



STATUTORY INSTRUMENTS.

**S.I. No. 156 of 2026**



CIRCUIT COURT RULES (APPEARANCES) 2026

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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, with the concurrence of the Minister for Justice, Home Affairs and Migration, make the following Rules of Court.

Dated this 22nd day of October 2025.

Patricia Ryan \_\_\_\_\_ Chairperson

John Aylmer \_\_\_\_\_

Sinéad Ní Chúlacháin \_\_\_\_\_

Tomás Keys \_\_\_\_\_

Tracy Ennis Faherty \_\_\_\_\_

Siún Hurley \_\_\_\_\_

Patricia Hickey \_\_\_\_\_

Rory Hanniffy \_\_\_\_\_

James Finn \_\_\_\_\_

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

Dated this 10<sup>th</sup> day of April 2026.

Signed:

Jim O'Callaghan,  
Minister for Justice, Home Affairs and Migration.

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 17th April, 2026.*

S.I. No. 156 of 2026

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1. (1) These Rules, which may be cited as the Circuit Court Rules (Appearances) 2026, shall come into operation on the 8th day of May 2026.

(2) These Rules shall be construed together with the Circuit Court Rules 2001 to 2026.

(3) The Circuit Court Rules 2001 to 2026 as amended by these Rules may be cited as the Circuit Court Rules 2001 to 2026.

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 insertion in Order 5, immediately following rule 10, of the following rule:

“11. An originating notice of motion in which a respondent is named shall have indorsed on it the following notice addressed to the respondent:

“If you the respondent wish to be heard by the Court in these proceedings, you are required to enter an appearance in person or by solicitor in the Office within ten days after service of this originating notice of motion on you (exclusive of the day of such service) or within such other time as is permitted by the Court. ””;

(ii) by the substitution for rule 5 of Order 14 of the following rule:

“5. (1) Where a person served desires to contest the jurisdiction of the Court to hear and determine the claim under the provisions of the 1968 Convention, Regulation No. 1215/2012 or the Lugano Convention, he or she may enter an appearance solely for the purpose of contesting jurisdiction, in the Form 5A, and may apply to the Court by motion on notice grounded upon affidavit for determination of the question of jurisdiction as a preliminary issue. The Judge may determine the question of jurisdiction on affidavit, or may direct the trial of an issue, with or without pleadings, as he or she may see fit, and may give such directions in relation thereto as he or she may see fit.

(2) Any person who desires to contest jurisdiction in proceedings in which there is no provision in these Rules for the delivery of a Defence, shall at the soonest opportunity apply to the Court on 14 days’ notice to the

other party or parties for an order declining jurisdiction and the Judge may determine the question of jurisdiction on affidavit, or may direct the trial of a preliminary issue, with or without pleadings, as he or she may see fit, and may give such directions in relation thereto as he or she may see fit.”;

- (iii) by the substitution for sub-rule (2) of rule 1 of Order 15 of the following sub-rules:

“(1A) A named respondent in proceedings commenced by originating notice of motion, and to whom notice of such motion has been given, and any other party joined to such proceedings by order of the Court or named in the title, who intends to appear in the proceedings shall enter an appearance in Form 5B of the Schedule of Forms, within the permitted period after service of the notice of motion or such other time as may be fixed by the Court. Where a respondent or other party is given notice of such motion after the date first fixed for the hearing of the notice of motion, he or she shall enter an appearance thereto within the time fixed by the Court for that purpose. Such respondent or other party is not required to deliver a Defence.

(1B) A respondent or other party in proceedings commenced by originating notice of motion shall not, without the leave of the Court, be entitled to be heard in such proceedings unless he or she has entered an appearance or otherwise has a statutory right to be so heard, provided that the Court may hear such person on foot of an undertaking to enter an appearance.

(2) The appearance shall be lodged with or sent by post to the County Registrar so as to reach the Office before the expiration of the time limited for appearance. For the avoidance of doubt, the entry of an appearance does not confer on a person a right to be heard that such person would not otherwise enjoy.”;

- (iv) by the insertion immediately following sub-rule (6) of rule 1 of Order 15 of the following sub-rules:

“(7) An appearance in Form 5 entered in any proceedings in which Order 14, rule 5 does not apply may be expressed as unconditional, or as conditional for the purpose of objecting to the jurisdiction of the Court. Where a conditional appearance has been entered and the Court dismisses the objection, the party who has entered a conditional appearance may enter an unconditional appearance within ten days from the date of the order of the Court, without prejudice to the right to appeal the order dismissing the objection.

(8) Notwithstanding any other provision of these Rules, a person who contests the validity of the service on him or her of any originating or other document may be heard on the issue of the validity or otherwise of such service although he or she has not entered an appearance.”;

- (v) by the substitution for rule 2 of Order 15 of the following rule:

“2. (1) Save where otherwise provided by these Rules, the time for entering an appearance shall be ten days from the service of the Civil Bill or originating notice of motion, exclusive of the day of service, or such further time as the plaintiff consents to in writing, unless the Court shall otherwise direct.

(2) An appearance may not be entered, except with the leave of the Court, if the plaintiff has obtained judgment in default of appearance.

(3) Where an appearance is entered outside the time permitted for that purpose, with or without the plaintiff’s consent, judgment in default of appearance shall not subsequently be given unless the Court, on the application of the plaintiff on notice, sets aside the appearance.

(4) Where an appearance is entered outside the time permitted for that purpose, without the plaintiff’s consent, the plaintiff shall be taken to have waived any objection to late entry of the appearance by a subsequent written consent to extend the time, given under sub-rule (1), or by taking a further step in the action.”;

- (vi) by the insertion immediately following rule 3 of Order 15 of the following rule:

“3A. Where any respondent in proceedings commenced by originating notice of motion fails to enter an appearance to such notice of motion (or, having failed to enter an appearance, has not been heard by leave of the Court in accordance with rule 1(1B)), the Court may, on the hearing of the motion, if satisfied as to the service of notice of the motion on that respondent, grant such of the reliefs sought in the notice of motion against such respondent as seem just and proper.”;

- (vii) by the deletion from Order 15 of rule 7A;

- (viii) by the substitution for rule 6 of Order 27 of the following rule:

“6. Where any respondent in proceedings commenced by originating notice of motion pursuant to Order 64B or Order 64C fails to enter an Appearance to the originating

notice of motion (or, having failed to enter an Appearance, has not been heard by leave of the Court in accordance with Order 15, rule 1(1B)), the Court may, on the hearing of the motion, if satisfied as to the service of notice of the motion on that respondent, grant against that respondent such of the reliefs sought in the originating notice of motion against that respondent as seem just and proper. The other provisions of this Order shall not apply to such proceedings.”; and

- (ix) by the substitution for sub-rule (1) of rule 5 of Order 64B of the following sub-rule:

“(1) A respondent wishing to be heard on the application shall enter an Appearance in accordance with Order 15, rule 1, and deliver a copy of his Appearance to the applicant.”.

EXPLANATORY NOTE

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

These rules standardise the procedure for entering an appearance by amending Order 5 and Order 15 to extend the requirement to file an appearance to respondents and other parties joined to the proceedings or named in the title who wish to be heard by the court in proceedings commenced by originating notice of motion. They also amend Order 14 to simplify the procedure where an appearance is filed for the purpose of contesting jurisdiction.

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