

STATUTORY INSTRUMENT

S.I. NO. 409 OF 2005

**COURTS AND COURT OFFICERS ACT 2002 (REGISTER OF RESERVED
JUDGMENTS)(AMENDMENT) REGULATIONS 2005**

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COURTS AND COURT OFFICERS ACT 2002 (REGISTER OF RESERVED JUDGMENTS)(AMENDMENT) REGULATIONS 2005

I, Michael McDowell, Minister for Justice, Equality and Law Reform, in exercise of the powers conferred on me by subsections (6) and (9)(b) of section 46 (amended by the Civil Liability and Courts Act 2004 (No. 31 of 2004)) of the Courts and Court Officers Act 2002 (No. 15 of 2002), hereby make the following regulations:

1. These Regulations may be cited as the Courts and Court Officers Act 2002 (Register of Reserved Judgments) (Amendment) Regulations 2005.
2. The Courts and Court Officers Act 2002 (Register of Reserved Judgments) Regulations 2005 are amended by the substitution of the following Regulation for Regulation 4:

“4 The following circumstances are prescribed for the purposes of section 46(6), that is to say:

“(a) a circumstance –

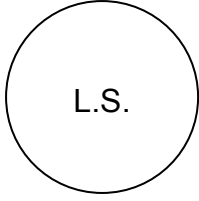
- (i) where a judge who is a member of the Supreme Court which has reserved, but has not delivered, judgment in the proceedings concerned and he or she is a member of the Court when it is considering a question referred to it under Article 26 of the Constitution, and
- (ii) that lasts until the date on which the decision of the Supreme Court on the question is pronounced;

(b) a circumstance –

- (i) where a court comprising more than one judge reserves judgment in the proceedings concerned and one of the judges that sat in those proceedings falls ill, and
- (ii) that lasts for the duration only of his or her illness;

(c) a circumstance -

- (i) where the court of which the judge is a member is in vacation and he or she has, at the commencement of or during the vacation, reserved, but not delivered, judgment in the proceedings concerned, and
- (ii) that lasts for the duration only of the vacation.”.



GIVEN under my Official Seal
this 27th day of July, 2005

Michael McDowell
Minister for Justice, Equality and
Law Reform

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations amend Regulation 4 of the Courts and Court Officers Act 2002 (Register of Reserved Judgments) Regulations 2005. The Regulations prescribe certain circumstances under which the provisions of section 46(3) of the Courts and Court Officers Act 2002 (as amended) do not apply.