District Court - Schedule: B - Forms in criminal proceedings

S.I. No. 567 of 2016

No. 31.1B

*SCHEDULE B
O.31, r. 2(1)*

Criminal Justice (Forensic Evidence and DNA Database System) Act 2014, section 83(9)

Notice of Appeal against a determination

District Court Area of
District No.

.................... Appellant

and

Commissioner of Garda Síochána .............. Respondent

WHEREAS a sample was taken under section 34 of the above-mentioned Act of 2014 from \*the appellant \*.......... of ......... in the court \*(area and) district aforesaid, a \*protected person/\*child of whom the appellant is a \*parent/\* guardian and a DNA profile was generated from said sample and is included in the reference index of the DNA Database System established in accordance with section 59 of the above-mentioned Act of 2014

AND WHEREAS the appellant applied to the respondent on the .... day of ........ 20 .... under section 83 of the said Act of 2014 to have his or her DNA profile that was generated from the sample and entered in the reference index of the DNA Database System removed from the DNA Database System

AND WHEREAS the respondent \*refused the application and gave notice in writing of such determination to the appellant on the .... day of ....... 20 .... \*is deemed to have refused the application as the application was not determined within the time limit specified in section 83(5) of the said Act of 2014

TAKE NOTICE that the above-named appellant will apply by way of appeal to the District Court sitting at ......... on the ... day of ....... 20 .... at .... a.m./p.m. against the said determination for the following reasons:

Dated this ... day of ......... 20 .....

Signed .............

Appellant /Solicitor for appellant

To: Respondent at ..............

and to District Court Clerk at .................

*\*delete where inapplicable*