



DÁIL ÉIREANN

BILLE NA GCÚIRTEANNA (BUNÚ AGUS COMHDHÉANAMH) (LEASÚ), 2019 COURTS (ESTABLISHMENT AND CONSTITUTION) (AMENDMENT) BILL 2019

LEASUITHE A RINNE AN SEANAD AMENDMENTS MADE BY THE SEANAD

DÁIL ÉIREANN

BILLE NA gCÚIRTEANNA (BUNÚ AGUS COMHDHÉANAMH) (LEASÚ), 2019
[BILLE DÁIL ARNA LEASÚ AG AN SEANAD]

COURTS (ESTABLISHMENT AND CONSTITUTION) (AMENDMENT) BILL 2019
[DÁIL BILL AMENDED BY THE SEANAD]

Leasuithe a rinne an Seanad
Amendments made by the Seanad

*[The page and line references in this list of amendments
are to the text of the Bill as initiated.]*

SECTION 2

***1.** In page 3, between lines 15 and 16, to insert the following:

“Amendment of Courts and Court Officers Act 1995

2. Section 27 of the Courts and Court Officers Act 1995 is amended by—

- (a) the deletion of subsections (6) and (7), and
- (b) the insertion of the following subsection after subsection (11):

“(12) This section shall not apply to an adjudication of legal costs under Part 10 of the Legal Services Regulation Act 2015.”.

***2.** In page 3, between lines 15 and 16, to insert the following:

“Amendment of Legal Services Regulation Act 2015

3. The Legal Services Regulation Act 2015 is amended—

- (a) in section 141, by the insertion of the following subsection after subsection (5):

“(6) For the purposes of subsection (3)(f), a County Registrar need not publish the reasons for a determination where he or she is of the opinion that the taxation concerned does not involve a matter of legal importance.”,

- (b) in section 154(10)—

- (i) in paragraph (c), by the substitution of “adjudication,” for “adjudication, and”,
- (ii) in paragraph (d), by the substitution of “attempt,” for “attempt.”, and
- (iii) by the insertion of the following paragraphs after paragraph (d):

“(e) a procedure whereby a party to an adjudication may, upon notice to another party—

[SECTION 2]

- (i) pay into court a sum of money, or
 - (ii) make an offer of by way of tender to the other party,
in satisfaction of the costs of the other party that are the subject of the adjudication, and
 - (f) the respective liability of the parties referred to in paragraph (e) for the costs of the adjudication where the amount of a payment or offer referred to in that paragraph is equal to or greater than the amount of the costs concerned that, in the adjudication, are determined to be paid.”,
- (c) in section 160(2)(a), by the substitution of “section 163” for “section 166”, and
- (d) in section 172—
- (i) in subsection (2), by the insertion of the following paragraph after paragraph (a):
 - “(aa) the President of the Court of Appeal;”,and
 - (ii) by the insertion of the following subsection after subsection (6):
 - “(6A) On the death or retirement of the President of the Court of Appeal, the senior ordinary judge of the Court of Appeal who is for the time being available shall be a member of the Committee until the appointment of a President of the Court of Appeal.”.”.

*3. In page 3, between lines 15 and 16, to insert the following:

“Retirement age of judge of District Court increased to 70 years

4. (1) Section 30(1) of the Courts (Supplemental Provisions) Act 1961 is amended by the substitution of “seventy” for “sixty-five”.
- (2) The amendment effected by *subsection (1)* extends to a person who is judge of the District Court immediately before the commencement of this section and, in particular, to such judge in respect of whom a warrant made under section 2 of the Courts of Justice (District Court) Act 1949 subsists immediately before such commencement (and the continuance in office, on and from the commencement of this section, of the second-mentioned judge shall be by virtue of the amendment effected by *subsection (1)* and not otherwise).
- (3) The reference in *subsection (2)* to a warrant made under section 2 of the Courts of Justice (District Court) Act 1949 includes a reference to a warrant made under that section 2 in the circumstances permitted by section 1 of the Courts (No. 2) Act 1988.”.”.

*4. In page 3, line 17, to delete “(Establishment and Constitution) (Amendment)”.

[TITLE]

TITLE

***5.** In page 3, to delete lines 5 to 7 and substitute the following:

“An Act to amend Section 1A of the Courts (Establishment and Constitution) Act 1961 to increase the number of ordinary judges of the Court of Appeal to fifteen; to amend the Courts (Supplemental Provisions) Act 1961; to amend the Courts and Court Officers Act 1995; to amend the Legal Services Regulation Act 2015; and to provide for related matters.”.