

**Appendix 4 - Statutory Declaration by Assentors to Nomination of
Certain Candidates at Local Elections - (Form LE1A)**

**FORM OF STATUTORY DECLARATION
BY ASSENTORS TO NOMINATION OF CERTAIN CANDIDATES
AT LOCAL ELECTIONS**

I _____ (*name in capitals*)

do solemnly and sincerely declare the following -

Particulars of Assentor

1. Number and polling district letters on Register of Electors:

2. Address on Register of Electors referred to at 1 (*address in capitals*):

3. Contact details, including daytime and mobile telephone numbers:

4. Form of photographic identification produced to witness and any identifying number on it:

Local Electoral Area/Candidate

5. (a) Local Authority: _____

5. (b) Name of current local electoral area in which assentor's address at 2 is located:

6. Name of candidate (*name in capitals*):

7. Address of candidate (*address in capitals*):

Assent

8. I assent to the nomination of the candidate referred to at 6 and 7 at the next local election to be held in the local electoral area in which the address at 2 is located at the time of the election.

9. I have not assented to the nomination of any other candidate at the election referred to at 8,

and I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1938.

Signed _____

Declared before me _____
[*name in capitals*] [a notary public] [a commissioner for oaths] [a peace commissioner] [a
member of the Garda Síochána] [an official of the registration authority] by
_____ who is
personally known to me at _____
[*place of signature*] this _____ day of _____ [date]

[*signature of witness*]



[*where appropriate*]

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BY ASSENTORS TO NOMINATION OF CERTAIN CANDIDATES
AT LOCAL ELECTIONS**

NOTES

(Please read the notes carefully before completing the statutory declaration. These notes are for guidance only and do not purport to be a legal interpretation).

General

If a person is not a candidate of a registered political party, in order to be validly nominated to stand as a candidate at a local election one or other of the following procedures must be complied with before the expiration of the time for receiving nominations:

- (i) the completion of statutory declarations by 15 assentors to the nomination who are registered as electors in the relevant local electoral area. The assents must be witnessed by a Notary Public, a Commissioner for Oaths, a Peace Commissioner, a member of the Garda Síochána or an official of the registration authority (City or County Council), or
- (ii) the candidate, or someone on his or her behalf, lodging a deposit of €100 with the returning officer.

This form is to be used for making statutory declarations of assent under (i) above; copies of the form are available free of charge from returning officers and registration authorities.

An assent is valid only in respect of the local electoral area in which the assentor's address at the time of assent is located at election time.

An assent may be made at any time but it may only be used at the next local election in the relevant local electoral area.

Responsibility lies with the candidate or his/her proposer at the election to secure the necessary assents, to attach the 15 statutory declarations to the nomination paper and to deliver all the documentation to the returning officer by the deadline for receipt of nominations at the election.

A returning officer may rule as invalid a nomination paper from a candidate who has opted for the assenting alternative if he or she considers that the candidate has not complied with the statutory requirements relating to assenting.

Notes to Parts of Form

All parts of the form must be completed.

Parts 1 and 2: The assentor should enter his/her number and polling district letters (Part 1) and address (Part 2) as stated on the Register of Electors. The Register may be inspected at the local authority's offices or on their website; at libraries, post offices and Garda Stations; and through www.checktheregister.ie.

Part 3: Enter contact details, including daytime and mobile telephone numbers.

Part 4: Each assentor must when making the statutory declaration bring one of the following photographic documents for identification purposes – passport, driving licence, employee identity card containing a photograph, student identity card issued by an educational institution and containing a photograph, travel document containing name and photograph, Public Services Card, Temporary Residence Certificate or Garda National Immigration Bureau card.

One of the documents must be produced to the witness taking the statutory declaration, and the type of document must be recorded in Part 4 along with any identifying number on it (e.g. passport number).

Part 5: Enter the name of the local authority and the local electoral area where the address at Part 2 of the form is located on the date of the making of the statutory declaration. It should be noted that an assent is valid only in respect of the local electoral area in which the assentor's address at the time of assent is located at election time.

Parts 6 and 7: Enter the name (Part 6) and address (Part 7) of the candidate whose nomination is being assented to.

Part 8: This is the formal assent to the nomination of the candidate at the next local election to be held in the local electoral area in which the address at Part 2 is located at election time.

Part 9: The assentor has to confirm on the statutory declaration that he or she has not assented to the nomination of any other candidate in the election concerned.

The assentor must sign the declaration in the presence of the witness.

Witness to Statutory Declaration

The statutory declaration must be witnessed by a Notary Public, a Commissioner for Oaths, a Peace Commissioner, a member of the Garda Síochána or an official of the registration authority. Where the necessary ID is produced under Part 4, the law provides that this is sufficient for the witness to sign on the form that the assentor is personally known to him/her.

In the case of Gardaí or registration authority officials, the declaration must be stamped with the official stamp of the Garda Station or registration authority in the box provided.

Penalties

Under the Statutory Declarations Act 1938, a person who knowingly makes a false or misleading statutory declaration in any material respect is liable on conviction to a class B fine¹ or imprisonment for a term of up to 6 months or both.

¹ See Part 2 of Fines Act 2010

**FOIRM AN DEARBHAITHE REACTÚIL Ó AONTAITHEOIRÍ LE HAINMNIÚ IARRTHÓIRÍ
ÁIRITHE I dTOGHCHÁIN ÁITIÚLA**

Dearbhaímse _____ *ainm i*
gceannlitreacha) an méid seo a leanas go sollúnta agus go fírinneach –

Sonraí an Aontaitheora

1. Uimhir agus litreacha ceantair vótaíochta ar Chlár na dToghthóirí:

2. Seoladh ar Chlár na dToghthóirí dá dtagraítear ag 1 (*seoladh i gceannlitreacha*):

3. Mionsonraí teagmhála, lena n-áirítear uimhir ghutháin i rith an lae agus uimhir ghutháin póca:

4. An cineál fianaise fótagrafaí arna tabhairt ar aird don fhinné mar aon le haon uimhir shainiúil atá uirthi:

Toghlímistéar Áitiúil/Iarrthóir

5. (a) Údarás Áitiúil: _____
5. (b) Ainm an toghlimistéir áitiúil reatha ina bhfuil seoladh an aontaitheora ag 2 thuas suite:

6. Ainm an iarrthóra (*ainm i gceannlitreacha*):

7. Seoladh an iarrthóra (*seoladh i gceannlitreacha*):

Aontú

8. Aontaím le hainmniú an iarrthóra dá dtagraítear ag 6 agus 7 ag an gcéad toghchán áitiúil eile atá le bheith ann sa toghlimistéar áitiúil ina bhfuil an seoladh ag 2 suite tráth an toghcháin.
9. Níor aontaigh mé le hainmniú aon iarrthóra eile sa toghchán dá dtagraítear ag 8,

agus déanaim an dearbhú sollúnta seo á chreidiúint go coinsiasach go bhfuil sé fíor agus de bhua an Achta i dTaobh Dearbhuithe Reachtúla 1938.

Sínithe _____

Arna dhearbhu os mo chomhairse _____ [ainm i gceannlitreacha] [nótaire poiblí] [coimisinéir mionnaí] [feidhmeannach síochána] [comhalta den Gharda Síochána] [oifigeach de chuid an údaráis clárúcháin] ag _____ ar a bhfuil aithne phearsanta agam i _____ [an áit a sínítear an dearbhú] an _____ ú lá seo de _____ [dáta]

[síniú an fhinné]

Stampa Stáisiún
an Gharda Síochána/
an Údaráis Clárúcháin

[más iomchuí]

FOIRM AN DEARBHAITHE REACTÚIL Ó AONTAITHEOIRÍ LE HAINMNIÚ IARRTHÓIRÍ ÁIRITHE I dTOGHCHÁIN ÁITIÚLA

NÓTAÍ

(Léigh na nótaí go cúramach le do thoil sula gcomhlánóidh tú an dearbhú reachtúil. Is mar threoir amháin a thugtar na nótaí atá i gceangal leis seo agus ní míniú dlíthiúil iad).

Ginearálta

Más rud é nach bhfuil duine ina (h)iarrthóir de chuid páirtí polaitíochta cláraithe, d'fhonn a bheith ainmnithe go bailí chun seasamh mar iarrthóir i dtoghchán áitiúil, beidh air/uirthi ceann amháin de na nósanna imeachta seo a leanas a chomhlíonadh roimh dheireadh an ama chun ainmniúcháin a ghlacadh:

- (i) dearbhuithe reachtúla a bheith comhlánaithe ag 15 aontaitheoir atá cláraithe mar thoghthóirí sa toghlimistéar áitiúil iomchuí. Ní mór na haontuithe sin a bheith fianaithe ag Nótaire Poiblí, ag Coimisinéir Mionnaí, ag Feidhmeannach Síochána, ag comhalta den Gharda Síochána nó ag oifigeach de chuid an údaráis clárúcháin (Comhairle Cathrach nó Contae), nó
- (ii) éarlais €100, a bheith taiscthe leis an gCeann Comhairimh ag an iarrthóir, nó ag duine éigin atá ag gníomhú thar ceann an iarrthóra.

Tá an fhoirm seo le húsáid chun dearbhuithe reachtúla a dhéanamh maidir le haontú faoi (i) thuas; tá cóipeanna den fhoirm ar fáil saor in aisce ó chinn chomhairimh agus ó údaráis chlárúcháin.

Níl aontú bailí ach amháin i leith an toghlimistéir áitiúil ina bhfuil seoladh an aontaitheora suite tráth an aontaithe le linn an toghcháin.

Féadfar an t-aontú a dhéanamh aon tráth ach ní fhéadfar é a úsáid ach amháin sa chéad toghchán áitiúil eile sa toghlimistéar áitiúil iomchuí.

Tá an t-iarrthóir nó an moltóir an iarrthóra freagrach as na haontuithe riachtanacha a fháil, as na 15 dhearbhu reachtúla a chur i gceangal leis an bpáipéar ainmniúcháin agus as na doiciméid go léir a sheachadadh ar an gceann comhairimh faoin spriocdháta chun ainmniúcháin a ghlacadh sa toghchán.

Féadfaidh ceann comhairimh a rialú go bhfuil páipéar ainmniúcháin ó iarrthóir a roghnaigh rogha an aontaithe neamhbhailí má mheasann sé nó sí nár chomhlíon an t-iarrthóir na ceanglais reachtúla a bhaineann le haontú.

Nótaí maidir le Codanna Éagsúla den Fhoirm

Ní foláir gach cuid den fhoirm a chomhlánú.

Codanna 1 agus 2: Is ceart don aontaitheoir a (h)uimhir agus litreacha a c(h)eantair vótaíochta (Cuid 1) agus seoladh (Cuid 2) a chur isteach mar atá sonraithe ar Chlár na dToghthóirí. Féadfar an Clár a iniúchadh in oifigí an údaráis áitiúil nó ar an suíomh gréasáin atá acu; i leabharlanna, in oifigí poist agus i Stáisiúin na nGardaí; agus trí www.checktheregister.ie.

Cuid 3: Cuir isteach mionsonraí teagmhála, lena n-áirítear uimhir ghutháin i rith an lae agus uimhir ghutháin póca.

Cuid 4: Nuair atá an dearbhú reachtúil á dhéanamh ní foláir do gach aontaitheoir ceann de na doiciméid fhótagrafacha seo a leanas a thabhairt leo chun críocha céannachta – pas, ceadúnas tiomána, cárta aitheantais fostaí ar a bhfuil grianghraf, cárta aitheantais mic léinn arna eisiúint ag foras oideachais agus ar a bhfuil grianghraf, doiciméad taistil ar a bhfuil ainm agus grianghraf, Cárta Seirbhísí Poiblí, Deimhniú Cónaithe Sealadach nó Cárta Bhiúró Náisiúnta Inimirce an Gharda Síochána.

Ní foláir ceann de na doiciméid a thabhairt ar aird don fhinné a ghlacann an dearbhú reachtúil, agus ní foláir an cineál doiciméid, mar aon le haon uimhir shainiúil atá air (e.g. uimhir phas), a thaifeadadh i gCuid 4.

Cuid 5: Cuir isteach ainm an údarais áitiúil agus an toghlimistéir áitiúil ina bhfuil an seoladh i gCuid 2 den fhoirm suite ar an dáta a dhéantar an dearbhú reachtúil. Is ceart a nótaíl nach bhfuil aontú bailí ach amháin i leith an toghlimistéir áitiúil ina bhfuil seoladh an aontaitheora suite tráth an aontaithe le linn an toghcháin.

Codanna 6 agus 7: Cuir isteach ainm (Cuid 6) agus seoladh (Cuid 7) an iarrthóra a bhfuil aontú á thabhairt maidir lena (h)ainmniú.

Cuid 8: Is é seo an t-aontú foirmiúil le hainmniú an iarrthóra sa chéad toghchán áitiúil eile atá le bheith ann sa toghlimistéir áitiúil ina bhfuil an seoladh i gCuid 2 suite tráth an toghcháin.

Cuid 9: Ní mór don aontaitheoir a dhaingniú ar an dearbhú reachtúil nach bhfuil sé nó sí tar éis aontú le hainmniú aon iarrthóra eile sa toghchán lena mbaineann.

Ní foláir don aontaitheoir an dearbhú a shíniú i láthair an fhinné.

Finné ar Dhearbhú Reachtúil

Ní foláir an dearbhú reachtúil a bheith fianaithe ag Nótaire Poiblí, ag Coimisinéir Mionnaí, ag Feidhmeannach Síochána, ag comhalta den Gharda Síochána nó ag oifigeach de chuid an údarais clárúcháin. I gcás go ndéantar an doiciméad céannachta riachtanach a thabhairt ar aird faoi Chuid 4, foráiltear leis an dlí gur leor an méid sin chun go bhféadfaidh an finné a shíniú ar an bhfoirm go bhfuil aithne phearsanta aige/aici ar an aontaitheoir.

I gcás Gardaí nó oifigeach údarais chlárúcháin, ní foláir stampa oifigiúil an stáisiúin Garda nó an údarais clárúcháin a stampáil ar an dearbhú sa bhosca a sholáthraítear chuige sin.

Pionóis

Faoin Acht i dTaobh Dearbhuithe Reachtúla 1938, dlífead fíneáil Aicme B² nó príosúnacht ar feadh téarma nach faide ná 6 mhí, nó iad araon, a chur ar dhuine a dhéanann, go feasach, dearbhú reachtúil a thabhairt atá bréagach nó míthreorach i bponc ábhartha.

² Feach Cuid 2 don tAcht Fíneálacha 2010

