BILLE NA gCÚIRTEANNA, 1986
COURTS BILL, 1986

Mar a tionscnaíodh
As initiated

ARRANGEMENT OF SECTIONS

ACTS REFERRED TO

Air Navigation and Transport Act, 1936	1936, No. 40
Air Navigation and Transport Act, 1965	1965, No. 6
Civil Liability Act, 1961	1961, No. 41
Courts of Justice Act, 1924	1924, No. 10
Courts (Supplemental Provisions) Acts, 1961 to 1985	

[No. 2 of 1986]

BILLE NA gCÚIRTEANNA, 1986
COURTS BILL, 1986

BILL

entitled

AN ACT TO PROVIDE THAT CERTAIN ACTIONS IN THE 5
HIGH COURT SHALL NOT BE TRIED WITH A JURY
AND TO PROVIDE FOR RELATED MATTERS.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Abolition of juries
in certain actions
in High Court.

1.—(1) Notwithstanding section 94 of the Courts of Justice Act,
1924, or any other enactment or rule of law, an action in the High 10
Court—

    (*a*) for the recovery of damages for personal injuries to any
        person,

    (*b*) under section 48 of the Civil Liability Act, 1961, or

    (*c*) under section 18 (inserted by the Air Navigation and Trans- 15
        port Act, 1965) of the Air Navigation and Transport Act,
        1936,

or a question of fact or an issue arising in such an action, shall not be
tried with a jury.

    (2) In *subsection (1)* of this section—   20

    (*a*) the reference to an action for the recovery of damages for
        personal injuries to any person shall be construed as a
        reference to an action claiming damages for negligence,
        nuisance or breach of duty (whether the duty exists by
        virtue of a contract or of a provision made by or under 25
        a statute or independently of any contract or any such
        provision) where the damages claimed by the plaintiff for
        the negligence, nuisance or breach of duty consist of or
        include damages in respect of personal injuries to any
        person, but shall not include an action where the damages 30
        claimed include damages for false imprisonment, or for
        intentional trespass to the person;

    (*b*) "personal injuries" includes any disease and any impairment
        of a person's physical or mental condition.

2

2.—Section 18 (2) (inserted by the Air Navigation and Transport Act, 1965) of the Air Navigation and Transport Act, 1936, is hereby amended by the deletion in paragraphs (*f*) and (*k*) of "the jury or" and ", as the case may be,".

5   **3.**—Section 49 (1) (*a*) of the Civil Liability Act, 1961, is hereby amended by the deletion in subparagraph (i) of "the jury or" and ", as the case may be,".

   4.—(1) This Act may be cited as the Courts Act, 1986.

10   (2) The Courts (Supplemental Provisions) Acts, 1961 to 1985, and this Act may be cited together as the Courts (Supplemental Provisions) Acts, 1961 to 1986, and shall be construed together as one.

   (3) This Act shall not apply in relation to any proceedings in which notice of trial has been served or given before the passing of this Act.

BILLE NA gCÚIRTEANNA, 1986	COURTS BILL, 1986
BILLE	**BILL**
(*mar a tionscnaíodh*)	(*as initiated*)
dá ngairtear	*entitled*
Acht do dhéanamh socrú nach dtriailfear le giúiré caingne áirithe san Ard-Chúirt agus do dhéanamh socrú i dtaobh nithe gaolmhara.	An Act to provide that certain actions in the High Court shall not be tried with a jury and to provide for related matters.
An tAire Dlí agus Cirt a thíolaic, 6 *Feabhra,* 1986	*Presented by the Minister for Justice,* 6th *February,* 1986