

Information Note

The Tánaiste and Minister for Justice and Equality has signed two Commencement Orders which establish a 'market value' threshold of €3,000,000 for Circuit Court jurisdiction in property-related cases with effect from today, 11 January 2017.

S.I. No. 001 of 2017 brings section 2 of the Courts Act 2016 into operation from today, 11 January 2017. The section amends sections 140 and 196 of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 to specify that the jurisdiction of the Circuit Court in proceedings under that Act will be on the basis of a market value of €3,000,000 rather than the property's rateable valuation. Where the market value of the property the subject of proceedings exceeds €3,000,000 then the High Court shall have jurisdiction unless the parties agree otherwise.

S.I. No. 002 of 2017 brings a number of sections of the Civil Liability and Courts Act 2004 into operation from today, 11 January, 2017. From today, the Circuit Court's jurisdiction will be based on the market value of the property (€3,000,000) rather than its rateable valuation.

The relevant sections of the 2004 Act are:

- ⇒ Section 45 which amends section 2 of the Courts (Supplemental Provisions) Act 1961;
- ⇒ Section 46 which amends section 18 of the Registration of Title Act 1964;
- ⇒ Section 47 which amends section 6 of the Succession Act 1965;
- ⇒ Section 48 which amends section 10 the Family Home Protection Act 1976;
- ⇒ Section 50 which amends section 31 of the Judicial Separation and Family Law Reform Act 1989;
- ⇒ Section 51 which amends section 38 of the Family Law Act 1995;
- ⇒ Section 52 which amends section 38 of the Family Law (Divorce) Act 1996; and
- ⇒ Section 53 which amends sections 90 and 160 of the Planning and Development Act 2000.

Department of Justice and Equality

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