



STATUTORY INSTRUMENTS.

**S.I. No. 169 of 2007**



CIRCUIT COURT RULES (CRIMINAL JUSTICE ACT 2006) 2007

**(Prn. A7/0832)**

CIRCUIT COURT RULES (CRIMINAL JUSTICE ACT 2006) 2007

We, the Circuit Court Rules Committee, constituted pursuant to the provisions of section 69 of the Courts of Justice Act 1936, and section 12 of the Courts of Justice Act 1947, by virtue of the powers conferred on us by section 66 of the Courts of Justice Act 1924 and section 70 of the Courts of Justice Act 1936, (as applied by section 48 of the Courts (Supplemental Provisions) Act 1961) and section 27 of the Courts (Supplemental Provisions) Act 1961, and of all other powers enabling us in this behalf, do hereby, with the concurrence of the Minister for Justice, Equality and Law Reform, make the annexed Rules of Court.

Dated this 6th day of March 2007.

MATTHEW DEERY

(Chairman of the Circuit Court Rules Committee)

FERGAL FOLEY

GERARD J. DOHERTY

ANN SPAINE

NOEL RUBOTHAM

SUSAN RYAN (Secretary)

I concur in the making of the above Rules of Court  
24 April 2007.

MICHAEL MC DOWELL

Minister for Justice, Equality and Law Reform

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 27th April, 2007.*

## S.I. No. 169 of 2007

## CIRCUIT COURT RULES (CRIMINAL JUSTICE ACT 2006) 2007

1. These Rules, which may be cited as the Circuit Court Rules (Criminal Justice Act 2006) 2007, shall come into operation on 22 May of 2007.
2. These Rules shall be construed together with the Circuit Court Rules 2001.
3. The Circuit Court Rules are amended by the insertion immediately following Order 68 of the following—

“Order 68A  
Criminal Justice Act 2006 (No. 26 of 2006)

1. In this Order, “the Act” means the Criminal Justice Act 2006 (No. 26 of 2006).

2. (1) Where the conviction of a person gives rise to a requirement to issue a certificate referred to in section 96(1) of the Act, such certificate shall be in the Form 47A, and shall be transmitted forthwith by or on behalf of the County Registrar to each of the persons referred to in section 96(6) of the Act.

(2) Where the sentencing of a person gives rise to a requirement to issue a certificate referred to in section 96(2) of the Act, such certificate shall be in the Form 47B, and shall be transmitted forthwith by or on behalf of the County Registrar to each of the persons referred to in section 96(6) of the Act.

(3) Where the making of an order under section 89(3) of the Act or section 95(3) of the Act gives rise to a requirement to issue a certificate referred to in section 96(3) of the Act, such certificate shall be in the Form 47C, and shall be transmitted forthwith by or on behalf of the County Registrar to each of the persons referred to in section 96(6).

(4) The notices referred to in sections 99(15), 100(5) and 100(8) of the Act shall be, respectively, in the Forms 47D, 47E and 47F.”

4. The Forms annexed hereto shall be inserted in the Schedule of Forms annexed to the Circuit Court Rules as Forms 47A, 47B, 47C, 47D, 47E and 47F.

Form 47A

AN CHÚIRT CHUARDA

THE CIRCUIT COURT

CIRCUIT

COUNTY OF

**Certificate issuing after conviction**  
(Section 96(1) Criminal Justice Act 2006)

Certificate no .....  
 People (D.P.P.) -v- .....  
 Case/ Bill no .....  
 Defendant's name .....  
 Defendant's Address .....  
 Defendant's date of birth .....  
 Date of Conviction .....  
 Court Venue .....  
 Date of Sentence (if different) .....

Offence(s) of which the person was convicted	Sentence(s)

The above named defendant was convicted of the above offence(s) on the above date and has become \*[may become] subject to the requirements of Part 9 of the Criminal Justice Act 2006.

.....  
Date

.....  
for County Registrar

**To be transmitted immediately to:**

- (1) The Detective Chief Superintendent, Garda National Drugs Unit, Dublin Castle, Dublin 2 Fax (01) 6669985
- (2) The person convicted of the offence(s)
- (3) \*The person in charge of the place to which the person has been ordered to be imprisoned.

**This form is to be used where a person has been convicted on indictment of a drug trafficking offence within the meaning of the Criminal Justice Act 2006.**

\* Insert as appropriate

Form 47B

AN CHÚIRT CHUARDA  
THE CIRCUIT COURT

CIRCUIT

COUNTY OF

**Certificate issuing after sentence**  
(Section 96(2) Criminal Justice Act 2006)

Certificate no .....  
 People (D.P.P.) -v- .....  
 Case/ Bill no .....  
 Defendant's name .....  
 Defendant's Address .....  
 Defendant's date of birth .....  
 Date of Conviction .....  
 Court Venue .....  
 Date of Sentence (if different) .....

Offence(s) of which the person was convicted	Sentence(s)

The above named defendant was convicted of the above offence(s) on the above date and has become subject to the requirements of Part 9 of the Criminal Justice Act 2006.

.....  
 Date for County Registrar

**To be transmitted immediately to:**

- (1) The Detective Chief Superintendent, Garda National Drugs Unit, Dublin Castle, Dublin 2 Fax (01) 6669985
- (2) The person convicted of the offence(s)
- (3) \*The person in charge of the place to which the person has been ordered to be imprisoned.

**This form is to be used where a person has been convicted on indictment of a drug trafficking offence within the meaning of the Criminal Justice Act 2006.**

\*Insert as appropriate

Form 47C

AN CHÚIRT CHUARDA

THE CIRCUIT COURT

CIRCUIT

COUNTY OF

**Certificate of Application of Requirements of Part 9 of the Criminal Justice Act 2006**

(Section 96(3) Criminal Justice Act 2006)

Certificate no.....  
 Convicted person's name.....  
 Convicted person's address.....  
 Convicted person's date of birth.....  
 Applicant.....  
 Order made under.....\*[section 89(3)] \*[section 95(3)]..of the Criminal Justice Act 2006  
 Date of Order.....  
 Court Venue .....

On application to the Circuit Court made on the....day of....., an order was made under \*[section 89(3)] \*[section 95(3)] of the Criminal Justice Act 2006 providing that the above named convicted person should be and the above named convicted person has become subject to the requirements of Part 9 of the Criminal Justice Act 2006.

Offence(s) of which the person was convicted	Sentence(s)

.....  
 Date for County Registrar

**To be transmitted immediately to:**

- (1) The Detective Chief Superintendent, Garda National Drugs Unit, Dublin Castle, Dublin 2 Fax (01) 6669985
- (2) The person convicted of the offence(s)
- (3) \*The person in charge of the place to which the person has been ordered to be imprisoned.

**This form is to be used where an order is made under section 89(3) or section 95(3) of the Criminal Justice Act 2006 providing that a person be made subject to the requirements of Part 9 of the Criminal Justice Act 2006.**

\*Insert as appropriate

Form 47D

AN CHÚIRT CHUARDA  
THE CIRCUIT COURT

CIRCUIT

COUNTY OF

People (D.P.P.) -v-.....

Case/ Bill no .....

**NOTICE OF HEARING OF AN APPLICATION FOR AN ORDER  
REVOKING AN ORDER SUSPENDING A SENTENCE OF  
IMPRISONMENT**

(Criminal Justice Act 2006, section 99(15))

To.....

of.....

An order was made by the Circuit Court under section 99(1) of the Criminal Justice Act 2006 on the ..... day of .....20... suspending \*the whole of \*part of a sentence of imprisonment imposed on you. You were bound by a recognisance entered into by you under section 99 of the Criminal Justice Act 2006, to comply with the conditions of, or imposed in relation to that order. A copy of that order is attached to this notice.

TAKE NOTICE

THAT.....of.....

\*a member of An Garda Síochána \*a prison governor has applied under section 99(13) of the Criminal Justice Act 2006

\*a probation and welfare officer has applied under section 99(14) of the Criminal Justice Act 2006

to fix a date for the hearing of an application for an order revoking the order made by the Court suspending \*the whole of \*part of the sentence of imprisonment imposed on you.

AND FURTHER TAKE NOTICE THAT you are required to appear before the Circuit Court at the sitting of the Circuit Court to be held at .....on the ..... day of .....20... at ....a.m./p.m. for the hearing of the application for an order revoking the order aforementioned.

IF YOU fail to appear at that sitting of the Circuit Court, as required by this notice, the Court may issue a warrant for your arrest.

Dated the .....day of.....20...

Signed.....  
for County Registrar

\*delete if inapplicable

Form 47E

AN CHÚIRT CHUARDA  
THE CIRCUIT COURT

CIRCUIT

COUNTY OF

People (D.P.P.) -v-.....  
Case/ Bill no .....

**NOTICE TO ATTEND SITTING OF THE COURT**  
(Criminal Justice Act 2006, section 100(5))

To.....  
of.....

An order was made by the Circuit Court under section 100(1)(b) of the Criminal Justice Act 2006 on the ....day of.....20.. deferring the passing of a sentence of imprisonment on you in respect of the offence(s) of which you were convicted. A copy of that order is attached to this notice. TAKE NOTICE THAT you are required to appear at the sitting of the Circuit Court to be held at .....on the.....day of ..... 20... at ....a.m./p.m..

IF YOU fail to appear at that sitting of the Circuit Court, as required by this notice, the Court may issue a warrant for your arrest.

Dated the .....day of.....20...

Signed.....  
for County Registrar



Form 47F

AN CHÚIRT CHUARDA

THE CIRCUIT COURT

CIRCUIT

COUNTY OF

People (D.P.P.) -v-.....

Case/ Bill no .....

**NOTICE OF HEARING OF AN APPLICATION FOR AN ORDER IMPOSING A SENTENCE OF IMPRISONMENT**

(Criminal Justice Act 2006, section 100(8))

To.....

of.....

An order was made by the Circuit Court under section 100(1) of the Criminal Justice Act 2006 on the ..... day of .....20... deferring the imposition on you of a sentence of imprisonment of ..... in respect of the offence(s) of which you were convicted. A copy of that order is attached to this notice.

TAKE NOTICE

THAT.....of.....

a member of An Garda Síochána has applied under section 100(7) of the Criminal Justice Act 2006 to fix a date for the hearing of an application for an order imposing on you the term of imprisonment specified in that order.

AND FURTHER TAKE NOTICE THAT you are required to appear before the Circuit Court at the sitting of the Circuit Court to be held at .....on the .... day of .....20... at ....a.m./p.m. for the hearing of the application for an order imposing on you the term of imprisonment aforementioned.

IF YOU fail to appear at that sitting of the Circuit Court, as required by this notice, the Court may issue a warrant for your arrest.

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

Signed.....

for County Registrar

EXPLANATORY NOTE

*(This does not form part of the instrument and does not purport to be a legal interpretation)*

These Rules amend the Circuit Court Rules by the insertion immediately following Order 68 of Order 68A which prescribes procedures as outlined in the Criminal Justice Act 2006.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHAN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
51 FAICHE STIABHNA, BAILE ÁTHA CLIATH,  
(Teil: 01 - 6476834/35/36/37; Fax: 01 - 6476843)  
nó trí aon díoltóir leabhar.

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