Changes to Legislation: as of 3 November 2026, there are changes to this Act which have not been implemented by the Revised Acts editorial team, see highlighted entries **here**. Note that some amendments may not be in force until commenced by a commencement order or other provision.



Number 39 *of* 1961

COURTS (SUPPLEMENTAL PROVISIONS) ACT 1961

REVISED

Updated to 23 June 2026

This Revised Act is an administrative consolidation of the *Courts (Supplemental Provisions) Act 1961*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including the *Microenterprise Loan Fund (Amendment) Act 2026* (15/2026), enacted 25 June 2026, and all statutory instruments up to and including the *District Court (Child Care) Rules 2026* (S.I. No. 281 of 2026), made 12 June 2026, were considered in the preparation of this Revised Act.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to revisedacts@lawreform.ie.

Number 39 *of* 1961

COURTS (SUPPLEMENTAL PROVISIONS) ACT 1961

REVISED

Updated to 23 June 2026

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Debtors (Ireland) Act, 1840	1840, c. 105
Criminal Justice Act, 1951	1951, No. 2
Courts of Justice and Court Officers (Superannuation) Act, 1961	1961, No. 16
Summary Jurisdiction Act, 1857	1857, c. 43
Hire-Purchase (Amendment) Act, 1960	1960, No. 15
Court Officers Act, 1951	1951, No. 8
Solicitors Act, 1954	1954, No. 36
District Justices (Temporary Provisions) Act, 1923	1923, No. 6
Courts of Justice Act, 1928	1928, No. 15
Superannuation Act, 1834	1834, c. 24
Superannuation Act, 1956	1956, No. 38
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Number 39 *of* 1961

COURTS (SUPPLEMENTAL PROVISIONS) ACT 1961

REVISED

Updated to 23 June 2026

AN ACT TO PROVIDE, IN RELATION TO THE COURTS TO BE ESTABLISHED BY THE COURTS (ESTABLISHMENT AND CONSTITUTION) ACT, 1961, AND THE JUDGES AND OFFICERS OF THOSE COURTS, FOR CERTAIN MATTERS NECESSARY TO SUPPLEMENT THAT ACT, TO CONFER JURISDICTION ON THE JUDGE OF THE CIRCUIT COURT ASSIGNED TO THE CORK CIRCUIT IN ADMIRALTY CAUSES AND IN BANKRUPTCY, TO REPEAL CERTAIN ENACTMENTS, AND TO PROVIDE FOR CERTAIN OTHER MATTERS CONNECTED WITH THE MATTERS AFORESAID. [16*th August*, 1961.]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

PART I

Preliminary And General

Short title and commencement.

1.—(1) This Act may be cited as the Courts (Supplemental Provisions) Act, 1961.

(2) This Act shall come into operation on the date on which the Principal Act comes into operation and immediately after the coming into operation of the Principal Act.

Interpretation generally.

2.—(1) In this Act—

F1**[**"market value" means, in relation to land, the price that would have been obtained in respect of the unencumbranced fee simple were the land to have been sold on the open market, in the year immediately preceding the bringing of the proceedings concerned, in such manner and subject to such conditions as might reasonably be calculated to have resulted in the vendor obtaining the best price for the land.**]**

"the Act of 1924" means the Courts of Justice Act, 1924;

"the Act of 1926" means the Court Officers Act, 1926;

"the Act of 1936" means the Courts of Justice Act, 1936;

"the Act of 1945" means the Court Officers Act, 1945;

"the Act of 1946" means the Courts of Justice (District Court) Act, 1946;

"the Act of 1947" means the Courts of Justice Act, 1947;

"the Act of 1949" means the Courts of Justice (District Court) Act, 1949;

"the Act of 1953" means the Courts of Justice Act, 1953;

F2[“the Act of 2014" means the Court of Appeal Act 2014;]

F3[“the Act of 2015" means the Legal Services Regulation Act 2015;]

“the Circuit Court” means the Court established by section 4 of the Principal Act;

F2[“the Court of Appeal" means the Court established by section 1A of the Principal Act;]

“the Court of Criminal Appeal” means the Court established by section 3 of the Principal Act;

“the District Court” means the Court established by section 5 of the Principal Act;

“the Dublin Metropolitan District” means the district styled and known as the Dublin Metropolitan District under section 64 of the Act of 1936;

“enactment” includes a charter and any instrument made under an enactment;

“the existing Chief Justice” means the judge of the existing Supreme Court who, by virtue of section 5 of the Act of 1924, was, immediately before the operative date, president of that Court;

“the existing Circuit Court” means the Circuit Court of Justice constituted by section 37 of the Act of 1924;

“the existing Court of Criminal Appeal” means the Court of Criminal Appeal constituted by section 8 of the Act of 1924;

“the existing District Court” means the District Court of Justice constituted by section 67 of the Act of 1924;

“the existing High Court” means the High Court of Justice constituted by section 4 of the Act of 1924;

“the existing President of the Circuit Court” means the judge of the existing Circuit Court who, immediately before the operative date, held the office created by section 9 of the Act of 1947;

“the existing President of the High Court” means the judge of the existing High Court who, by virtue of section 4 of the Act of 1924, was, immediately before the operative date, president of that Court;

“the existing Supreme Court” means the Supreme Court of Justice constituted by section 5 of the Act of 1924;

“the High Court” means the Court established by section 2 of the Principal Act;

“justice of the District Court” includes, except where the context otherwise requires, the President of the District Court;

“the Minister” means the Minister for Justice;

“the operative date” means the date on which this Act comes into operation;

“the Principal Act” means the Courts (Establishment and Constitution) Act, 1961 (No. 39 of 1961);

“State authority” means any authority being—

(*a*) a Minister of State, or

(*b*) the Commissioners of Public Works in Ireland, or

(*c*) the Irish Land Commission, or

(*d*) the Revenue Commissioners, or

(*e*) the Attorney General;

"the Supreme Court" means the Court established by section 1 of the Principal Act.

(2) Except where the context otherwise requires, any reference in this Act to any other enactment shall be construed as a reference to that enactment as amended, adapted or applied by or under any other enactment, including this Act.

Repeals and saving.

3.—The enactments mentioned in column (2) of the First Schedule to this Act are hereby repealed to the extent mentioned in column (3) of that Schedule, but, without prejudice to subsection (1) of section 21 of the Interpretation Act, 1937, such of those enactments as relate to the pensions of the judges and justices of the courts established by the Act of 1924 shall, notwithstanding the repeal thereof, continue to apply to any person who, having been a judge of the existing Supreme Court, existing High Court or existing Circuit Court or a justice of the existing District Court, retired or retires from office before the operative date.

PART II

Supreme Court, High Court, Chief Justice, President of the High Court, Central Criminal Court and Court of Criminal Appeal

Supreme Court and High Court

Number of ordinary judges of Supreme Court and High Court.

4.—(1) F5**[**...**]**

(2) F6**[**...**]**

Qualifications of judges of Supreme Court and High Court.

5.—(1) (*a*) The existing Chief Justice shall be qualified for appointment as Chief Justice and, if he is willing to accept office, no other person shall be qualified for appointment as Chief Justice.

(*b*) The existing President of the High Court shall be qualified for appointment as President of the High Court and, if he is willing to accept office, no other person shall be qualified for appointment as President of the High Court.

(*c*) Each of the persons who are ordinary judges of the existing Supreme Court immediately before the operative date shall be qualified for appointment as an ordinary judge of the Supreme Court and, if and so long as there is one or more than one of those persons who is willing to accept office and has not been appointed, no other person shall be qualified for appointment as an ordinary judge of the Supreme Court.

(*d*) Each of the persons who are ordinary judges of the existing High Court immediately before the operative date shall be qualified for appointment as an ordinary judge of the High Court and, if and so long as there is one or more than one of those persons who is willing to accept office and has not been appointed, no other person shall be qualified for appointment as an ordinary judge of the High Court.

(*e*) Paragraphs (*a*), (*b*), (*c*) and (*d*) of this subsection apply only in relation to the qualification for appointment of the first judges of the Supreme Court and High Court.

(*f*) Subsections (2), (3), (4) and (5) of this section shall have effect subject to the preceding paragraphs of this subsection.

F7**[**(2) (*a*) Subject to paragraphs (b) and (c) of this subsection, a person shall be qualified for appointment as a judge of the F8**[**Supreme Court, the Court of Appeal**]** or the High Court if the person is for the time being a practising barrister or a practising solicitor of not less than 12 years' standing who has practised as a barrister or a solicitor for a continuous period of not less than 2 years immediately before such appointment.

(*b*) A person who—

(i) is or was at any time during the period of 2 years immediately before the appointment concerned—

(I) a judge of the Court of Justice of the European Communities,

(II) a judge of the Court of First Instance attached to that Court,

(III) an Advocate-General of the Court of Justice of the European Communities,

(IV) a judge of the European Court of Human Rights established under the Convention for the Protection of Human Rights and Fundamental Freedoms done at Rome on the 4th day of November, 1950,

(V) a judge of the International Court of Justice established under the Charter of the United Nations,

(VI) a judge of the International Criminal Court established under the Rome Statute of the International Criminal Court done at Rome on the 17th day of July, 1998, upon the entry into force of that Statute,

(VII) a judge of an international tribunal within the meaning of section 2 of the International War Crimes Tribunals Act, 1998,

and

(ii) was a practising barrister or a practising solicitor before appointment to any of the offices referred to in subparagraph (i) of this paragraph,

shall be qualified for appointment as a F8**[**judge of the Supreme Court, the Court of Appeal**]** or the High Court.

(*c*) A judge of the Circuit Court who has served as such a judge for a period of not less than 2 years shall be qualified for appointment as a F8**[**judge of the Supreme Court, the Court of Appeal**]** or the High Court.**]**

F9**[**(*d*) A judge of the District Court who has served as such a judge for a period of not less than 2 years shall be qualified for appointment as a judge of the High Court.**]**

F10**[**(3) An ordinary judge of the Supreme Court shall be qualified for appointment as President of the High Court, President of the Court of Appeal or as Chief Justice.**]**

F10**[**(4) The President of the Court of Appeal shall be qualified for appointment as an ordinary judge of the Supreme Court or as Chief Justice.**]**

F10**[**(5) An ordinary judge of the Court of Appeal shall be qualified for appointment as an ordinary judge of the Supreme Court or as President of the High Court, President of the Court of Appeal or as Chief Justice.**]**

F11**[**(6) The President of the High Court shall be qualified for appointment as an ordinary judge of the Court of Appeal or of the Supreme Court or as President of the Court of Appeal or Chief Justice.

(7) An ordinary judge of the High Court shall be qualified for appointment as an ordinary judge of the Court of Appeal or of the Supreme Court or as President of the High Court, President of the Court of Appeal or Chief Justice.**]**

F9**[**(8) Section 45A provides an additional basis for qualification for appointment as a judge of the Supreme Court, the Court of Appeal or the High Court.

(9) In this section, "practising barrister" has the same meaning as it has in the Act of 2015.**]**

Pensions of judges of Supreme Court and High Court.

F13**[6.**—(1) Subject to Chapter 2 of Part 2 of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012, the provisions set out in Part I of the Second Schedule to this Act shall apply to the pensions of judges of the Supreme Court, Court of Appeal and High Court.

(2) Where a judge of the Supreme Court, Court of Appeal or High Court is removed from office on account of incapacity, he or she shall be deemed for the purpose of pension to have vacated his or her office owing to permanent infirmity.**]**

General jurisdiction of Supreme Court.

7.—(1) The Supreme Court shall be a superior court of record with such appellate and other jurisdiction as is prescribed by the Constitution.

(2) There shall be vested in the Supreme Court—

(*a*) all jurisdiction which was, immediately before the commencement of Part I of the Act of 1924, vested in or capable of being exercised by the former Court of Appeal in Southern Ireland or any judge or judges thereof and was, immediately before the operative date, vested in or capable of being exercised by the existing Supreme Court,

(*b*) all jurisdiction which, by virtue of any enactment which is applied by section 48 of this Act, was, immediately before the operative date, vested in or capable of being exercised by the existing Supreme Court.

F14**[**(3) The Supreme Court may sit in two or more divisions and they may sit at the same time.

F15**[**(3A) Without prejudice to the generality of subsection (3), an interlocutory application relating to an appeal before the Supreme Court or, unless the appeal itself is confined to a procedural matter, any procedural application or motion in the matter, may be heard and determined by—

(*a*) the Chief Justice sitting alone, or

(*b*) any other judge of the Supreme Court sitting alone as may be nominated for that purpose by the Chief Justice.**]**

(4) Subject to subsection (5) of this section, the Chief Justice or, in his or her absence the senior ordinary judge of the Supreme Court for the time being available, may determine that an appeal to or other matter cognisable by the Supreme Court may be heard and determined by a division of five or three judges of the Supreme Court, including judges who are by virtue of subsection (3) or (4) of section 1 F15**[**or subsection (4) of section 1A**]** of the Principal Act, additional judges of the Supreme Court.

(5) An appeal to or other matter cognisable by the Supreme Court under Article 12 or Article 26 of the Constitution or a question of the validity of any law having regard to the provisions of the Constitution shall be heard and determined by not less than five judges of the Supreme Court including judges who are, by virtue of subsection (3) or (4) of section 1 F15**[**or subsection (4) of section 1A**]** of the Principal Act, additional judges of the Supreme Court.**]**

F15**[**(6) In the interests of the administration of justice and the determination of proceedings in a manner which is just, expeditious and likely to minimise the cost of those proceedings—

(*a*) the Chief Justice sitting alone, or

(*b*) any other judge of the Supreme Court sitting alone as may be nominated for that purpose by the Chief Justice,

may, subject to any practice direction issued under subsection (7), make any order, or give any direction he or she thinks appropriate in relation to the conduct of proceedings before the Supreme Court.

(7) In the interests of the administration of justice and the determination of proceedings in a manner which is just, expeditious and likely to minimise the cost of those proceedings and, without prejudice to the generality of Article 64 of the Constitution and the powers of the Supreme Court in that regard, the Chief Justice may issue directions (in this section referred to as "practice directions") in relation to the conduct of appeals or applications made to the Supreme Court.

(8) A practice direction may relate to—

(*a*) civil or criminal proceedings, or both, or

(*b*) a class or classes of civil or criminal proceedings, or both,

and may make provision for such incidental, supplementary and consequential matters, including in respect of a failure to comply with any matter provided for in a practice direction as appear to the Chief Justice to be necessary or expedient for the purposes of the direction.

(9) A practice direction under this section shall be published in such manner as the Chief Justice may direct.

(10) Subject to subsection (11), the following applications may be determined by the Supreme Court otherwise than with an oral hearing:

(*a*) an application seeking leave to appeal against a decision of the Court of Appeal or the High Court, as the case may be, (in this section referred to as "leave to appeal");

(*b*) an application referred to in Article 64.3.3° of the Constitution;

(*c*) an application referred to in Article 64.4.1° of the Constitution.

(11) Where the Supreme Court considers it appropriate to do, having considered the documents lodged in respect of an application referred to in subsection (10), it may direct that the application, or any matter arising on the application, be determined with an oral hearing.

(12) Where the Supreme Court directs under subsection (11) that an application be determined with an oral hearing, the direction shall be published in such manner as the Chief Justice shall direct.

(13) Subject to subsections (14) and (15), the determination of an application referred to in subsection (10) shall be published in such form and manner as the Chief Justice shall direct.

(14) Leave to appeal shall be granted by way of a certificate of the Supreme Court specifying the ground or grounds on which such appeal may be brought.

(15) Where the Supreme Court determines an application referred to in subsection (10), the Court shall state its reasons for the determination and such reasons may be stated briefly and in general terms.

(16) Where, upon application to it in that behalf by any party to an appeal against a decision of the High Court, the Supreme Court grants leave to appeal against the decision of the High Court, such grant of leave to appeal shall operate—

(*a*) where an appeal has also been made to the Court of Appeal, to discontinue the appeal proceedings before the Court of Appeal in respect of the grounds on which the Supreme Court has granted leave to appeal, or

(*b*) where no appeal has, at the time of the grant of the leave to appeal, been made to the Court of Appeal, to preclude such an appeal being made to the Court of Appeal on those grounds.

(17) Subsections (6) to (16) are without prejudice to any powers of the Supreme Court in respect of proceedings before it.

(18) In this section—

(*a*) "appeal" includes a cross-appeal or request to vary an order under appeal,

"party" includes a notice party or a party permitted by the Supreme Court to intervene in proceedings,

(*b*) a reference to an "interlocutory application" includes a reference to an application which may be made under any enactment to the Supreme Court in criminal proceedings concerning the grant of a certificate of entitlement to legal aid.**]**

F16[General jurisdiction of Court of Appeal

7A.—(1) The Court of Appeal shall be a superior court of record with such appellate jurisdiction as is prescribed by the Constitution.

(2) Subject to the provisions of Article 64 of the Constitution and section 78(3) of the Act of 2014, there shall be vested in the Court of Appeal all appellate jurisdiction which was, immediately before the establishment day, vested in or capable of being exercised by the Supreme Court.

(3) Subject to section 78(1) of the Act of 2014, there shall be vested in the Court of Appeal all jurisdiction which was, immediately before the establishment day, vested in or capable of being exercised by the Court of Criminal Appeal.

(4) Subject to section 78(2) and (3) of the Act of 2014, there shall be vested in the Court of Appeal all jurisdiction which was, immediately before the establishment day, vested in or capable of being exercised by the Courts-Martial Appeal Court.

(5) The Court of Appeal may sit in divisions of 3 judges (including judges who are, by virtue of section 1A(3) or (6) of the Courts (Establishment and Constitution) Act 1961, additional judges of the Court of Appeal) and the divisions may sit at the same time.

(6) Notwithstanding the generality of subsection (5), an interlocutory application relating to an appeal before the Court of Appeal or, unless the appeal itself is confined to a procedural matter, any procedural application or motion in the matter, may be heard and determined by—

(*a*) the President of the Court of Appeal sitting alone, or

(*b*) any other judge of the Court of Appeal sitting alone as may be nominated for that purpose by the President of the Court of Appeal.

F17[(6A) Notwithstanding the generality of subsections (5) and (6), but subject to subsection (6C), in civil proceedings before the Court of Appeal, an application or appeal specified in subsection (6B) may be heard and determined by—

(*a*) the President of the Court of Appeal sitting alone, or

(*b*) any other judge of the Court of Appeal sitting alone as may be nominated for that purpose by the President of the Court of Appeal.

(6B) The following applications and appeals are specified for the purposes of subsection (6A):

(*a*) an application to dismiss an appeal on the basis that the appeal is—

(i) an abuse of process,

(ii) frivolous or vexatious, or

(iii) without substance or foundation;

(*b*) an appeal against an order for costs;

(*c*) an appeal against an order made pursuant to the slip rule;

(*d*) an appeal against an order made in respect of matters connected with the case management of proceedings;

(*e*) an appeal against such class or classes of order of the High Court of an interlocutory nature as may be prescribed in the Rules of the Superior Courts.

(6C) Where—

(*a*) the President of the Court of Appeal, or

(*b*) the judge nominated under subsection (6A)(b),

hears an application or an appeal in accordance with subsection (6A) and it appears to him or her that it is in the interests of justice that the application or the appeal be heard by a division of 3 judges, he or she shall refer the application or the appeal for hearing by such division.

(6D) In prescribing orders of an interlocutory nature for the purposes of subsection (6B)(e), the Superior Courts Rules Committee—

(*a*) shall have regard to the following:

(i) the interests of justice;

(ii) the need to ensure expeditious access to justice for all parties to proceedings;

(iii) the need for the expeditious disposal of proceedings in the High Court and, in particular, proceedings in respect of an appeal against an order of the High Court of an interlocutory nature;

(iv) the need to ensure the most effective and efficient use of the resources of the Court of Appeal,

and

(*b*) may, for those purposes, prescribe any of the following orders either generally, or in respect of particular categories of proceedings:

(i) an order for discovery, including further and better discovery;

(ii) an order refusing discovery, including further and better discovery;

(iii) an order requiring the delivery of replies to particulars;

(iv) an order refusing to direct the delivery of replies to particulars;

(v) an order requiring an answer to interrogatories;

(vi) an order refusing to direct an answer to interrogatories;

(vii) an order granting an application for an interlocutory injunction;

(viii) an order refusing to grant an application for an interlocutory injunction;

(ix) an order for security for costs;

(x) an order refusing to grant security for costs;

(xi) an order granting an application to amend pleadings;

(xii) an order refusing to grant an application to amend pleadings;

(xiii) such other order of an interlocutory nature as the Superior Court Rules Committee considers appropriate having regard to the matters referred to in paragraph (a).**]**

(7) Where the Court of Appeal is exercising its jurisdiction in respect of a criminal matter before it, then unless the matter is one which involves a question as to the validity of any law having regard to the provisions of the Constitution, the decision of the majority of the judges of the Court hearing the case shall be the decision of the Court of Appeal and it shall be pronounced by such one of the judges of the Court as that Court shall direct and no other opinion whether assenting or dissenting shall be pronounced, nor shall the existence of any such other opinion be disclosed.

(8) The jurisdiction vested in the Court of Appeal shall include all powers, duties and authorities incidental to the jurisdiction so vested.

(9) In this section—

(*a*) "the establishment day" has the same meaning as it has in section 2 of the Act of 2014, and

(*b*) a reference to an "interlocutory application" includes a reference to an application which may be made under any enactment to the Court of Appeal in criminal proceedings concerning the grant of a certificate of entitlement to legal aid.**]**

F18**[**Power of Court of Appeal to stay proceedings to enable parties to apply to Supreme Court in certain circumstances

7B.—(1) Without prejudice to the jurisdiction of the Supreme Court as is prescribed by the Constitution, where proceedings in respect of an appeal from a decision of the High Court are before the Court of Appeal, the Court of Appeal may—

(*a*) of its own motion, or

(*b*) upon application to it in that behalf by one or more parties (in this section referred to as the "applicant") to the proceedings,

by order stay the proceedings before it to enable the applicant to apply to the Supreme Court for leave to appeal under Article 34.5.4° of the Constitution from the decision of the High Court.

(2) An order to stay proceedings under subsection (1) may only be made by the Court of Appeal where—

(*a*) the proceedings concerned have not been heard in full or in part by the Court of Appeal, and

(*b*) the parties to the proceedings consent to the making of such an order.

(3) Where the Court of Appeal makes an order to stay proceedings under subsection (1), no further step may be taken in respect of those proceedings, other than with the leave of the Court of Appeal, until such time as the Supreme Court makes a determination in respect of the application for leave to appeal.

(4) Where the Supreme Court grants an application for leave to appeal in respect of proceedings which are the subject of an order under subsection (1), the Court of Appeal shall, in respect of the proceedings before it, provide by order for the discontinuance of those proceedings, which order of discontinuance shall be confined to the grounds upon which the Supreme Court granted leave to appeal.

(5) Where the Supreme Court refuses an application for leave to appeal in respect of proceedings which are the subject of an order under subsection (1), the Court of Appeal shall make such order as it thinks fit to provide for the continuance of the proceedings.

(6) This section is in addition to, and not in substitution for, any power of the Court of Appeal to stay proceedings before it.

(7) For the purposes of this section an appeal shall not be taken to have been heard in part by reason of the Court of Appeal having heard an interlocutory application relating to the appeal or, unless the appeal itself is confined to a procedural matter, the Court of Appeal having heard any procedural application or motion in the matter.**]**

F19**[**President of Court of Appeal may issue practice directions

7C.—(1) In the interests of the administration of justice and the determination of proceedings in a manner which is just, expeditious and likely to minimise the cost of those proceedings—

(*a*) the President of the Court of Appeal sitting alone, or

(*b*) any other judge of the Court of Appeal sitting alone as may be nominated for that purpose by the President of the Court of Appeal,

may, subject to any practice direction issued under subsection (2), make any order or give any direction he or she thinks appropriate in relation to the conduct of proceedings before the Court of Appeal.

(2) In the interests of the administration of justice and the determination of proceedings in a manner which is just, expeditious and likely to minimise the cost of those proceedings, the President of the Court of Appeal may issue directions (in this section referred to as "practice directions") in relation to the conduct of appeals or applications made to the Court of Appeal.

(3) A practice direction may relate to—

(*a*) civil or criminal proceedings, or both, or

(*b*) a class or classes of civil or criminal proceedings, or both,

and may make provision for such incidental, supplementary and consequential matters, including in respect of a failure to comply with any matter provided for in a direction, as appear to the President of the Court of Appeal to be necessary or expedient for the purposes of the direction.

(4) A practice direction shall be published in such manner as the President of the Court of Appeal may direct.

(5) This section is without prejudice to any powers of the Court of Appeal in respect of proceedings before it.

(6) In this section—

"appeal" includes a cross-appeal or request to vary an order under appeal;

"party" includes a notice party or a party permitted by the Court of Appeal to intervene in proceedings.**]**

F20**[**President of Court of Appeal

7D. —It shall be a function of the President of the Court of Appeal to arrange the distribution and allocation of the business of the Court of Appeal including the arrangement of the divisions of the Court referred to in section 7A(5) and the convening and dissolution of such divisions.**]**

General jurisdiction of High Court.

8.—(1) The High Court shall be a superior court of record with such original and other jurisdiction as is prescribed by the Constitution.

(2) There shall be vested in the High Court—

(*a*) all jurisdiction which was, immediately before the commencement of Part I of the Act of 1924, vested in or capable of being exercised by the former High Court of Justice in Southern Ireland or any division or judge thereof and was, immediately before the operative date, vested in or capable of being exercised by the existing High Court,

(*b*) all jurisdiction which, by virtue of any enactment which is applied by section 48 of this Act, was, immediately before the operative date, vested in or capable of being exercised by the existing High Court.

(3) The jurisdictions vested in the High Court shall include all powers, duties and authorities incident to any and every part of the jurisdictions so vested.

F21**[**General jurisdiction of Family High Court

8A.— ...**]**

F22**[**Exercise of jurisdiction by judges of Family High Court

8B.— ...**]**

F23**[**Proceedings and sittings of Family High Court

8C.— ...**]**

Jurisdiction of High Court in lunacy and minor matters.

9.—(1) There shall be vested in the High Court the jurisdiction in lunacy and minor matters which—

(*a*) was formerly exercised by the Lord Chancellor of Ireland,

(*b*) was, at the passing of the Act of 1924, exercised by the Lord Chief Justice of Ireland, and

(*c*) was, by virtue of subsection (1) of section 19 of the Act of 1924 and subsection (1) of section 9 of the Act of 1936, vested, immediately before the operative date, in the existing High Court.

(2) The jurisdiction vested in the High Court by subsection (1) of this section shall be exercisable by the President of the High Court or, where the President of the High Court so directs, by an ordinary judge of the High Court for the time being assigned in that behalf by the President of the High Court.

(3) References in the Lunacy Regulation (Ireland) Act, 1871, and the rules and orders made thereunder to "the Lord Chancellor entrusted as aforesaid" shall be construed as references to the judge of the High Court for the time being exercising the jurisdiction vested in the High Court by subsection (1) of this section.

(4) (*a*) The President of the High Court or such other Judge of the High Court as may be assigned by him under subsection (2) of this section may from time to time by order made under section 118 of the Lunacy Regulation (Ireland) Act, 1871, amend any form prescribed by or under that Act for use in relation to the jurisdiction in lunacy matters vested in the High Court by subsection (1) of this section by substituting in such form the expression "ward of court" or such other similar expression as he thinks proper for the word "lunatic" and the expression "person of unsound mind" respectively and by making such further consequential amendments in that form as he thinks necessary and proper.

(*b*) Any order made under section 4 of the Courts of Justice Act, 1928, as amended by paragraph (*b*) of subsection (2) of section 9 of the Act of 1936, which is in force immediately before the operative date shall continue in force and be deemed to have been made under paragraph (*a*) of this subsection.

(5) Such solicitors, doctors, visitors and other persons as were, immediately before the operative date, retained or nominated in relation to the exercise of any jurisdiction which, by virtue of subsection (1) of section 19 of the Act of 1924 and subsection (1) of section 9 of the Act of 1936, was, immediately before the operative date, vested in the existing High Court shall be retained or nominated by the President of the High Court and section 59 of the Act of 1926, as applied by section 48 of this Act, shall not apply to them.

Chief Justice and President of the High Court

Jurisdiction of Chief Justice and President of the High Court.

10.—(1) There shall be exercisable by the Chief Justice—

(*a*) the jurisdiction in relation to solicitors which, by virtue of subsection (2) of section 19 of the Act of 1924, and subsection (3) of section 14 of the Solicitors Act, 1954, was, immediately before the operative date, vested in or capable of being exercised by the existing Chief Justice,

(*b*) the power of appointing notaries public and commissioners to administer oaths,

(*c*) all jurisdiction which, by virtue of any enactment which is applied by section 48 of this Act, was, immediately before the operative date, vested in or capable of being exercised by the existing Chief Justice.

(2) F27**[**...**]**

(3) It shall be the function of the President of the High Court F27**[**...**]** to arrange the distribution and allocation of the business of the High Court.

(4) F28**[**...**]**

(5) There shall be exercisable by the President of the High Court all jurisdiction which, by virtue of any enactment which is applied by section 48 of this Act, was, immediately before the operative date, vested in or capable of being exercised by the existing President of the High Court.

Central Criminal Court

The Central Criminal Court.

11.—(1) The High Court exercising the criminal jurisdiction with which it is invested shall be known as An Phríomh-Chúirt Choiriúil (The Central Criminal Court) and is in this Act referred to as the Central Criminal Court.

(2) (*a*) The jurisdiction exercisable by the Central Criminal Court shall be exercisable by a judge or judges of the High Court (including the President of the High Court) nominated from time to time by the President of the High Court.

(*b*) The jurisdiction of the Court shall be exercisable by each judge for the time being so nominated save that, where the President of the High Court directs that two or more such judges shall sit together for the purpose of a particular case, the jurisdiction of the Court for that purpose shall be exercised by those judges sitting together.

(3) Every person lawfully brought before the Central Criminal Court may be indicted before and tried and sentenced by that Court, wherever it may be sitting, in like manner in all respects as if the crime with which such person is charged had been committed in the county or county borough in which the said Court is sitting.

(4) References in any other enactment (whether passed before or after this Act) to the Central Criminal Court shall be construed as references to the High Court exercising the criminal jurisdiction with which it is invested.

Court of Criminal Appeal

Jurisdiction of Court of Criminal Appeal.

12.—F30**[**...**]**

High Court Circuits

High Court Circuits.

13.—The grouping of the several counties and county boroughs (other than the county of Dublin and the county borough of Dublin) in the State into High Court Circuits under subsection (1) (repealed by this Act) of section 33 of the Act of 1936 shall, subject to any order which may be made under subsection (2) of the said section 33, as applied by section 48 of this Act, continue to have effect, and references in any enactment to High Court Circuits shall be construed accordingly.

Exercise of Jurisdiction

Jurisdiction to be exercised pursuant to rules of court (Supreme Court, High Court, Chief Justice, President of the High Court, Central Criminal Court and Court of Criminal Appeal).

14.—(1) In this section "rules of court" means rules made under section 36 of the Act of 1924, as applied by section 48 of this Act.

(2) The jurisdiction which is F31**[**...**]** vested in or exercisable by the Supreme Court, the High Court, the Chief Justice, the President of the High Court, the Central Criminal Court and the Court of Criminal Appeal respectively shall be exercised so far as regards pleading, practice and procedure generally, including liability to costs, in the manner provided by rules of court, and, where no provision is contained in such rules and so long as there is no rule with reference thereto, it shall be exercised as nearly as possible in the same manner as it might have been exercised by the respective existing courts or judges by which or by whom such jurisdiction was, immediately before the operative date, respectively exercisable.

F32**[**(2A) The jurisdiction which is vested in or exercisable by the Court of Appeal and the President of the Court of Appeal respectively shall be exercised so far as regards pleading, practice and procedure generally, including liability to costs, in

the manner provided by rules of court, and, where no provision is contained in such rules and so long as there is no rule with reference thereto, it shall be exercised as nearly as possible in the same manner as it might have been exercised by the respective courts or judges by which or by whom such jurisdiction was, immediately before the establishment day (within the meaning of section 2 of the Act of 2014), respectively exercisable.**]**

F33**[**(3) Rules of court may, in relation to proceedings and matters (not being criminal proceedings or matters or matters relating to the liberty of the person) in the High Court, the Court of Appeal and Supreme Court, authorise the Master of the High Court and other principal officers, within the meaning of the Court Officers Acts 1926 to 2014 to exercise functions, powers and jurisdiction in uncontested cases and to take accounts, conduct inquiries and make orders of an interlocutory nature.**]**

PART III

Circuit Court

Definitions (Part III).

15.—In this Part of and in the Third, Fourth and Fifth Schedules to this Act—

"action" means a civil proceeding in the Circuit Court commenced by civil bill;

"cause" means any action, suit or original proceeding between a plaintiff and a defendant;

"defendant" includes respondent;

"incorporeal hereditament" includes an easement and a licence in respect of land;

"matter" means any proceeding in the Circuit Court not in a cause;

"plaintiff" includes applicant and petitioner;

"proceedings" includes both causes and matters;

references to the judge of a particular circuit shall be construed as references to the judge of the Circuit Court for the time being assigned to that circuit;

"personality" does not include chattels real;

"land" includes incorporeal hereditaments;

"rules of court" means rules made under section 66 of the Act of 1924, as applied by section 48 of this Act.

Number of ordinary judges of Circuit Court.

16.—F34**[**...**]**

Qualifications of judges of Circuit Court.

17.—(1) (*a*) The existing President of the Circuit Court shall be qualified for appointment as President of the Circuit Court and, if he is willing to accept office, no other person shall be qualified for appointment as President of the Circuit Court.

(*b*) Each of the persons (other than the existing President of the Circuit Court) who are judges of the existing Circuit Court immediately before the operative date shall be qualified for appointment as an ordinary judge of the Circuit Court and, if and so long as there is one or more than one of those persons who is willing to accept office and has not been appointed, no other person shall be qualified for appointment as an ordinary judge of the Circuit Court.

(*c*) Paragraphs (*a*) and (*b*) of this subsection apply only in relation to the qualification for appointment of the first judges of the Circuit Court.

(*d*) Subsections (2) and (3) of this section shall have effect subject to the preceding paragraphs of this subsection.

F35**[**(2) F36**[**Subject to subsection (4), a person**]** who is for the time being a practising barrister or a practising solicitor of not less than 10 years' standing shall be qualified for appointment as a judge of the Circuit Court.

(2A) F36**[**Subject to subsection (4), a judge**]** of the District Court shall be qualified for appointment as a judge of the Circuit Court.

(2B) F36**[**Subject to subsection (4), a county registrar**]** who practised as a barrister or a solicitor for not less than 10 years before he or she was appointed to be a county registrar shall be qualified for appointment as a judge of the Circuit Court.**]**

F37**[**(2C) A specialist judge of the Circuit Court shall be qualified for appointment as an ordinary judge of the Circuit Court.**]**

(3) An ordinary judge of the Circuit Court shall be qualified for appointment as President of the Circuit Court.

F37**[**(4) Any of the following persons shall be qualified for appointment as a specialist judge of the Circuit Court:

(*a*) a person who is for the time being a county registrar, having held such office for not less than 2 years continuously, and

(*b*) subject to subsection (5)—

(i) a person who is for the time being a practising barrister or a practising solicitor of not less than 10 years standing, and

(ii) a judge of the District Court.

(5) Subsection (4)(b) shall come into operation on such day, being not later than 1 January 2014, as the Minister may by order appoint.**]**

F38**[**(6) Section 45A provides an additional basis for qualification for appointment as a judge of the Circuit Court.

(7) In this section, "practising barrister" has the same meaning as it has in the Act of 2015.**]**

Age of retirement of judge of Circuit Court.

18.—(1) The age of retirement of a judge of the Circuit Court shall be seventy years.

(2) Notwithstanding subsection (1) of this section, the age of retirement of a judge of the Circuit Court who was a judge of the existing Circuit Court at the passing of the Act of 1947 shall be seventy-two years.

Pensions of judges of Circuit Court.

19.—(1) The provisions set out in Part II of the Second Schedule to this Act shall apply to the pensions of judges of the Circuit Court.

(2) Where a judge of the Circuit Court is removed from office on account of incapacity, he shall be deemed for the purpose of pension to have vacated his office owing to permanent infirmity.

Circuits and assignment of judges to circuits.

20.—(1) The circuits created under section 16 (repealed by this Act) of the Act of 1953 shall be the circuits for the purposes of the Circuit Court.

(2) F40**[**...**]**

(3) F40**[**...**]**

F42**[**Creation and alteration of Family Circuit Court circuits

20A.— ...**]**

Circuit Court to be a court of record.

21.—The Circuit Court shall be a court of record.

Jurisdiction of Circuit Court, except in applications for new on-licences and in indictable offences.

22.—(1) (*a*) Subject to paragraphs (*b*) and (*c*) of this subsection, the Circuit Court shall, concurrently with the High Court, have all the jurisdiction of the High Court to hear and determine any proceedings of the kind mentioned in column (2) of the Third Schedule to this Act at any reference number.

(*b*) Unless the necessary parties to the proceedings in a cause sign, either before or at any time during the hearing, the form of consent prescribed by rules of court, the Circuit Court shall not, by virtue of paragraph (*a*) of this subsection, have jurisdiction to hear and determine any cause of the kind mentioned in column (2) of the Third Schedule to this Act at a particular reference number in the case mentioned in column (3) of the said Schedule at that reference number.

(*c*) The Circuit Court shall not, by virtue of paragraph (*a*) of this subsection, have jurisdiction to hear and determine any matter of the kind mentioned in column (2) of the Third Schedule to this Act at a particular reference number in the case mentioned in column (3) of the said Schedule at that reference number.

(*d*) The jurisdiction of the Circuit Court to hear and determine proceedings of the kind mentioned in column (2) of the Third Schedule to this Act at a particular reference number shall be exercised by the judge of the Circuit Court mentioned in column (4) of the said Schedule at that reference number.

(*e*) Where an incorporeal hereditament is involved in any proceedings in respect of which the Circuit Court has jurisdiction by virtue of this subsection, references in column (4) of the Third Schedule to this Act to the circuit where the land or any part of the land is situate shall be construed as references to the circuit where the land or any part of the land to, out of or in respect of which the incorporeal hereditament is annexed, arises, issues or is exercisable is situate.

(2) The Circuit Court shall, concurrently with the High Court, have and exercise the jurisdiction in lunacy matters which was conferred on the Lord Chancellor of Ireland by section 68 of the Lunacy Regulation (Ireland) Act, 1871, that is to say, in cases where the property of the person alleged to be of unsound mind and incapable of managing his affairs does not exceed F43**[**five thousand pounds**]** in value or the income therefrom does not exceed F43**[**three hundred pounds**]** per annum.

(3) (*a*) The Circuit Court shall have and exercise the several jurisdictions which—

(i) were, under or by virtue of any enactment set out in column (2) of the Fourth Schedule to this Act or any other enactment formerly vested in or capable of being exercised by chairmen of quarter sessions, recorders, county court judges, or quarter sessions, and

(ii) were, immediately before the operative date, vested in or capable of being exercised by the existing Circuit Court.

(*b*) The jurisdiction vested in the Circuit Court by paragraph (*a*) of this subsection under any enactment set out in column (2) of the Fourth Schedule to this Act at a particular reference number shall be exercised by the judge of the Circuit Court mentioned in column (3) of the said Schedule at that reference number.

(*c*) The Minister may from time to time by order make such provisions (not inconsistent with the provisions of paragraph (*b*) of this subsection) for

the exercise by judges of the Circuit Court severally of any jurisdiction vested in the Circuit Court by paragraph (*a*) of this subsection as are in his opinion necessary or proper having regard to the provisions of this Act relating to the Circuit Court and the judges thereof.

(*d*) Every order made by the Minister under paragraph (*c*) of this subsection shall, if the order so provides, have and be deemed always to have had effect as on and from the operative date.

(4) (*a*) Each British statute mentioned in column (2) of the Fifth Schedule to this Act shall have effect subject to the adaptations specified in column (3) of the said Schedule opposite the mention of that statute.

(*b*) The Minister may from time to time by order make such adaptations (not inconsistent with the adaptations effected by paragraph (*a*) of this subsection) in any enactment (wherein there is a reference to the former civil bill courts, county courts or courts of quarter sessions, to the former assistant barristers, recorders, county court judges or chairmen of quarter sessions or to former officers of those courts) contained in any British statute or Saorstát Éireann statute as are, in his opinion, necessary or proper having regard to the provisions of this Act relating to the Circuit Court and the judges thereof.

(*c*) Every order made by the Minister under paragraph (*b*) of this subsection shall, if the order so provides, have and be deemed always to have had effect as on and from the operative date.

(5) (*a*) There shall also be vested in the Circuit Court all jurisdiction which, by virtue of any enactment which is applied by section 48 of this Act, was, immediately before the operative date, vested in or capable of being exercised by the existing Circuit Court.

(*b*) A particular jurisdiction vested in the Circuit Court by paragraph (*a*) of this subsection shall, in case the exercise of that jurisdiction by the judges of the Circuit Court severally is not provided for in an enactment applied by section 48 of this Act, be exercised by the judges of the Circuit Court severally in the manner provided by rules of court.

(6) The Circuit Court, as regards any cause of action for the time being within its jurisdiction, shall in any proceedings before it—

(*a*) grant such relief, redress or remedy or combination of remedies, absolute or conditional, and

(*b*) give such and the like effect to every ground of defence or counterclaim, legal or equitable,

as ought to be granted or given in the like case by the High Court and in as full and ample a manner.

(7) Without prejudice to any jurisdiction conferred by the previous subsections of this section, the Circuit Court shall have powers of attachment, garnishee and interpleader, and shall have all powers (including the power to appoint a receiver) ancillary to any jurisdiction exercisable by it.

F44**[**(8) (*a*) Any interested party may at any time apply to the judge of the Circuit Court before whom an action commenced in that court or an appeal from the District Court is pending to have the action or appeal forwarded to the High Court and thereupon, in case the action or appeal is one fit to be tried in the High Court and the High Court appears to be the more appropriate tribunal in the circumstances, the said judge may send forward the action or appeal to the High Court upon such terms and subject to such conditions as to costs or otherwise as may appear to him to be just, and an appeal shall lie under section 38 of the Act of 1936, as applied by section 48 of this Act, from the decision of the judge granting or refusing any such application.

(*b*) Any interested party may at any time apply to a justice of the District Court before whom an action commenced in that court is pending to have the

action forwarded to the Circuit Court or the High Court and thereupon, in case the action is one fit to be tried in the Circuit Court or the High Court, as the case may be, and the Circuit Court or the High Court, as the case may be, appears to be the more appropriate tribunal in the circumstances, the said justice may send forward the action to the Circuit Court or the High Court, as the case may be, upon such terms and subject to such conditions as to costs or otherwise as may appear to him to be just, and an appeal shall lie under section 84 of the Act of 1924, as applied by section 48 of this Act, from the decision of the justice granting or refusing any such application.**]**

(9) A judge of the Circuit Court may, on the application of any party or on his own motion, if he thinks fit, by order change the venue for the trial of any action pending before him from one place of hearing to any other within his circuit, and an appeal shall lie under section 38 of the Act of 1936, as applied by section 48 of this Act, from the decision of the judge of the Circuit Court making or refusing to make any such order.

(10) A judge of the Circuit Court may, on the application of any party to an action which has been partly heard, transfer the remainder or any portion of the hearing to another venue within his circuit or within the Dublin Circuit, and an appeal shall lie under section 38 of the Act of 1936, as applied by section 48 of this Act, from the decision of the judge granting or refusing any such application.

(11) A judge of the Circuit Court may, outside his circuit, hear and determine any application which he has power to hear and determine within that circuit and which, in his opinion, should be dealt with as a matter of urgency.

(12) Where—

(*a*) an action is pending before a judge of the Circuit Court for the time being assigned to a particular circuit, and

(*b*) an application is made by any party to such action for the transfer of such action to another circuit for hearing by the judge of the Circuit Court for the time being assigned to such other circuit,

such first-mentioned judge may, with the consent of such other judge, transfer such action accordingly and thereupon such action shall be heard and determined by such other judge, and an appeal shall lie under section 38 of the Act of 1936, as applied by section 48 of this Act, from the decision of the first-mentioned judge granting or refusing any such application.

(13) A judge of the Circuit Court may adjourn the hearing of any proceedings before him to any other court within his circuit.

(14) A judge of the Circuit Court may make out of court any orders which he may deem to be urgent.

(15) (*a*) Notwithstanding anything contained in Part IV of the Act of 1936, as applied by section 48 of this Act, no appeal shall lie from any decision of the Circuit Court in any proceedings in a cause if, before the decision is given, the parties agree, in writing signed by them, that the decision shall be final.

(*b*) An agreement under paragraph (a) of this subsection shall not require a stamp.

F45**[**(16) In the interests of the administration of justice and the determination of proceedings in a manner which is just, expeditious and likely to minimise the cost of those proceedings—

(*a*) the President of the Circuit Court, or

(*b*) any other judge of the Circuit Court as may be nominated for that purpose by the President of the Circuit Court,

may, subject to any practice direction issued under subsection (17), make any order or give any direction he or she thinks appropriate in relation to the conduct of proceedings before the Circuit Court.

(17) The President of the Circuit Court may, in the interests of the administration of justice and the determination of proceedings in a manner which is just, expeditious and likely to minimise the cost of those proceedings, issue directions (in this section referred to as "practice directions") in relation to the conduct of proceedings before the Circuit Court.

(18) A practice direction may relate to—

(*a*) civil or criminal proceedings, or both, or

(*b*) a class or classes of civil or criminal proceedings, or both,

and may make provision for such incidental, supplementary and consequential matters, including in respect of a failure to comply with any matter provided for in a direction, as appear to the President of the Circuit Court to be necessary or expedient for the purposes of the direction.

(19) A practice direction shall be published in such manner as the President of the Circuit Court may direct.

(20) Subsections (16) to (19) are without prejudice to any powers of the Circuit Court in respect of proceedings before it.**]**

F46**[**Jurisdiction of Family Circuit Court and exercise of jurisdiction by judges of Family Circuit Court

22A.— ...**]**

F47**[**Functions of Principal Judge of Family Circuit Court

22B.— ...**]**

Jurisdiction of Cork Circuit Court Judge in admiralty causes and in bankruptcy.

23.—F48**[**...**]**

Jurisdiction of Circuit Court in applications for new on-licences.

24.—(1) In this section "on-licence" has the same meaning as in the Licensing Acts, 1833 to 1960.

(2) The Circuit Court shall have jurisdiction in all cases of applications for new on-licences.

(3) The jurisdiction conferred on the Circuit Court by this section shall be exercised by the judge of the circuit in which the premises in respect of which the new on-licence is sought are situate.

(4) Where the Circuit Court grants under this section a new on-licence, then, notwithstanding anything contained in any enactment, the licence shall not require to be confirmed at any subsequent sitting of the Circuit Court.

Jurisdiction of Circuit Court in indictable offences.

25.—(1) Subject to subsection (2) of this section, the Circuit Court shall have and may exercise every jurisdiction as respects indictable offences for the time being vested in the Central Criminal Court and every person lawfully brought before the Circuit Court in exercise of such jurisdiction may be indicted before and tried and, if convicted, sentenced by the Circuit Court accordingly.

(2) The jurisdiction conferred on the Circuit Court by subsection (1) of this section shall not extend to treason, an offence under section 2 or 3 of the Treason Act, 1939, an offence under section 6, 7 or 8 of the Offences Against the State Act, 1939, murder, attempt to murder, conspiracy to murder, or piracy, including an offence by an accessory before or after the fact.

(3) The jurisdiction vested in the Circuit Court by subsection (1) of this section shall be exercised by the judge of the circuit in which the offence charged has been committed or in which the accused person has been arrested or resides.

(4) In section 6 of the Courts of Justice Act, 1926, as applied by section 48 of this Act, and in subsection (1) of section 14 of the Wireless Telegraphy Act, 1926, the references to section 53 of the Act of 1924 shall be construed as references to subsection (3) of this section F49**[**and section 25A of this Act**]**.

F50**[**Exercise of jurisdiction by Circuit Court judges in indictable offences.

25A.—(1) Where, in respect of an offence committed in the State—

(*a*) the accused person does not reside in the State,

(*b*) he or she was not arrested for and charged with the offence in the State, and

(*c*) either—

(i) the offence was committed in more than one circuit, or

(ii) it is known that it was committed in one of not more than three circuits, but the particular circuit concerned is not known,

then, for the purposes of section 25(3) of this Act, the offence shall be deemed to have been committed in each of the circuits concerned and a judge of any of the circuits concerned may deal with the case.

(2) Where the circumstances of an offence committed in the State fall within paragraphs (a) and (b), but not (c), of subsection (1) of this section and the circuit in which the offence was committed is not known, then, for the purposes of section 25(3) of this Act, the offence shall be deemed to have been committed in the Dublin Circuit.

(3) A case does not fall within this section unless it is shown that reasonable efforts have been made to ascertain the whereabouts of the accused person for the purposes of arresting him or her for and charging him or her with the offence concerned.

(4) Where a judge of a circuit exercises jurisdiction in relation to an indictable offence by virtue of this section, the judge or any other judge assigned to the circuit shall have jurisdiction in relation to the offence until the conclusion of proceedings in respect of it in the Circuit Court notwithstanding that it is later established that, but for this subsection, he or she would not have had jurisdiction in relation to the offence.

(5) In this section "offence" means an indictable offence as respects which jurisdiction is vested in the Circuit Court by section 25 of this Act.**]**

Transfer of trials in criminal cases by judge of the Circuit Court.

26.—(1) A judge of the Circuit Court may, if he thinks fit, transfer the trial of a criminal issue from the place in his circuit where it is required by law to be held to any other place in that circuit, and, in that event, the trial shall be held at the place to which it is transferred with a jury drawn from the jury district or other area prescribed for trials by the Circuit Court sitting in the latter place.

(2) An order of a judge of the Circuit Court under subsection (1) of this section—

(*a*) may be made only on the application of the Attorney General or an accused person,

(*b*) may provide for matters ancillary or incidental to the transfer, and

(*c*) shall be final and unappealable.

F51**[**Functions, powers and jurisdiction of specialist judges of the Circuit Court.

26A.—(1) Notwithstanding any other enactment conferring functions, powers and jurisdiction on a judge of the Circuit Court, a specialist judge of that court may only perform the functions and exercise the powers and jurisdiction that are conferred upon him or her by this section.

(2) The functions, powers and jurisdiction conferred on the Circuit Court by the Personal Insolvency Act 2012 may, subject to this section, be performed and exercised by a specialist judge.

F52**[**(2A) The functions, power and jurisdiction conferred on the Circuit Court by the Assisted Decision-Making (Capacity) Act 2015 may, subject to this section, be performed and exercised by a specialist judge.**]**

(3) A specialist judge may make any order that may be made by a County Registrar under section 34(1) of, and the Second Schedule to, the Courts and Court Officers Act 1995, subject to the following modifications and any other necessary modifications—

(*a*) a reference in the Schedule to a County Registrar shall be construed as a reference to a specialist judge,

(*b*) section 34(2) of the Act shall not apply to such an order, and

(c) the deletion of paragraph 8 of the Schedule.

(4) In performing the functions and exercising the jurisdiction conferred upon him or her by this section, a specialist judge shall have all powers ancillary to those functions or that jurisdiction.

(5) A specialist judge may perform functions and exercise powers and jurisdiction in respect of proceedings to which F53**[**subsections (2), (2A) and (3)**]** apply that are before the Circuit Court only in a relevant circuit.

(6) A specialist judge may, in any place in the State outside a relevant circuit, hear and determine any application which he or she has power to hear and determine within that circuit and which, in his or her opinion, should be dealt with as a matter of urgency.

(7) A specialist judge may adjourn proceedings or any part of proceedings before him or her to any other judge of the Circuit Court within a relevant circuit.

(8) A specialist judge may make out of court any orders which he or she may deem to be urgent.

(9) In this section—

"enactment" means—

(*a*) an Act of the Oireachtas,

(*b*) a statute that was in force in Saorstát Éireann immediately before the date of the coming into operation of the Constitution and that continues in force by virtue of Article 50 of the Constitution, or

(*c*) an instrument made under—

(i) an Act of the Oireachtas, or

(ii) a statute referred to in paragraph (b);

"relevant circuit" means, in relation to a specialist judge, a circuit to which he or she is assigned under section 10(3) of the Courts of Justice Act 1947 or section 2A (inserted by section 193 of the Personal Insolvency Act 2012) of the Courts Act 1977.**]**

Jurisdiction to be exercised pursuant to rules of court (Circuit Court, Cork Local Admiralty Court and Cork Local Bankruptcy Court).

27.—(1) The jurisdiction which is by virtue of this Act vested in or exercisable by the Circuit Court, F54**[**...**]** and the Cork Local Bankruptcy Court respectively shall be exercised so far as regards pleading, practice and procedure generally, including liability to costs, in the manner provided by rules of court, and where, as regards the jurisdiction of F54**[**...**]** the Cork Local Bankruptcy Court, there is no provision in such rules and so long as there is no rule in reference thereto, it shall be exercised as nearly as possible in the same manner as it might have been exercised by the former Recorder of Cork.

(2) The rule-making authority for the Circuit Court shall also be the rule-making authority for the F54**[**...**]** the Cork Local Bankruptcy Court.—

PART IV

DISTRICT COURT

General Provisions

Number of justices of District Court.

28.—F55**[**...**]**

Qualifications of justices of District Court and interpretation of section 2 of the Act of 1949, as applied by section 48 of this Act.

29.—(1) (*a*) Each of the persons who are justices of the existing District Court immediately before the operative date shall be qualified for appointment as a justice of the District Court and, if and so long as there is one or more than one of those persons who is willing to accept office and has not been appointed, no other person shall be qualified for appointment as a justice of the District Court.

(*b*) Paragraph (*a*) of this subsection applies only in relation to the qualification for appointment of the first justices of the District Court.

(*c*) Subsections (2) and (3) of this section shall have effect subject to the preceding paragraphs of this subsection.

(2) A person who is for the time being a practising barrister or solicitor of not less than ten years' standing shall be qualified for appointment as a justice of the District Court.

(3) A barrister or solicitor who actually practised his profession for not less than ten years shall be qualified for appointment as a justice of the District Court if for the time being he holds an office in respect of which it was (at the time of his appointment thereto) required by statute that every person appointed thereto should be or should have been—

(*a*) a practising solicitor, or

(*b*) a practising barrister or solicitor.

(4) Where a person (being, immediately before the operative date, a justice of the existing District Court by virtue of a warrant made under section 2 of the Act of 1949) is appointed a justice of the District Court, he shall, for the purposes of the Act of 1949, as applied by section 48 of this Act, be deemed to have been continued in office under the Act of 1949, as so applied, for a year commencing on the date on which he attained—

(*a*) if the warrant is the first in respect of him, sixty-five years or

(*b*) if the warrant is the second in respect of him, sixty-six years, or

(*c*) if the warrant is the third in respect of him, sixty-seven years, or

(*d*) if the warrant is the fourth in respect of him, sixty-eight years, or

(*e*) if the warrant is the fifth in respect of him, sixty-nine years.

F56**[**(5) Section 45A provides an additional basis for qualification for appointment as a judge of the District Court.

(6) In this section, "practising barrister" has the same meaning as it has in the Act of 2015.**]**

Age of retirement of justice of District Court.

30.—(1) The age of retirement of a justice of the District Court shall be F57**[**seventy**]** years.

(2) Notwithstanding subsection (1) of this section, the age of retirement of a justice of the District Court who, immediately before the 29th day of July, 1946, was a justice of the existing District Court and as such justice was permanently assigned to the Dublin Metropolitan District shall be seventy years.

(3) The references in section 2 of the Act of 1949, as applied by section 48 of this Act, to section 15 (repealed by this Act) of the Act of 1946 shall be construed as references to subsection (1) of this section.

Pensions of justices of District Court.

31.—(1) The provisions set out in Part III of the Second Schedule to this Act shall apply to the pensions of justices of the District Court.

(2) Where a justice of the District Court is removed from office on account of incapacity, he shall be deemed for the purpose of pension to have vacated his office owing to permanent infirmity.

District court areas and districts and assignment of justices to districts.

32.—(1) The areas created under section 21 (repealed by this Act) of the Act of 1953 shall be the district court areas for the purposes of the District Court.

(2) The districts created under section 22 (repealed by this Act) of the Act of 1953 and the Dublin Metropolitan District shall be the district court districts for the purposes of the District Court.

(3) The provisions (which relate to the assignment of justices of the District Court to districts) set out in the Sixth Schedule to this Act shall have effect.

F59**[**Exercise of certain powers by judge of District Court outside district court district.

32A.—(1) This section applies to the following powers of a judge of the District Court:

(*a*) the power to issue a warrant for the arrest of a person;

(*b*) the power to issue a warrant to a member of the Garda Síochána or, if appropriate, any other person authorising the entry to, and search of, any place or premises (including a dwelling) and, if appropriate, the search of any person found at such place or premises for all or any of the following purposes:

(i) the gathering of evidence of, or relating to, the commission or attempted commission of any criminal offence;

(ii) the gathering of evidence of, or relating to, the contravention in any other respect of any provision of an enactment;

(iii) ascertaining whether there is or has been compliance with any provision of an enactment;

(iv) the gathering of evidence of, or relating to, assets or proceeds deriving from criminal conduct (within the meaning of section 1(1) of the Criminal Assets Bureau Act 1996) or to their identity or whereabouts;

(*c*) the power to make an order, upon the application of a member of the Garda Síochána or, if appropriate, any other person, directing another person to produce, make available for inspection or to give access to any particular document, material or thing, or documents, material or things of a particular description, for the purposes of investigating—

(i) any criminal offence,

(ii) whether there is or has been a contravention in any other respect of any provision of an enactment, or

(iii) whether a person has benefited from assets or proceeds deriving from criminal conduct (within the meaning of section 1(1) of the Criminal Assets Bureau Act 1996) or is in receipt of or controls F60**[**such assets or proceeds;**]**

F61**[**(*d*) the power to issue, vary or renew an authorisation under section 5 or 6 of the F62**[**Criminal Justice (Surveillance) Act 2009;**]**.**]**

F63**[**(*e*) any of the following powers under Part 3 of the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010:

(i) the power to order a person not to carry out any service or transaction;

(ii) the power to revoke an order referred to in subparagraph (i);

(iii) the power to make an order in relation to property if considered essential to do so for the purpose of enabling—

(I) the person who applies for the order to discharge the reasonable living and other necessary expenses incurred or to be incurred in respect of the person or the person's dependants, or

(II) the person who applies for the order to carry on a business, trade, profession or other occupation to which any of the property relates.**]**

(2) A judge of the District Court may, in relation to a relevant district, exercise while in any place in the State outside that relevant district any of the powers to which this section applies for the time being conferred on him or her by law if, but only if, he or she would be entitled to exercise the power concerned at a sitting of the District Court in that relevant district.

(3) Without prejudice to the generality of paragraph (b) of subsection (1) of this section, a warrant may fall within that paragraph notwithstanding that the warrant or the power under which it is issued authorises all or any of the following:

(*a*) the entry, if necessary by the use of force, to a place or premises (including a dwelling);

(*b*) the doing of acts in addition to the acts specified in subsection (1)(b) of this section;

(*c*) the execution of the warrant by a person other than the member of the Garda Síochána or, if appropriate, any other person to whom it is issued;

(*d*) the accompaniment of the person executing the warrant by any other persons during the execution thereof.

(4) Without prejudice to the generality of paragraph (c) of subsection (1) of this section, an order may fall within that paragraph notwithstanding that the order or the power under which it is made authorises all or any of the following:

(*a*) a member of the Garda Síochána or any other person to enter a place for the purpose of inspecting or getting access to any document, material or thing or documents, material or things of a particular description;

(*b*) the execution of the order by a person other than the member of the Garda Síochána or, if appropriate, any other person who applies for it;

(*c*) the retention, or copying, for the purposes of proceedings (criminal or civil) by a member of the Garda Síochána or any other person of any document, material or thing, or documents, material or things of a particular description, produced, made available for inspection or to which access is given.

(5) In this section—

"enactment" means a statute or an instrument made under a power conferred by statute;

"district" means a district court district;

"relevant district", in relation to a judge of the District Court, means a district—

(*a*) to which he or she is permanently assigned under paragraph 2 of the Sixth Schedule to this Act,

(*b*) to which he or she is temporarily assigned under F64**[**subparagraph (1), (2) or (2A) of paragraph 3 of the said Schedule**]**, or

(*c*) in relation to which he or she is acting in the circumstances specified in subparagraph (1), (2) or (3) of paragraph 4 of the said Schedule for another judge of the District Court who is permanently assigned to the district.**]**

Jurisdiction of District Court.

33.—(1) There shall be vested in and transferred to the District Court—

(*a*) all jurisdiction which, by virtue of sections 77 and 78 of the Act of 1924, was, immediately before the operative date, vested in or capable of being exercised by the existing District Court,

(*b*) all jurisdiction which, by virtue of any enactment which is applied by section 48 of this Act, was, immediately before the operative date, vested in or capable of being exercised by the existing District Court.

(2) (*a*) In this subsection—

"the Act of 1890" means the Public Health Acts Amendment Act, 1890, as applied to Ireland by subsection (9) of section 12 of that Act and as amended by section 14 of the Act of 1935;

"the Act of 1935" means the Public Dance Halls Act, 1935.

(*b*) Section 51 (which relates to music and dancing licences) of the Act of 1890 shall have effect as if for the references therein to licensing justices there were substituted references to the District Court.

(*c*) The jurisdiction vested in the District Court by this subsection shall be exercised by the justice of the District Court for the time being assigned to the district where there is situate the house, room, garden or other place in respect of which the licence under section 51 of the Act of 1890 is sought.

(*d*) Subsections (2) and (3) of section 2 and section 9 of the Act of 1935 shall have effect as if the references therein to a public dancing licence included references to a licence under paragraph 2 of section 51 of the Act of 1890.

(3) The District Court shall have jurisdiction to hear and determine an action for wrongful detention (including jurisdiction to make an order for the return of the goods claimed) where the value of the goods claimed does not exceed F65**[**€15,000**]**.

(4) (*a*) The District Court shall have jurisdiction to hear and determine any action commenced after the commencement of this Act which is founded on a credit-sale agreement (within the meaning of the F65**[**Consumer Credit Act 1995 or to which section 17(2) of that Act refers**]**) where the amount of the claim does not exceed F65**[**€15,000**]**.

(*b*) Paragraph (*a*) of section 53 of the Act of 1936 shall not apply to an action—

(i) in which the defendant or one of the defendants ordinarily resides or carries on any profession, business or occupation in the State, and

(ii) to which paragraph (*a*) of this subsection relates.

Jurisdiction to be exercised pursuant to rules of court (District Court).

34.—The jurisdiction which is by virtue of this Act vested in or exercisable by the District Court shall be exercised as regards pleading, practice and procedure generally, including liability to costs, in the manner provided by rules of court made under section 91 of the Act of 1924, as applied by section 48 of this Act.

F67**[**Jurisdiction of Family District Court and exercise of jurisdiction by judges of Family District Court

34A.— ...**]**

Provisions relating to the President of the District Court and to the Dublin Metropolitan District

Qualification for appointment as President of the District Court and assignment.

35.—(1) (*a*) A justice of the District Court shall be qualified for appointment as President of the District Court, provided however that a person who is a justice of the existing District Court immediately before the operative date shall be qualified for appointment as first President of the District Court.

(*b*) A person who is qualified for appointment as a justice of the District Court shall be qualified for appointment as President of the District Court, other than as first President thereof.

(2) The President of the District Court shall be permanently assigned by the Government to the Dublin Metropolitan District.

(3) F68**[**...**]**

General powers of President of the District Court.

36.—(1) For ensuring the prompt and efficient discharge of the business of the District Court in the several districts thereof, the President of the District Court shall have and exercise the powers conferred on him by subsections (2), (3) and (4) of this section.

(2) F70**[**...**]**

(*b*) In the course of an investigation under this subsection, the President shall consult the justice concerned.

(3) (*a*) The President of the District Court may convene meetings of the justices of the District Court for the purpose of discussing matters relating to the discharge of the business of that Court, including, in particular, such matters as the avoidance of undue divergences in the exercise by the justices of the jurisdiction of that Court and the general level of fines and other penalties.

(*b*) Such meetings shall not be convened more frequently than twice in one year.

(*c*) Every justice shall attend at every such meeting unless unable to do so owing to illness or any other unavoidable cause and, where a justice is unable to attend such a meeting, he shall as soon as may be inform the President of the reason therefor.

(4) The President of the District Court may, whenever he thinks fit, make recommendations to the Minister in relation to the following matters:

(*a*) the number of justices of the District Court to be assigned to the Dublin Metropolitan District;

(*b*) the places for holding the District Court in or for any district court area; and

(*c*) the days and hours for holding the District Court in or for any district court area other than the area for the time being comprising the Dublin Metropolitan District.

F71**[**(5) In the interests of the administration of justice and the determination of proceedings in a manner which is just, expeditious and likely to minimise the cost of those proceedings—

(*a*) the President of the District Court, or

(*b*) any other judge of the District Court as may be nominated for that purpose by the President of the District Court,

may, subject to any practice direction issued under subsection (6), make any order or give any direction he or she thinks appropriate in relation to the conduct of proceedings before the District Court.

(6) The President of the District Court may, in the interests of the administration of justice and the determination of proceedings in a manner which is just, expeditious and likely to minimise the cost of those proceedings, issue directions (in this section referred to as "practice directions") in relation to the conduct of proceedings before the District Court.

(7) A practice direction may relate to—

(*a*) civil or criminal proceedings, or both, or

(*b*) a class or classes of civil or criminal proceedings, or both,

and may make provision for such incidental, supplementary and consequential matters, including in respect of a failure to comply with any matter provided for in a direction, as appear to the President of the District Court to be necessary or expedient for the purposes of the direction.

(8) A practice direction shall be published in such manner as the President of the District Court may direct.

(9) Subsections (5) to (8) are without prejudice to any powers of the District Court in respect of proceedings before it.**]**

F72**[**Functions of Principal Judge of Family District Court

36A.— ...**]**

Abolition of Divisions of Dublin Metropolitan Justices.

37.—On and from the operative date, the three Divisions of the justices permanently assigned to the Dublin Metropolitan District, being the Divisions formed by section 5 (repealed by this Act) of the Act of 1946, shall stand abolished.

Principal Justices of the Dublin Metropolitan District.

38.—(1) Each person who was nominated under subsection (1) of section 6 (repealed by this Act) of the Act of 1946 to be a Principal Justice of a Division of the Dublin Metropolitan Justices and who is appointed under subsection (1) of section 29 of this Act to be a justice of the District Court shall hold the office of Principal Justice of the Dublin Metropolitan District (to which District such person shall be permanently assigned by the Government) and shall hold that office so long as he holds the office of justice of the District Court.

(2) Where a person who holds the office of Principal Justice of the Dublin Metropolitan District ceases to hold that office, that office, in so far as it was held by that person, shall stand abolished.

F73**[**Number of judges permanently assigned to districts.

39.—The Minister may after consultation with the President of the District Court, determine the number of judges in the District Court to be assigned permanently to the Dublin Metropolitan District or other District Court District and may from time to time, as the Minister thinks fit, after consultation with the said President, alter the number of judges to be assigned to a particular District.**]**

Places at which business of Dublin Metropolitan District is to be transacted.

40.—On the operative date, the Minister shall, after consultation with the President of the District Court, appoint the places in the Dublin Metropolitan District for the transaction of the business of the District Court in that District and may from time to time, as he shall think fit, after consultation with the said President, alter the places so appointed.

Number of sitting days in each week for justices assigned to Dublin Metropolitan District.

41.—The Minister may from time to time, as he shall think fit, after consultation with the President of the District Court, determine the number of days in each week on which the justices of the District Court assigned to the Dublin Metropolitan District shall normally sit in that District for the transaction of the business of the District Court.

Business of District Court in Dublin Metropolitan District.

42.—(1) The President of the District Court shall—

F74**[**(*a*) arrange for the distribution of the business of the District Court in the Dublin Metropolitan District or in such other District Court District where more than one judge is permanently assigned amongst the judges of the District Court assigned to the Dublin Metropolitan District or to such other District Court District, and**]**

(*b*) determine the class or classes of business to be transacted in each of the several places appointed by the Minister under section 40 of this Act for the transaction of the business of the District Court in the Dublin Metropolitan District and the days and hours at which such class or classes of business shall be transacted in the several places so appointed.

(2) Before arranging for the distribution of any business under paragraph (*a*) of subsection (1) of this section, the President shall consult with any Principal Justice of the Dublin Metropolitan District.

Restriction of section 26 of Act of 1953.

43.—Before exercising the power conferred on him by paragraph (*f*) of subsection (1) of section 26 of the Act of 1953, as applied by section 48 of this Act, the Minister shall consult the President of the District Court.

Ex officio members of District Court Rules Committee.

44.—F75**[**...**]**

PART V

Miscellaneous Provisions

Administration of justice otherwise than in public.

45.—(1) Justice may be administered otherwise than in public in any of the following cases:

(*a*) applications of an urgent nature for relief by way of habeas corpus, bail, prohibition or injunction;

(*b*) matrimonial causes and matters;

(*c*) lunacy and minor matters;

(*d*) proceedings involving the disclosure of a secret manufacturing process;

(2) The cases prescribed by subsection (1) of this section shall be in addition to any other cases prescribed by any Act of the Oireachtas.

(3) Any provision contained in any statute of the Parliament of the former United Kingdom or of the Oireachtas of Saorstát Éireann which provided for the administration of justice otherwise than in public and which is not in force solely by reason of its being inconsistent with the provisions of the Constitution of Saorstát Éireann or the Constitution, as the case may be, shall have full force and effect.

F76[Qualification of certain legal academics for appointment and for nomination for appointment or election to judicial office

45A.—(1) A person shall be qualified for appointment and for nomination for appointment or election to judicial office (within the meaning of the Judicial Appointments Commission Act 2023) where he or she—

(*a*) is for the time being—

(i) a legal academic of not less than 12 years' standing who has been employed as such for a continuous period of not less than 2 years immediately before such appointment, or

(ii) subject to subsection (4), the head of a faculty who within the period of 12 months prior to becoming the head of that faculty was either—

(I) a legal academic of not less than 12 years' standing (2 of which years shall have been continuous), or

(II) the head of another faculty of not less than 4 years' standing (2 of which years shall have been continuous),

(*b*) is a qualified barrister (within the meaning of the Act of 2015) or a solicitor who has not been struck off the roll of solicitors (within the meaning of the Act of 2015), and

(*c*) has practised as a barrister or solicitor for a continuous period of at least 4 years.

(2) For the purposes of subsection (1), a person is a legal academic where he or she is a permanent member of the academic staff of an educational establishment who—

(*a*) teaches one or more subjects in the field of law, or

(*b*) carries out, or supervises the carrying out, of research in one or more such subjects,

whether or not in conjunction with the carrying on by him or her of administrative duties relevant to that teaching, research or supervision.

(3) In computing, for the purposes of subsection (1)(a), the period of time that a person is required to have been a legal academic—

(*a*) a period of time, other than immediately before such appointment, served by a person as head of a faculty shall be deemed to be a period of time served by him or her as a legal academic, and

(*b*) a period of time spent by a person successively in employment as a legal academic in 2 or more educational establishments shall be aggregated.

(4) A reference to a person being, or having been the head of a faculty (including the reference to having been the head of another faculty) shall be construed as a reference to being, or having been, in an educational establishment, the dean, director or other overall head (by whatever name called) of a department, school or other faculty where the responsibilities of that person include the carrying on of the activities referred to in subsection (2).

(5) In this section—

"educational establishment" means—

(*a*) a university to which the Universities Act 1997 applies,

(*b*) a technological university (within the meaning of the Technological Universities Act 2018),

(*c*) the Honorable Society of King's Inns,

(*d*) the Law Society of Ireland, or

(*e*) an establishment, equivalent to one referred to in paragraphs (a) to (d), in a place outside the State.**]**

Provisions in relation to remuneration and pensions of judges and justices.

46.—F77**[**(1) On and from 25 September, 2000—

(*a*) the Chief Justice is entitled to be paid remuneration at the rate of £120,293 per year, and

(*b*) each of the other judges of the Supreme Court is entitled to be paid remuneration at the rate of £104,254 per year.

(2) On and from 25 September, 2000—

(*a*) the President of the High Court is entitled to be paid remuneration at the rate of £108,321 per year, and

(*b*) each of the other judges of the High Court is entitled to be paid remuneration at the rate of £96,002 per year.

(3) On and from 25 September, 2000—

(*a*) the President of the Circuit Court is entitled to be paid remuneration at the rate of £96,002 per year, and

(*b*) each of the other judges of the Circuit Court is entitled to be paid remuneration at the rate of £75,548 per year.

F78**[**(3A) On and from 25 September, 2000—

(*a*) the President of the District Court is entitled to be paid remuneration at the rate of £75,548 per year, and

(*b*) a judge of the District Court is entitled to be paid remuneration at the rate of £62,762 per year.

(3B) Remuneration payable under this section is to be paid in monthly instalments.**]**

F79**[**(3AA) Subsections (1) to (3A) shall be construed subject to subsections F84**[**(9) to (9B)**]**.**]**

(3B) Remuneration payable under this section is to be paid in monthly instalments.**]**

(4) There shall be charged on and payable out of the Central Fund or the growing produce thereof—

F80**[**(*a*) the remuneration payable under this Act to a judge of the Supreme Court, the Court of Appeal, the High Court, the Circuit Court or the District Court, and**]**

F80**[**(*b*) the pension payable under this Act to a judge of the Supreme Court, the Court of Appeal, the High Court, the Circuit Court or the District Court, and**]**

(*c*) the superannuation allowance and additional allowance payable under this Act to a justice of the District Court to whom paragraph 9 of the Second Schedule to this Act applies, and

(*d*) the gratuity payable under this Act in respect of a justice of the District Court to whom paragraph 9 of the Second Schedule to this Act applies.

(5) Not more than one pension shall be payable under this Act to the same person.

(6) F81**[**...**]**

F82**[**(6) Where a person in receipt of a pension under this Act F83**[**or under regulations made pursuant to section 5 (1) (a) of the Courts (Supplemental Provisions) (Amendment) Act, 1991**]** is employed in a situation remunerated out of moneys provided by the Oireachtas or out of the Central Fund, then—

(a) such pension shall not be payable in respect of any period during which the remuneration of such person in such situation is equal to or greater than his remuneration in the judicial office in respect of which he is entitled to such pension, and

(b) so much only of such pension shall be payable in respect of any period during which the remuneration of such person in such situation is less than his remuneration in the said judicial office as with his remuneration in such situation will amount to his remuneration in the said judicial office.**]**

(7) In the application of subsection (5) of this section to a justice of the District Court to whom paragraph 9 of the Second Schedule to this Act applies, references to a pension shall be construed as references to a superannuation allowance and to an additional allowance.

(8) In the application of subsection (6) of this section to a justice of the District Court to whom paragraph 9 of the Second Schedule to this Act applies, references to a pension shall be construed as references to a superannuation allowance.

F84**[**(9) (*a*) The annual sums to be paid by way of remuneration to the several judges of the Supreme Court, the Court of Appeal, the High Court, the Circuit Court and the District Court who were appointed to those judicial offices before the commencement of section 10 of the Financial Emergency Measures in the Public Interest (Amendment) Act 2011 shall be specified in an order made by the Government for the purpose.

(*b*) In making an order under paragraph (a), the Government shall have regard to the proportions that the annual sums payable by way of remuneration under this Act in respect of the different judicial offices bore to one another before the commencement of section 11 of the Financial Emergency Measures in the Public Interest Act 2015.

(*c*) The amount that is specified in an order under paragraph (a) as the annual sum payable by way of remuneration in respect of a particular judicial office shall not be less than the amount that stood, immediately before the commencement of section 11 of the Financial Emergency Measures in the Public Interest Act 2015, as the annual sum payable by way of remuneration in respect of that office.

(*d*) A reference in paragraph (b) to the annual sum payable by way of remuneration in respect of a judicial office shall be construed as a reference to the annual sum payable by way of remuneration in respect of a judicial office, the holder of which was appointed to that office before the commencement of section 10 of the Financial Emergency Measures in the Public Interest (Amendment) Act 2011.

(*e*) An order under this subsection may, if so expressed, have retrospective effect.**]**

F85**[**F84**[**(9A) (*a*) The annual sums to be paid by way of remuneration to the several judges of the Supreme Court, the Court of Appeal, the High Court, the Circuit Court and the District Court who were appointed to those judicial offices on or after the commencement of section 10 of the Financial Emergency Measures in the Public Interest (Amendment) Act 2011 shall be specified in an order made by the Government for the purpose.

(*b*) In making an order under paragraph (a), the Government shall have regard to the proportions that the annual sums payable by way of remuneration under this Act in respect of the different judicial offices referred to in paragraph (c) bore to one another before the commencement of section 11 of the Financial Emergency Measures in the Public Interest Act 2015.

(*c*) In respect of each of the following judicial offices, the specification, in an order under paragraph (a), of the annual sum payable by way of remuneration shall be by means of a pay scale set out in the order:

(i) the Chief Justice;

(ii) the President of the Court of Appeal;

(iii) an ordinary judge of the Supreme Court;

(iv) the President of the High Court;

(v) an ordinary judge of the Court of Appeal;

(vi) the President of the Circuit Court;

(vii) an ordinary judge of the High Court;

(viii) the President of the District Court;

(ix) an ordinary judge of the Circuit Court or a specialist judge of the Circuit Court;

(x) an ordinary judge of the District Court.

(*d*) A pay scale referred to in paragraph (c) shall provide for the payment of progressively greater amounts of remuneration, within a range specified in the order, (each of which amounts is referred to in paragraphs (e) and (g) as a "point on the pay scale"), by reference to the lapse of specified periods of time since the relevant judge's appointment (and no matter, other than such lapse of time, shall be specified in the order as a condition for the payment of any such greater amount).

(*e*) The first point on the pay scale, in respect of the particular judicial office, shall not be less than the amount that stood, immediately before the commencement of section 11 of the Financial Emergency Measures in the Public Interest Act 2015, as the annual sum payable by way of remuneration in respect of that office.

(*f*) Any reference in paragraph (b) or (e) to the annual sum payable by way of remuneration in respect of a judicial office shall be construed as a reference to the annual sum payable by way of remuneration in respect of a judicial office, the holder of which was appointed to that office on or after the commencement of the provision referred to in paragraph (a).

(*g*) Where a person appointed to a judicial office on or after the commencement of the provision referred to in paragraph (a) is subsequently appointed to another judicial office and the first point on the pay scale in respect of the second-mentioned office is lower than the amount that stood as the annual sum payable by way of remuneration to the judge prior to his or her appointment to that office (the "pre-existing remuneration"), then, instead of the foregoing point on the pay scale being applicable to the judge, the point on the pay scale that stands immediately above the pre-existing remuneration shall apply to the judge.

(*h*) Section 7 of the Financial Emergency Measures in the Public Interest Act 2013 shall not apply to a pay scale set out in an order made under paragraph (a).

(*i*) An order under this subsection may, if so expressed, have retrospective effect.**]**

(9B) If, in the case of a person who—

(*a*) on the commencement of section 10 of the Financial Emergency Measures in the Public Interest (Amendment) Act 2011, holds a judicial office, and

(*b*) at any time after that commencement, is appointed to another judicial office, F84**[**the application of an order made under subsection (9A)**]** to the person would result in the remuneration of the person under this section being reduced, F84**[**then that order**]** shall not apply to that person and he or she shall continue to be paid the remuneration that he or she would have been entitled to be paid as the holder of the first-mentioned judicial office.

(9C) F86**[**...**]]**

F87**[**(10) Every order made by the Government under subsection F84**[**subsection (9) or (9A)**]** is required to be laid before each House of the Oireachtas as soon as practicable after it is made.**]**

F88**[**Remuneration to be adjusted automatically by reference to salary increases in Civil Service.

46A.—(1) Whenever remuneration in the Civil Service is increased with effect from a particular day in accordance with agreements or arrangements that have effect on a general basis in the Civil Service (whether or not they also apply in relation to persons employed other than in the Civil Service), the amounts of remuneration payable under section 46 are, by the operation of this section, increased on and from that day by the same proportion.

(2) It is not necessary to make F89**[**an order under subsection F90**[**(9) or (9B)**]** of section 46**]** in order to give effect to an increase made by the operation of subsection (1).

(3) In this section, "Civil Service" has the meaning given by the Civil Service Commissioners Act, 1956.**]**

Interest on judgment debts.

47.—(1) Every judgment debt due upon a judgment of the Circuit Court F91**[**or decree of the District Court**]** obtained on or after the operative date shall be deemed a judgment debt within the meaning of section 26 (which provides that judgment debts are to carry interest) of the Debtors (Ireland) Act, 1840.

(2) Section 26 of the Debtors (Ireland) Act, 1840, and the said section 26, as extended by subsection (1) of this section, shall apply to a judgment debt due to or from a State authority.

Application of enactments relating to existing courts and judges and officers thereof, and rules of court.

48.—(1) (*a*) Subject to paragraph (*b*) of this subsection, this section applies to the following enactments—

(i) any enactment contained in the Courts of Justice Acts, 1924 to 1961, the Court Officers Acts, 1926 to 1961, or the Criminal Justice Act, 1951,

(ii) any other enactment wherein there is a reference to a court established by the Act of 1924 or to a judge or officer thereof,

(iii) any instrument (other than rules of court) which is in force immediately before the operative date and was made under any enactment referred to in subparagraph (i) or (ii) of this paragraph.

(*b*) This section does not apply to—

(i) any enactment which has been repealed before the operative date or which is repealed by this Act, or

(ii) subsection (2) of section 19 and sections 77 and 78 of the Act of 1924.

(2) In the application of this section in relation to the existing District Court and the District Court a reference to a judge shall be construed as a reference to a justice thereof.

(3) Every enactment to which this section applies shall apply to the courts established by the Principal Act and to the judges and officers thereof as if it were enacted in this Act, with and subject to—

(*a*) the modifications specified in subsection (5) of this section,

(*b*) such adaptations and other modifications as may be made by the Minister under subsection (6) of this section.

(4) Rules of court made under the enactments to which this section applies and in force immediately before the operative date shall be deemed to have been made under those enactments, as applied by subsection (3) of this section, and shall have effect accordingly, but with and subject to the modifications specified in subsection (5) of this section, and any such rules of court may be altered or annulled as if they had been made under those enactments as so applied.

(5) The following are the modifications referred to in paragraph (*a*) of subsection (3) and in subsection (4) of this section—

(*a*) a reference to the court mentioned in column (2) of Part I of the Seventh Schedule to this Act at a particular reference number shall be construed as a reference to the court mentioned in column (3) of the said Part I at that reference number,

(*b*) a reference to a judge of the court mentioned in column (2) of the said Part I at a particular reference number shall be construed as a reference to a judge of the court mentioned in column (3) of the said Part I at that reference number, and

(*c*) a reference to the judge mentioned in column (2) of Part II of the Seventh Schedule to this Act at a particular reference number shall be construed as a reference to the judge mentioned in column (3) of the said Part II at that reference number.

(6) (*a*) The Minister may from time to time by order make such adaptations or modifications (not inconsistent with the modifications effected by subsection (5) of this section) in or of any enactment to which this section applies as are, in his opinion, necessary and proper in order to give effect to the provisions of this Act.

(*b*) Every order made by the Minister under paragraph (*a*) of this subsection shall, where the order so provides, have and be deemed always to have had effect as on and from the operative date.

(7) "This Act" where it occurs in any enactment applied by this section shall, unless the context otherwise requires, be construed as referring to the Act which includes that enactment.

(8) Subsection (1) of section 51 of the Act of 1936, as applied by this section, shall have effect as if "ten years' standing" were substituted for "six years' standing".

(9) Subsection (1) of section 27 of the Act of 1953, as applied by this section, shall have effect as if for the reference therein to section 11 (repealed by this Act) of the Act of 1946 there were substituted a reference to section 40 of this Act.

(10) (*a*) Paragraph (*a*) of subsection (1) of section 2 of the Act of 1961 shall not be taken to refer to a person who, immediately before the passing of the Act of 1961, was a judge of the existing Supreme Court, High Court or Circuit Court or a justice of the existing District Court and is appointed a judge on the operative date.

(*b*) The reference in subsections (2), (4) and (5) of section 4 of the Act of 1961 to the Court Officers Acts, 1926 to 1951, shall be deemed to include a reference to this Act.

(*c*) Section 5 of the Act of 1961 shall have effect as if there were inserted at the end of subsection (2) "or under section 58 of the Courts (Supplemental Provisions) Act, 1961."

(*d*) In this subsection "the Act of 1961" means the Courts of Justice and Court Officers (Superannuation) Act, 1961.

Preservation of continuity of administration and enforcement of justice.

49.—(1) The continuity of the administration and enforcement of justice shall not be interrupted by the coming into operation of the Principal Act or this Act.

(2) Without prejudice to the generality of subsection (1) of this section—

(*a*) any act done or proceedings taken before the operative date in respect of any cause or matter in the court mentioned in column (2) of Part I of the Seventh Schedule to this Act at a particular reference number shall be deemed to have been done or taken respectively in the court mentioned in column (3) of the said Part I at that reference number,

(*b*) any act done or proceedings taken before the operative date in respect of any cause or matter before the judge mentioned in column (2) of Part II of the Seventh Schedule to this Act at a particular reference number (being reference number 1 or 2) shall be deemed to have been done in that cause or matter before the judge mentioned in column (3) of the said Part II at that reference number,

(*c*) any act done or proceedings taken before the operative date in respect of any cause or matter before the existing Cork Circuit Court Judge exercising jurisdiction in admiralty shall be deemed to have been done or taken in the Cork Local Admiralty Court,

(*d*) any act done or proceedings taken before the operative date in respect of any cause or matter before the existing Cork Circuit Court Judge exercising jurisdiction in bankruptcy shall be deemed to have been done or taken in the Cork Local Bankruptcy Court.

(3) In subsection (2) of this section "the existing Cork Circuit Court Judge" means the judge of the existing Circuit Court for the circuit of the existing Circuit Court consisting of the county and county borough of Cork.

Appeals from District Court in criminal cases against sentence only.

50.—Where—

(*a*) an order is made in a criminal case by a justice of the District Court convicting a person and sentencing him to pay a penal or other sum or to do anything at any expense or to undergo a term of imprisonment F92**[**...**]**, and

(*b*) an appeal is taken against the order, and

(*c*) either—

(i) the notice of appeal states that the appeal is against so much only of the order as relates to the sentence, or

(ii) the appellant, on the hearing of the appeal, indicates that he desires to appeal against so much only of the order as relates to the sentence,

then, notwithstanding any rule of law, the Circuit Court shall not, on the hearing of the appeal, re-hear the case except to such extent as shall be necessary to enable the court to adjudicate on the question of sentence.

Extension of section 2 of the Summary Jurisdiction Act, 1857.

51.—(1) Section 2 of the Summary Jurisdiction Act, 1857, is hereby extended so as to enable any party to any proceedings whatsoever heard and determined by a justice of the District Court (other than proceedings relating to an indictable offence which was not dealt with summarily by the court) if dissatisfied with such determination as being erroneous on a point of law, to apply in writing within fourteen days after such determination to the said justice to state and sign a case setting forth the facts and the grounds of such determination for the opinion thereon of the High Court.

(2) Upon the making of an application under section 2 of the Summary Jurisdiction Act, 1857, as extended by subsection (1) of this section, for a case stated, the determination in respect of which the application is made shall be suspended—

(*a*) where the justice of the District Court to whom the application is made grants the application, until the case stated has been heard and determined, and

(*b*) where he refuses to grant the application, until he so refuses.

(3) The references in sections 6, 8, 9, 10 and 14 of the Summary Jurisdiction Act, 1857, to that Act shall be construed as references to that Act as extended by subsection (1) of this section.

(4) In section 2 of the Summary Jurisdiction Act, 1857, and in this section, "party" means any person who was entitled to be heard and was heard in the proceedings

in which the determination in respect of which an application for a case stated is made was given.

Case stated for High Court on question of law.

52.—(1) A justice of the District Court shall, if requested by any person who has been heard in any proceedings whatsoever before him (other than proceedings relating to an indictable offence which is not being dealt with summarily by the court) unless he consider the request frivolous, and may (without request) refer any question of law arising in such proceedings to the High Court for determination.

(2) An appeal shall lie by leave of the High Court to the Supreme Court from every determination of the High Court on a question of law referred to the High Court under subsection (1) of this section.

Application of section 26 of Hire-Purchase (Amendment) Act, 1960.

53.—Section 26 of the Hire-Purchase (Amendment) Act, 1960, shall apply to any action pending in the High Court which is founded on a credit-sale agreement (within the meaning of the Hire-Purchase Acts, 1946 and 1960).

Jurisdiction to bind to the peace or to good behaviour.

54.—The jurisdiction formerly exercisable by justices of the peace to make an order binding a person to the peace or to good behaviour or to both the peace and good behaviour and requiring him to enter into a recognizance in that behalf may be exercised by—

(*a*) a judge of the Supreme CourtF93**[**, the Court of Appeal**]** or the High Court, or

(*b*) a judge of the Circuit Court within the circuit to which he is for the time being assigned, or

(*c*) a justice of the District Court within the district to which he is for the time being assigned.

Offices and officers, etc. under Court Officers Acts, 1926 to 1951.

55.—F94**[**(1) The provisions set out in the Eighth Schedule (amended by section 44 of the Act of 2014) shall apply in relation to offices and officers to be attached to the High Court, the Court of Appeal, the Supreme Court and the President of the High Court respectively.**]**

(2) (*a*) Every Circuit Court office shall become and be attached to the Circuit Court.

(*b*) Every county registrar shall become and be attached to the Circuit Court.

(*c*) Every assignment of a county registrar made or deemed to have been made under section 10 of the Act of 1945 before the operative date shall, if it is in force immediately before the operative date, continue in force and be deemed to have been made under the said section 10, as applied by section 48 of this Act.

(3) (*a*) Every district court clerk shall become and be attached to the District Court.

(*b*) Every assignment of a district court clerk made under section 48 of the Act of 1926 before the operative date shall, if it is in force immediately before the operative date, continue in force and be deemed to have been made under the said section 48 as applied by section 48 of this Act.

(4) Any requisition made under section 9 of the Act of 1945 before the operative date shall, if it is in force immediately before the operative date, continue in force and be deemed to have been made under the said section 9, as applied by section 48 of this Act.

(5) Any appointment made under section 4 (which relates to deputies for district court clerks) of the Court Officers Act, 1951, before the operative date shall, if it is not terminated before the operative date, be deemed to have been made under the said section 4, as applied by section 48 of this Act.

(6) The following provisions shall apply to any person who, immediately before the operative date, holds any office, employment or position under the Court Officers Acts, 1926 to 1951—

(*a*) he shall continue to hold his office, employment or position as if this Act had not been passed,

(*b*) nothing in this Act shall affect the terms and conditions on and subject to which he held his office, employment or position immediately before the operative date.

(7) The business to be transacted in the Circuit Court office for the circuit consisting of the county and county borough of Cork, pursuant to section 37 of the Act of 1926, shall include the business of the Cork Local Admiralty Court and the Cork Local Bankruptcy Court, and section 65 of the Act of 1936 (which relates to the prescribing of court fees) shall have effect accordingly.

Power to continue county registrars in office after reaching age of sixty-five years.

56.—(1) (*a*) In this section "the Committee" means a committee consisting of—

(i) the Chief Justice,

(ii) the President of the High Court, and

(iii) the Attorney General.

(*b*) The Committee may act by a majority of its members and a warrant under this section shall be sufficiently authenticated if signed by two members of the Committee.

(2) Where—

(*a*) a county registrar is about to reach the age of sixty-five years, and

(*b*) he satisfies the Committee that he is not suffering from any disability which would render him unfit to discharge efficiently the duties of his office,

the Committee may, if they so think proper after consultation with the Minister, by warrant made before such county registrar attains the said age, continue him in office for one year commencing on the date on which he will attain the said age.

(3) Where—

(*a*) a county registrar to whom a warrant under subsection (2) of this section or under this subsection relates, or to whom a warrant under this subsection is deemed to relate, is about to reach the age of (as the case may be) sixty-six, sixty-seven, sixty-eight or sixty-nine years, and

(*b*) he satisfies the Committee that he is not suffering from any disability which would render him unfit to continue to discharge efficiently the duties of his office,

the Committee may, if they so think proper after consultation with the Minister, by warrant made before such county registrar attains the said age, continue him in office for one year commencing on the date on which he will attain the said age.

(4) Where, immediately before the operative date, there is a county registrar whose age of retirement was extended under subsection (6) of section 35 of the Act of 1926, such county registrar shall be deemed to have been continued in office by warrant under subsection (3) of this section and to be a county registrar to whom that subsection relates.

(5) The provisions of this section shall have effect notwithstanding anything contained in subsection (6) of section 35 of the Act of 1926.

Pension of Master of the High Court, Taxing-Master and county registrar.

57.—(1) Where—

(*a*) F95**[**a person who holds or held the office of Master of the High Court, Chief Legal Costs Adjudicator, Legal Costs Adjudicator or county registrar ceases to hold that office and attains the age of sixty-five years, or ceases to hold that office having been removed from office under the applicable provisions**]** or upon medical certificate that he is incapable, from infirmity of mind or body, of discharging the duties of that office and that the infirmity is likely to be permanent, and

(*b*) he has completed five or more years of continuous service in one or more of the said offices

he shall, subject to the provisions of this section, be eligible for a pension consisting of—

(i) if he has completed twenty or more years of such service, two-thirds of the annual remuneration in respect of the office which he ceases to hold, or

(ii) if he has not completed twenty years of such service, one-sixth of the annual remuneration in respect of the office which he ceases to hold together with one-thirtieth of that remuneration for each (if any) completed year of such service in excess of five.

(2) F96**[**...**]**

(2) Where a person in receipt of a pension under this section F97**[**or under regulations made pursuant to section 5 (1) (b) of the Courts (Supplemental Provisions) (Amendment) Act, 1991**]** is employed in a situation remunerated out of moneys provided by the Oireachtas, then

(a) the pension shall not be payable in respect of any period during which his remuneration in respect of such situation is equal to or greater than the remuneration by reference to which the pension was computed, and

(b) so much only of the pension shall be payable in respect of any period during which his remuneration in respect of such situation is less than the remuneration by reference to which the pension was computed as with his remuneration in respect of such situation will amount to the remuneration by reference to which the pension was computed.

(3) A reference in this section to service of any person shall be construed as a reference to service of such person in respect of which he was remunerated, exclusive of any period during which he was absent on account of illness and was remunerated at a rate determined by reference to the rate which would be appropriate if he were on pension.

(4) Pensions under this section may be granted by the Minister for Finance.

F98**[**(5) In this section, "applicable provisions" means—

(*a*) in the case of a person holding the office of Master of the High Court, paragraph (a) of section 3(4B) of the Act of 1926,

(*b*) in the case of a person holding the office of the Chief Legal Costs Adjudicator or Legal Costs Adjudicator, clause (a) of paragraph 18(11) of the Eighth Schedule, and

(*c*) in the case of a person holding the office of county registrar, section 35(8)(a) of the Act of 1926.**]**

Special provisions for person who, on the operative date, holds the office of Master of the High Court, Taxing-Master or county registrar.

58.—(1) Notwithstanding the terms of section 57 of this Act, that section shall not apply in relation to a person who, on the operative date, holds the office of Master of the High Court, Taxing-Master or county registrar unless and until he elects under this section to accept the provisions of the said section 57.

(2) A person who, on the operative date, holds the office of Master of the High Court, Taxing-Master or county registrar may, by notice in writing sent to the Minister before the expiration of three months after the operative date, elect to accept the provisions of section 57 of this Act.

(3) Notwithstanding the repeal by this Act of sections 4 and 5 of the Act of 1945—

(*a*) those sections shall continue to have effect in relation to a person who, at the passing of the Act of 1945, held the office of Taxing-Master or county registrar and holds such office on the operative date, unless and until such person elects under this section to accept the terms of section 57 of this Act;

(*b*) section 4 shall continue to have effect in relation to a person who was appointed to the office of Master of the High Court, Taxing-Master or county registrar after the passing of the Act of 1945 and holds such office on the operative date, unless and until such person elects under this section to accept the terms of section 57 of this Act.

Officers of Cork Local Admiralty Court and Cork Local Bankruptcy Court.

59.—(1) In this section—

"the existing Cork Circuit Court Judge" means the judge of the existing Circuit Court for the circuit of the existing Circuit Court consisting of the county and county borough of Cork;

"the Cork County Registrar" means the county registrar for the county and county borough of Cork.

(2) (*a*) In this subsection "the Court" means the Cork Local Admiralty Court constituted by subsection (2) of section 23 of this Act.

(*b*) There shall be attached to the Court the following officers—

(i) a registrar,

(ii) a marshal.

(*c*) The Cork County Registrar shall be the registrar of the Court.

(*d*) The marshal of the Court shall be appointed by the Minister and shall hold office on such terms and conditions as the Minister, with the sanction of the Minister for Finance, shall determine.

(*e*) The authorities, powers, duties and functions of the registrar of the Court shall correspond with those conferred or imposed by statute or rule of court on the officer attached to the High Court who is acting as Admiralty Registrar of the High Court.

(*f*) The authorities, powers, duties and functions of the marshal of the Court shall correspond with those conferred or imposed by statute or rule of court on the officer attached to the High Court who is acting as Admiralty Marshal of the High Court.

(*g*) The person (if any) who, immediately before the operative date, held the office of or acted as marshal for the purposes of the jurisdiction in admiralty exercised, immediately before the operative date, by the existing Cork Circuit Court Judge shall, by virtue of this paragraph, become and be marshal of the Court and shall hold that office upon the terms and conditions upon which, immediately before the operative date, he held such first-mentioned office.

(3) (*a*) In this subsection, "the Court" means the Cork Local Bankruptcy Court constituted by subsection (3) of section 23 of this Act.

(*b*) There shall be attached to the Court the following officers—

(i) a registrar,

(ii) an official assignee,

(iii) a messenger,

(iv) such other officers (if any) as the Minister, with the concurrence of the Minister for Finance, shall determine.

(*c*) The Cork County Registrar shall be the registrar of the Court.

(*d*) Each officer of the Court (other than the registrar of the Court) shall be appointed by the Minister and shall hold office on such terms and conditions as the Minister, with the sanction of the Minister for Finance, shall determine.

(*e*) The authorities, powers, duties and functions of the registrar of the Court shall correspond with those conferred or imposed on one of the Examiners or the Examiner (where there is only one Examiner) by subparagraph (2) of paragraph 11 of the Eighth Schedule to this Act.

(*f*) The authorities, powers, duties and functions of the official assignee of the Court shall correspond with those conferred or imposed by statute or rule of court on the Official Assignee in Bankruptcy.

(*g*) All such and the like property, estate and effects as would vest in the Official Assignee in Bankruptcy in the case of proceedings instituted in the High Court shall vest in the official assignee of the Court where proceedings are instituted in the Court, and the enactments regulating and affecting the vesting of any of such property, estate and effects in the Official Assignee in Bankruptcy and the divesting thereof shall also regulate and affect the vesting of the same in the official assignee of the Court and the divesting thereof.

(*h*) The person (if any) who, immediately before the operative date, held the office of or acted as official assignee for the purposes of the jurisdiction in bankruptcy exercised immediately before the operative date by the existing Cork Circuit Court Judge shall, by virtue of this paragraph, become and be official assignee of the Court and shall hold that office upon the terms and conditions upon which, immediately before the operative date, he held such first-mentioned office.

(*i*) The rights, powers, duties and obligations of the messenger of the Court shall correspond with those conferred or imposed by statute or rule of court on the messenger attached to the Office of the Official Assignee in Bankruptcy.

(4) In section 9 of the Act of 1945, as applied by section 48 of this Act, the references to a court shall be construed as including references to the Cork Local Admiralty Court and the Cork Local Bankruptcy Court.

Right of audience of solicitors in Circuit Court, Cork Local Admiralty Court and Cork Local Bankruptcy Court.

60.—F99**[**...**]**

Solicitors and commissioners for oaths.

61.—All persons who, immediately before the operative date, were solicitors of the courts mentioned in column (2) of Part I of the Seventh Schedule to this Act and all persons who, immediately before the operative date, were commissioners to administer oaths shall on the operative date become respectively solicitors of the courts mentioned in column (3) of the said Part I and commissioners to administer oaths.

F100**[**Court may award costs without oral hearing

62.— (1) Subject to subsection (2), a court in any proceedings before it may, in relation to its determination, or any part of its determination, of the liability (if any) of any party to costs, make one or more of the following directions:

(*a*) that the determination shall be made without an oral hearing;

(*b*) that an application or submission to the court relating to such determination shall be made in writing;

(*c*) that a ruling in relation to such liability shall be delivered in writing.

(2) A court shall not make a direction under subsection (1) where it considers that it is not in the interests of justice to do so.

(3) A direction under subsection (1) may be made at any time during the proceedings concerned or at their conclusion.

(4) Rules of court may, in relation to proceedings to which subsection (1) applies, make provision for the manner in which submissions in writing relating to liability for costs may be made by the parties to the proceedings.

(5) Subsection (1) is without prejudice to any power of the court under any enactment or rule of court.

(6) In this section, "court" means the Supreme Court, the Court of Appeal, the High Court, the Circuit Court or the District Court.**]**

Section 3.

FIRST SCHEDULE

Enactments Repealed

Session and Chapter or Number and Year (1)	Short Title (2)	Extent of Repeal (3)
5 & 6 Vic. c. 24.	Dublin Police Act, 1842.	Section 68.
43 & 44 Vic. c. 39.	Lunacy (Ireland) Act, 1880.	The whole Act.
6 Edw. 7. c. 37.	Labourers (Ireland) Act, 1906.	In subsection (1) of section 31, all words from "and the Local Government Board" to the end of the subsection.
No. 10 of 1924.	Courts of Justice Act, 1924.	Section 2; in section 3, the definition of "Central Criminal Court"; sections 4, 5, 6, 7, 8, 11, 13, 14, 16, 17 and 18; subsections (1) and (3) of section 19; in section 20, the words "From and after the commencement of this Act"; sections 21 and 22; in section 27, the words "From and after the commencement of this Act"; sections 30, 37, 41, 43, 45, 46, 47, 48, 49, 50, 51, 52, 53, 55, 56 and 57; in section 60, all words from "Any judgment" to the end of the section; sections 67, 69, 70 and 74; in section 78, all words from "and the provisions"of the end of the section; sections 82, 83, 89, 93, 98, 99, 100, 102, 103 and 104; the Schedule.
No. 1 of 1926.	Courts of Justice Act, 1926.	Sections 2, 3, 4 and 7.

No. 27 of 1926.	Court Officers Act, 1926.	Subsection (2) of section 1; in section 2, the definitions of "the Chief Justice" and "court" subsections (1) and (2) of section 3; in subsection (6) of section 3, the words from "but such age"to the end of the subsection; sections 4, 5, 6, 7, 10, 11, 13, 14, 19, 20, 21, 22, 25 and 26; in subsection (1) of section 28, the words "the Central Office and"; subsection (2) of section 28; section 30; in subsection (6) of section 35, from the words "but such age" to the end of the subsection; in subsection (1) of section 38, the words "or, where a local bankruptcy court formerly existed, the registrar, or any other officer of that court except the official assignee"; sections 45, 49 and 60; in subsection (1) of section 51, the words "after the appointed day" subsection (2) of section 51; section 55; subsection (4) of section 59; section 62; subsections (1), (2), (3), (4) and (6) of section 63; section 64.
No. 29 of 1927.	Courts of Justice Act, 1927.	The whole Act.
No. 15 of 1928.	Courts of Justice Act, 1928.	In subsection (1) of section 1, the definition of "the Chief Justice" subsection (2) of section 1; sections 2, 3, 4, 8, 9 , 13, 14, 15 and 22; the Schedule.
No. 35 of 1928.	Courts of Justice (No.2) Act, 1928.	The whole Act.
No. 40 of 1931.	Courts of Justice (No.2) Act, 1931.	The whole Act.

No. 48 of 1936.	Courts of Justice Act, 1936.	Sections 3, 4, 5 and 6; subsection (1) of section 7; sections 8, 9, 15, 17, 18, 19, 25, 26, 27 and 28; in subsection (3) of section 31, the words ", on the commencement of this Part of this Act," and ", as on and from such commencement,"; subsection (1) of section 33; in subsection (2) of section 33, the words "At any time after the commencement of this Part of this Act,"; sections 45, 48 and 50; subsections (2) and (4) of section 51; sections 54 and 56; paragraph (*c*) of subsection (3) of section 64; the First Schedule.
No. 25 of 1945.	Court Officers Act, 1945.	Sections 2, 3, 4, 5, 7 and 8.
No. 21 of 1946.	Courts of Justice (District Court) Act, 1946.	In section 2, all definitions except the definitions of "Justice"and "the Minister" sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19 and 22; the Schedule.
No. 20 of 1947.	Courts of Justice Act, 1947.	Sections 2, 4, 5, 6, 7 and 8; subsections (1) and (2) of section 9; in subsection (3) of section 9, the words "shall be appointed from amongst the Circuit Judges by the President acting on the advice of the Government and" subsection (4) of section 9; sections 13, 14, 15, 17, 18 and 20; the Schedule.
No. 8 of 1949.	Courts of Justice (District Court) Act, 1949.	Sections 3 and 4; the Schedule.
No. 2 of 1951.	Criminal Justice Act, 1951.	Sections 19 and 26; the Second Schedule.
No. 32 of 1953.	Courts of Justice Act, 1953.	Sections 3, 4, 6, 7, 8, 9, 10, 11, 16, 17 and 18; subsection (1) of section 19; sections 20, 21, 22, 23, 24, 25 and 32; the Schedule.
No. 35 of 1959.	Courts of Justice Act, 1959.	The whole Act.

No. 15 of 1960.	Hire-Purchase (Amendment) Act, 1960.	Paragraph (*a*) of subsection (1) of section 19; paragraph (*a*) of subsection (2) of section 19.

Sections 6, 19 and 31.

SECOND SCHEDULE

Pensions of Judges of Courts Established by the Principal Act

Part I

Pensions of Judges of Supreme Court and High Court

1. In this Part "service" means service as a judge of the Supreme Court, the High Court, the Circuit Court, the existing Supreme Court, the existing High Court or the existing Circuit Court.

2. (1) This paragraph applies to a judge of the Supreme Court or the High Court who—

(*a*) was appointed a judge of the existing Supreme Court or the existing High Court after the passing of the Act of 1953, or

(*b*) never held office as a judge of the existing Supreme Court or the existing High Court.

(2) There shall be granted to a judge of the Supreme Court or the High Court to whom this paragraph applies and who, having reached the age of sixty-five years, vacates his office after fifteen years' service or upwards a pension for life of two-thirds of his remuneration at the time of such vacation of office.

(3) There shall be granted to a judge of the Supreme Court or the High Court to whom this paragraph applies and who, owing to age or permanent infirmity, vacates his office after five years' service or upwards a pension for life of one-sixth of his remuneration at the time of such vacation of office with the addition of one-twentieth of such remuneration for every completed year of service in excess of five, subject to a maximum pension of two-thirds of such remuneration.

3. (1) This paragraph applies to a judge of the Supreme Court or the High Court who held office as a judge of the existing Supreme Court or the existing High Court on the passing of the Act of 1953.

(2) There shall be granted to a judge of the Supreme Court or the High Court to whom this paragraph applies and who vacates his office after fifteen years' service or upwards a pension for life of two-thirds of his remuneration at the time of such vacation of office.

(3) There shall be granted to a judge of the Supreme Court or the High Court to whom this paragraph applies and who, owing to age or permanent infirmity, vacates his office after five years' service or upwards and less than fifteen years' service a pension for life of one-sixth of his remuneration at the time of such vacation of office with the addition of one-twentieth of such remuneration for every completed year of service in excess of five.

Part II

Pensions of Judges of Circuit Court

4. In this Part "service" means service as a judge of the Circuit Court or the existing Circuit Court or as a justice of the District Court or the existing District Court.

5. (1) This paragraph applies to a judge of the Circuit Court who—

(*a*) was appointed a judge of the existing Circuit Court after the passing of the Act of 1953, or

(*b*) never held office as a judge of the existing Circuit Court.

(2) There shall be granted to a judge of the Circuit Court to whom this paragraph applies and who, having reached the age of sixty-five years, vacates his office after fifteen years' service or upwards a pension for life of two-thirds of his remuneration at the time of such vacation of office.

(3) There shall be granted to a judge of the Circuit Court to whom this paragraph applies and who, owing to age or permanent infirmity, vacates his office after five years' service or upwards a pension for life of one-sixth of his remuneration at the time of such vacation of office with the addition of one-twentieth of such remuneration for every completed year of service in excess of five, subject to a maximum pension of two-thirds of such remuneration.

6. (1) This paragraph applies to a judge of the Circuit Court who held office as a judge of the existing Circuit Court on the passing of the Act of 1953.

(2) There shall be granted to a judge of the Circuit Court to whom this paragraph applies and who vacates his office after fifteen years' service or upwards a pension for life of two-thirds of his remuneration at the time of such vacation of office.

(3) There shall be granted to a judge of the Circuit Court to whom this paragraph applies and who, owing to age or permanent infirmity, vacates his office after five years' service or upwards and less than fifteen years' service a pension for life of one-sixth of his remuneration at the time of such vacation of office with the addition of one-twentieth of such remuneration for every completed year of service in excess of five.

Part III

Pensions of Justices of District Court

7.In this Part—

"justice", where used without qualification, means a justice of the District Court;

"service", in relation to a justice, means any service by him, being—

(*a*) service as a District Justice under the District Justices (Temporary Provisions) Act, 1923,

(*b*) service as a justice of the existing District Court,

F101**[**(*bb*) service as a county registrar (being service which was continuous with subsequent service as a justice or as a temporary district justice and being service in respect of which the person concerned was remunerated, exclusive of any period during which he was absent on account of illness and was remunerated at a rate determined by reference to the rate which would be appropriate if he were on pension),**]**

(*c*) service as an additional justice, appointed under section 13 of the Courts of Justice Act, 1928, of the existing District Court, or

(*d*) service as a justice;

"the Superannuation Acts" means the Superannuation Act, 1834, as amended and extended by subsequent enactments, other than the Superannuation Act, 1956.

8. (1) This paragraph applies to a justice who—

(*a*) was appointed a justice of the existing District Court on or after the passing of the Act of 1936, or

(*b*) never held office as a justice of the existing District Court.

(2) There shall be granted to a justice to whom this paragraph applies and who, having reached the age of sixty-five years, vacates his office after twenty years' service or upwards a pension for life of two-thirds of his remuneration at the time of such vacation of office.

(3) There shall be granted to a justice to whom this paragraph applies and who, owing to age or permanent infirmity, vacates his office after five years' service or upwards a pension for life of one-sixth of his remuneration at the time of such vacation of office with the addition of one-thirtieth of such remuneration for every completed year of service in excess of five, subject to a maximum pension of two-thirds of such remuneration.

9. (1) This paragraph applies to a justice who held office as a justice of the existing District Court on the passing of the Act of 1936.

(2) Unless and until he makes the election provided for in subparagraph (3) of this paragraph, the following provisions shall apply to a justice to whom this paragraph applies, namely, his office shall be a pensionable office within the meaning of the Superannuation Acts, and the superannuation allowance, additional allowance or gratuity granted to or in respect of him on the vacation of his office shall be ascertained in the manner and subject to the conditions prescribed by those Acts, and a certificate by the Chief Justice shall be a sufficient certificate for the purposes of section 8 of the Superannuation Act, 1859.

(3) A justice to whom this paragraph applies may, by notice in writing sent to the Minister for Finance at any time before he vacates his office, elect to accept the pension terms provided by this subparagraph, and in that case the following provisions shall apply to him—

(*a*) there shall be granted to him, if he vacates his office after thirty years' service or upwards, a pension for life of two-thirds of his remuneration at the time of such vacation of office;

(*b*) there shall be granted to him, if, owing to age or permanent infirmity, he vacates his office after ten years' service or upwards and less than thirty years' service, a pension for life of one-sixth of his remuneration at the time of such vacation of office with the addition of one-fortieth of such remuneration for every completed year of service in excess of ten.

10. Where—

(*a*) a justice, having completed ten years' service or upwards, vacates his office with the consent of the Government, and

(*b*) such justice is not entitled under paragraphs 8 or 9 of this Schedule to a pension in respect of his service,

he shall be entitled to a pension for life of one-sixth of his remuneration at the time of such vacation of office with the addition of one-fortieth of such remuneration for every completed year of service in excess of ten, subject to a maximum pension of two-thirds of such remuneration.

Section 22 (1).

THIRD SCHEDULE

Civil Proceedings In Respect Of Which The Jurisdiction Of The High Court Is, With Quantitative Limitations, Conferred On The Circuit Court, And Judges Of The Circuit Court By Whom The Jurisdiction Is To Be Exercised

Ref.No	Civil proceedings in respect of which jurisdiction is conferred on the Circuit Court	Exclusion of jurisdiction (except by consent of necessary parties) in certain cases	Judge of Circuit Court by whom jurisdiction is to be exercised
(1)	(2)	(3)	(4)
1.	An action (other than an action of the kind specified in column (2) of this Schedule at reference number 3, 4 or 5) founded on contract or quasi-contract.	Where the amount of the claim exceeds F102[€75,000]	At the election of the plaintiff (whether the claim be to enforce, rescind, dissolve or annul the contract or for damages or other relief for the breach thereof)— (*a*) the judge of the circuit within which the contract was made, or (*b*) the judge of the circuit where the defendant or one of the defendants resides or carries on business.
2.	An action (other than an action of the kind specified in column (2) of this Schedule at reference number 3, 4 or 5) founded on contract where the debt or demand claimed consists of a balance after a set-off of any debt or demand claimed or recoverable by the defendant from the plaintiff, being a set-off admitted by the plaintiff in the particulars of his claim or demand.	Where the amount of the balance claimed exceeds F102[€75,000]	
3.	An action by the owner of goods let under a hire-purchase agreement (within the meaning of the F102[Consumer Credit Act 1995 or to which section 17(2) of that Act refers]) to enforce a right to recover possession of the goods from the hirer.	Where the hire-purchase price (within the meaning of F102[the said Act]) exceeds F102[€75,000] Where the amount of the claim exceeds F102[€75,000.]	In case the defendant or one of the defendants ordinarily resides or carries on business in the State—the judge of the circuit where the defendant or one of the defendants resides or carries on business. In any other case—the judge of the circuit within which the hire-

Ref.No (1)	Civil proceedings in respect of which jurisdiction is conferred on the Circuit Court (2)	Exclusion of jurisdiction (except by consent of necessary parties) in certain cases (3)	Judge of Circuit Court by whom jurisdiction is to be exercised (4)
4.	An action by the owner of goods let under a hire-purchase agreement (within the meaning of the F102**[**Consumer Credit Act 1995 or to which section 17(2) of that Act refers**]**) to enforce payment of a sum due under the hire-purchase agreement or under any contract of guarantee relating thereto.		purchase agreement was made.
5.	An action commenced after the commencement of the Act founded on a credit-sale agree ment (within the meaning of the F102**[** Consumer Credit Act 1995 or to which section 17(2) of that Act refers**]**).	Where the amount of the claim exceeds F102**[**€75,000**]**.	In case the defendant or one of the defendants ordinarily resides or carries on business in the State—the judge of the circuit where the defendant or one of the defendants resides or carries on business. In any other case—the judge of the circuit within which the credit-sale agreement was made.
6.	An action (other than F104**[**...**]** an action for wrongful detention or matrimonial proceedings) founded on tort (other than criminal conversation with a man's wife).	F102**[**Where— (a) in a personal injuries action, within the meaning of the Civil Liability and Courts Act 2004, the amount of the claim exceeds €60,000, or (b) in an action that is not an action referred to in paragraph (a), the amount of the claim exceeds €75,000.**]**	At the election of the plaintiff— (*a*) the judge of the circuit where the tort is alleged to have been committed, or (*b*) the judge of the circuit where the defendant or one of the defendants resides or carries on business.
7.	An action for wrongful detention.	Where the value of the goods claimed exceeds F102**[**€75,000**]**.	
F103**[**7A.**]**	F104**[**...**]**	F104**[**...**]**	

Ref.No (1)	Civil proceedings in respect of which jurisdiction is conferred on the Circuit Court (2)	Exclusion of jurisdiction (except by consent of necessary parties) in certain cases (3)	Judge of Circuit Court by whom jurisdiction is to be exercised (4)
8.	An action in which the title to land comes into question, other than an action of ejectment.	Where the F105**[**market value**]** of the land exceeds F105**[**€3,000,000**]**.	The judge of the circuit where the land or any part of the land is situate.
9.	An action of ejectment other than— (*a*) an action under section 82 of the Civil Bill Courts (Ireland) Act, 1851, or under section 78 of 80 of the Landlord and Tenant Law Amendment Act, Ireland, 1860 (hereinafter in this Schedule referred to as the Act of 1860), or (*b*) an action of the kind specified in column (2) of this Schedule at reference number 10.		
10.	An action of ejectment for a year's rent in arrear maintainable in the High Court under section 52 of the Act of 1860.	Where the F105**[**market value**]** of the land exceeds F105**[**€3,000,000**]**.	The judge of the circuit where the land in respect of which the rent in arrear is payable or any part of that land is situate.
11.	An action for rent in arrear maintainable in the High Court under section 45 of the Act of 1860.	Where the rent in arrear exceeds F102**[**€75,000**]**	
12.	An action for use and occupation of land maintainable in the High Court under section 46 of the Act of 1860.	Where the amount claimed exceeds F102**[**€75,000**]**	The judge of the circuit where the land or any part of the land is situate.
13.	An action for double rent for overhold-ing land maintainable in the High Court under section 76 of the Act of 1860.		

Ref.No (1)	Civil proceedings in respect of which jurisdiction is conferred on the Circuit Court (2)	Exclusion of jurisdiction (except by consent of necessary parties) in certain cases (3)	Judge of Circuit Court by whom jurisdiction is to be exercised (4)
14.	An action to recover double the value of goods fraudulently carried off or concealed or clandestinely removed to prevent distress for arrears of rent and maintainable in the High Court under section 3 of the pre-Union Irish statute 15 Geo. 2. c. 8 (Ir.) (1741) entitled "An Act for the more effectual securing the payment of rents, and preventing frauds by tenants".	Where the value of the goods removed exceeds F102**[**€75,000**]**	The judge of the circuit where the defendant or one of the defendants resides or carries on business.
15.	An application under—(*a*) section 34 or 52 of the Registration of Title Act, 1891, or (*b*) section 13 of the Registration of Title Act, 1942 (No. 26 of 1942).	Where the F105**[**market value**]** of the land exceeds F105**[**€3,000,000**]**.	The judge of the Circuit where the land or any part of the land is situate.
16.	F106**[**...**]**	F106**[**...**]**	
17.	F106**[**...**]**		F106**[**...**]**
18.	Proceedings for the dissolution of a partnership or the taking of partnership or other accounts.	Where the property of the partnership— (*a*) F107**[**...**]** (*b*) in so far as it consists of land, exceeds the F105**[**market value**]** of F105**[**€3,000,000**]**.	At the election of the plaintiff— (*a*) the judge of the circuit where the partnership business was or is carried on, or (*b*) the judge of the circuit where the defendant or one of the defendants resides or carries on business.
19.	Proceedings for any of the following purposes— (*a*) the redemption of mortgages on land, (*b*) the raising of portions or other charges on land,	Where the F105**[**market value**]** of the land exceeds F105**[**€3,000,000**]**.	The judge of the circuit where the land or any part of the land is situate.

Ref.No (1)	Civil proceedings in respect of which jurisdiction is conferred on the Circuit Court (2)	Exclusion of jurisdiction (except by consent of necessary parties) in certain cases (3)	Judge of Circuit Court by whom jurisdiction is to be exercised (4)
	(*c*) the sale and distribution of the proceeds of any land subject to any mortgage, lien or charge. F108**[**(*d*) applications under sections 94, 97 (except where the property concerned is subject to a housing loan mortgage), 100 (except where the property concerned is subject to a housing loan mortgage) and 117 of the Land and Conveyancing Law Reform Act 2009**]**		
20.	Proceedings for the execution of trusts, charitable or private.	Where— (*a*) F107**[**...**]** (*b*) the trust estate, in so far as it consists of land, exceeds the F105**[**market value**]** of F105**[**€3,000,000**]**.	The judge of the circuit where the defendant or one of the defendants resides or carries on business.
21.	Proceedings for the rectification or setting aside or cancellation of deeds or other written instruments.	Where the subject matter— (*a*) F107**[**...**]** (*b*) in so far as it consists of land, exceeds the F105**[**market value**]** of F105**[**€3,000,000**]**.	Where the subject matter consists entirely of personalty, the judge of the circuit where the defendant or one of the defendants resides or carries on business. Where the subject matter consists in whole or in part of land, at the option of the plaintiff— (*a*) the judge of the circuit where the defendant or one of the defendants resides or carries on business, or (*b*) the judge of the circuit where the land
22.	Proeedings for specific performance of contracts F108**[**and under section 55 of the Land and Conveyancing Law Reform Act 2009**]**.		

Ref.No (1)	Civil proceedings in respect of which jurisdiction is conferred on the Circuit Court (2)	Exclusion of jurisdiction (except by consent of necessary parties) in certain cases (3)	Judge of Circuit Court by whom jurisdiction is to be exercised (4)
			or any part of the land is situate.
23.	F108**[**Proceedings under sections 31, 35, 50, 68, and 84 of the Land and Conveyancing Law Reform Act 2009**]**.	Where the F105**[**market value**]** of the land exceeds F105**[**€3,000,000**]**.	The judge of the circuit where the land or any part of the land is situate.
24.	Proceedings for the wardship of infants and the care of infants' estates.	Where the property— (*a*) F107**[**...**]** (*b*) in so far as it consists of land, exceeds the F105**[**market value**]** of F105**[**€3,000,000**]**.	The judge of the circuit where the infant or one of the infants resides.
25.	Proceedings under the Settled Land Acts, 1882 to 1890.	Where the property— (*a*) F107**[**...**]** (*b*) in so far as it consists of land, exceeds the F105**[**market value**]** of F105**[**€3,000,000**]**.	The judge of the circuit where the land or the land (represented by the capital money) or any part of the land is situate.
26.	Proceedings under F108**[**Parts 4 and 5 of the Land and Conveyancing Law Reform Act 2009 and**]** the Trustee Acts, namely, the Trustee Act, 1893, the Trustee Act, 1893, Amendment Act, 1894, and the Trustee Act, 1931 (No. 20 of 1931).	Where the trust property— (*a*) F107**[**...**]** (*b*) in so far as it consists of land, exceeds the F105**[**market value**]** of F105**[**€3,000,000**]**.	The judge of the circuit where the applicant or one of the applicants resides.
27.	An action (in relation to property) claiming an injunction, otherwise than as ancillary to other relief.	Where the property— (*a*) F107**[**...**]** (*b*) in so far as it consists of land, exceeds the F105**[**market value**]** of F105**[**€3,000,000**]**.	Where the property consists only of personalty, the judge of the circuit where the defendant or one of the defendants resides or carries on business. Where the property consists of land, at the option of the plaintiff— (*a*) the judge of the circuit where the

Ref.No (1)	Civil proceedings in respect of which jurisdiction is conferred on the Circuit Court (2)	Exclusion of jurisdiction (except by consent of necessary parties) in certain cases (3)	Judge of Circuit Court by whom jurisdiction is to be exercised (4)
			defendant or one of the defendants resides or carries on business, or (*b*) the judge of the circuit where the land or any part of the land is situate.
28.	Proceedings in relation to property not hereinbefore specified in this Schedule and which immediately before the commencement of Part I of the Courts of Justice Act, 1924 (No. 10 of 1924), were assigned to the Chancery Division of the former High Court of Justice in Southern Ireland, other than proceedings in relation to companies.	Where the property— (*a*) F107**[**...**]** (*b*) in so far as it consists of land, exceeds the F105**[**market value**]** of F105**[**€3,000,000**]**.	Where the proceedings are in a cause, the judge of the circuit where the defendant or one of the defendants resides or carries on business. Where the proceedings are in a matter and any land is involved, at the option of the applicant— (*a*) the judge of the circuit where the applicant resides or carries on business, or (*b*) the judge of the circuit where the land or any part of the land is situate. Where the proceedings are in a matter, and no land is involved, the judge of the circuit where the applicant resides or carries on business.

Ref.No (1)	Civil proceedings in respect of which jurisdiction is conferred on the Circuit Court (2)	Exclusion of jurisdiction (except by consent of necessary parties) in certain cases (3)	Judge of Circuit Court by whom jurisdiction is to be exercised (4)
29.	Proceedings F109[...] by any person, including a State authority, to recover any sum (including a sum recoverable by way of debt, penalty, forfeiture or otherwise, but excluding a fine to which a person is liable on conviction of a criminal offence) recoverable by virtue of any enactment, other than an enactment set out in the Fourth Schedule to this Act.	Where the amount due or recoverable exceeds F102[€75,000]	The judge of the circuit where the defendant or one of the defendants resides or carries on business.
F110[30.	An intellectual property claim within the meaning of section 2 of the Copyright and Related Rights Act 2000.	Where the amount of the claim exceeds €75,000.	The judge of the circuit where the defendant or one of the defendants resides or carries on business.]

Section 22 (3).

FOURTH SCHEDULE

JURISDICTION OF THE CIRCUIT COURT UNDER CERTAIN BRITISH STATUTES AND SAORSTÁT ÉIREANN STATUTES, AND JUDGES OF THE CIRCUIT COURT BY WHOM THE JURISDICTION IS TO BE EXERCISED

Ref. No. (1)	Enactments conferring jurisdiction on former Recorders, County Court Judges, Chairmen of Quarter Sessions, or Courts of Quarter Sessions (2)	Judge of Circuit Court by whom jurisdiction is to be exercised (3)
1.	Excise Management Act, 1827 (7 and 8 Geo. 4. c. 53)—section 82.	The judge of the circuit in which is situate the courthouse in which the judgment appealed against was given.
2.	Grand Jury (Ireland) Act, 1836 (6 & 7 Will. 4. c. 116)— section 87.	The judge of the circuit where the defendant resides.

Ref. No.	Enactments conferring jurisdiction on former Recorders, County Court Judges, Chairmen of Quarter Sessions, or Courts of Quarter Sessions	Judge of Circuit Court by whom jurisdiction is to be exercised
(1)	(2)	(3)
3.	Poor Relief (Ireland) Act, 1838 (1 & 2 Vic. c. 56)— sections 73 and 78.	The judge of the circuit where the person liable to pay the rate resides.
4.	Poor Relief (Ireland) Act, 1838 (1 & 2 Vic. c. 56)— sections 106 to 109 and section 112.	The judge of the circuit where the rate was made.
5.	Drainage (Ireland) Act, 1842 (5 & 6 Vic. c. 89)— section 58.	The judge of the circuit where any part of the drain, stream or rivulet required to be cleaned or scoured is situate.
6.	Scientific Societies Act, 1843 (6 & 7 Vic. c. 36)— sections 5 and 6.	The judge of the circuit where the land or buildings of the society are situate.
7.	Poor Relief (Ireland) Act, 1843 (6 & 7 Vic. c. 92)— sections 2 and 3.	The judge of the circuit where the property is situate.
8.	County Dublin Grand Jury Act, 1844 (7 & 8 Vic. c. 106)— section 110.	The judge of the circuit where the defendant resides.
9.	Drainage (Ireland) Act, 1846 (9 & 10 Vic. c. 4)— section 42 (so far as the section relates to the recovery of costs and expenses of cleaning, scouring out and removal of accumulated matter from aqueducts, culverts or tunnels under canals).	The judge of the circuit where the aqueduct, culvert or tunnel is situate.
10.	Drainage (Ireland) Act, 1846 (9 & 10 Vic. c. 4)— section 42 (so far as the section relates to the recovery by the Commissioners of Public Works in Ireland of the costs and expenses of altering aqueducts, culverts, or tunnels under canals so as to prevent injury to lands).	The judge of the circuit where the lands are situate.
11.	Ejectment and Distress (Ireland) Act, **1846** (9 & 10 Vic. c. 111)— section 8.	The judge of the circuit in which is situate the courthouse in which the order or decree for recovery of possession was made.

Ref. No.	Enactments conferring jurisdiction on former Recorders, County Court Judges, Chairmen of Quarter Sessions, or Courts of Quarter Sessions	Judge of Circuit Court by whom jurisdiction is to be exercised
(1)	(2)	(3)
12.	Landed Property Improvement (Ireland) Act, 1847 (10 & 11 Vic. c. 32)— section 40.	The judge of the circuit where the defendant resides.
13.	Eviction (Ireland) Act, 1848 (11 & 12 Vic. c. 47)— section 6.	The judge of the circuit where the defendant resides.
14.	Poor Relief (Ireland) Act, 1849 (12 & 13 Vic. c. 104)— section 29.	The judge of the Circuit Court before whom the legal proceedings are pending.
15.	Civil Bill Courts (Ireland) Act, 1851 (14 & 15 Vic. c. 57)—proviso to section 35.	The judge of the Circuit Court before whom the case is heard and determined.
16.	Civil Bill Courts (Ireland) Act, 1851 (14 & 15 Vic. c. 57)— sections 38 and 39.	The judge of the circuit where the land distrained or threatened to be distrained is situate.
17.	Civil Bill Courts (Ireland) Act, 1851 (14 & 15 Vic. c. 57)— section 82.	The judge of the circuit where the land is situate.
18.	Valuation (Ireland) Act, 1852 (15 & 16 Vic. c. 63)— sections 16, 22, 23 and 31.	The judge of the circuit where the tenement or rateable hereditament is situate; or, in the case of an incorporeal hereditament, the j udge of the circuit where the property or any part of the property to, out of or in respect of which the incorporeal hereditament is annexed, arises, issues or is exercisable is situate; or, in the case of a half-rent, the judge of the circuit where the property in respect of which the half-rent is determined is situate.
19	Succession Duty Act, 1853 (16 & 17 Vic. c. 51)— section 50.	At the election of the appellant— (a) the judge of the circuit where the appellant resides, or (b) the judge of the circuit where the property is situate.
20.	Boundary Survey (Ireland) Act, 1854 (17 & 18 Vic. c. 17)— section 9.	The judge of the circuit where the boundary line or any part thereof is situate.

Ref. No.	Enactments conferring jurisdiction on former Recorders, County Court Judges, Chairmen of Quarter Sessions, or Courts of Quarter Sessions	Judge of Circuit Court by whom jurisdiction is to be exercised
(1)	(2)	(3)
21.	Towns Improvement (Ireland) Act, 1854 (17 and 18 Vic. c. 103)— section 41.	The judge of the circuit where the works to be constructed are situate.
22.	Literary and Scientific Institutions Act, 1854 (17 & 18 Vic. c. 112)— sections 29 and 30.	The judge of the circuit where the principal building of the institution is situate.
23.	Drainage (Ireland) Act, 1856 (19 & 20 Vic. c. 62)— section 39.	The judge of the circuit where the defendant resides.
24.	Boundary Survey (Ireland) Act, 1857 (20 & 21 Vic. c. 45)— section 5.	The judge of the circuit where the boundary line or any part thereof is situate.
25.	Landlord and Tenant Law Amendment Act, Ireland, 1860 (23 & 24 Vic. c. 154) (hereinafter in this Schedule referred to as the Act of 1860)— sections 30 and 31.	At the election of the landlord— (a) the judge of the circuit where the tenant resides, or (b) the judge of the circuit where the land or any part of the land is situate.
26.	The Act of 1860— **sections 32 and 33.**	The judge of the circuit where the land or any part of the land is situate.
27	The Act of 1860— section 37.	The judge of the circuit where the land in relation to which the precept, order or conviction was made is situate.
28.	The Act of 1860— section 38.	The judge of the circuit where the defendant resides.
29	The Act of 1860— sections 61, 63, 71, 78, 80, 82 and 95.	The judge of the circuit where the land or any part of the land is situate.

Ref. No.	Enactments conferring jurisdiction on former Recorders, County Court Judges, Chairmen of Quarter Sessions, or Courts of Quarter Sessions	Judge of Circuit Court by whom jurisdiction is to be exercised
(1)	(2)	(3)
30.	Valuation (Ireland) Act, 1864 (27 & 28 Vic. c. 52)— sections 1 and 3.	The judge of the circuit where the tenement or rateable hereditament is situate; or, in the case of an incorporeal hereditament, the judge of the circuit where the property or any part of the property to, out of or in respect of which the incorporeal hereditament is annexed, arises, issues or is exercisable is situate; or, in the case of a half-rent, the judge of the circuit where the property in respect of which the half-rent is determined is situate.
31.	Attorneys' and Solicitors' Act, 1870 (33 & 34 Vic. c. 28)— section 8.	At the option of the person seeking to enforce or set aside the agreement— (*a*) the judge of the circuit where the other party to the agreement resides, or (*b*) the judge of the circuit where the agreement was made.
32.	Landlord and Tenant (Ireland) Act, 1870 (33 & 34 Vic. c. 46)— Part I.	The judge of the circuit where the matter requiring the cognizance of the Court arises.
33.	Landlord and Tenant (Ireland) Act, 1870 (33 & 34 Vic. c. 46)—sections 42, 43, 44, 47 and 56.	The judge of the circuit where the holding in respect of which the charging order is sought or any part of that holding is situate.
34.	Charitable Donations and Bequests (Ireland) Act, 1871 (34 & 35 Vic. c. 102)— sections 8 and 16.	The judge of the circuit where the defendant resides.
35.	Bankruptcy (Ireland) Amendment Act, 1872 (35 & 36 Vic. c. 58)— sections 81 and 82.	The judge of the circuit where the debtor had a fixed abode at the time of adjudication of bankruptcy.
36.	Building Societies Act, 1874 (37 & 38 Vic. c. 42)— sections 24, 34, 35 and 36.	The judge of the circuit where the building society has its chief office or place of meeting for the business of the society.
37.	Hosiery Manufacture (Wages) Act, 1874 (37 & 38 Vic. c. 48)—	The judge of the circuit where the offence was committed.

Ref. No.	Enactments conferring jurisdiction on former Recorders, County Court Judges, Chairmen of Quarter Sessions, or Courts of Quarter Sessions	Judge of Circuit Court by whom jurisdiction is to be exercised
(1)	(2)	(3)
	sections 3 and 4.	
38.	Employers and Workmen Act, 1875 (38 & 39 Vic. c. 90)— sections 3 and 8.	The judge of the Circuit Court before whom the proceedings are pending.
39.	Rivers Pollution Prevention Act, 1876 (39 & 40 Vic. c. 75)— section 10.	The judge of the circuit where the offence was committed.
40.	County Officers and Courts (Ireland) Act, 1877 (40 & 41 Vic. c. 56)— sections 41 and 47.	The judge of the Circuit Court before whom the proceedings are pending.
41.	Public Health (Ireland) Act, 1878 (41 & 42 Vic. c. 52)— sections 120, 122 and 260.	The judge of the circuit where the defendant resides.
42.	Public Health (Ireland) Act, 1878 (41 & 42 Vic. c. 52)— section 269.	The judge of the circuit where the cause of appeal has arisen.
43.	Bankers' Books Evidence Act, 1879 (42 & 43 Vic. c. 11)— section 10.	The judge of the Circuit Court before whom the proceedings are pending.
44.	Inland Revenue Act, 1880 (43 & 44 Vic. c. 20)— section 43 (7).	The judge of the circuit where the premises are situate.
45.	F111**[**...**]**	F111**[**...**]**
46.	Partnership Act, 1890 (53 & 54 Vic. c. 39).	The judge of the circuit where the defendant resides.
47.	Public Health Acts Amendment Act, 1890 (53 & 54 Vic. c. 59)— section 7 (1).	The judge of the circuit where the functional area of the local authority is situate.
48.	Industrial and Provident Societies Act, 1893 (56 & 57 Vic. c. 39)— sections 23 and 48.	At the option of the society— (*a*) the judge of the circuit where the registered office of the society is situate, or (*b*) the judge of the circuit where the defendant resides.
49.	Industrial and Provident Societies Act, 1893 (56 & 57 Vic. c. 39)— section 49.	The judge of the circuit where the registered office of the society is situate.

Ref. No.	Enactments conferring jurisdiction on former Recorders, County Court Judges, Chairmen of Quarter Sessions, or Courts of Quarter Sessions	Judge of Circuit Court by whom jurisdiction is to be exercised
(1)	(2)	(3)
50.	Finance Act, 1894 (57 & 58 Vic. c. 30)— section 10 (5).	At the option of the appellant— (*a*) the judge of the circuit where the appellant resides, or (*b*) the judge of the circuit where the property in respect of which the dispute arises is situate.
51.	Friendly Societies Act, 1896 (59 & 60 Vic. c. 25)— sections 31 and 55.	The judge of the circuit where the defendant resides.
52.	Friendly Societies Act, 1896 (59 & 60 Vic. c. 25)— sections 68, 70 and 78.	The judge of the circuit where the registered office of the society is situate.
53.	F112**[**...**]**	F112**[**...**]**
54.	Small Dwellings Acquisition Act, 1899 (62 & 63 Vic. c. 44)— section 5 (2) and (5), as applied to Ireland by section 14 (2).	The judge of the circuit where the house is situate.
55.	Alkali, Etc. Works Regulation Act, 1906 (6 Edw. 7. c. 14)— section 17.	The judge of the circuit where the offence was committed.
56.	Open Spaces Act, 1906 (6 Edw. 7. c. 25)— section 4.	The judge of the circuit where the whole or any part of the open space is situate.
57.	Labourers (Ireland) Act, 1906 (6 Edw. 7. c. 37)— section 6.	The judge of the circuit where the land comprised in the improvement scheme is situate.
58.	Labourers (Ireland) Act, 1906 (6 Edw. 7. c. 37)— section 11.	The judge of the circuit where the land in respect of which the sum was paid as purchase money or compensation under paragraph (1) of the said section 11 is situate.
59	Workmen's Compensation Act, 1906 (6 Edw. 7. c. 58)— Second Schedule.	The judge of the Circuit Court before whom the proceedings are pending.
60.	Public Health Acts Amendment Act, 1907 (7 Edw. 7. c. 53)— section 7 (1).	The judge of the circuit where the functional area of the local authority is situate.

Ref. No.	Enactments conferring jurisdiction on former Recorders, County Court Judges, Chairmen of Quarter Sessions, or Courts of Quarter Sessions	Judge of Circuit Court by whom jurisdiction is to be exercised
(1)	(2)	(3)
61.	Children Act, 1908 (8 Edw. 7. c. 67)— section 58 (2).	The judge of the Circuit Court before whom the child is charged.
62.	Finance (1909-10) Act, 1910 (10 Edw. 7 & 1 Geo. 5. c. 8)— section 33 (4).	At the option of the appellant— (*a*) the judge of the circuit where the appellant resides, or (*b*) the judge of the circuit where the property is situate.
63.	Labourers (Ireland) Act, 1911 (1 & 2 Geo. 5. c. 19)— section 6.	The judge of the circuit where the land, in respect of which the purchase money or compensation is payable, is situate.
64.	Public Roads (Ireland) Act, 1911 (1 & 2 Geo. 5. c. 45)— section 1 (4).	At the election of the plaintiff— (*a*) the judge of the circuit where the damage was done, or (*b*) the judge of the circuit where the defendant or one of the defendants resides or carries on business.
65.	Pilotage Act, 1913 (2 & 3 Geo. 5. c. 31)— section 28.	The judge of the circuit where the port for which the pilot is licensed is situate.
66.	Criminal Justice Administration Act, 1914 (4 & 5 Geo. 5. c. 58)— section 10.	The judge of the circuit in which is situate the courthouse in which the offender was summarily convicted.
67.	F113**[**...**]**	F113**[**...**]**
68.	Housing (Ireland) Act, 1919 (9 & 10 Geo. 5. c. 45)— section 12.	The judge of the circuit where the land in respect of which the purchase money or compensation is payable is situate.
69.	Housing (Ireland) Act, 1919 (9 & 10 Geo. 5. c. 45)— section 25.	The judge of the circuit where the land is situate.
70.	Sheriffs (Ireland) Act, 1920 (10 & 11 Geo. 5. c. 26)— section 7.	The judge of the circuit where the seizure was made.

Ref. No.	Enactments conferring jurisdiction on former Recorders, County Court Judges, Chairmen of Quarter Sessions, or Courts of Quarter Sessions	Judge of Circuit Court by whom jurisdiction is to be exercised
(1)	(2)	(3)
71.	Electoral Act, 1923 (No. 12 of 1923)— section 16.	The judge of the circuit where the registration area of the registration officer concerned is situate.
72.	Land Act, 1923 (No. 42 of 1923)— section 69 (3).	The judge of the circuit where the land is situate.

Section 22 (4)

FIFTH SCHEDULE

ADAPTATIONS (IN RELATION TO THE CIRCUIT COURT AND THE JUDGES THEREOF) OF CERTAIN BRITISH STATUTES RELATING TO FORMER COUNTY COURTS, COURTS OF QUARTER SESSIONS AND JUDGES THEREOF

Session and Chapter	Short Title	Adaptation
(1)	(2)	(3)
7 & 8 Geo. 4. c. 53.	Excise Management Act, 1827.	The references to the justices of the peace assembled at the general quarter sessions shall be construed as references to the Circuit Court.
6 & 7 Vic. c. 36.	Scientific Societies Act, 1843.	In section 2, the references to the recorder or justices shall be construed as references to the judge of the circuit where the land or buildings of the society are situate.
12 & 13 Vic. c. 104.	Poor Relief (Ireland) Act, 1849.	In section 18, the reference to a judgment obtained in any action or suit in a superior court shall be construed as including a reference to a j udgment of the Circuit Court. In section 29, the references to an assistant barrister, the chairman of the sessions of the peace of the county of Dublin or a recorder shall be construed as references to the judge of the Circuit Court before whom the proceedings are pending.

14 & 15Vic. c. 90.	Fines (Ireland) Act, 1851.	In section 10, as amended by section 2 of the Summary Jurisdiction (Ireland) Act, 1918 (8 & 9 Geo. 5. c. 18), the references to an assistant barrister, recorder of a city or borough and the chairman of quarter sessions for the county of Dublin shall be construed as references to a judge of the Circuit Court.
14 & 15 Vic. c. 93.	Petty Sessions (Ireland) Act, 1851.	In section 34, as amended by section 2 of the Summary Jurisdiction (Ireland) Act, 1918 (8 & 9 Geo. 5. c. 18), the first reference to quarter sessions shall be construed as a reference to the Circuit Court.
17 & 18 Vic. c. 103.	Towns Improvement (Ireland) Act, 1854.	In section 44, the reference to the court of the assistant barrister shall be construed as a reference to the Circuit Court.
23 & 24 Vic. c. 4.	Annual Revision of Rateable Property (Ireland) Amendment Act, 1860.	References to the court of quarter sessions shall be construed as references to the Circuit Court. References to the chairman of quarter sessions shall be construed as references to a judge of the Circuit Court.
23 & 24 Vic. c. 154.	Landlord and Tenant Law Amendment Act, Ireland, 1860.	In section 70, the reference to an assistant barrister shall be construed as a reference to a judge of the Circuit Court. In section 79, the references to the chairman of the county shall be construed as references to the judge of the circuit where the lands or premises to which the certificate of desertion relates or any part thereof are situate.
27 & 28 Vic. c. 52.	Valuation (Ireland) Act, 1864.	The references to quarter sessions shall be construed as references to the Circuit Court.
33 & 34 Vic. c. 28.	Attorneys' and Solicitors' Act, 1870.	In section 8, the references to fifty pounds shall be construed as references to F114**[**€75,000**]**.

33 & 34 Vic. c. 46.	Landlord and Tenant (Ireland) Act, 1870.	In sections 59, 60 and 61, the references to the civil bill court of a county shall be construed as references to the judge of the circuit where the county is situate.
34 & 35 Vic. c. 78.	Regulation of Railways Act, 1871.	In section 7, the reference to a county court judge shall be construed as a reference to a judge of the Circuit Court.
35 & 36 Vic. c. 58.	Bankruptcy (Ireland) Amendment Act, 1872.	In sections 81 to 86, the references to the chairman of quarter sessions within whose jurisdiction the debtor had a fixed abode at the time of the adjudication of bankruptcy shall be construed as references to the judge of the circuit where the debtor had a fixed abode at the time of the adjudication of bankruptcy.
37 & 38 Vic. c. 72.	Fines (Ireland) Act, 1851, Amendment Act, 1874.	In section 2, the reference to an assistant barrister, recorder or chairman shall be construed as a reference to a judge of the Circuit Court.
38 & 39 Vic. c. 17.	Explosives Act, 1875.	In section 66, the reference to a county court judge shall be construed as a reference to a judge of the Circuit Court.
38 & 39 Vic. c. 90.	Employers and Workmen Act, 1875.	In section 8, the reference to a county court shall be construed as a reference to the Circuit Court.
39 & 40 Vic. c. 36.	Customs Consolidation Act, 1876.	In the definition (contained in section 284) of "justice", the reference to a county court judge shall be construed as a reference to a judge of the Circuit Court.
40 & 41 Vic. c. 56.	County Officers and Courts (Ireland) Act, 1877.	In section 47, the reference to five hundred pounds shall be construed as a reference to two thousand pounds and the reference to thirty pounds as a reference to sixty pounds.
41 & 42 Vic. c. 52.	Public Health (Ireland) Act, 1878.	In section 115, the reference to the court of quarter sessions shall be construed as a reference to the Circuit Court.

41 & 42 Vic. c. 76.	Telegraph Act, 1878.	In section 4 (including that section as applied by section 4 of the Telegraph Act, 1892 (55 & 56 Vic. c. 49), sections 3 and 5 of the Telegraph (Construction) Act, 1908 (8 Edw. 7. c. 33), and section 1 of the Telegraph (Construction) Act, 1916 (6 & 7 Geo. 5. c. 40)), the references to the judge of the county court having jurisdiction within the district in which the difference has arisen shall be construed as references to the judge of the circuit where the district is situate.
44 & 45 Vic. c. 49.	Land Law (Ireland) Act, 1881.	In subsection (1) of section 37, the reference to the civil bill court of the county where the matter requiring the cognizance of the court arises shall be construed as a reference to the judge of the circuit where the matter requiring the cognizance of the court arises.
56 & 57 Vic. c. 39.	Industrial and Provident Societies Act, 1893.	In section 61, the reference to the county court of the district where the registered office of the society is situate shall be construed as a reference to the judge of the circuit where the registered office of the society is situate.
57 & 58 Vic. c. 60.	Merchant Shipping Act, 1894.	In paragraph (*c*) of subsection (4) of section 547, the reference to the recorder or the chairman of quarter sessions shall be construed as a reference to a judge of the Circuit Court.
8 Edw. 7. c. 57.	Coal Mines Regulation Act, 1908.	In subsection (5) of section 1, the reference to the judge of county courts for the district in which the mine is situate shall be construed as a reference to the judge of the circuit where the mine is situate.

8 Edw. 7. c. 67.	Children Act, 1908.	In subsection (4) of section 74 and in subsection (2) of section 75, the references to the court of quarter sessions shall be construed as references to the Circuit Court.
1 & 2 Geo. 5. c. 19.	Labourers (Ireland) Act, 1911.	In subsection (1) of section 6 (including that section as applied by section 12 of the Housing (Ireland) Act, 1919 (9 & 10 Geo. 5. c. 45)), the references to the county court shall be construed as references to the Circuit Court, and the reference to one hundred pounds shall be construed as a reference to six hundred pounds.
1 & 2 Geo. 5. c. 45.	Public Roads (Ireland) Act, 1911.	In subsection (4) of section 1, the reference to two hundred and fifty pounds shall be construed as a reference to six hundred pounds.
1 & 2 Geo. 5. c. 50.	Coal Mines Act, 1911.	In section 11 (including that section as applied by section 1 of the Coal Mines Act, 1914 (4 & 5 Geo. 5. c. 22)), the reference to a county court judge shall be construed as a reference to a judge of the Circuit Court. In subsection (3) of section 77, the reference to the judge of the county court for the district in which the mine is situate shall be construed as a reference to the judge of the circuit where the mine is situate.
2 & 3 Geo. 5. c. 30.	Trade Union Act, 1913.	In subsection (2) of section 3, the references to the county court shall be construed as references to the Circuit Court.
9 & 10 Geo. 5. c. 45.	Housing (Ireland) Act, 1919.	In subsection (3) of section 25, the reference to thirty pounds shall be construed as a reference to sixty pounds and the reference to the county court as a reference to the Circuit Court.

10 & 11 Geo. 5. c. 26.	Sheriffs (Ireland) Act, 1920.	In section 7, the references to a civil bill court shall be construed as references to the Circuit Court.

Section 32 (3).

SIXTH SCHEDULE

ASSIGNMENT OF JUSTICES OF DISTRICT COURT TO DISTRICT COURT DISTRICTS

Definitions.

1. In this Schedule—

"district" means a district court district;

"district justice" means a justice of the District Court, but does not include a temporary district justice;

"temporary district justice" means a person appointed under section 51 of the Act of 1936, as applied by section 48 of this Act to act as a district justice.

Permanent assignment of district justices to districts.

2. (1) (*a*) Where a person is appointed a district justice, then, subject to clause (*b*) of this subparagraph, the Government, if they think fit, may, upon such appointment, assign him permanently to a particular district.

F115**[**(*b*) Where, at the time of the appointment of a person to be a judge of the District Court, there are 34 judges of the District Court not permanently assigned to particular districts, the Government shall assign that person permanently to a particular district.**]**

(2) Where a district justice is not upon appointment permanently assigned to a particular district, the Government may at any time assign him permanently to a particular district.

(3) A district justice who is permanently assigned to a particular district may, with his consent, be transferred by the Minister to another district and, if he is so transferred, he shall upon such transfer become and be permanently assigned to such other district in lieu of being permanently assigned to such first-mentioned district.

(4) (*a*) Where a district justice is permanently assigned to a particular district, the Government, at his request, may, if they think fit, terminate his permanent assignment to that district.

(*b*) Where the permanent assignment of a district justice is terminated under clause (*a*) of this subparagraph, the Government may at any time thereafter assign him permanently to a particular district.

F116**[**(5) A person who is to be appointed, or who is appointed, a district judge who wishes to express an interest in being assigned by the Government under subparagraph (1), (2) or (4), or in being transferred by the Minister under subparagraph (3), as the case may be, to a particular district, may forward an expression of such interest to the President of the District Court.

(6) The President of the District Court shall forward any expression of interest received by him or her under subparagraph (5) to the Government or the Minister as appropriate.

(7) An expression of interest referred to in subparagraph (5) shall not be forwarded by the person expressing the interest, or by any person on his or her behalf, to any person other than the President of the District Court.**]**

Temporary assignment to districts of district justices and temporary district justices.

F117**[**3.—(1) A judge of the District Court who is permanently assigned to a particular district may, with his or her consent, from time to time be F118**[**temporarily assigned by the President of the District Court to another district or districts**]**, but such temporary assignment shall be without prejudice to the exercise and performance by him or her of the privileges, powers and duties for the time being conferred or imposed on him or her by law in relation to the district to which he or she is permanently assigned.

(2) A judge of the District Court who is not for the time being permanently assigned to a district may from time to time be F118**[**assigned by the President of the District Court to any district or districts**]**.

F119**[**(2A) Without prejudice to subparagraph (2), the President of the District Court may, in relation to any district, temporarily assign for a period not exceeding 6 months one or more district judges (whether or not any such judge is permanently or temporarily assigned to another district or districts) to exercise, in relation to that district, the powers specified in subparagraph (2B).

(2B) A district judge who is temporarily assigned to any district under subparagraph (2A) may exercise any of the powers of a district judge to which section 32A applies for the time being conferred on him or her by law whether he or she is in or outside that district.**]**

(3) A temporary judge of the District Court may from time to time be F118**[**temporarily assigned by the President of the District Court to any district or districts**]**.**]**

(4) Where a person is temporarily assigned to a district under subparagraph (1), (2) or (3) of this paragraph—

(*a*) in case there is for the time being a district justice permanently assigned to that district—he shall, in relation to that district have, while so temporarily assigned, concurrently with that district justice, all the privileges, powers and duties for the time being conferred or imposed by law on that district justice,

(*b*) in any other case—he shall, in relation to that district have, while so temporarily assigned, all such privileges, powers and duties as would for the time being be conferred or imposed by law if he were a district justice permanently assigned to that district.

F119**[**(4A) Where a district judge is temporarily assigned to any district under subparagraph (2A)—

(*a*) in case there is for the time being a district judge permanently assigned to that district - he or she shall, in relation to that district, have, while so temporarily assigned, concurrently with that district judge, all the powers of a district judge to which section 32A applies for the time being conferred on that district judge who is so permanently assigned,

(*b*) in any other case - he or she shall, in relation to that district, have, while so temporarily assigned, all such powers of a district judge to which section 32A applies as would for the time being be conferred by law if he or she were a district judge permanently assigned to that district.**]**

(5) The Minister may at any time terminate a temporary assignment made under this paragraph.

F116**[**(6) A district judge who wishes to express an interest in a temporary assignment under any of the preceding subparagraphs to a particular district may forward an expression of such interest to the President of the District Court.

(7) An expression of interest referred to in subparagraph (6) shall not be forwarded by the district judge concerned, or by any person on his or her behalf, to any person other than the President of the District Court.**]**

District justice acting in certain cases for another district justice who is permanently assigned to a district.

4. (1) Wherever it appears to the President of the District Court, on the representation of a justice of the District Court permanently assigned to a particular district, that such justice cannot properly deal with any matter before him by reason of the fact that he has a personal interest therein or such personal knowledge of the facts or of the parties as might prejudice the trial of that matter, the President of the District Court may nominate another justice of the District Court, who so consents, to hear and determine that matter in that district and, if the President does so, then that matter may be heard and determined accordingly.

(2) In the case of illness or absence of the district justice permanently assigned to a district (in this subparagraph referred to as the first justice), another district justice may, with the consent of the Minister (in addition, if he is permanently assigned to another district, to exercising and performing the privileges, powers and duties conferred by law in relation to the district to which he is permanently assigned) exercise and perform during such illness or absence, the privileges, powers and duties for the time being conferred or imposed by law on the first justice in relation to the district to which the first justice is permanently assigned.

(3) Where a district justice permanently assigned to a particular district (in this subparagraph referred to as the first justice) requests another district justice (in this subparagraph referred to as the second justice) to act for him during a specified period (not exceeding seven days) the second justice may (in addition, if he is permanently assigned to another district, to exercising and performing the privileges, powers and duties conferred by law on him in relation to the district to which he is permanently assigned) exercise and perform during that period the privileges, powers and duties for the time being conferred or imposed by law on the first justice in relation to the district to which the first justice is permanently assigned.

Sections 48, 49 and 61.

SEVENTH SCHEDULE

Existing courts and corresponding courts established by the Principal Act, and judges of existing courts and corresponding judges of courts established by the Principal Act

Part I

Ref. No. (1)	Existing court (2)	Court established by the Principal Act (3)
1.	The existing Supreme Court.	The Supreme Court.
2.	The existing High Court.	The High Court.
3.	The existing Court of Criminal Appeal.	The Court of Criminal Appeal.
4.	The existing Circuit Court.	The Circuit Court.
5.	The existing District Court.	The District Court.

Part II

Ref. No. (1)	Judge of existing court (2)	Judge of court established by the Principal Act (3)
1.	The existing Chief Justice.	The Chief Justice.
2.	The existing President of the High Court.	The President of the High Court.
3.	The existing President of the Circuit Court.	The President of the Circuit Court.

Section 55 (1).

EIGHTH SCHEDULE

Provisions in relation to offices and officers to be attached to the High Court, the Supreme Court and the President of the High Court

Interpretation.

1. (1) This Schedule shall be construed as one with Part I of the Act of 1926.

(2) Except where the context otherwise requires, references in this Schedule to any enactment which is applied by section 48 of this Act shall be construed as references to that enactment as so applied.

F120**[**Offices attached to the High Court, Court of Appeal, the Supreme Court and the President of the High Court

2. There shall become and be attached to the High Court, the Court of Appeal, the Supreme Court and the President of the High Court respectively the following offices—

To the High Court,

The Central Office,

F121**[**The Office of the Legal Costs Adjudicators**]**,

The Probate Office,

Two Examiners' Offices or the Examiners' Office,

The Accountant's Office;

To the Court of Appeal,

The Office of the Register of the Court of Appeal;

To the Supreme Court,

The Office of the Registrar of the Supreme Court;

To the President of the High Court,

The Office of Wards of Court.**]**

F120**[**Officers attached to the High Court, the Court of Appeal, the Supreme Court and the President of the High Court.

3. There shall become and be attached to the High Court, the Court of Appeal, the Supreme Court and the President of the High Court respectively the following officers (each of whom shall be a principal officer within the meaning of Part I of the Act of 1926)—

To the High Court,

The Master of the High Court,

F121**[**the Chief Legal Costs Adjudicator and the Legal Costs Adjudicators appointed in accordance with the other provisions of this Schedule**]**,

The Probate Officer,

Two Examiners or the Examiner,

The Accountant;

To the Court of Appeal,

The Registrar of the Court of Appeal;

To the Supreme Court,

The Registrar of the Supreme Court;

To the President of the High Court,

The Registrar of Wards of Court.**]**

The Master of the High Court.

4. (1) In this paragraph "rules of court" means rules made under section 36 of the Act of 1924.

F122**[**(2) The Master of the High Court shall have and exercise such powers and authorities and perform such duties and functions as are from time to time conferred on or assigned to him or her by statute, by regulations under section 3 of the European Communities Act 1972 or by rules of court and in particular (unless and until otherwise provided by statute, by such regulations or by rules of court) shall have and perform all such other powers, authorities, duties and functions as are vested in him or her by virtue of section 3 1(3) of the Act of 1926.**]**

The Central Office.

5. (1) The Central Office shall be under the management of such principal officer serving in the Central Office as the Minister, after consultation with the President of the High Court, may from time to time nominate in that behalf.

(2) There shall be transacted in the Central Office all such business as is from time to time directed by statute or rule of court to be transacted therein and also all other business of the High Court except such business as is for the time being required by law to be transacted by or before one or more judges or the Master of the High Court and except such business as is for the time being assigned by law either to another office attached to the High Court or to the Office of Wards of Court.

(3) The person who, immediately before the operative date, had, by virtue of a nomination under paragraph (*a*) of subsection (2) of section 2 (repealed by this Act) of the Act of 1945, the management of the Central Office shall continue to have the management of the Central Office and be deemed to have been nominated under subparagraph (1) of this paragraph.

The Registrars of the High Court.

6. (1) Such and so many as the Minister thinks proper of the officers for the time being serving in the Central Office shall be nominated by the Minister to be registrars of the High Court and every such registrar (in addition to any other duties which may be assigned to him by the officer for the time being managing the Central Office) shall act as registrar to the High Court as and when directed so to do by the officer for the time being managing the Central Office.

F123**[**(1A) Each officer nominated under subparagraph (1) of this paragraph who stands directed to act as registrar to the High Court under that subparagraph shall (in addition to any other duties which may be assigned to him or her by the officer for the time being managing the Central Office) act as registrar to the Central Criminal Court as and when directed to so act by the officer for the time being managing the Central Office.**]**

(2) The officers for the time being nominated under subparagraph (1) of this paragraph to be registrars of the High Court shall be principal officers within the meaning of Part I of the Act of 1926.

(3) Every person, who immediately before the operative date, was, by virtue of a nomination under subsection (2) of section 4 (repealed by this Act) of the Act of 1926, a registrar of the existing High Court shall become and be a registrar of the High Court and be deemed to have been nominated under subparagraph (1) of this paragraph.

General superintendence and control of High Court offices.

7. The officer for the time being managing the Central Office shall have the general superintendence and control of the offices attached to the High Court, but shall in the exercise of such superintendence and control be subject to the general direction of the Minister in regard to all matters of general administration and to the directions of the President of the High Court in regard to all matters relating to the conduct of that part of the business of the High Court which is for the time being required by law to be transacted by or before one or more judges of the High Court.

The Taxing-Masters' Office.

F121**[**8. The Office of the Legal Costs Adjudicators shall be under the management of the Chief Legal Costs Adjudicator, and there shall be transacted in that Office the business of the Chief Legal Costs Adjudicator and the Legal Costs Adjudicators,

other than such business as is required by law to be transacted by the Chief Legal Costs Adjudicator or a Legal Costs Adjudicator in person.

8A. Each Legal Costs Adjudicator shall, in respect of the discharge of his or her functions and exercise of his or her powers, be subject to the general direction of the Chief Legal Costs Adjudicator.

8B. The hours of attendance and sitting times for oral hearings of the Chief Legal Costs Adjudicator and of each Legal Costs Adjudicator shall be regulated by the Chief Legal Costs Adjudicator.**]**

The Office of the Official Assignee in Bankruptcy.

9. F124**[**...**]**

The Examiners' Offices.

10. (1) Until the number of Examiners shall be reduced to one, one Examiner's Office shall be under the management of one of the Examiners and the other Examiner's Office shall be under the management of the other Examiner.

(2) There shall be transacted in each Examiner's Office or in the Examiner's Office (where there is only one Examiner) all such business as shall from time to time be assigned thereto by statute or rule of court and in particular (unless and until otherwise provided by statute or rule of court) all such business as was formerly transacted in the offices attached to the respective Chambers of the Master of the Rolls and the ordinary judge of the Chancery Division of the High Court of Justice in Southern Ireland and also such business as was formerly transacted in the offices attached to the Land Judge of the said Chancery Division, including the offices attached to that Judge in his capacity of Receiver Judge.

(3) There shall also be transacted in the Office of one of the Examiners (to be nominated by the Minister after consultation with the President of the High Court) or in the Examiner's Office (where there is only one Examiner) all such business as was formerly transacted in the Bankruptcy Office of the King's Bench Division of the High Court of Justice in Southern Ireland.

The Examiners.

11. (1) Each of the Examiners or the Examiner (where there is only one Examiner) shall have and exercise all such powers and authorities and perform and fulfil all such duties and functions as shall from time to time be conferred on or assigned to him by statute or rule of court and in particular (unless and until otherwise provided by statute or rule of court) shall perform and fulfil such duties and functions as were formerly performed or fulfilled by the several Chief Clerks and Assistant Chief Clerks of the Master of the Rolls and the ordinary judge of the Chancery Division of the High Court of Justice in Southern Ireland respectively and by the Chief Receiver or the Receiver-Examiner.

(2) One of the Examiners (to be nominated by the Minister after consultation with the President of the High Court) or the Examiner (where there is only one Examiner) shall have and exercise all such powers and authorities as were formerly vested in the Chief Registrar in Bankruptcy of the King's Bench Division of the High Court of Justice in Southern Ireland and shall perform and fulfil such duties and functions as were formerly required by law to be or were in fact performed or fulfilled by the said Chief Registrar and the Registrar and Deputy Registrar in Bankruptcy of the said King's Bench Division respectively.

(3) The powers, authorities, duties and functions of an Examiner or of the Examiner (where there is only one Examiner) may, subject to any restrictions which the President of the High Court may think fit to impose, be executed, performed or fulfilled by an officer (to be designated by the President of the High Court) who is employed in that Examiner's Office or in the Examiner's Office (where there is only one Examiner) and who is qualified to be appointed Examiner.

Reduction in number of Examiners.

12. On the occurrence of the first vacancy in the office of Examiner, the number of Examiners shall be reduced to one, who shall be the Examiner, and the two Examiners' Offices shall be consolidated into one office, which shall be the Examiner's Office and shall be under the management of the Examiner.

The Office of the Registrar of the Supreme Court.

13. There shall be transacted in the office of the Registrar of the Supreme Court all business in relation to the jurisdictions exercisable by the Chief Justice under subsection (1) of section 10 of this Act.

The Registrar of the Supreme Court.

14. (1) The Registrar of the Supreme Court shall act as registrar to the Chief Justice in relation to the exercise by the Chief Justice of the jurisdiction exercisable by him under subsection (1) of section 10 of this Act.

(2) The Registrar of the Supreme Court shall be subject to the direction of the Chief Justice in regard to the transaction of the business which in pursuance of paragraph 13 of this Schedule is to be transacted in the office of the Registrar of the Supreme Court.

The Office of Wards of Court.

15. (1) The Office of Wards of Court shall be under the management of the Registrar of Wards of Court, and there shall be transacted in that office all such business as shall from time to time be assigned thereto by statute or rule of court and in particular (unless and until otherwise provided by statute or rule of court) all such business in relation to the exercise of the jurisdiction vested in the High Court by subsection (1) of section 9 of this Act as was formerly transacted in relation to the exercise of that jurisdiction in the Lunacy Office of the Lord Chancellor of Ireland or in the offices attached to the Chambers of the said Lord Chancellor or in any other office attached to the former Supreme Court of Judicature in Southern Ireland.

(2) The Office of Wards of Court shall for the purposes of section 9 of the Act of 1945 be deemed to be an office attached to a court.

The Registrar of Wards of Court.

16. (1) The Registrar of Wards of Court shall have the superintendence and control of the Office of Wards of Court and shall in the exercise of such superintendence and control be subject, in regard to all matters of general administration, to the general direction of the Minister and, in regard to all matters relating to the jurisdiction vested in the High Court by subsection (1) of section 9 of this Act, to the directions of the judge of the High Court for the time being exercising that jurisdiction.

(2) In addition to the superintendence and control of the Office of Wards of Court, the Registrar of Wards of Court shall have and exercise all such powers and authorities and perform and fulfil such duties and functions in relation to the exercise of the jurisdiction vested in the High Court by subsection (1) of section 9 of this Act as shall from time to time be conferred on or assigned to him by statute or rule of court and in particular (unless and until otherwise provided by statute or rule of court) shall have and exercise all such powers and authorities as were formerly vested in the Registrar in Lunacy in Ireland or in the Chief Clerk to the Lord Chancellor of Ireland and shall perform and fulfil all such functions and duties in relation to the jurisdiction aforesaid as were formerly performed and fulfilled by the said Registrar in Lunacy and the said Chief Clerk respectively.

(3) The Registrar of Wards of Court shall for the purposes of section 9 of the Act of 1945 be deemed to be an officer attached to the High Court.

F125**[**Qualification of Master of the High Court

17. No person shall be appointed to be Master of the High Court unless at the time of his or her appointment he or she—

(*a*) is a barrister or solicitor of not less than eight years' standing who is then actually practising, or

(*b*) has—

(i) been appointed under section 27(1A) of the Act of 1926 to be a deputy to execute the office of the Master of the High Court or, as the case may be, to execute such office concurrently with the Master of the High Court, and

(ii) been appointed and acted as such deputy for a period or periods totalling not less than three months.**]**

Qualification of Taxing-Master.

F121[18. (1) No person shall be appointed to be the Chief Legal Costs Adjudicator, or a Legal Costs Adjudicator, unless —

(*a*) that person is included in a group of not more than 5 persons who have been selected by the Public Appointments Service, after a competition for that purpose under section 47 of the Public Service Management (Recruitment and Appointments) Act 2004 has been held on behalf of the Minister for Justice and Equality, in order to find persons who are suitable to be selected as the Chief Legal Costs Adjudicator or a Legal Costs Adjudicator, as the case may be, and

(*b*) that person—

(i) has practised as a solicitor for a period of not less than 10 years,

(ii) has practised as a barrister for a period of not less than 10 years, or

(iii) has practised as a legal costs accountant, within the meaning of the Legal Services Regulation Act 2015, for a period of not less than 10 years.

(2) In computing the periods referred to in subparagraph (1)(b) —

(*a*) in the case of a solicitor, periods during which a person has practised as a barrister or a legal costs accountant may be aggregated with the person's practice as a solicitor,

(*b*) in the case of a barrister, periods during which a person has practised as a solicitor or a legal costs accountant may be aggregated with the person's practice as a barrister,

(*c*) in the case of a legal costs accountant, periods during which a person has practised as a solicitor or barrister may be aggregated with the person's practice as a legal costs accountant.

(3) In applying subparagraph (2) no period of time may, as respects any person, be counted more than once.

(4) A person appointed to be the Chief Legal Costs Adjudicator or, as the case may be, a Legal Costs Adjudicator, shall be appointed by the Government on the nomination, from amongst a group of persons referred to in subparagraph (1), of the Minister.

(5) Notwithstanding any other enactment, the Chief Legal Costs Adjudicator appointed pursuant to this paragraph—

(*a*) shall, subject to clauses (b) and (c), hold office for a period not exceeding 7 years,

(*b*) shall be required to retire on attaining the age of 70 years, and

(*c*) shall, on the expiry of the period referred to in clause (a), be taken to have been appointed under this paragraph as a Legal Costs Adjudicator for the period beginning on that expiry and ending on his or her attainment of the age of 70 years.

(6) Notwithstanding any other enactment, a Legal Costs Adjudicator appointed pursuant to this paragraph—

(*a*) shall, subject to clauses (b) and (c), hold office for a period not exceeding 5 years,

(*b*) shall be required to retire on attaining the age of 70 years, and

(*c*) shall, subject to clause (b), be eligible for re-appointment or to have the term of appointment extended, but shall not hold office for periods the aggregate of which exceeds 10 years.

(7) A person appointed pursuant to this paragraph may resign from office by notice in writing addressed to the Government and the resignation takes effect on the date the Government receives the notice or, if a date is specified in the notice and the Government agree to that date, on that date.

(8) A person appointed pursuant to this paragraph immediately ceases to be the Chief Legal Costs Adjudicator or a Legal Costs Adjudicator, as the case may be, on—

(*a*) being nominated as a member of Seanad Éireann,

(*b*) being elected as a member of either House of the Oireachtas or of the European Parliament,

(*c*) being regarded, pursuant to Part XIII of the Second Schedule to the European Parliament Elections Act 1997, as having been elected to be a member of the European Parliament,

(*d*) becoming a member of a local authority,

(*e*) being appointed to be a judge, or

(*f*) being appointed Attorney General.

(9) A person shall be disqualified from being the Chief Legal Costs Adjudicator or a Legal Costs Adjudicator during any period during which—

(*a*) he or she is entitled under the Standing Orders of either House of the Oireachtas to sit in that House,

(*b*) he or she is a member of the European Parliament, or

(*c*) he or she is entitled under the standing orders of a local authority to sit as a member of the local authority.

(10) A period during which a solicitor or barrister is the Chief Legal Costs Adjudicator or a Legal Costs Adjudicator shall be reckonable as a period of professional practice for the purposes of an application for appointment as a judge.

(11) The Government may at any time remove the Chief Legal Costs Adjudicator or a Legal Costs Adjudicator from office if—

(*a*) in the opinion of the Government, he or she has become incapable through ill-health of performing the functions of the office,

(*b*) he or she has committed stated misbehaviour,

(*c*) he or she has failed without reasonable cause, in the opinion of the Government, to perform the functions of the office for a continuous period of at least 3 months beginning not earlier than 6 months before the day of removal, or

(*d*) he or she has contravened to a material extent a provision of the Ethics in Public Office Acts 1995 and 2001 that, by virtue of a regulation under section 3 of the Ethics in Public Office Act 1995 , applies to him or her.

(12) The Chief Legal Costs Adjudicator or a Legal Costs Adjudicator ceases to hold office if he or she—

(*a*) is convicted on indictment of an offence,

(*b*) is convicted of an offence involving fraud or dishonesty,

(*c*) has a declaration under section 819 of the Companies Act 2014 made against him or her or is deemed to be subject to such a declaration by virtue of Chapter 5 of Part 14 of that Act,

(*d*) is subject or is deemed to be subject to a disqualification order, within the meaning of Chapter 4 of Part 14 of the Companies Act 2014 , whether by virtue of that Chapter or any other provisions of that Act,

(*e*) is sentenced to a term of imprisonment by a court of competent jurisdiction, or

(*f*) is removed by a competent authority for any reason (other than failure to pay a fee) from any register established for the purpose of registering members of a profession in the State or in another jurisdiction.

(13) The Government may appoint a person who would be eligible under this Part to be the Chief Legal Costs Adjudicator or, as the case may be, a Legal Costs Adjudicator, to temporarily fill a vacancy until an appointment is made under this paragraph, where the vacancy occurs because the Chief Legal Costs Adjudicator or a Legal Costs Adjudicator—

(*a*) dies, resigns, becomes disqualified for or is removed from office, or

(*b*) is for any reason temporarily unable to continue to perform his or her functions as Chief Legal Costs Adjudicator or, as the case may be, a Legal Costs Adjudicator.**]**

F126**[**18A. (1) In this paragraph—

(*a*) "particular Taxing-Master" means the particular Taxing-Master to whom the matter referred to in subparagraph (2) has been assigned for the purpose of the functions there referred to being performed in relation to it;

(*b*) "principal Taxing-Master" means the Taxing-Master who has been designated by the Government under paragraph 8; and

(*c*) a reference to the particular Taxing-Master not being available, due to whatever cause, to perform one or more, or any, functions includes a reference to his or her not being so available in consequence of his or her having vacated office.

(2) Where the functions of a Taxing-Master fall to be performed in relation to a particular matter and the case is either a case—

(*a*) in which none of those functions has been performed in relation to the matter by the particular Taxing-Master, or

(*b*) in which the particular Taxing-Master has performed one or more, but not all, of those functions in relation to the matter,

then those functions, or such of those functions as remain to be performed, in relation to the matter may be performed by another Taxing-Master if, due to whatever cause, the particular Taxing-Master is not available to perform those functions (or such of them as remain to be performed), but this is subject to subparagraph (3).

(3) Where the particular Taxing-Master had commenced, but had not completed, a hearing in relation to the matter concerned, the other Taxing-Master referred to in subparagraph (2) shall conduct a complete re-hearing in relation to the matter unless the parties to the matter consent in writing to the first-mentioned hearing being resumed by him or her at the appropriate juncture (that is to say the stage at which that hearing was at before the occurrence of the circumstances which gave rise to subparagraph (2)'s application).

(4) In any case falling within subparagraph (2), the jurisdiction and powers conferred on a Taxing-Master by or under this Act, or any other enactment, to give or make a ruling, direction or decision in circumstances generally (namely circumstances where the non- availability of the Taxing-Master, as mentioned in that subparagraph, does not arise) shall be exercisable in relation to the matter concerned by the other Taxing-Master mentioned in that subparagraph.

(5) Where—

(*a*) any question arises as to whether particular circumstances that have occurred are circumstances that fall within subparagraph (2), or

(*b*) it appears to the principal Taxing-Master that such a question may have arisen,

each of the following is exercisable by the principal Taxing-Master, namely the power—

(i) to determine the question,

(ii) in the case of clause (b), to determine, as a preliminary matter, whether the question actually arises and, if the determination is that it does so arise, to determine it, and

(iii) in consequence of any determination made under either of the preceding subclauses, to give such directions as he or she thinks appropriate.

(6) This paragraph is without prejudice to the general law concerning the procedure to be adopted in a case in which a function falling to be performed by a person has not, on the occasion of his or her vacating office, been fully performed but, to the extent that a preceding subparagraph requires or enables a particular procedure to be adopted that is different from that which would be required to be adopted (in the circumstances concerned) by the general law, the preceding subparagraph concerned shall prevail (or, as the case may be, the particular procedure that it enables to be adopted may be adopted).**]**

The Taxing Masters.

19. F121**[**The Chief Legal Costs Adjudicator and each of the Legal Costs Adjudicators**]** shall have and exercise the following powers and authorities and perform and fulfil the following duties and functions—

(*a*) such powers, authorities, duties and functions as are for the time being conferred on or assigned to them by statute or rule of court,

(*b*) unless and until otherwise provided by statute or rule of court—all such powers, authorities, duties and functions in relation to the High Court, and the Supreme Court, as were formerly possessed and performed by the several Taxing-Masters of the former Supreme Court of Judicature in Southern Ireland in relation to that Court,

(*c*) unless and until otherwise provided by statute or rule of court—all such powers, authorities and functions in relation to the Court of Criminal Appeal, the Chief Justice and the President of the High Court, as were immediately before the operative date possessed or exercised by them in relation to the existing Court of Criminal Appeal, the existing Chief Justice and the existing President of the High Court respectively,

(*d*) such other powers, authorities, duties and functions as were immediately before the passing of the Act of 1924 vested or imposed by law in or on the several Taxing-Masters of the former Supreme Court of Judicature in Southern Ireland, and

(*e*) the duty of taxing any costs to be received, allowed or paid to a solicitor as respects business undertaken on or after the 1st day of October, 1957, in relation to the exercise by a local authority of their powers under the Labourers (Ireland) Acts, 1883 to 1958.

Amendment of section 6 of the Act of 1945.

20. In section 6 (which relates to the appointment of the Probate Officer or an Examiner) of the Act of 1945, the references to an office established by Part I of the Act of 1926 shall be construed as references to an office mentioned in paragraph 2 of this Schedule.

F122[Qualification of Registrar of Wards of Court.]

F122[21.— No person shall be appointed to be Registrar of Wards of Court unless at the time of his or her appointment he or she—

(*a*) is a practising barrister of not less than 10 years' standing,

(*b*) is a barrister employed in one or more of the offices mentioned in paragraph 2 who, at any time prior to such appointment, has been so employed for a period of not less than 9 years, or for periods together totalling not less than 9 years, or

(*c*) is a person who at the time of the appointment is a member of staff of the Courts Service and holds such qualification or qualifications as the Courts Service, with the consent of the President of the High Court, determines to be appropriate for such appointment.]

General staffs of offices.

F120[22. (1) In addition to the principal officers there shall be employed in the several offices mentioned in paragraph 2 of this Schedule such and so many officers, clerks, messengers, criers and servants as the Courts Service shall from time to time determine with the sanction of the Minister for Public Expenditure and Reform and after consultation with the President of the High Court in the case of an office attached to the High Court or in the case of the Office of Wards of Court, with the President of the Court of Appeal in the case of the Office of the Registrar of the Court of Appeal and with the Chief Justice in the case of the Office of the Registrar of the Supreme Court.

(2) All officers (other than the principal officers), clerks, messengers, criers and servants employed in any of the offices mentioned in paragraph 2 of this Schedule shall be interchangeable amongst such offices and shall be liable to serve in any of those offices as the Courts Service shall from time to time direct after consultation with the President of the High Court in the case of an office attached to the High Court or in the case of the Office of Wards of Court, with the President of the Court of Appeal in the case of the Office of Registrar of the Court of Appeal and with the Chief Justice in the case of the Office of the Registrar of the Supreme Court.]

Nominations under section 28 of the Act of 1926.

23. Every nomination made before the operative date under section 28 of the Act of 1926 which has not been revoked before the operative date shall continue in force and be deemed to have been made under the said section 28.

Number 39 *of* 1961

COURTS (SUPPLEMENTAL PROVISIONS) ACT 1961

REVISED

Updated to 23 June 2026

About this Revised Act

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

Courts (Supplemental Provisions) Acts 1961 to 2025: this Act is one of a group of Acts included in this collective citation (*Courts and Civil law (Miscellaneous Provisions) Act 2025* (13/2025), s. 1(5)). The Acts in this group are:

- *Courts (Supplemental Provisions) Act 1961* (39/1961)
- *Courts (Supplemental Provisions) (Amendment) Act 1962* (18/1962)
- *Courts (Supplemental Provisions) (Amendment) Act 1964* (9/1964)
- *Courts Act 1964* (11/1964)
- *Courts (Supplemental) (Amendment) Act 1968* (3/1968)
- *Courts Act 1971* (36/1971)
- *Courts Act 1973* (26/1973)
- *Courts Act 1977* (11/1977)
- *Oireachtas (Allowances To Members) and Ministerial, Parliamentary and Judicial Offices (Amendment) Act 1977* (29/1977), Part IV (ss. 10, 11)
- *Courts Act 1979* (15/1979)
- *Courts Act 1981* (11/1981)
- *Courts (No. 2) Act 1981* (31/1981)
- *Oireachtas (Allowances To Members) and Ministerial, Parliamentary and Judicial Offices (Amendment) Act 1983* (32/1983), in so far as it amends *Courts (Supplemental Provisions) Acts 1961 to 1981*
- *Courts Act 1985* (23/1985)
- *Courts Act 1986* (1/1986)
- *Courts (No. 2) Act 1986* (26/1986), other than ss. 4, 6, 7 and First Schedule in so far as it relates to the law on intoxicating liquor
- *Courts (No. 3) Act 1986* (33/1986)
- *Courts Act 1988* (14/1988)
- *Courts (No. 2) Act 1988* (34/1988)
- *Child Abduction and Enforcement of Custody Orders Act 1991* (6/1991), in so far as it affects the jurisdiction or procedure of any court in the State
- *Courts Act 1991* (20/1991)
- *Courts (Supplemental Provisions) (Amendment) Act* (23/1991), n so far as it amends or extends *Courts (Supplemental Provisions) Acts 1961 to 1988*
- *Courts and Court Officers Act 1995* (31/1995), in so far as it amends or extends *Courts (Supplemental Provisions) Acts, 1961 to 1991*
- *Courts Act 1996* (26/1996)
- *Courts Act 1997* (6/1997)
- *Courts (No. 2) Act 1997* (43/1997), other than ss. 3, 9
- *Oireachtas (Allowances To Members) and Ministerial, Parliamentary, Judicial and Court Offices (Amendment) Act 1998* (5/1998), in so far as it amends *Courts*

(Supplemental Provisions) Acts 1961 to 1995 and in so far as it amends or extends *Courts (Supplemental Provisions) Acts 1961 to 1997*
- *Jurisdiction of Courts and Enforcement of Judgments (Amendment) Act 1998* (52/1998), ss. 7-10, 13, 14, 16, 20A, 20E-20H, 20J, 20K, 20M
- *Courts (Supplemental Provisions) (Amendment) Act 1999* (25/1999), in so far as it amends or extends *Courts (Supplemental Provisions) Acts 1961 to 1997*
- *Courts (Supplemental Provisions) (Amendment) Act 2000* (15/2000)
- *Protection of Children (Hague Convention) Act 2000* (37/2000), ss. 1, 3, 4, 6, 8, 11, 12
- *Courts and Court Officers Act 2002* (15/2002), insofar as it amends *Courts (Supplemental Provisions) Acts 1961 to 2000*
- *Courts and Court Officers (Amendment) Act 2003* (36/2003)
- *Courts and Court Officers (Amendment) Act 2007* (4/2007)
- *Civil Law (Miscellaneous Provisions) Act 2008* (14/2008), ss. 9, 11, 12, 13, 20, 21, 22, 23
- *Public Service Pensions (Single Scheme and Other Provisions) Act 2012* (37/2012), ss. 65, 66
- *Courts and Civil Law (Miscellaneous Provisions) Act 2013* (32/2013), s. 17
- *Court of Appeal Act 2014* (18/2014), to the extent it amends or extends *Courts (Supplemental Provisions) Acts 1961 to 2013*
- *Choice of Court (Hague Convention) Act 2015* (38/2015), ss. 5-9
- *Courts Act 2015* (51/2015)
- *Courts Act 2017* (8/2017)
- *Copyright and Other Intellectual Property Law Provisions Act 2019* (19/2019), s. 41
- *Civil Law (Miscellaneous Provisions) Act 2021* (14/2021), s. 8
- *Courts Act 2023* (12/2023), ss. 3-6
- *Judicial Appointments Commission Act 2023* (33/2023), ss. 63-65
- *Courts and Civil law (Miscellaneous Provisions) Act 2025* (13/2025), ss. 5-8

Annotations

This Revised Act is not annotated and only shows textual amendments. An annotated version of this revision is also available which shows textual and non-textual amendments and their sources. It also shows editorial notes including statutory instruments made pursuant to the Act and previous affecting provisions.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available. A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at
www.irishstatutebook.ie.