



BILLE NA gCÚIRTEANNA, 1986 COURTS BILL, 1986

Mar a tionscnaíodh As initiated

ARRANGEMENT OF SECTIONS

Section

- 1. Abolition of juries in certain actions in High Court.
- 2. Amendment of Air Navigation and Transport Act, 1936.
- 3. Amendment of Civil Liability Act, 1961.
- 4. Short title, collective citation, construction and application.

ACTS REFERRED TO

Air Navigation and Transport Act, 1936 Air Navigation and Transport Act, 1965 Civil Liability Act, 1961 Courts of Justice Act, 1924 Courts (Supplemental Provisions) Acts, 1961 to 1985

1936, No. 40 1965, No. 6 1961, No. 41 1924, No. 10



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—

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- (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.—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,".

Amendment of Air Navigation and Transport Act, 1936.

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,".

Amendment of Civil Liability Act, 1961.

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

Short title, collective citation, construction and application.

- (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

(mar a tionscnaíodh)

dá ngairtear

Acht do dhéanamh socrú nach dtriailfear le giúiré caingne áirithe san Ard-Chúirt agus do dhéanamh socrú i dtaobh nithe gaolmhara.

An tAire Dlí agus Cirt a thíolaic, 6 Feabhra, 1986

BAILE ÁTHA CLIATH: ARNA FHOILSIÚ AG OIFIG AN ISOLÁTHAIR

Le ceannach díreach ón Oifig Dhíolta Foilseachán Rialtais, Teach Sun Alliance, Sráid Theach Laighean, Baile Átha Cliath 2, nó trí aon díoltóir leabhar.

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(as initiated)

entitled

An Act to provide that certain actions in the High Court shall not be tried with a jury and to provide for related matters.

> Presented by the Minister for Justice, 6th February, 1986

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