



STATUTORY INSTRUMENTS.

**S.I. No. 159 of 2026**



RULES OF THE SUPERIOR COURTS (COMMERCIAL) 2026

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We, the Superior Courts Rules Committee, by virtue of the powers conferred upon us by section 36 of the Courts of Justice Act 1924, section 68 of the Courts of Justice Act 1936 (as applied by section 48 of the Courts (Supplemental Provisions) Act 1961), and section 14 of the Courts (Supplemental Provisions) Act 1961, and with the concurrence of the Minister for Justice, Home Affairs and Migration, make the following Rules of Court.

Dated this 3<sup>rd</sup> day of December, 2025.

Donal O'Donnell (Chairperson)

Caroline Costello

Yvonne McNamara

David Barniville

Grainne Larkin

Elizabeth Dunne

Áine Hynes

Brian R. Murray

James Finn

Mary Faherty

Mary Kelly

Nuala Butler

Richard Humphreys

Siobhán Phelan

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

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

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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. 159 of 2026

## RULES OF THE SUPERIOR COURTS (COMMERCIAL) 2026

1. (1) These Rules, which may be cited as the Rules of the Superior Courts (Commercial) 2026, shall come into operation on the 8<sup>th</sup> day of May 2026.

(2) These Rules shall be construed together with the Rules of the Superior Courts.

(3) The Rules of the Superior Courts as amended by these Rules may be cited as the Rules of the Superior Courts 1986 to 2026.

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

3. The Rules of the Superior Courts are amended by the substitution for the definition of “commercial proceedings” in rule 1 of Order 63A of the following definition:

““commercial proceedings” means:

- (a) proceedings in respect of any claim or counterclaim, not being a claim or counterclaim for damages for personal injuries, arising from or relating to any one or more of the following:
  - (i) a business document, business contract or business dispute where the value of the claim or counterclaim is not less than €1,000,000;
  - (ii) the determination of any question of construction arising in respect of a business document or business contract where the value of the transaction the subject matter thereof is not less than €1,000,000;
  - (iii) the purchase or sale of commodities where the value of the claim or counterclaim is not less than €1,000,000;
  - (iv) the export or import of goods where the value of the claim or counterclaim is not less than €1,000,000;
  - (v) the carriage of goods by land, sea, air or pipeline where the value of the claim or counterclaim is not less than €1,000,000;
  - (vi) the exploitation of oil or gas reserves or any other natural resource where the value of the claim or counterclaim is not less than €1,000,000;
  - (vii) insurance or re-insurance where the value of the claim or counterclaim is not less than €1,000,000;

- (viii) the provision of services (not including medical, quasi-medical or dental services or any service provided under a contract of employment) where the value of the claim or counterclaim is not less than €1,000,000;
  - (ix) the operation of markets or exchanges in stocks, shares or other financial or investment instruments, or in commodities where the value of the claim or counterclaim is not less than €1,000,000;
  - (x) the construction of any vehicle, vessel or aircraft where the value of the claim or counterclaim is not less than €1,000,000;
  - (xi) business agency where the value of the claim or counterclaim is not less than €1,000,000;
- (b) proceedings in respect of any other claim or counterclaim which the Judge in charge of the Commercial List, having regard to the commercial and any other aspect thereof, considers appropriate for entry in the Commercial List;
  - (c) any application or proceedings under the Arbitration Act 2010 (other than an application or request for an order under Article 8(1) of the Model Law or Article II.3 of the New York Convention (each within the meaning of section 2(1) of that Act)) where the value of the claim or any counterclaim is not less than €1,000,000;
  - (d) intellectual property proceedings, within the meaning of this rule;
  - (e) proceedings which in the opinion of the Judge of the Commercial List are sufficiently concerned or connected with rights protected under the laws or instruments referred to in the definition of “intellectual property proceedings” so as to warrant assignment to the Intellectual Property and Technology List;
  - (f) proceedings which in the opinion of the Judge of the Commercial List involve issues of technological complexity in any field of industry so as to warrant assignment to the Intellectual Property and Technology List;
  - (g) any appeal from, or application for judicial review of, a decision or determination made or a direction given by a person or body authorised by statute to make such decision or determination or give such direction, where the Judge in charge of the Commercial List considers that the appeal or application is, having regard to the commercial or any other aspect thereof, appropriate for entry in the Commercial List;
  - (h) any proceedings by or against the Registrar (within the meaning of Article 1 of the Cape Town Convention) in connection with any function exercised or exercisable by the Registrar under the Cape Town Convention or the Aircraft Protocol (each as defined in section 3 of the International Interests in Mobile Equipment

(Cape Town Convention) Act 2005) or any regulations or procedures made thereunder;

but do not include:

- (i) any claim or counterclaim for damages for personal injuries;
- (ii) any proceedings which qualify for admission to, or are admitted to, the Competition List in accordance with Order 63B, or
- (iii) any proceedings which qualify for admission to, or are admitted to, the Planning and Environment List in accordance with Order 103;”.

EXPLANATORY NOTE

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

These rules amend the definition of commercial proceedings in Rule 1 of Order 63A to ensure this definition includes intellectual property proceedings.

BAILE ÁTHA CLIATH  
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