# Nomination Paper for Dáil Election

(\_\_\_\_\_\_\_\_\_\_\_\_/\_\_\_\_)

(month/year)

No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(To be inserted by returning officer)

1. I nominate the person named under as a candidate for election to Dáil Éireann for the constituency of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. I declare that I have read the notes on this nomination paper and that –

(a) I believe the person named as candidate to be eligible for election, and

(b) the person has consented to the nomination.

(PLEASE USE BLOCK CAPITALS TO COMPLETE THE TABLE BELOW)

|  |  |  |
| --- | --- | --- |
| Surname of Candidate | |  |
|
| Other Names | |  |
| Gender \*  (state Male or Female) | |  |
| Description | Address |  |
| Occupation |  |
| Name of Political Party, if any |  |

\* not relevant to a bye-election

3. Please tick (1) or, where (1) is not applicable, (2) or (3) below –

(1) Certificate of Political Affiliation attached,

or

(2) Assentor statutory declarations (30) attached,

or

(3) Deposit of €500 enclosed.

Name and address of person to whom deposit is to be returned:

Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4. Please tick, as appropriate –

|  |  |
| --- | --- |
| Photographs attached (see paragraph 4 of notes) for inclusion on ballot paper. | Yes No |

5. *(Where nomination paper is completed by a person other than the candidate.)*

Proposer’s Number and polling district letters on Register of Electors for the constituency concerned\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Candidate/Proposer)

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

6. Decision of Returning Officer

I have decided that this nomination paper is valid (or is invalid because

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Returning Officer

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**==================================================================================**

TO BE HANDED OR SENT TO THE CANDIDATE

I have decided that nomination paper No. \_\_\_\_\_\_ in respect of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is valid (or is invalid because \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Returning Officer

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notes: The notes attached are for guidance only and do not purport to be a legal interpretation

**Notes on Nomination Paper for Dáil election**

(*References in parentheses are to the provisions of the Electoral Act 1992, as amended, unless otherwise stated.)*

1. **Nomination**

A candidate may nominate himself or herself or may, with the candidate’s consent, be nominated by a proposer. A proposer must be registered as a Dáil elector in the constituency for which he or she proposes to nominate the candidate.

2. **Candidate Nomination Procedures**

A nomination paper from a candidate of a registered political party must have a certificate of political affiliation attached (see paragraph 3 below).

If no certificate is attached, 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 30 assentors registered as Dáil electors in the relevant constituency, which must be witnessed by a Commissioner for Oaths, a Peace Commissioner, a Notary Public, a practicing solicitor, a member of the Garda Síochána or an official of the registration authority,

or

(ii) the candidate, or someone on his or her behalf, lodging a deposit of €500 with the returning officer.

Under the assentors option, the relevant forms for the making of statutory declarations are available from returning officers and registration authorities. The relevant details of the assentors must be included on the statutory declarations - number (and polling district letters) on the register of Dáil electors, address on the register, contact details, the relevant Dáil constituency on the date of assent where he or she is registered, the name and address of the candidate, and the form of prescribed photographic ID produced, and any identifying number on it.

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,
* a travel document containing name and photograph, or
* a Public Services Card

One of the documents MUST be produced to the person taking the statutory declaration.

An assent is valid in respect of the constituency in which the assentor’s address is located at the general or bye-election to which the nomination form relates. The assent may be made at any time but it may only be used at the next general or bye-election in the relevant constituency.

Responsibility lies with the candidate or proposer to secure the necessary assents, to attach the 30 statutory declarations to the nomination paper, and to deliver all the documentation to the returning officer by the deadline for receipt of nominations.

An assentor must confirm on the statutory declaration that he or she has not assented to the nomination of any other candidate in the election concerned. 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 fine or imprisonment for a term not exceeding 6 months or both. However, a candidate’s nomination will not be invalid where a person assents to the nomination of more than one candidate.

Under the deposits option, a candidate may choose the alternative of making a deposit and, if he or she does not do so and has not opted to secure 30 assents, their candidature will be deemed to have been withdrawn. A candidate, or someone on his or her behalf, may lodge a deposit of €500 with the returning officer before the expiration of the time for receiving nominations. The deposit may be made by means of legal tender or, with the consent of the returning officer, in any other manner. The deposit will be returned in the case of successful candidates, those receiving votes in excess of a quarter of the quota and in certain other circumstances: not being validly nominated, withdrawal of candidature or death. Otherwise, the deposit will be forfeited. (Where the deposit is to be returned, it will be returned to the person making it and the name and address of that person should be entered at 3 on the nomination paper.)

All relevant parts of the nomination paper must be completed by all candidates*.*

3. **Certificate of Political Affiliation**

1. If a candidate represents a registered political party, a completed certificate of political affiliation must be lodged with the nomination paper and the name of the party inserted in the appropriate row at section 2 of the nomination paper.
2. If the candidate does not represent a registered political party, the row may be left blank or the words “Non-Party” may be entered in it.

4. **Candidate’s Photograph**

If a candidate wishes to have his or her photograph included on the ballot paper, they must provide with the nomination paper:

* A photograph in digitised format (passport size – 35mm x 45mm), **AND**
* Two identical printed copies of the photograph.

The photograph must be taken not more than 12 months prior to polling day and must be of good quality, in colour and taken to a professional standard, showing the candidate’s full face, head and shoulders only, on a light background (any colour).

Each printed copy of the photograph must have the candidate’s name clearly shown on the back.

If the above requirements are not complied with, the returning officer may not include the photograph on the ballot paper. In these circumstances, or if no photograph is supplied, the space for the candidate’s photograph will be left blank on the ballot paper.

**THE ONUS IS ON THE CANDIDATE TO MEET THESE REQUIREMENTS.**

5. **Delivery of Nomination Paper**

The completed nomination paper must be delivered to the returning officer in person by the candidate or proposer within the period fixed for the receipt of nominations (ending at 12 noon on the last day for receiving nominations).

6. **Ruling on Nomination Paper**

The returning officer will rule on the validity of the nomination paper within one hour of its delivery to him or her and may rule that it is invalid if he or she considers that it is not properly made out or signed. A returning officer may also rule as invalid a nomination paper from a candidate without a certificate of political affiliation who has opted for the assentors option (referred to in paragraph 2 above) if he or she considers that the candidate has not complied with the statutory requirements relating to assenting.

The returning officer is required to object to the **candidate’s name** if it:

(a) is not the name by which the candidate is commonly known, or

(b) is misleading and likely to cause confusion, or

(c) is unduly long, or

(d) contains a political reference.

The returning officer is also required to object to a candidate’s description if it is, in his or her opinion, any of the following:

1. incorrect,
2. insufficient to identify the candidate, or unnecessarily long,
3. contains a political reference other than, where appropriate, a reference to a public or elected office held, or formerly held, by the candidate, or,
4. contains an entry in the nomination paper referred to at paragraph 3(a) or (b) above.

The ruling on the nomination paper may be attended by the candidate and proposer (if any), one other person designated by the candidate (or his or her proposer), and any other person authorised by the returning officer.

7. **Eligibility for Election to Dáil Éireann**

A person who –

(a) is not a citizen of Ireland, or

(b) has not reached the age of 21 years on polling day, or

(c) is a member of the Commission of the European Communities, or

(d) is a Judge, Advocate General or Registrar of the Court of Justice of the European Communities, or

(e) is a member of the Court of Auditors of the European Communities, or

(f) is a member of the Garda Síochána, or

(g) is a wholetime member of the Defence Forces, or

(h) is a civil servant who is not by the terms of his or her employment expressly permitted to be a member of the Dáil,

(i) is undergoing a sentence of imprisonment for any term exceeding 6 months imposed by a court of competent jurisdiction in the State,

is not eligible for election.

8. **Withdrawal of Nomination**

A candidate may withdraw his or her nomination up to 12 noon on the day (disregarding any excluded day) after the latest date for receiving nominations. The notice of withdrawal to the returning officer must be signed by the candidate and delivered in person by the candidate or proposer. Where the returning officer is satisfied that a candidate wishes to withdraw and that neither the candidate nor the proposer can attend in person, the returning officer will accept a notice of withdrawal, signed by the candidate and by the person delivering it, which is received by the latest time for withdrawal.

9. **Appointment of Election Agent**

Each candidate must appoint an election agent before incurring any expenses at an election. The main function of the election agent is to authorise and control spending connected to the candidate’s election campaign and to assist the candidate generally in relation to the election. The candidate must, not later than the last day for receiving nominations at the election, supply the name and office address of the election agent, in writing, to the returning officer for the constituency in which the candidate is standing. (If a person is standing as a candidate in more than one constituency, he or she must supply the information to the returning officer for each of the constituencies.) The returning officer will subsequently supply the details to the Standards in Public Office Commission. Further information on the role of an election agent is contained in the Commission’s guidelines (*section 28 of the Electoral Act 1997)*.

10. **Penalties**

There are penalties for –

(a) producing a forged:

(i) nomination paper, or

(ii) certificate of political affiliation

to the returning officer),

(b) without the consent of the person concerned:

(i) nominating such person as a candidate, or

(ii) withdrawing the candidature of such person,

(c) making a false declaration with respect to the eligibility of a candidate for election.

Penalties under the Statutory Declarations Act 1938 in respect of knowingly making a false or misleading statutory declaration are set out at paragraph 2 above.

**PÁIPÉAR AINMNIÚCHÁIN DO THOGHCHÁ DÁLA**

(\_\_\_\_\_\_\_\_\_\_\_\_/\_\_\_\_)

(mí/bliain)

Uimh. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**(Le cur isteach ag an gCeann Comhairimh)**

1. Déanaim an duine thíos-ainmnithe a ainmniú mar iarrthóir lena thoghadh nó lena toghadh do Dháil Éireann do dháilcheantar \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. Dearbhaím gur léigh mé na nótaí ar an bpáipéar ainmniúcháin seo agus –

(a) go gcreidim go bhfuil an duine atá ainmnithe mar iarrthóir cáilithe lena thoghadh nó lena toghadh, agus

(b) gur thoiligh an duine leis an ainmniúchán a dhéanamh.

**(BAIN ÚSÁID AS BLOCLITREACHA CHUN AN TÁBLA THÍOS)**

|  |  |  |
| --- | --- | --- |
| **Sloinne an Iarrthóra** | |  |
|
| **Ainmneacha Eile** | |  |
| **Insce \***  **(fireann nó baineann a shonrú)** | |  |
| **Tuairisc** | **Seoladh** |  |
| **Slí Bheatha** |  |
| **Ainm Páirtí Polaitíochta**  **(más ann)** |  |

\* ní bhaineann sé le fothoghchán

3. Cuir tic, le do thoil, le (1) nó, i gcás nach bhfuil (1) infheidhme, cuir tic le (2) nó (3) thíos –

1. Tá Deimhniú Cleamhnachta Polaitíochta i gceangal

leis seo,

nó

1. Tá dearbhuithe reachtúla aontaitheoirí (30) i gceangal

Leis seo,

nó

(3) Tá éarlais €500 i gceangal leis seo.

Ainm agus seoladh an duine a bhfuil éarlais le cur ar ais chuige:

Ainm \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Seoladh \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4. Cuir tic le do thoil, de réir cuí –

|  |  |
| --- | --- |
| An bhfuil grianghraif i gceangal leis seo (féach mír 4 de na nótaí) lena gcur san áireamh sa pháipéar ballóide. | Tá Níl |

5. ((*I gcás ina gcomhlánaíonn duine seachas an t-iarrthóir an páipéar ainmniúcháin).*

Uimhir agus litreacha ceantair vótaíochta an mholtóra ar Chlár na dToghthóirí don dáilcheantar lena mbaineann \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Síniú:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Iarrthóir/Moltóir)

**Seoladh:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Dáta:**  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

6. Cinneadh an Cheann Comhairimh

Chinn mé go bhfuil an páipéar ainmniúcháin seo bailí (nó go bhfuil sé neamhbhailí mar

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Ceann Comhairimh

Dáta: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**LE TABHAIRT DON IARRTHÓIR NÓ LE CUR CHUIGE NÓ CHUICI**

Chinn mé go bhfuil páipéar ainmniúcháin Uimh. \_\_\_\_\_\_\_\_\_\_\_\_\_\_ i leith \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ bailí (nó go bhfuil sé neamhbhailí mar \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Ceann Comhairimh

**Seoladh:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Dáta:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Nótaí: Is mar threoir amháin a thugtar na nótaí atá i gceangal leis seo agus ní míniú dlíthiúil iad.

**Nótaí faoin bPáipéar Ainmniúcháin don toghchán Dála**

(*Aon tagairtí idir lúibíní, is tagairtí iad, mura luaitear a mhalairt, d’fhorálacha an Achta Toghcháin 1992, arna leasú.)*

1. **Ainmniúchán**

Féadfaidh iarrthóir é féin nó í féin a ainmniú nó féadfaidh moltóir, le toiliú an iarrthóra, é nó í a ainmniú. Ní mór moltóir a bheith cláraithe mar thoghthóir Dála sa dáilcheantar ar ina leith a bheartaíonn sé nó sí an t-iarrthóir a ainmniú.

2. **Nósanna Imeachta maidir le hIarrthóir a Ainmniú**

Ní mór deimhniú cleamhnachta polaitíochta a bheith i gceangal le páipéar ainmniúcháin ó iarrthóir de chuid páirtí polaitíochta cláraithe (féach mír 3 thíos).

Muna bhfuil aon deimhniú i gceangal leis, ní mór 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 30 aontaitheoir atá cláraithe mar thoghthóirí Dála sa dáilcheantar iomchuí agus ní mór na dearbhuithe sin a bheith fianaithe ag Coimisinéir Mionnaí, ag Feidhmeannach Síochána, ag Nótaire Poiblí, ag comhalta den Gharda Síochána nó ag oifigeach de chuid an údaráis clárúcháin,

nó

(ii) éarlais €500 a bheith taiscthe leis an gCeann Comhairimh ag an iarrthóir, nó ag duine éigin atá ag gníomhú thar ceann an iarrthóra.

De rogha na n-aontaitheoirí, tá na foirmeacha iomchuí chun dearbhuithe reachtúla a dhéanamh ar fáil ón gCeann Comhairimh agus ó údaráis chlárúcháin. Ní mór sonraí iomchuí na n-aontaitheoirí a chur san áireamh sna dearbhuithe reachtúla - uimhir (agus litreacha ceantair vótaíochta) ar chlár na dtoghthóirí Dála, seoladh ar an gclár, sonraí teagmhála, ainm an dáilcheantair Dála iomchuí ina bhfuil sé nó sí cláraithe ar dháta an aontaithe, ainm agus seoladh an iarrthóra agus ní mór an cineál forordaithe cruthúnais fhótagrafaigh ar chéannacht a thabhairt ar aird, mar aon le haon uimhir shainiúil atá air.

NÍ MÓR do gach aontaitheoir, le linn dó nó di an dearbhú reachtúil a dhéanamh, ceann amháin de na doiciméid fhótagrafacha seo a leanas a thabhairt leis /léi 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 nó
* Cárta Seirbhísí Poiblí.

NÍ MÓR ceann amháin de na doiciméid a thabhairt ar aird don duine a ghlacann an dearbhú reachtúil.

Tá aontú bailí i leith an dáilcheantair ina bhfuil seoladh an aontaitheora suite tráth an olltoghcháin nó an fhothoghcháin lena mbaineann an t-ainmniúchán. Féadfar an t-aontú a dhéanamh aon tráth ach ní féidir é a úsáid ach amháin sa chéad olltoghchán nó fothoghchán eile sa dáilcheantar iomchuí.

Tá an t-iarrthóir nó an moltóir freagrach as na haontuithe riachtanacha a fháil, as an 30 dearbhú reachtúil 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.

Ní mór d’aontaitheoir a dhaingniú ar an dearbhú reachtúil nár aontaigh sé nó sí le hainmniú aon iarrthóra eile sa toghchán lena mbaineann. Faoin Acht i dTaobh Dearbhuithe Reachtúla 1938, dlífear fíneáil Aicme B 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. Ach, ní bheidh ainmniúchán iarrthóra neamhbhailí i gcás ina n-aontaíonn duine d’ainmniú níos mó ná iarrthóir amháin.

Faoi rogha na héarlaise, féadfaidh iarrthóir éarlais a thabhairt mar rogha eile agus, más rud é nach ndéanann sé nó sí amhlaidh agus nár roghnaigh sé nó sí 30 aontú a fháil, measfar a n-iarrthóireacht a bheith tarraingthe siar. Féadfaidh iarrthóir, nó duine éigin atá ag gníomhú thar ceann iarrthóra, éarlais €500 a thaisceadh leis an gceann comhairimh roimh dheireadh an ama chun ainmniúcháin a ghlacadh. Féadfar an éarlais a thabhairt ar mhoadh tairisceana dlíthiúla nó, le toiliú an cheann comhairimh, ar aon mhodh eile. Déanfar an éarlais a thabhairt ar ais i gcás iarrthóirí a thoghtar, i gcás iarrthóirí a fhaigheann líon vótaí atá níos mó ná an ceathrú cuid den chuóta agus i gcúinsí áirithe eile: i gcás nár ainmníodh é nó í go bailí, gur tarraingíodh siar iarrthóireacht nó i gcás báis. Thairis sin, forghéillfear an éarlais. (I gcás ina bhfuil an éarlais le tabhairt ar ais, tabharfar ar ais í don duine a thug í agus is ceart ainm agus seoladh an duine a iontráil ag 3 ar an bpáipéar ainmniúcháin.)

Ní mór do gach iarrthóir gach cuid iomchuí den pháipéar ainmniúcháin a chomhlánú.

3. **Deimhniú Cleamhnachta Polaitíochta**

1. Más ionadaí de chuid páirtí polaitíochta cláraithe is ea iarrthóir, ní mór deimhniú comhlánaithe cleamhnachta polaitíochta a thaisceadh in éineacht leis an bpáipéar ainmniúcháin agus ní mór ainm an pháirtí a chur isteach sa tsraith cuí ag 2 ar an bpáipéar ainmniúcháin.
2. Más rud é nach ionadaí de chuid páirtí polaitíochta cláraithe an t-iarrthóir, féadfar an tsraith a fhágáil bán nó na focail “Neamh-Pháirtí” a iontráil sa cholún sin.

4. **Grianghraf an Iarrthóra**

Más mian le hiarrthóir a g(h)rianghraf a chur san áireamh sa pháipéar ballóide, ní mór dóibh na nithe seo a leanas a sholáthar in éineacht leis an bpáipéar ainmniúcháin:

* Grianghraf i bhformáid dhigitithe (méid an ghrianghraif – 35mm x 45mm); **AGUS**
* Dhá chóip chomhionanna chlóbhuailte den ghrianghraf.

Caithfidh sé gur tógadh an grianghraf tráth nach luaithe ná 12 mí roimh an lá vótaíochta agus caithfidh cáilíocht mhaith a bheith aige, ní mór é a bheith lándaite, ní mór é a bheith tógtha de réir caighdeáin ghairmiúil agus ní mór aghaidh iomlán, ceann agus guaillí an iarrthóra féin amháin a bheith ar taispeáint ann ar chúlra éadrom (d’aon dath).

Caithfidh sé go mbeidh ainm an iarrthóra ar taispeáint go soiléir ar chúl gach cóipe clóite den ghrianghraf.

Mura gcomhlíontar na ceanglais thuas, féadfaidh an ceann comhairimh a chinneadh gan an grianghraf a chur san áireamh sa pháipéar ballóide. Sna cúinsí sin, nó más rud é nach soláthraítear grianghraf ar bith, fágfar spás bán sa áit le haghaidh ghrianghraf an iarrthóra ar an bpáipéar ballóide.

**IS AR AN IARRTHÓIR ATÁ AN DUALGAS NA CEANGLAIS SEO A CHOMHLÍONADH.**

5. **An Páipéar Ainmniúcháin a Sheachadadh**

Ní mór don iarrthóir nó don mholtóir an páipéar ainmniúcháin comhlánaithe a sheachadadh ar an gceann comhairimh i bpearsa laistigh den tréimhse atá socraithe chun ainmniúcháin a ghlacadh (ar tréimhse í a chríochnaíonn ar 12 meán lae ar an lá deireanach chun ainmniúcháin a ghlacadh).

6. **Rialú ar Pháipéar Ainmniúcháin**

Déanfaidh an ceann comhairimh rialú ar bhailíocht an pháipéir ainmniúcháin laistigh d’uair an chloig ón tráth a sheachadtar air nó uirthi é agus féadfaidh sé nó sí a rialú go bhfuil sé neamhbhailí má mheasann sé nó sí nach ndearnadh nó nár síníodh i gceart é. Féadfaidh ceann comhairimh a rialú go bhfuil páipéar ainmniúcháin neamhbhailí freisin i gcás páipéir ainmniúcháin gan deimhniú cleamhnachta polaitíochta ó iarrthóir a roghnaigh an rogha aointaitheoirí dá dtagraítear i mír 2 thuas má mheasann sé nó sí nár chomhlíon an t-iarrthóir na ceanglais reachtúla a bhaineann le haontú.

Ceanglaítear ar an gceann comhairimh cuir i gcoinne **ainm an iarrthóra** más rud é:

(a) nach é an t-ainm faoina bhfuil aithne ar an iarrthóir de ghnáth, nó

(b) go bhfuil sé míthreorach agus gur dóidh dó iomrall a chur ar dhaoine, nó

(c) go bhfuil sé rófhada gan ghá, nó

(d) go bhfuil ábhar polaitiúil ann.

Ceanglaítear an gceann comhairimh freisin dul i gcoinne thuairisc an iarrthóra más rud é, i dtuairim an cheann comhairimh, go bhfuil sí mícheart, go bhfuil sí neamhdhóthanach chun an t-iarrthóir a aithint nó go bhfuil sí rófhada gan ghá nó go bhfuil ábhar polaitiúil ann seachas, más cuí, tagairt d’oifig phoiblí nó oifig thofa atá, nó a bhí, ag an iarrthóir nó iontráil sa pháipéar ainmniúcháin dá dtagraítear i mír 3(a) nó (b) thuas.

Féadfaidh an t-iarrthóir agus an moltóir (más ann), duine amháin eile arna ainmniú nó arna hainmniú ag an iarrthóir (nó ag a mholtóir/moltóir) agus aon duine eile arna údarú nó arna húdarú ag an gceann comhairimh freastal ar an rialú ar an bpáipéar ainmniúcháin.

7. **Cáilitheacht maidir le Toghadh do Dháil Éireann**

Aon duine –

(a) nach saoránach d’Éirinn é/í, nó

(b) nach bhfuil aois 21 bhliain slánaithe aige nó aici ar an lá vótaíochta, nó

(c) atá ina chomhalta nó ina comhaltaball de Choimisiún na gComhphobal Eorpach, nó

(d) atá ina Breithimh/Breitheamh, Ardabhchóide/hArdabhcóide nó Chláraitheoir/Cláraitheoir ar Chúirt Bhreithiúnais na gComhphobal Eorpach, nó

(e) atá ina chomhalta de Chúirt Iniúchóirí na gComhphobal Eorpach, nó

(f) atá ina chomhalta/comhalta den Gharda Síochána, nó

(g) atá ina chomhalta/comhalta lánaimseartha de na Fórsaí Cosanta, nó

(h) atá ina státseirbhíseach nach bhfuil cead aige/aici faoi théarmaí a fhostaíochta/fostaíochta a bheith ina chomhalta/comhalta den Dáil, nó

(i) a bhfuil pianbhreith phríosúnachta á cur isteach aige/aici ar feadh aon téarma is faide ná 6 mhí ar pianbhreith í arna forchur ag cúirt dlínse inniúla sa Stát,

níl sé nó sí cáilithe lena thoghadh/toghadh*.*

8. **Ainmniúchán a Tharraingt Siar**

Féadfaidh iarrthóir a (h)ainmniúchán a tharraingt siar suas go dtí 12 meán lae ar an lá (gan aon lá eiscthe a áireamh) i ndiaidh an dáta is déanaí chun ainmniúcháin a ghlacadh. Ní mór don iarrthóir nó don mholtóir an fógra maidir le tarraingt siar atá le tabhairt don cheann comhairimh a shíniú agus a sheachadadh i bpearsa. I gcás inar deimhin leis an gceann comhairimh gur mian le hiarrthóir tarraingt siar agus nach féidir leis an iarrthóir ná an moltóir freastal i bpearsa, glacfaidh an ceann comhairimh le fógra maidir le tarraingt siar a fhaightear faoin am is déanaí le chun tarraingt siar a dhéanamh, agus é sínithe ag an iarrthóir agus ag an duine a sheachadann é.

9. **Gníomhaí Toghcháin a Cheapadh**

Ní mór do gach iarrthóir gníomhaire toghcháin a cheapadh sula dtabhaíonn siad aon costais i dtoghchán. Is é atá i bpríomhfheidhm an ghníomhaire toghcháin ná caiteachas a bhaineann le feachtas toghcháin an iarrthóra a údarú agus a rialú agus cabhrú leis an iarrthóir maidir leis an toghchán i gcoitinne. Ní mór don iarrthóir, tráth nach déanaí ná an lá deireanach chun ainmniúcháin a ghlacadh sa toghchán, ainm agus seoladh oifige an ghníomhaire toghcháin a sholáthar i scríbhinn do cheann comhairimh an dáilcheantar ina bhfuil an t-iarrthóir ag seasamh lena thoghadh nó lena toghadh. (Má tá duine ag seasamh mar iarrthóir i níos mó ná dáilcheantar amháin, ní mór dó nó di an fhaisnéis a sholáthar don cheann comhairimh maidir le gach ceann de na dáilcheantair). Déanfaidh an ceann comhairimh, ina dhiaidh sin, sonraí a sholáthar don Choimisiún um Chaighdeáin in Oifigí Poiblí. Tá tuilleadh eolais ar fáil faoi ról an ghníomhaire toghcháin i dtreoirlínte an Choimisiúin (*alt 28 den Acht Toghcháin 1997)*.

10. **Pionóis**

Tá pionóis ann i leith na nithe seo a leanas–

(a) (i) páipéar ainmniúcháin brionnaithe, nó

(ii) deimhniú cleamhnachta polaitíochta brionnaithe a thabhairt ar aird don cheann comhairimh,

(b) na nithe seo a leanas a dhéanamh gan toiliú an duine lena mbaineann:

(i) an duine sin a ainmniú mar iarrthóir, nó

(ii) iarrthóireach an duine sin a tharraingt siar,

(c) dearbhú bréagach a dhéanamh maidir le cáilitheacht iarrthóra lena thoghadh/toghach.

Tá na pionóis faoin Acht i dTaobh Dearbhuithe Reachtúla 1938 maidir le dearbhú reachtúil atá bréagach nó míthreorach a dhéanamh leagtha amach i mír 2 thuas.