20 of the 2015 Act applies, and in particular in a case to which section 20(1)(b)(ii) of the 2015 Act applies, verify that the person who performed the DAHR procedure in a DAHR facility outside the State was authorised to do so under the law of the place where the procedure was performed and the law providing for such authorisation;
- (ii) include, and verify, the facts grounding the statement that the applicant referred to in section 21(2)(b) of the 2015 Act was, at the time referred to in section 20(1)(c) of the 2015 Act, the intending parent of the child, and
- (iii) in the case of the applicant referred to in section 21(2)(b) of the 2015 Act, confirm that he or she consents to the making of a declaration under section 21 of the 2015 Act.

(4) Where reliance is placed in the application on section 20(1)(g) of the 2015 Act, the affidavit evidence filed in support of the application shall include:

- (i) the affidavit of the donor required by section 21(4A) of the 2015 Act stating that he or she consents to the making of a declaration under section 21, and understands that, under the law of the State, he or she is not a parent of the child and has no parental rights or duties in respect of the child or, as the case may be,
- (ii) affidavit evidence verifying that the donor is deceased or, as the case may be, verifying the efforts made to find him or her.

(5) True copies of the notice, affidavits and any exhibits thereto shall be served on each respondent not later than 14 days before the date fixed for the hearing.

(6) The original notice, affidavits and any exhibits thereto shall be lodged, together with a statutory declaration as to service, with the Clerk not later than seven days before the date fixed for the hearing.

(7) On the date fixed for the hearing of the application, the Court may, if it does not determine the application, adjourn the application and, of its own motion:

- (i) direct that all necessary papers in the matter be sent to the Attorney General in accordance with section 21(5) of the 2015 Act (without prejudice to the power of the Court to do so at any other time);
- (ii) where so requested by the Attorney General, order that the Attorney General be added as a party to the proceedings in accordance with section 21(6) of the 2015 Act;
- (iii) direct that such other person as the Court thinks fit be given notice of the application in accordance with section 21(7) of the 2015 Act;
- (iv) where notice has been given to such person in accordance with section 21(7) of the 2015 Act, order that such other person as the Court thinks fit be added as a party to the proceedings;
- (v) give such further directions as it considers appropriate for the conduct of the proceedings on the application and the hearing thereof, including but not limited to the provision of further particulars or information, and any other matter to which Part 2 of the 2015 Act relates.

(8) An application by a party under section 21(5) of the 2015 Act (for a direction that all necessary papers in the matter be sent to the Attorney General) or under section 21(7) of the 2015 Act (for an order that a person be added as a party to the proceedings) may be made by notice of motion (which may be made returnable to the date fixed for the hearing of the application or to any date to which same has been adjourned). Unless the Court otherwise permits, the notice of motion shall be served on all other parties to the proceedings at least seven days before the date fixed for the hearing of the motion.

(9) Service of notices or other documents in proceedings under this rule shall be effected by a means permitted by section 42 of the 2015 Act.

(10) Any declaration made under section 21 of the 2015 Act shall be in the Form 58.55, Schedule C, or such modification thereof as may be appropriate.”.

4. The forms numbered 58.54 and 58.55 in the Schedule shall be substituted for the forms bearing the like numbers respectively in Schedule C to the District Court Rules 1997 (S.I. No. 93 of 1997).

**Schedule**

**No. 58.54**

SCHEDULE C

O.58, r. 8A(1)

**Children and Family Relationships Act 2015, Section 21**

**District Court Area of**

**District No.**

**NOTICE OF APPLICATION FOR A DECLARATION OF PARENTAGE**

BETWEEN

..... of ..... \*(in court (area and) district aforesaid), the mother of the child,  
First Applicant

and.....of .....(in court (area and) district aforesaid), intending parent,  
Second Applicant

AND ..... of ..... \*(in court (area and) district aforesaid).....  
Respondent

\*[AND ..... of .....  
Notice Party]

In the matter of ..... of ..... (the child concerned)

TAKE NOTICE that the above-named first applicant of ..... \*(in court (area and) district aforesaid), and the above-named second applicant of ..... \*(in court (area and) district aforesaid) who are over the age of 18 years, will apply at the sitting of the District Court to be held at ..... on the ... day of ..... 20., at ..... a.m./p.m. for a declaration under Section 21 of the Children and Family Relationships Act 2015 that the second applicant referred to in section 21(2)(b) of the said Act, the intending parent, is a parent of the respondent child.

\*The donor who provided a gamete that was used in the DAHR procedure was known to the mother of the child and the person referred to in section 20(1)(c) of the said Act, and the donor has consented to the making of the declaration concerned under section 21 of the said Act in the manner required by section 20(1)(g) and section 20(1)(h) of the said Act and an affidavit of the donor is filed with this notice.

\*The donor who provided a gamete that was used in the DAHR procedure was known to the mother of the child and the person referred to in section 20(1)(c) of the said Act, and the said donor \*is deceased \*cannot be located after reasonable efforts have been made to find him/her as set out in the affidavit filed with this notice and an order is sought under section 20(1)(i) of the said Act waiving the requirement of consent from the said donor.

Dated this ... day of .... 20..

Signed .....  
Applicant/Solicitor for the First Applicant

Signed .....  
Applicant/Solicitor for the Second Applicant

To The District Court Clerk, District Court Office, at .....

and

To .....of .....Respondent

To .....of .....[Notice Party]\*

\*Delete inapplicable words

No. 58.55

SCHEDULE C

O.58, r. 8A(9)

**Children and Family Relationships Act 2015, Section 21**

**District Court Area of**

**District No.**

**DECLARATION IN THE MATTER OF SECTION 21 OF THE CHILDREN AND FAMILY RELATIONSHIPS ACT 2015**

BETWEEN

..... of .....\*(in court (area and) district aforesaid), the mother of the child,  
first applicant

and.....of .....(in court (area and) district aforesaid), intending parent,  
second applicant

AND ..... of .....\*(in court (area and) district aforesaid).....  
Respondent

\*[AND ..... of .....  
Notice Party]

In the matter of ..... of ..... (the child concerned)

WHEREAS the application of the above named applicants pursuant to Section 21 of the Children and Family Relationships Act 2015, came before this Court sitting at ..... and was determined on this day

HAVING READ the affidavit(s) filed in court

HAVING HEARD the parties

THE COURT BEING SATISFIED

\*THAT the donor who provided a gamete that was used in the DAHR procedure was known to the mother of the child and the person referred to in section 20(1)(c) of the said Act, and the said donor has consented to the making of the declaration concerned under section 21 of the said Act in the manner required by section 20(1)(g) and section 20(1)(h) of the said Act

\*THAT the donor who provided a gamete that was used in the DAHR procedure was known to the mother of the child and the person referred to in section 20(1)(c) of the said Act, and the said donor \*is deceased \*cannot be located after reasonable efforts have been made to find him/her and accordingly the Court waives the requirement of consent from the said donor in accordance with section 20(1)(i) of the said Act

THAT .....of..... \*(in Court (area and) district aforesaid), a child, having been born on the .....day of .....20..., at ....., is a child to whom section 20 of the Children and Family Relationships Act 2015 applies, and

\*THAT it is in the best interests of the said child to make this declaration, the said child having not attained the age of 18 years

NOW IT IS HEREBY DECLARED that:

..... of ....., the second named applicant, being the applicant referred to in section 21(2)(b) of the Children And Family Relationships Act 2015, is a parent of the said child.

Which said Declaration is made the ..... day of .....20.....

Signed .....

Judge of the District Court

To: The parties

\*Delete as appropriate

EXPLANATORY NOTE

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

These rules update Order 58 Rule 9 to facilitate commencement of section 232(b), (c) and (d) of the Health (Assisted Human Reproduction) Act 2024 which amends the Children and Family Relationships Act 2015 by extending the court's jurisdiction to make a declaration of parentage to cases where the procedure was carried out in a non-clinical setting and to cases where the donor is known and consents to the declaration, or is deceased, or cannot reasonably be located.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
FOILSEACHÁIN RIALTAIS,  
BÓTHAR BHAILE UÍ BHEOLÁIN,  
CILL MHAIGHNEANN,  
BAILE ÁTHA CLIATH 8,  
D08 XAO6

Teil: 046 942 3100  
r-phost: [publications@opw.ie](mailto:publications@opw.ie)

---

DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased from  
GOVERNMENT PUBLICATIONS,  
MOUNTSHANNON ROAD,  
KILMAINHAM, DUBLIN 8,  
D08 XAO6

Tel: 046 942 3100  
E-mail: [publications@opw.ie](mailto:publications@opw.ie)

---

€ 3.50

