



**An Bille um Chúirteanna agus an Dlí Sibhialta (Forálacha Ilghnéitheacha),
2025**

Courts and Civil Law (Miscellaneous Provisions) Bill 2025

Mar a tionscnaíodh

As initiated



**AN BILLE UM CHÚIRTEANNA AGUS AN DLÍ SIBHIALTA (FORÁLACHA
ILGHNÉITHEACHA), 2025**
COURTS AND CIVIL LAW (MISCELLANEOUS PROVISIONS) BILL 2025

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ACTS REFERRED TO

Charities Act 2009 (No. 6)
Child Care Act 1991 (No. 17)
Courts (Establishment and Constitution) Act 1961 (No. 38)
Courts (Supplemental Provisions) Act 1961 (No. 39)
Courts (Supplemental Provisions) Acts 1961 to 2023
Courts and Court Officers Act 1995 (No. 31)
Family Courts Act 2024 (No. 48)
Gambling Regulation Act 2024 (No. 35)
Gaming and Lotteries Act 1956 (No. 2)
Street and House to House Collections Act 1962 (No. 13)



AN BILLE UM CHÚIRTEANNA AGUS AN DLÍ SIBHIALTA (FORÁLACHA
ILGHNÉITHEACHA), 2025
COURTS AND CIVIL LAW (MISCELLANEOUS PROVISIONS) BILL 2025

Bill

entitled

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An Act to provide for an increase in the number of ordinary judges of the Court of Appeal and, for that purpose, to amend the Courts (Establishment and Constitution) Act 1961; to provide for an increase in the number of ordinary judges of the High Court, ordinary judges of the Circuit Court and judges of the District Court and, for those purposes, to amend the Courts (Supplemental Provisions) Act 1961 and the Courts and Court Officers Act 1995; to amend the Street and House to House Collections Act 1962, the Child Care Act 1991 and the Gambling Regulation Act 2024; to repeal certain provisions of the Family Courts Act 2024; and to provide for related matters.

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Be it enacted by the Oireachtas as follows:

PART 1

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PRELIMINARY AND GENERAL

Short title, commencement and collective citation

1. (1) This Act may be cited as the Courts and Civil Law (Miscellaneous Provisions) Act 2025.

(2) Subject to *subsections (3) and (4)*, this Act, other than *section 2* and *paragraph (a) of section 11*, shall come into operation on such day or days as the Minister for Justice, Home Affairs and Migration may appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or provisions.

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(3) *Section 9* shall come into operation on such day or days as the Minister for Justice, Home Affairs and Migration may, after consultation with the Minister for Children, Disability and Equality, appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or provisions.

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(4) *Section 10* shall come into operation on such day or days as the Minister for Justice, Home Affairs and Migration may, after consultation with the Minister for Rural and Community Development and the Gaeltacht, appoint by order or orders either

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generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or provisions.

- (5) The Courts (Supplemental Provisions) Acts 1961 to 2023 and *sections 5, 6, 7 and 8* may be cited together as the Courts (Supplemental Provisions) Acts 1961 to 2025.

Repeals

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2. (1) Sections 263 and 271 of the Gambling Regulation Act 2024 are repealed.

- (2) The following provisions of the Family Courts Act 2024 are repealed:

(a) section 31;

(b) section 33;

(c) paragraphs (a), (b), (c)(i) and (d) of section 80;

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(d) subparagraphs (i), (iii) and (v) of paragraph (ab) of section 80.

PART 2

NUMBER OF JUDGES OF COURT OF APPEAL, HIGH COURT, CIRCUIT COURT AND DISTRICT COURT

Definition (*Part 2*)

3. In this Part, “Act of 1995” means the Courts and Court Officers Act 1995.

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Number of ordinary judges of Court of Appeal

4. Section 1A of the Courts (Establishment and Constitution) Act 1961 is amended—

- (a) in subsection (2), by the substitution of the following paragraph for paragraph (b):

“(b) subject to subsection (2A), not more than 21 ordinary judges, each of whom shall be styled ‘Breitheamh den Chúirt Achomhaire’ (‘Judge of the Court of Appeal’).”,

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and

- (b) by the insertion of the following subsection after subsection (2):

“(2A) The Government, on the request of the Minister for Justice, Home Affairs and Migration made after consultation with the Minister for Public Expenditure, Infrastructure, Public Service Reform and Digitalisation, and where they are of the opinion that, having regard to the volume of business to be transacted in the Court of Appeal or to any other reason arising from the state of business in that Court, and to the need to ensure the efficient transaction of business in that Court, it is necessary in the interests of the administration of justice to do so, may by order provide that the number of ordinary judges of the Court of Appeal otherwise provided for under any enactment for the time being in force may be exceeded by one.”.

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Amendment of Sixth Schedule to Courts (Supplemental Provisions) Act 1961

5. The Sixth Schedule to the Courts (Supplemental Provisions) Act 1961 is amended in paragraph 2(1) by the substitution of the following clause for clause (b):

“(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.”. 5

Number of ordinary judges of High Court

6. Section 9 of the Act of 1995 is amended by the substitution of the following subsection for subsection (1): 10

“(1) Subject to subsection (2), the number of ordinary judges of the High Court shall not be more than 55.”.

Number of ordinary judges of Circuit Court

7. The Act of 1995 is amended by the substitution of the following section for section 10: 15

“10. The number of ordinary judges of the Circuit Court shall not be more than 51.”.

Number of judges of District Court

8. Section 11 of the Act of 1995 is amended by the substitution of the following subsection for subsection (1): 20

“(1) The number of judges of the District Court in addition to the President of the District Court shall not be more than 77.”.

PART 3

AMENDMENT OF CHILD CARE ACT 1991

Amendment of Child Care Act 1991 25

9. (1) Section 12 of the Act of 1991 is amended by the substitution of the following subsection for subsection (4):

“(4) Where a child is delivered up to the custody of the Child and Family Agency in accordance with subsection (3), the Agency shall, unless it returns the child to the parent having custody of him or her or a person acting in *loco parentis* to the child or an order referred to in section 35 has been made in respect of the child, make an application for an emergency care order— 30

(a) at the next sitting of the Family District Court held in the same Family District Court district, 35

- (b) in circumstances of urgency where no judge of the Family District Court is available to hear the application, at the next sitting of the District Court held in the same district court district, or
 - (c) in the event that the next sitting of the Family District Court or District Court is not due to be held within 3 working days of the date on which the child is delivered up to the custody of the Agency, at a sitting of the Family District Court or District Court which has been specially arranged under section 13(4), held within the said 3 working days, 5

and it shall be lawful for the Agency to retain custody of the child 10
pending the hearing of that application.”.
- (2) Section 13 of the Act of 1991 is amended—
 - (a) in subsection (1)—
 - (i) by the substitution of “a judge of the Family District Court or the District Court” for “a justice of the District Court”, and 15
 - (ii) by the substitution of “the judge” for “the justice”,
 - (b) in subsection (3), by the substitution of “a judge of the Family District Court or the District Court” for “a justice”, and
 - (c) in subsection (7)(a), by the substitution of “a judge of the Family District Court or the District Court” for “a justice”. 20
- (3) Section 17 of the Act of 1991 is amended—
 - (a) in subsection (1), by the substitution of “a judge of the Family District Court or the Family Circuit Court” for “a justice of the District Court”, and
 - (b) by the substitution of “the judge” for “the justice” in each place where it occurs.
- (4) Section 35 of the Act of 1991 is amended by the substitution of— 25
 - (a) “a judge” for “a justice” where it first occurs, and
 - (b) “a judge of the Family District Court, the District Court or the Family Circuit Court” for “a justice” where it last occurs.
- (5) Section 43(2) of the Act of 1991 is amended by the substitution of “the judge of the Family District Court or the Family Circuit Court” for “the justice”. 30
- (6) Section 46 of the Act of 1991 is amended—
 - (a) in subsection (3), by the substitution of “A judge of the Family District Court or the Family Circuit Court” for “A justice of the District Court”,
 - (b) in subsection (6), by the substitution of “A judge of the Family District Court or the Family Circuit Court” for “A justice of the District Court”, 35
 - (c) in subsection (7), by the substitution of “the judge of the Family District Court or the Family Circuit Court” for “the justice”,
 - (d) in subsection (8), by the substitution of “the judge of the Family District Court or the Family Circuit Court” for “the justice”, and

(e) by the substitution of the following subsection for subsection (9):

“(9) Without prejudice to section 28—

(a) an order under subsection (3) may be made by a judge of the Family District Court for the time being assigned to the Family District Court district, or a judge of the Family Circuit Court for the time being assigned to the Family Circuit Court circuit, where the person specified in the information resides or is for the time being, and 5

(b) a warrant under subsection (6) may be issued by a judge for the time being assigned to the Family District Court district or the Family Circuit Court circuit where the house or other place specified in the information is situated, 10

and, in either case, where such judge is not immediately available the order may be made, or the warrant issued, by any judge of the Family District Court or the Family Circuit Court.”. 15

(7) In this section, “Act of 1991” means the Child Care Act 1991.

PART 4

AMENDMENTS RELATING TO GAMBLING REGULATION ACT 2024

Amendment of section 1 of Street and House to House Collections Act 1962

10. Section 1 of the Street and House to House Collections Act 1962 is amended— 20

(a) in the definition of “collection” by the substitution of “collecting money in the course of providing a relevant gambling activity for a charitable or philanthropic purpose (within the meaning of the Gambling Regulation Act 2024) pursuant to a gambling licence for a charitable or philanthropic purpose that specifies that the gambling activity concerned may be provided in the manner specified in section 120(3)(b)(ii) or 121(3)(b)(ii) of that Act or collecting money in the course of providing a lottery for a charitable or philanthropic purpose in accordance with section 92 of that Act” for “collecting money for a lottery (including a sweepstake) declared by the Gaming and Lotteries Act 1956, not to be unlawful or to which that Act does not apply”, and 25 30

(b) in the definition of “exempt activity” (inserted by section 93(a)(ii) of the Charities Act 2009) by the substitution of the following for paragraph (b):

“(b) collecting money in the course of providing a relevant gambling activity for a charitable or philanthropic purpose (within the meaning of the Gambling Regulation Act 2024) pursuant to a gambling licence for a charitable or philanthropic purpose that specifies that the gambling activity concerned may be provided in the manner specified in section 120(3)(b)(ii) or 121(3)(b)(ii) of that Act or collecting money in the course of providing a lottery for a 35

charitable or philanthropic purpose in accordance with section 92 of that Act;”.

Amendment of Gambling Regulation Act 2024

11. The Gambling Regulation Act 2024 is amended—

- (a) in section 1(2), by the substitution of “section 10” for “section 9”, 5
- (b) in section 40(3)(a), by the substitution of “section 39(2)” for “section 38(2)”,
- (c) in section 115, by the substitution of the following subsection for subsection (5):
 - “(5) Notwithstanding section 108, where an application for renewal of a Business to Consumer licence under this section is not determined by the Authority before the expiry of the licence concerned, that licence 10 shall continue in force until—
 - (a) the Authority grants the application for renewal and the licence is issued under section 107(2), or
 - (b) the Authority refuses the application for renewal and whichever is the sooner of the following occurs: 15
 - (i) the period allowed for bringing an appeal under Part 9 expires and no appeal has been brought;
 - (ii) an application under subsection (6) is refused;
 - (iii) the licence ceases to be in force in accordance with subsection (7).”, 20
- (d) in section 121—
 - (i) in subsection (2), by the substitution of “paragraph (g) or (h)” for “paragraphs (g) or (h)” in both places where it occurs, and
 - (ii) by the substitution of the following subsection for subsection (5):
 - “(5) Notwithstanding section 108, where an application for renewal of a 25 gambling licence for a charitable or philanthropic purpose under this section is not determined by the Authority before the expiry of the licence concerned, that licence shall continue in force until—
 - (a) the Authority grants the application for renewal and the licence is issued under section 107(2), or 30
 - (b) the Authority refuses the application for renewal and whichever is the sooner of the following occurs:
 - (i) the period allowed for bringing an appeal under Part 9 expires and no appeal has been brought;
 - (ii) an application under subsection (6) is refused; 35
 - (iii) the licence ceases to be in force in accordance with subsection (7).”,
- (e) in section 127, by the substitution of the following subsection for subsection (4):

- “(4) Notwithstanding section 108, where an application for renewal of a Business to Business licence under this section is not determined by the Authority before the expiry of the licence concerned, that licence shall continue in force until—
- (a) the Authority grants the application for renewal and the licence is issued under section 107(2), or 5
 - (b) the Authority refuses the application for renewal and one of the following occurs:
 - (i) the period allowed for bringing an appeal under Part 9 expires and no appeal has been brought; 10
 - (ii) an appeal is brought under Part 9 and, without prejudice to section 222(4), the appeal is determined in accordance with that section.”,
- (f) in section 132, by the insertion of the following subsections after subsection (1):
- “(2) The Authority shall specify, by notice published on its website, the changes to be notified to it under subsection (1). 15
 - (3) A notification under subsection (1) shall be made within 7 days of a change referred to in subsection (2).”,
- (g) in section 146(1), by the deletion of “and section 149”, and
- (h) in section 217(4), by the substitution of “subsection (3)” for “subsection (2)”. 20

An Bille um Chúirteanna agus an Dlí
Sibhialta (Forálacha Ilghnéitheacha), 2025

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do dhéanamh socrú maidir le méadú ar líon na ngnáthbhreithiúna den Chúirt Achomhairc agus, chun na críche sin, do leasú Acht na gCúirteanna (Bunú agus Comhdhéanamh), 1961; do dhéanamh socrú maidir le méadú ar líon na ngnáthbhreithiúna den Ard-Chúirt, ar líon na ngnáthbhreithiúna den Chúirt Chuarda agus ar líon na mbreithiúna den Chúirt Dúiche agus, chun na gcríoch sin, do leasú Acht na gCúirteanna (Forálacha Forlíontacha), 1961 agus Acht na gCúirteanna agus na nOifigeach Cúirte, 1995; do leasú an Achta um Bailiúcháin Sráide agus ó Theach go Teach, 1962, an Achta um Chúram Leanaí, 1991 agus an Achta um Rialáil Cearrbhachais, 2024; d'aisghairm forálacha áirithe d'Acht na gCúirteanna Teaghlaigh, 2024; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

An tAire Dlí agus Cirt, Gnóthaí Baile agus Imirce a
thíolaic,

31 Deireadh Fómhair, 2025

Courts and Civil Law (Miscellaneous
Provisions) Bill 2025

BILL

(as initiated)

entitled

An Act to provide for an increase in the number of ordinary judges of the Court of Appeal and, for that purpose, to amend the Courts (Establishment and Constitution) Act 1961; to provide for an increase in the number of ordinary judges of the High Court, ordinary judges of the Circuit Court and judges of the District Court and, for those purposes, to amend the Courts (Supplemental Provisions) Act 1961 and the Courts and Court Officers Act 1995; to amend the Street and House to House Collections Act 1962, the Child Care Act 1991 and the Gambling Regulation Act 2024; to repeal certain provisions of the Family Courts Act 2024; and to provide for related matters.

Presented by the Minister for Justice, Home Affairs
and Migration,

31st October, 2025

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

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