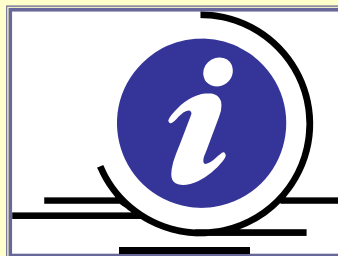




*An tSeirbhís Chúirteanna*  
*Courts Service*

**Information Booklet  
for  
High Court Judgment Sets  
and  
Orders of Fieri Facias**



**Judgments Section  
The High Court**

**This is an information booklet and does not provide legal advice. Precedents are included for guidance purposes only and are not intended to be exhaustive. The requirements of the Superior Courts Rules and the relevant statutes must be complied with at all times**



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## I. General Information on Judgment Sets:



Judgment can be marked in the Judgments Section of the High Court in relation to the following:

**1: Default Judgment**

**2: Judgment Pursuant to an Order of the Master of the High Court**

- In order to have Judgment marked; a suite of documents, a “Judgment Set”, must be lodged over the counter at the Judgments Section of the Central Office. The documents required differ slightly, depending on whether it is Default Judgment or Judgment Pursuant to an Order of the Master that is being sought
- The documents of the Judgment Set are examined by the staff of the Judgment Section to ensure compliance with the Rules of the Superior Courts
- If any documents within a Judgment Set are found to be non-compliant, the Judgment Set will be queried – all queries are detailed on a Query Sheet for review by the relevant Solicitor. When reloading Judgment papers; the Query Sheet should be reloaded also. An example of a Query Sheet is illustrated below

	Judgments Section Central Office The High Court
<b>Re: Plaintiff - v - Defendant</b>	
Please deal with the following queries:	
1. Praecipe has not been signed	
2. Interest as claimed in the Special Indorsement of Claim on the Summary Summons should be calculated and shown in an Affidavit of Debt, or else waived	
3. No Solicitor’s Certificate has been supplied	
<b>This Query is being dealt with by:</b>	
<b>Tel:</b>	
<b>E-mail:</b>	
<b>Solicitors on Record:</b>	

- Judgment Sets meeting the prescribed requirements are sent into the Registrar for signing

## **II. Judgment Sets by Type:**

### **1. Judgment in Default of Appearance:**

Default Judgment can be marked in the Judgments Section on foot of a Summary Summons for a liquidated debt where **no appearance** has been entered to the Summons by the Defendant(s). The documents that must be submitted in order that Default Judgment can be marked are:

**The original Summary Summons with Service indorsed on same**

**Affidavit of Service**

**Affidavit of Debt**

**Judgment Form**

**Signed Solicitors Certificate**

**Signed Praecipe for Fieri Facias**

**Order of Fieri Facias (FIFA)**

**If interest has been claimed in the Indorsement of Claim on the Summons; it should either be calculated and shown in the Affidavit of Debt or else waived via a letter**

**2. Judgment Pursuant to an Order of the Master of the High Court:**

Judgment can be marked in the Judgments Section on foot of an Order of the Master of the High Court, where liberty is granted **to enter to final Judgment** in an action.

The documents that must be submitted to the Judgments Section for Judgment Pursuant to an Order of the Master to be marked are:

**Masters Order**

**A copy of the Summons**

**If interest is awarded in the Master's Order this must be calculated and shown in an Affidavit of Debt**

**Judgment Form**

**Solicitors Certificate**

**Signed Praecipe for Fieri Facias (FIFA)**

**Order of Fieri Facias (FIFA)**

### 3. Points to Note when lodging Judgment Set papers:



#### (i) Points to note for all Affidavits:

- Affidavits filed in the High Court must be sworn, not declared
- Jurats should be completed clearly re: the date and location of swearing of the Affidavit. Abbreviations for months, days etc... should *not* be used, e.g “Thurs the 4<sup>th</sup> of Jan”
- The Title of the Oath Taker (the Practising Solicitor or Commissioner for Oaths) must be the same in both the body of the Jurat and underneath their signature
- The Oath Taker’s name should be legible in the Jurat. If it is not clearly legible; they should use their name stamp underneath their signature. In circumstances where a name stamp is not available, it will suffice to print the name underneath the signature
- Affidavits must contain numbered paragraphs and such paragraphs should be ordered sequentially
- All Affidavits require **€17 Stamp Duty**
- Stamp duty should be franked on the back of the Affidavit and should not be franked on the face of the document. This is to ensure that no wording in the body of the Affidavit is obscured
- Jurats should not be on isolated pages, i.e. there should be more wording on the final page of an Affidavit than the Jurat alone – the Jurat should appear directly under the final paragraph of the Affidavit

#### (ii) Affidavits of Service:

- Affidavits of Service must follow the required precedent, for either an Affidavit of Service in relation to **Personal Service** (when the Defendant is an individual/s) or an Affidavit of Service in relation to **Service on a Limited Liability Company** (effected by way of **ordinary pre-paid post**)
- It is important to ensure that all the details in relation to the location and date of service as referred to in the Affidavit of Service match the Indorsement of Service on the Summons
- The date of issue of the Summons and the Case Record Number must be correctly stated in the body of the Affidavit
- Service must be Indorsed on the Summons within **three** days of such Service having been effected – See **Order 9 Rule 12** of the Rules of the Superior Courts for further information on the Indorsement of Service

**(iii) Affidavits of Debt:**

- The **Affidavit of Debt** must be sworn by someone with knowledge of the company's accounts e.g. the financial director, book keeper or, in the case of an individual Plaintiff; the individual themselves. The Affidavit of Debt cannot be sworn by the Plaintiff's solicitor
- If interest is being claimed; check that calculations are correct and that the principal amount, number of days, rate/s of interest etc... are stated as applicable
- If interest has been claimed in the **Special Indorsement of Claim** on the Summons, and this interest has not been further calculated and shown in the Affidavit of Debt, such interest must be waived, either via a letter from the Solicitor on behalf of the client, or within the body of the Affidavit of Debt itself

**(iv) Judgment Forms:**

- The Judgment Form requires **€60 Stamp Duty**
- The format of the Judgment Form, and the wording included on the Judgment Form, will differ depending on whether it is **Judgment in Default of Appearance** or **Judgment Pursuant to an Order** of the Master of the High Court
- Judgment Forms for Judgment Pursuant to an Order must recite the relevant details from the Master's Order, i.e. from "It is Ordered ..."
- The space for inserting the amount of Costs on the Judgment Form should be left blank as it will be filled in when Judgment is being marked
- Precedents for the various Judgment Forms can be found in **Appendix E** of the Rules of the Superior Courts and in the Appendix to this document

**(v) Solicitors Certificate:**

- There is no Stamp Duty applicable on a Solicitors Certificate
- The Solicitors Certificate must state the address and description of all parties to the case
- The Solicitors Certificate must be signed by the Solicitor and should be attached to the Judgment Form
- The Solicitors Certificate should be affixed to the back of the Judgment Form
- A precedent for the Solicitors Certificate can be found in the Appendix to this document

**(vi) Praecipe FIFA and FIFA (Fieri Facias):**

- Precedents for the Praecipe FIFA and FIFA can be found in **Appendix F** of the Rules of the Superior Courts and in the Appendix to this document
- The Praecipe must be signed by the Solicitor
- There is no Stamp Duty applicable on either the Praecipe FIFA or the FIFA itself

**(vii) Stamp Duty:**

- Stamp Duty cannot be re-used or transferred from one document to another
- The Stamp Duty on an Affidavit should not pre-date the swearing of such Affidavit
- Stamp Duty should be stamped on the back of the relevant documents, and not affixed as a fee card

### III. Executing on foot of a Court Order:

If a Court Order has been obtained which specifies a certain amount of damages payable, this can be enforced in the Judgments Section, where it will be processed in the same manner as a Judgment Set.

The following documentation must be lodged:

**Court Order**

**Order of Fieri Facias (FIFA)**

**Signed Praecipe Fieri Facias**

- If the Court Order specifies a payment schedule / stay on execution pending payment *etc...*; an **Affidavit of Debt** must also be supplied to confirm any amounts paid. Furthermore, if the Order states a timeframe within which an Appeal can be lodged; a letter should be submitted stating that no Appeal has been lodged

#### **IV. Executing on foot of Taxed Costs**

Where a Court Order has been obtained which allows that costs be taxed and ascertained (by the Taxing Master); these costs can be enforced in the Judgments Section of the High Court when the **Certificate of Taxation** has been acquired.

The following documentation must be lodged in the Judgments Section for processing:

- a. Court Order**
- b. Original Taxing Masters Certificate**
- c. Order of Fieri Facias (FIFA)**
- d. Signed Praecipe Fieri Facias**

- A precedent for a Fieri Facias Order pursuant to a Taxing Masters Certificate can be found in the Appendix to this document

## V. Enforcing Foreign Judgments:

Judgments obtained anywhere in the **European Union and Northern Ireland** can be enforced within the State. The means of instigating the enforcement process depends upon the nature of the Judgment.

- At present, for the purposes of the Judgments Section, there are three ways in which a Foreign Judgment can be enforced.
- These methods of enforcement relate to the type of Judgment that has been obtained in the foreign jurisdiction.

**The types of Judgment are;**

**1: Contested Foreign Judgment**

**2: Uncontested Foreign Judgment - European Enforcement Orders**

**3: Uncontested Foreign Judgment - European Orders for Payment**

## 1. Contested Claims:

These are enforceable by way of an **Ex-Parte application to the Master**. After the Order of the Master, allowing enforcement has been obtained; the following documents must be lodged in the Judgments Section:

- a. **Masters Order**
- b. Affidavit of Service confirming that the Master's Order and **Enforcement Notice** were served (please note: at least **four weeks** should have lapsed since service on the Defendant/s of the Master's Order and the Enforcement Notice before the documents are lodged for processing )
- c. Letter from Solicitor confirming that **no appeal** has been lodged – this must be dated at least four weeks after service of the Masters Order and the Enforcement Notice
- d. If the Judgment was obtained outside the Eurozone; a **Bank Certificate**, converting the amount to Euro as of the date of the Judgment in the foreign Jurisdiction, is required
- e. Copy Enforcement Notice
- f. Praecipe FIFA and FIFA – a precedent for this type of FIFA can be found in the Appendix to this document

## 2. Uncontested Claims – European Enforcement Orders:

- Certification and enforcement of European Enforcement Orders is governed by **Council Regulation (EC) No 805/2004** creating a **European Enforcement Order for Uncontested Claims**
- **Section V of Part 74** of the Regulation sets out the procedure for enforcement
- A claim that does not meet the requirements of the EEO Regulation is enforceable through an application to the Master of the High Court (as at **Contested Claims** above)
- **Chapter II, Article 5 states that;** *“A judgment which has been certified as a European Enforcement Order in the Member State of origin shall be recognised and enforced in the other Member States without the need for a declaration of enforceability and without any possibility of opposing its recognition.”*
- **Chapter IV, Article 20 states that;** *“A judgment certified as a European Enforcement Order shall be enforced **under the same conditions** as a judgment handed down in the in the Member Stated of enforcement.”*

The documents that must be submitted to the Judgments Section in order to enforce a Judgment Pursuant to Council Regulation (EC) No 805/2004 are as follows:

- a. European Enforcement Order Certificate (**EEO Certificate**)
- b. Signed Praecipe for FIFA
- c. FIFA
- d. Copy of the Judgment obtained in the foreign jurisdiction

- A precedent for this type of FIFA can be found in the Appendix to this document

### 3. Uncontested Claims – European Orders for Payment:

- The creation of a European Orders for Payment procedure and the enforceability of such Orders is governed by **Council Regulation (EC) No 1896/2006** dated 12th December 2006
- **Article 18 (Enforceability) and Article 21 (Enforcement)** of the Regulation sets out the procedure for enforcement
- **The regulation states that,** "A European Order for Payment issued in one Member State which has become enforceable should be regarded for the purposes of enforcement as if it had been issued in the Member State in which enforcement"
- **Chapter I, Article 21 states that;** "A European Order for Payment which has become enforceable shall be enforced under the same conditions as an enforceable decision issued in the Member State of enforcement."

The documents that must be submitted to the Judgments Section in order to enforce a European Order for Payment are as follows:

- a. A copy of the European Order for Payment as declared enforceable by the Court of origin.  
Annex V, Form E of Council Regulation (EC) No 1896/2006
- b. Where necessary, a certified translation to English of the European Order for Payment.
- c. A copy of the Declaration of Enforceability signed by the Court of origin. Annex VII, Form G of Council Regulation (EC) No 1896/2006
- d. Where necessary, a certified translation to English of the Declaration of Enforceability (Form G)
- e. Signed Praecipe for FIFA
- f. FIFA

- A Precedent for this type of FIFA can be found in the Appendix to this document

## VI. Orders for Possession:

**Orders for Possession (Habere)**, where a Judge has ordered that certain lands or property must be relinquished, are dealt with in the Judgments Section and are processed in the same manner as a Judgment Set.

Documents supplied for Orders for Possession which meet the prescribed requirements are sent into the Registrar for signing. If any documentation does not meet the required standard, a query sheet will be drawn up to detail any errors or omissions

The documents that must be supplied are as follows:

- a. Court Order stating that the lands / property must be delivered up for Possession
- b. **Affidavit of Service of Court Order and Letter of Authorisation** from the Plaintiff (see **d** below re: Letter of Authorisation)
- c. **Affidavit of Non Compliance** (Stating that Defendant/s did not offer up possession of the lands/ property as per the Court Order). The Affidavit of Service and Affidavit of Non Compliance can be done separately, or they may be combined into one document. The Affidavit of Non Compliance should be sworn by the person authorised to take possession of the property – see **d** below
- d. **Letter of Authorisation** from Plaintiff - allowing someone to accept possession **on their behalf**. (There should be two originals – one to be served on the Defendant/s and one to be lodged with the Judgments Section, along with the other relevant documentation). The Letter of Authorisation must recite the details of the lands / property and Folio Number/s **as per the Court Order**
- e. Praecipe and Order for Possession – precedents for both these documents can be found in **Appendix F** of the Rules of The Superior Courts and in the Appendix to this document

## VII. Executing on Foot of PIAB Assessment:

Under the **PIAB Act of 2003**, anyone who is seeking compensation for a personal injury must make an application to the Personal Injuries Assessment Board\*. The **Personal Injuries Assessment Board (PIAB)** is an independent statutory body and was established by the government to reduce the time and expense associated with personal injury claims. PIAB can award levels of compensation equivalent to those of the Courts.

- When PIAB has completed its **Assessment** (detailing the monetary award) it notifies the Claimant and the Respondent. The Respondent then has **21 days** to accept or reject the amount awarded. If the Respondent fails to acknowledge the Assessment they are deemed to have accepted it.
- If the **Assessment** made by the Personal Injuries Assessment Board is accepted by both the Claimant and Respondent, *or*, if the Respondent fails to acknowledge this Assessment; the Board will issue an **Order to Pay**. The Order to Pay has the same status as an Order made in Court and the Respondent is then legally bound to pay the amount awarded in the Assessment
- If, however, the Respondent fails to pay the monies due on foot of this award; the **Order to Pay** is enforceable through the Court by way of an Order of Fieri Facias.

The documents that must be lodged at the Judgments Section to enforce a PIAB Order to pay are as follows:

- a. Original PIAB Assessment**
- b. Original PIAB Order to Pay**
- c. Affidavit of Debt confirming that no monies have been received since the making of the Order to Pay**
- d. Order of Fieri Facias (PIAB FIFA)**
- e. Signed Praecipe Fieri Facias (PIAB)**

- A precedent for a PIAB Order of Fieri Facias, can be found at the Appendix to this document

\* *The exceptions to this are: Garda Compensation cases, actions for breach of constitutional rights, actions under the European Convention on Human Rights Act 2003 and medical negligence cases*

## VIII. Registering a Judgment:

Money Judgments of the High, Circuit and District Courts can be registered in the Judgments Section of the High Court through the lodging of a Memorandum of the Registry of a Judgment and a corresponding Certificate of the Registry of a Judgment. The details of the Judgment are entered in the Judgment Books of Registry.

- In relation to Circuit and District Court matters; the Memorandum must be signed by the relevant **County Registrar / Court Clerk** before it is lodged in the Judgments Section
- An award of the Personal Injuries Assessment Board can also be registered by lodging the appropriate Memorandum and Certificate of Registration along with the original PIAB Order to Pay
- With regard to Stamp Duty:
  - a total of **€23** must be franked on a High Court Memorandum
  - a total of **€34** must be franked on a Circuit Court Memorandum
  - a total of **€33** must be franked on a District Court Memorandum
- If there are any errors or omissions on the Memorandum or Certificate, these will be queried
- Precedents for the relevant High Court Memoranda and Certificates can be found at the Appendix to this document

## IX. Satisfying a Judgment:

On receipt of the requisite documentation; money Judgments of the High, Circuit and District Courts that have been registered in the Books of Registry in the Judgments Section can be satisfied.

- A Memorandum of Satisfaction on the Registration of a Judgment and Certificate of the Entry of a Memorandum of Satisfaction on the Registration of a Judgment are required to satisfy registered Judgments in relation to Circuit and District Court cases
- In relation to Circuit and District Court matters; the Memorandum must be signed by the relevant **County Registrar / Court Clerk** before it is lodged in the Judgments Section
- For High Court Cases a **Satisfaction Piece** must also be lodged in addition to the Memorandum and Certificate
- €23 Stamp duty should be franked on each Memorandum
- If there are any errors or omissions on the Memorandum, Certificate or Satisfaction Piece; these will be queried
- A precedent for a High Court Satisfaction Piece, Memorandum and Certificate can be found at the Appendix to this document

## **X. Satisfying a Judgment Mortgage:**

A Judgment Mortgage that was filed in the Judgments Section can be satisfied on receipt of the requisite documentation. There is no fee involved for any of this documentation

### **The documents required are:**

- Satisfaction Piece (Always required to satisfy a Judgment but may be lodged prior to the Certificate of Satisfaction).
- Certificate of Satisfaction

### **Important points to note:**

- If the Satisfaction Piece is being lodged by a company the consent must have **two signatures** but need only be witnessed by one other person
- Ensure that the Affidavit of attesting witness and the request to enter Satisfaction are completed correctly
- Ensure that Record Number, date of Judgment, parties to the case and amount of Judgment are correctly stated
- A precedent for a High Court Satisfaction Piece and Certificate of Satisfaction can be found at the Appendix to this document

**XI. Appendix A – Judgment Forms and Solicitors Certificate**

**1. Judgment in Default of Appearance**

**THE HIGH COURT**

**Record No: 200 /**

**JUDGMENT IN DEFAULT OF APPEARANCE**

BETWEEN/

Plaintiff

AND

Defendant

**The day of 20**

The Defendant not having appeared to the Summary Summons herein

*(And the sum of € having been paid / credited since the issue and service of the said Summons)*

*(And the Plaintiff having waived its claim to further interest as set out in a Special Indorsement of Claim on the said Summons)*

It is this day adjudged that the Plaintiff recover against the Defendant the sum of € and € costs

---

**REGISTRAR**

**2. Judgment in Pursuance of an Order (of the Master)**

**THE HIGH COURT**

**Record No: 200 /**

**JUDGMENT IN PURSUANCE OF ORDER**

BETWEEN/

Plaintiff

AND

Defendant

**The day of 200**

Pursuant to the Order of the Master of the High Court dated the **day of 20** whereby it was Ordered that (*recite Masters Order*)

(*And the sum of € having accrued due for further interest to the day of 200*

*And the Plaintiff having waived its claim to further interest thereafter until Judgment)*

It is this day adjudged that the Plaintiff recover against the Defendant the sum of € and € costs

---

**REGISTRAR**

**3. Solicitors Certificate**

**THE HIGH COURT**

**Record No: 200 /**

**SOLICITORS**

BETWEEN/

Plaintiff's name  
Plaintiff' address  
Plaintiff's description/occupation

Plaintiff

AND

Defendant's name  
Defendant's address  
Defendant's description/occupation

Defendant

We certify that the degree, quality, profession or trade and place of residence of the each of the parties to this Judgment are correctly stated above and the necessary affidavits having been filed I require Judgment to be marked.

Dated the        day of        20

\_\_\_\_\_  
Solicitors for the Plaintiff

## **XII. Appendix B – Precedents for Affidavits of Service**

**1. Affidavit of Service for Personal Service**

**THE HIGH COURT**

BETWEEN\

Plaintiff

AND

Defendant

I,

Of In the County of, a (*Description*)  
Aged 18 years and upwards make Oath and say:-

1. THAT I did on the day of Two thousand and at in the County / City of personally serve the above named Defendant by delivering unto and leaving with a true Copy of the Summons in this Action issued under the Seal of The High Court and dated the day of 20 and marked 200 No. upon which said Summons and Copy the required Memorandum and Indorsements were duly subscribed and made.
2. THAT at the time of such service I was acquainted with the appearance of said Defendant to whom I showed the Original of said Copy.
3. AND I further say that I did afterwards on (*insert day of the week*), the day of 20 (being within three days after the service aforesaid) indorse on the said Summons the day of the Week and Month of such service.

Sworn before me this  
day of  
two thousand and  
in the County of  
a Commissioner for Oaths/  
Practising Solicitor  
And I know the Deponent

**2. Affidavit of Service for Service by Post (on a Limited Liability Company)**

**THE HIGH COURT**

BETWEEN \

Plaintiff

AND

Defendant

**AFFIDAVIT OF SERVICE**

I,

Of \_\_\_\_\_ In the County of \_\_\_\_\_ a (*Description*)  
Aged 18 years and upwards make Oath and say:-

1. THAT I did on the \_\_\_\_\_ day of \_\_\_\_\_ Two thousand and \_\_\_\_\_ at \_\_\_\_\_ in the County of \_\_\_\_\_ serve on the above named Defendant by pre-paid ordinary/registered post at its registered office a true Copy of the Summons in this Action issued under the Seal of The High Court and dated the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ and marked 200\_\_\_\_ No. \_\_\_\_\_ upon which said Summons and Copy the required Memorandum and Indorsements were duly subscribed and made.
2. THAT the documents have not been returned by the Postal Authorities marked undelivered. I beg to refer to the certificate of postage attached hereto.
3. AND I further say that I did afterwards on \_\_\_\_\_ day, the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ (being within three days after the service aforesaid) indorse on the said Summons the day of the Week and Month of such service.

Sworn before me this  
day of \_\_\_\_\_  
two thousand and \_\_\_\_\_  
in the County of \_\_\_\_\_  
a Commissioner for Oaths/  
Practising Solicitor  
And I know the Deponent

### **XIII. Appendix C – Precedents for Orders of Fieri Facias**

**1. General FIFA**

FIFA

**The High Court**

Record No:

BETWEEN/

Plaintiff

AND

Defendant

The Sheriff of the County of / The County Registrar for the County of

GREETING,

YOU ARE HEREBY COMMANDED that of the Goods and Chattels of \_\_\_\_\_, the Defendant, in your Bailiwick you cause to be made the Sum of € \_\_\_\_\_ and also interest thereon at the rate of 8 per centum per annum from the day of \_\_\_\_\_ two thousand and \_\_\_\_\_, which said sum of money and interest were lately in the High Court in a certain action wherein \_\_\_\_\_ is Plaintiff and Defendant, by Judgment of the said Court bearing date the \_\_\_\_\_ day of \_\_\_\_\_ two thousand and \_\_\_\_\_ adjudged to be paid by the said \_\_\_\_\_ to the said \_\_\_\_\_ together with € \_\_\_\_\_ costs in the said Judgment mentioned.

And that of the Goods and Chattels of the said \_\_\_\_\_ in your Bailiwick you further cause to be made the said sum of € \_\_\_\_\_ together with Interest thereon at the rate of 8 per centum per annum from the day of \_\_\_\_\_ 20 \_\_\_\_\_ and that you have that money and Interest aforesaid before the High Court immediately after the execution hereof to be paid to the said \_\_\_\_\_ in pursuance of the said Judgment. And in what manner you shall have executed this Order make appear to the High Court immediately after the execution thereof. And have there then this Order.

By order - **the Honourable**  
Chief Justice of Ireland, **the** \_\_\_\_\_ **day of**  
in the year of Our Lord, **two thousand and**

\_\_\_\_\_  
**REGISTRAR**



PRAECIPE FOR FIERI FACIAS

**THE HIGH COURT**

Between

Plaintiff

and

Defendant

SEAL AN ORDER OF FIERI FACIAS directed to the Sheriff of the County of / the County Registrar for the County of  
to levy against the sum of € and interest thereon at the rate of 8 per centum per annum, from the day of and € costs and interest thereon at the rate of 8 per centum per annum from the said date

I certify that the sum of € is due to the Plaintiff after all just credits and allowances.

Date this day of 20 .

Signed:- \_\_\_\_\_

Solicitors for the  
Address

## 2. FIFA on foot of a Taxing Masters Certificate

FIFA  
Taxing Master

**The High Court** Record No: 200 /

Between /

Plaintiff

**AND**

Defendant

The Sheriff of the County of / The County Registrar for the County of

GREETING,

YOU ARE HEREBY COMMANDED that of the Goods and Chattels of the Defendant, in your bailiwick you cause to be made the sum of € for certain costs which by an Order of the High Court dated the **day of 20** were ordered to be paid by the said to and which have been taxed and allowed at the said sum as appears from the Certificate of the Taxing Master dated the **day of 20** and interest on the said sum at the rate of \* see note below

And that you have the said sum and interest before the High Court immediately after the execution hereof to be rendered to the said and in what manner you shall have executed this Order make appear to the High Court immediately after the execution hereof and have there then this order.

By order - the **Honourable**  
Chief Justice of Ireland, the **day of**  
in the year of Our Lord, **two thousand and**

---

**REGISTRAR**

*\* note: From the 10th April 2002 interest on costs runs at a rate of 2% from the date of Judgment to the day before taxation of costs and at a rate of 8% from the date of taxation. (Reference: Section 40 of the Courts Act 2004) From the 20th of September, 2004 there is no interest on unascertained costs. Interest will run at a rate of 8% from the date of taxation. (Reference: Section 41 of the Civil Liability and Court Act 2004, as implemented by S.I. 544 of 2004)*



PRAECIPE FOR FIERI FACIAS

Record No: 200 /

**THE HIGH COURT**

Between

Plaintiff

and

Defendant

SEAL AN ORDER OF FIERI FACIAS directed to the Sheriff of the County of / to the County Registrar for the County of to levy against the sum of € taxed costs and interest thereon at a rate of.

Order dated  
Taxing Master's Certificate date

I certify that the sum of is due to after all just credits and allowances.

Signed: \_\_\_\_\_  
Solicitor for

**3. FIFA to enforce a Foreign Judgment (Contested Claim)**

FIFA

**The High Court**

Record No: 200 /

**IN THE MATTER OF THE EUROPEAN COMMUNITIES (CIVIL AND COMMERCIAL JUDGMENTS) REGULATIONS 2002**

Between \

Plaintiff

and

Defendant

The Sheriff of the County of / The County Registrar for the County of

Greeting,

Whereas by Order of the Master of the High Court dated the **day of two thousand and** it was ordered that the Judgment of the (*insert details of Foreign Court*) obtained by the Plaintiff against the Defendant and dated **the day of 2003** in proceedings bearing **Case Number / Claim Number ...**

Between \

Plaintiff  
and

Defendant

in the sum of together with for costs to be enforced within the state

YOU ARE HEREBY COMMANDED that of the Goods and Chattels of the Defendant, in your Bailiwick you cause to be made the Sum of € (being the equivalent in euro of the sum of hereinbefore recited as of **the**

**day of**            **200** ) together with interest thereon at the rate of            per centum per annum  
from **the**    **day of**            **200** which said sum of money and interest were lately adjudged to be  
paid by the said            to the said  
by the Judgment hereinbefore recited

And that of the Goods and Chattels of the said            in your Bailiwick you further cause to be  
made the said sum of € (*costs*) (being the equivalent in euro of the sum of            hereinbefore recited  
as of **the**            **day of**            **200** ) together with Interest thereon at the rate of 8 per centum per  
annum from the            day of            20

And that you have the money and interest aforesaid before the High Court immediately after the  
execution hereof to be paid to the said            in pursuance of the said Judgment. And in what  
manner you shall have executed this Order make appear to the High Court immediately after the  
execution thereof. And have there then this Order.

By order – the **Honourable**  
Chief Justice of Ireland, the            **day of**  
in the year of Our Lord, **two thousand and**

---

**REGISTRAR**



PRAECIPE FOR FIERI FACIAS

**THE HIGH COURT**

Record No: 200 /

**IN THE MATTER OF THE EUROPEAN COMMUNITIES (CIVIL AND COMMERCIAL JUDGMENTS) REGULATIONS 2002**

Between \

Plaintiff

and

Defendant

SEAL AN ORDER OF FIERI FACIAS directed to the Sheriff of the County of / to the County Registrar for the County of to levy against the sum of € and interest thereon at the rate of per centum per annum, from the day of 200 and € costs and interest thereon at the rate of per centum per annum from the said date.

Judgment dated the day of 200 .

Directed to be enforced within this Jurisdiction by Order of the Master dated the day of 200

I certify that the sum of € is due to the Plaintiff after all just credits and allowances.

Dated this day of 20 .

Signed:- \_\_\_\_\_

Solicitors for the Plaintiff

#### 4. FIFA on foot of a European Enforcement Order (EEO)

FIFA

The High Court

Record No: 200 /

#### IN THE MATTER OF THE EUROPEAN COMMUNITIES (EUROPEAN ENFORCEMENT ORDER) REGULATIONS 2005

The Sheriff of the County of / The County Registrar for the County of

Greeting,

Whereas by Order of the (*insert details of Foreign Court*) dated the **day of** **200** in proceedings with Reference Number , entitled:

**Between \**

Plaintiff

and

Defendant

It was ordered that the Plaintiff recover against the Defendant the sum of and for costs. And the said Order having been certified as a European Enforcement Order on the **day of** **20**

YOU ARE HEREBY COMMANDED that of the Goods and Chattels of the Defendant, in your Bailiwick you cause to be made the Sum of € (being the equivalent in Euro of hereinbefore mentioned as of the day of 200 ) and also interest thereon **at the rate of 8 per centum per annum from the of 20** which said sum of money and interest was lately adjudged to be paid by the said to the said by the Judgment hereinbefore recited

And that of the Goods and Chattels of the said in your Bailiwick you further cause to be made the said sum of € (*costs*) (being the equivalent in euro of the sum of hereinbefore recited as of **the day of 20** ) together with Interest thereon at the rate of 8 per centum per annum from the day of 20

And that you have that money before the High Court immediately after the execution hereof to be paid to the said in pursuance of the said Judgment. And in what manner you shall have



PRAECIPE FOR FIERI FACIAS

**THE HIGH COURT**

Record No: 200 /

**IN THE MATTER OF THE EUROPEAN COMMUNITIES (EUROPEAN ENFORCEMENT ORDER) REGULATIONS 2005**

Between \

Plaintiff

and

Defendant

SEAL AN ORDER OF FIERI FACIAS directed to the Sheriff of the County of / to the County Registrar for the County of to levy against the sum of € and interest thereon at the rate of per centum per annum, from the day of 20 and € costs and interest thereon at the rate of per centum per annum from the said date.

Judgment dated the day of 20 .

European Enforcement Order dated the day of 20

I certify that the sum of € is due to the Plaintiff after all just credits and allowances.

Dated this day of 20 .

Signed:- \_\_\_\_\_

Solicitors for the Plaintiff

**5. FIFA on foot of a European Order for Payment**

FIFA

The High Court

Record No: 2010/ /

**IN THE MATTER OF THE EUROPEAN COMMUNITIES (EUROPEAN ORDER FOR PAYMENT) REGULATIONS 2008**

The Sheriff/County Registrar for/of the County/City of

Greeting,

Whereas by Order of the Court of dated the day of 20  
in proceedings with Reference Number , entitled:

**Between \**

Plaintiff

and

Defendants

It was ordered that the Plaintiff, , recover against the  
Defendant, , the sum of and for costs.

And the said Order having been declared enforceable in accordance with Article 18 of Regulation  
(EC) No 1896/2006

YOU ARE HEREBY COMMANDED that of the Goods and Chattels of , the Defendant, in  
your Bailiwick you cause to be made the Sum of € (being the equivalent in euro of hereinbefore  
mentioned as of day of 20 ) plus interest at the rate of 8 per centum per annum from the  
day of 20 which said sum of money and interest was lately adjudged to be paid by the said ,  
to the said by the said Judgments hereinbefore recited.

And that of the Goods and Chattels of the said , in your Bailiwick  
you further cause to be made the said sum of costs (being the equivalent in euro of the sum of  
hereinbefore recited as of the day of 20)

And that you have that money before the High Court immediately after the execution hereof to be paid  
to the said in pursuance of the said Judgment. And in what manner you shall have executed this Order  
make appear to the High Court immediately after the execution thereof. And have there then this  
Order.

By order - the Honourable  
Chief Justice of Ireland, the day of  
in the year of Our Lord, two thousand and

REGISTRAR

PRAECIPE FOR FIERI FACIAS

**THE HIGH COURT**

Record No: 20 /

**IN THE MATTER OF THE EUROPEAN COMMUNITIES (EUROPEAN ORDER FOR PAYMENT) REGULATIONS 2008**

Between \

Plaintiff

and

Defendant

SEAL AN ORDER OF FIERI FACIAS directed to the Sheriff of the County of / to the County Registrar for the County of  
to levy against the sum of € (being the euro equivalent of as  
of day of 20 ) and interest thereon at the rate of per centum per  
annum, from the day of 20 and € costs (being the euro  
equivalent of as of day of 20 ) and interest thereon at the  
rate of per centum per annum from the said date.

Judgment dated the day of 20 .

I certify that the sum of € is due to the Plaintiff after all just credits and allowances.

Dated this day of 20

Signed:- \_\_\_\_\_  
Solicitors for the Plaintiff

## **XIV. Appendix D – Precedent for Order of Possession**

**1. Precedent for Order of Possession**

**The High Court**

Record No: 200 /

**ORDER OF POSSESSION**

Between\

Plaintiff

and

Defendant

The Sheriff of the County of / The County Registrar for the County of

Whereas lately in the High Court it was adjudged that the Plaintiff recover possession of ALL THAT  
*(insert full details of lands / property as per Court Order, including Folio Number)* with  
the appurtenances in your Bailiwick

YOU ARE HEREBY COMMANDED to enter the same and without delay cause the said to  
have possession of the said lands and premises with the appurtenances. And in what manner you shall  
have executed this Order make appear to the High Court immediately after the execution thereof. And  
have you there then this Order.

By order - The **Honourable**  
Chief Justice of Ireland, the **day of**  
in the year of Our Lord, **two thousand and**

\_\_\_\_\_  
**REGISTRAR**

PRAECIPE FOR ORDER OF POSSESSION

Record No: 200 /

**THE HIGH COURT**

Between

Plaintiff

and

Defendant

SEAL AN ORDER OF POSSESSION directed to the Sheriff of the County of / the County Registrar for the County of to deliver possession to of all that THAT *(insert full details of lands / property as per Court Order, including Folio Number)* with the appurtenances

Order dated

I certify that the sum of is due to after all just credits and allowances.

Signed: \_\_\_\_\_  
Solicitor for

**XV. Appendix E – Precedent for FIFA on foot of a PIAB award**

**1. Precedent for PIAB FIFA**

FIFA  
PIAB

**The High Court**

**Record No:**

To The Sheriff / County Registrar of / for the County of

Greeting,

Whereas by Assessment of the Personal Injuries Assessment Board (PIAB) dated the  
day of 200 and Order to Pay dated the day of 200 in Proceedings  
with PIAB Reference Number , entitled

**Between \**

Claimant

and

Respondent

It was ordered that the Claimant recover as against the Respondent the sum of  
and for costs

YOU ARE HEREBY COMMANDED that of the Goods and Chattels of  
the Respondent in your bailiwick you cause to be made the Sum of € and also interest  
thereon at the rate of per centum per annum from the day of  
200 which said sum of money and interest was lately ordered to be paid by the said  
to the said by the Assessment and Order to Pay of the Personal Injuries Assessment  
Board hereinbefore recited together with  
for costs

And that of the Goods and Chattels of the said in your Bailiwick you  
further cause to be made the said sum of € together with interest thereon at the rate of per  
centum per annum, from the day of 200



PRAECIPE FOR FIERI FACIAS  
PIAB

**THE HIGH COURT**

Record No: 200 /

Between \

Claimant

and

Respondent

SEAL AN ORDER OF FIERI FACIAS directed to the Sheriff of the County of / to the County Registrar for the County of  
to levy against the sum of € and interest thereon at the rate of per centum per annum, from the day of 200 and € costs and interest thereon at the rate of per centum per annum from the said date.

PIAB Assessment dated the day of 200

Order to Pay dated the day of 200 .

I certify that the sum of € is due to the Plaintiff after all just credits and allowances.

Dated this day of 20 .

Signed:- \_\_\_\_\_

Solicitors for the Plaintiff

**XVI. Appendix F – Precedent for High Court Registration**

**1. Precedent High Court Memorandum and Certificate of the Registry of a Judgment**

**Memorandum of the Registry of a Judgment**

The following Memorandum of Minute contains the particulars of a Judgment in the _____ Court which I require to be Registered pursuant to Statute.		
Name of Solicitor and Party for whom he is concerned: _____		
Solicitor for: _____		
Title of Cause		Plaintiff
		Defendant
Name of the Defendant or Person whose Estate is intended to be affected thereby	Usual or last known place of abode of such Person or Registered Office	Title Trade or Profession of such Person
The _____ Court		
Date of Judgment		
Amount of Debt or Damages		
Amount of Costs		
Name of Plaintiff	Usual or last known Place of Abode of such Person or Registered Office	Title Trade or Profession of such Person

I certify that the Judgment described in the Memorandum of Minute has been entered in the Court and is now in existence.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ .

\_\_\_\_\_  
Registrar

Received on the \_\_\_\_\_ day of \_\_\_\_\_ .



**2. Precedent High Court Memorandum and Certificate of the Registry of a Judgment - PIAB**

**Memorandum of the Registry of a Judgment  
PIAB**

The following Memorandum of Minute contains the particulars of an award of the Personal Injuries Assessment Board (PIAB) which I require to be Registered pursuant to Statute.		
Name of Solicitor and Party for whom he is concerned: _____		
Solicitor for: _____		
Title of Cause		Claimant
		Respondent
Name of the Respondent or Person whose Estate is intended to be affected thereby	Usual or last known place of abode of such Person or Registered Office	Title Trade or Profession of such Person
The High Court - PIAB Record No:		
Date of Order to Pay		
Amount of Debt or Damages		
Amount of Costs		
Name of Claimant	Usual or last known Place of Abode of such Person or Registered Office	Title Trade or Profession of such Person

I certify that the Judgment described in the Memorandum of Minute has been entered in the Court and is now in existence.

Dated this            day of            .

\_\_\_\_\_  
Registrar

Received on the            day of            .

**Certificate of the Registry of a Judgment**

## PIAB

Title of Cause:		Applicant
		Respondent
Name of Respondent or Person whose Estate is intended to be Affected	Usual or last known place of abode of such Person or Registered Office	Title Trade or Profession of such Person
The High Court – PIAB Record No:		
Date of Order to Pay		
Amount of Debt or Damages		
Amount of Costs		
Name of Claimant	Usual or last known place of abode of such Person or Registered Office	Title Trade or Profession of such Person

I certify that the Judgment described in the foregoing Memorandum was registered in the Central Office on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ and is contained in Book \_\_\_\_\_ Vol. \_\_\_\_\_ page \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Registrar for the Master of the High Court

**XVII. Appendix G – Precedent Certificate of Satisfaction re:  
Judgment Mortgage Affidavit**



**XVIII. Appendix H – Precedent for High Court Satisfaction Piece**

**1. Precedent for High Court Satisfaction Piece**

**Satisfaction Piece**

Record No:

**THE HIGH COURT**

Between\

Plaintiff

and

Defendant

The Plaintiff, \_\_\_\_\_, of \_\_\_\_\_, did obtain a Judgment in the High Court as of the day of \_\_\_\_\_ 20\_\_\_\_, against \_\_\_\_\_ the defendant for the sum of € \_\_\_\_\_ besides the sum of € \_\_\_\_\_ for costs, which said Judgment has been FULLY SATISFIED and discharged and the Plaintiff hereby consents that SATISFACTION BE ENTERED on the Record of the said Judgment.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.  
Signed Sealed and Delivered

By

In the presence of:

**Affidavit of Attesting Witness**

I the above named \_\_\_\_\_ of \_\_\_\_\_ aged eighteen years and upwards do this day make oath and say that I am the subscribing witness to and saw the above consent duly executed by the said \_\_\_\_\_ and I say that the name subscribed as Witness to the above consent is my proper name and handwriting.

Sworn this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
At \_\_\_\_\_  
Before me a Practising Solicitor/  
Commissioner for Oaths and I know the deponent

**Requisition of Solicitor**

Now I, \_\_\_\_\_ in the County of \_\_\_\_\_ a practising solicitor do hereby on behalf of the Plaintiff require the proper officer to enter action on the Record of the said Judgment.

Signed \_\_\_\_\_  
Solicitor for the Plaintiff

## 2. Precedent for Memorandum and Certificate of Satisfaction on the Registry of a Judgment

The following Memorandum of Minute contains the particulars of a Judgment in the _____ Court which was Registered on the _____ day of _____ as appears by the accompanying Certificate, and on which Registry, and on the Re Registries of such Judgment, if any, I require an entry or entries of Satisfaction to be subscribed, pursuant to the Statute of 11 & 12 Vic., cap. 120 sec. 10 Name of Solicitor and Party for whom he is concerned: _____ Solicitor for: _____		
Title of Cause		Plaintiff
		Defendant
Name of the Defendant or Person whose Estate is intended to be affected thereby	Usual or last known place of abode of such Person or Registered Office	Title Trade or Profession of such Person
The _____ Court		
Date of Judgment		
Amount of Debt or Damages		
Amount of Costs		
Name of Plaintiff	Usual or last known Place of Abode of such Person or Registered Office	Title Trade or Profession of such Person

I certify that Satisfaction was entered on the Record of the above Judgment on the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_.

To the Registrar of Judgments.

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Received on the \_\_\_\_\_ day of \_\_\_\_\_.

## Certificate of the Entry of a Memorandum of Satisfaction on the Registry of a Judgment

Name of Solicitor and Party for whom he is concerned: _____ Solicitor for: _____		
Title of Cause:		Plaintiff  Defendant
Name of Defendant or Person whose Estate is intended to be Affected	Usual or last known place of abode of such Person or Registered Office	Title Trade or Profession of such Person
The Court		
Date of Judgment		
Amount of Debt or Damages		
Amount of Costs		
Name of Plaintiff	Usual or last known place of abode of such Person or Registered Office	Title Trade or Profession of such Person

I certify that a Memorandum of Satisfaction has been subscribed to the Registry of the above Judgment in Book                      Vol.                      page

Dated this                      day of

\_\_\_\_\_  
Registrar for the Master of the High Court