1. Procedures for rectification and withdrawal (Art. 10(2))

Superior Courts Order 42B Rule 9 (168 KB) en provides that:
"9. (1) An application under Article 10(1) of Regulation No. 805/2004 for the rectification or the withdrawal of a European Enforcement Order certificate shall be made to the court which certified the domestic judgment concerned as a European Enforcement Order or, where the Master so certified the domestic judgment, to the Master. Before making such application, the moving party shall complete the form of application in Annex VI to Regulation No. 1869/2005 and shall deliver such completed form of application to the Central Office, or (where the Supreme Court is the court of origin) to the Office of the Registrar of the Supreme Court, which shall assign a return date to such application. The moving party shall serve a copy of such completed form of application on the judgment creditor or (as the case may be) the judgment debtor, together with a copy of any affidavit sworn by or on behalf of the moving party to ground the application. Where rectification is sought, there shall be exhibited to any grounding affidavit in any such application a copy of the form of European Enforcement Order certificate previously issued, marked with the rectification sought, and the contents of such marked certificate shall be verified in the grounding affidavit. A notice of application in the said form shall be treated for all purposes as if it were a motion to the court or (as the case may be) to the Master.
(2) Where, on any application under this rule, it is determined that the European Enforcement Order certificate in respect of the domestic judgment concerned ought be rectified or withdrawn, the person on whose application the domestic judgment concerned was certified as a European Enforcement Order shall within seven days of such determination lodge the original European Enforcement Order certificate in respect of the domestic judgment concerned in the Central Office or (where the Supreme Court certified the domestic judgment concerned as a European Enforcement Order) the Office of the Registrar of the Supreme Court. In the case of rectification, a Registrar of the High Court or (as the case may be) the Registrar of the Supreme Court shall rectify such certificate, re-sign, re-seal and subject to any direction made in that regard, re-issue such rectified certificate to the person on whose application the domestic judgment concerned was certified as a European Enforcement Order. In the case of withdrawal such Registrar shall cancel such certificate.
(3) Where the person on whose application the domestic judgment concerned was certified as a European Enforcement Order fails in accordance with sub-rule (2) to lodge the original European Enforcement Order certificate within seven days of a determination, the Registrar concerned shall, at the request of the applicant, provide to the applicant a certificate under the seal of the court certifying the fact that the European Enforcement Order certificate has been rectified or (as the case may be) withdrawn. Such certificate shall be in the in the Form No. 2 in Appendix F, Part IV. (168 Kb) en"

Circuit Court Order 35A Rule 7 (168 KB) en provides that:
"7. (1) An application under Article 10(1) of Regulation No. 805/2004 for the rectification or the withdrawal of a European Enforcement Order certificate shall be made to the Court which certified the domestic judgment concerned as a European Enforcement Order or, where the County Registrar so certified the domestic judgment, to the County Registrar. Before making such application, the moving party shall complete the form of application in Annex VI to Regulation No. 1869/2005 and shall deliver such completed form of application to the Office which shall assign a return date to such application. The moving party shall serve a copy of such completed form of application on the judgment creditor or (as the case may be) the judgment debtor, together with a copy of any affidavit sworn by or on behalf of the moving party to ground the application. Where rectification is sought, there shall be exhibited to any grounding affidavit in any such application a copy of the form of European Enforcement Order certificate previously issued, marked with the rectification sought, and the contents of such marked certificate shall be verified in the grounding affidavit. A notice of application in the said form shall be treated for all purposes as if it were a motion to the Court or (as the case may be) to the County Registrar and the provisions of Order 64 of these Rules shall apply to any such application.
(2) Where, on any application under this rule, it is determined that the European Enforcement Order certificate in respect of the domestic judgment concerned ought be rectified or withdrawn, the person on whose application the domestic judgment concerned was certified as a European Enforcement Order shall within seven days of such determination lodge the original European Enforcement Order certificate in respect of the domestic judgment concerned in the Office. In the case of rectification, the County Registrar shall rectify such certificate, re-sign, re-seal and subject to any direction made in that regard, re-issue such rectified certificate to the person on whose application the domestic judgment concerned was certified as a European Enforcement Order. In the case of withdrawal, the County Registrar shall cancel such certificate.
(3) Where the person on whose application the domestic judgment concerned was certified as a European Enforcement Order fails in accordance with sub-rule (2) to lodge the original European Enforcement Order certificate within seven days of a determination, the County Registrar shall, at the request of the applicant, provide to the applicant a certificate under the seal of the Court certifying the fact that the European Enforcement Order certificate has been rectified or (as the case may be) withdrawn. Such certificate shall be in the in the Form No. 19B of the Schedule of Forms (168 Kb) en annexed hereto."

Furthermore, **Circuit Court** Amendment to Order 18 Rule 3 (168 KB) en provides that:
"9. Save in the case of a European Enforcement Order certificate issued by the County Registar in accordance with Order 35A, any party dissatisfied with any certificate, ruling or decision of the County Registrar, may, within ten days from the date of such certificate, ruling or decision, apply to the Judge by motion on notice to review such certificate, ruling or decision, and the Judge may thereupon make such order as he shall think fit."

District Court Order 53B Rule 9 (168 KB) en provides that:
"9. (1) An application under Article 10(1) of Regulation No. 805/2004 for the rectification or the withdrawal of a European Enforcement Order certificate shall be made to the Court which certified the domestic judgment concerned as a European Enforcement Order. Before making such application, the moving party shall complete the Form of application in Annex VI to Regulation No. 1869/2005, which is reproduced at Form No. 53B.6, Schedule C (168 Kb) en, and shall deliver such completed form of application to the Clerk. The moving party shall serve a copy of such completed form of application on the judgment creditor or (as the case may be) the judgment debtor, together with a copy of any affidavit sworn by or on behalf of the moving party and intended to be used

in the application. Where rectification is sought, there shall be exhibited to any grounding affidavit in any such application a copy of the form of European Enforcement Order certificate previously issued, marked with the rectification sought, and the contents of such marked certificate shall be verified in the grounding affidavit.
(2) Where, on any application under this rule, it is determined that the European Enforcement Order certificate in respect of the domestic judgment concerned ought be rectified or withdrawn, the person on whose application the domestic judgment concerned was certified as a European Enforcement Order shall within seven days of such determination lodge the original European Enforcement Order certificate in respect of the domestic judgment concerned with the Clerk. In the case of rectification, the person who applied for rectification shall lodge with the Clerk a draft rectified certificate. The Clerk shall, in such case, produce the rectified certificate to the Judge to be re-signed, and subject to any direction made by the Judge in that regard, issue the rectified certificate to the person on whose application the domestic judgment concerned was certified as a European Enforcement Order. In the case of withdrawal, the Clerk shall produce the certificate to the Judge to be cancelled.
(3) Where the person on whose application the domestic judgment concerned was certified as a European Enforcement Order fails in accordance with sub-rule (2) of this rule to lodge the original European Enforcement Order certificate in respect of the domestic judgment concerned with the Clerk within seven days of a determination, the Clerk shall, at the request of the applicant, provide to the applicant a certificate in the Form 53B.7, Schedule C (168 Kb) en , signed by the Judge certifying the fact that the European Enforcement Order certificate has been rectified or (as the case may be) withdrawn."

2. Procedures for review (Art.19 (1))

Superior Courts Order 13 Rule 11 (168 KB) en provides that "Where final judgment is entered pursuant to any of the preceding rules of this Order, it shall be lawful for the Court to vary or set aside such judgment upon such terms as may be just." Furthermore, Superior Courts Order 27 Rule 14 (168 KB) en provides that "Any judgment by default, whether under this Order or under any other of these Rules, may be set aside by the Court upon such terms as to costs or otherwise as the Court may think fit...".

Circuit Court Order 30 (168 KB) en provides that "Any party against whom a judgment in default of appearance or defence has been given may... serve a notice of motion… to vary or set aside the said judgment". The Order goes on to provide that "The Judge may... vary or set aside the judgment in question...".

District Court Order 45 Rule 3 (168 KB) en provides that "A party against whom any decree may have been obtained… may apply… for an order to vary or set aside the said decree…" The Order goes on to provide that "The Court may… grant or refuse the application to vary or set aside the decree…".

3. Accepted languages (Article 20(2)(c))

For the time being, Ireland will only accept EEO certificates which are completed in Irish or English.

4. Authorities designated for the purpose of certifying authentic instruments (Art. 25)

Authentic instruments are not known in the Irish legal system, therefore the question of designating an appropriate authority does not arise.

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