

**FORM OF STATUTORY DECLARATION BY ASSENTORS
TO NOMINATION OF CERTAIN CANDIDATES
AT DÁIL ELECTION**

I(*assessor name in capitals*) do solemnly and sincerely declare the following: -

Particulars of Assessor

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

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:

Constituency/Candidate

5. Name of current Dáil constituency in which assessor'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 Dáil election to be held in the constituency 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 or at any other Dáil election to be held at the same time as that election,

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

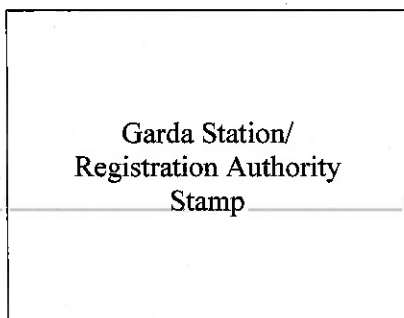
Signature of assentor

.....

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*]

**FORM OF STATUTORY DECLARATION BY ASSENTORS
TO NOMINATION OF CERTAIN CANDIDATES
AT DÁIL ELECTION**

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

The Electoral (Amendment) Act 2007 (No. 14 of 2007) provides that, 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 Dáil 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 30 assentors to the nomination who are registered as Dáil electors in the relevant constituency. 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 €500 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 Dáil constituency 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 general or bye-election in the relevant constituency and it expires when the Register of Electors current when the statutory declaration was made ceases to be in force, notwithstanding that no such election may have been held by then.

Responsibility lies with the candidate or his/her proposer at the election 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 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 in force on the date of the making of the statutory declaration. The Register may be inspected at the city or county council'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, bank card with a photograph, or a travel document containing name and photograph.

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 Dáil constituency 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 Dáil constituency 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 Dáil election to be held in the constituency 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 or at any other Dáil election to be held at the same time as that election.

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 fine of up to €2,539 or imprisonment for a term of up to 6 months or both.

Nótaí maidir le Codanna Fagsúla den Fhoirm

Codanna 1 agus 2: Is ceart don aontaitheoir a (h)uimhir agus litreacha a (h)eanantair vótáiochta (Cuid 1) agus seoladh (Cuid 2) a chur isteach mar ata sonraithe ar Chlár na dTogthóirí atá i bhfeidhm ar an data a dhéantar an dearbhu réachtúil. Féadfar an Clár a iniúchadh in oifigi na comhairle cathrach nó contae nó ar an suíomh gréasáin atá acu; i leabharlanna, in oifigi an phoist agus i Stáisiún na nGardaí; agus trí www.checktheregister.ie.

Cuid 3: Cuir isteach sonraí teagmhála, lena n-áirítear uimhir theileafón i rith an lae agus uimhir fóin póca.

Cuid 4: Nuair atá an dearbhu réachtúil á dhéanamh ní foláir do gach aontaitheoir ceann de na doiciméid fhótagrafacha seo a leanas a thabhairt leo chun críocha céannaachta – pas, ceadúnas tiomána, cárta aithneantais fostaí ar a bhfuil grianghraf, cárta aithneantais mic léinn arna eisíúint ag foras oidceachais agus ar a bhfuil grianghraf, cárta bainc lar a bhfuil grianghraf, nó doiciméad taistil ar a bhfuil ainm agus grianghraf.

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

Cuid 5: Cuir isteach ainm an dáilcheantair Dála ina bhfuil an seoladh i gCuid 2 den fhoirm suite ar an data a dhéantar an dearbhu réachtúil. Is ceart é a thabhairt do d'aire nach bhfuil aontú baili ach amháin i leith an dáilcheantair Dála ina bhfuil seoladh an aontaitheora suite tráth an aontaithe le linn an toghchán.

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

Cuid 8: Is é seo an t-aontú foirmiúil le hainmniú an iarthóra sa chead toghchán Dála eile atá le bheith ann sa dáilcheantar ina bhfuil an seoladh i gCuid 2 suite le linn an toghchán.

Cuid 9: Ní mór don aontaitheoir a dhainmniú ar an dearbhu réachtúil nach bhfuil sé nó sí tar éis aontú le hainmniú aon iarthóra eile sa toghchán lena mbaineann nó in aon toghchán eile don Dáil atá le bheith ann an tráth céanna leis an toghchán sin.

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

Finné ar Dhearbhu Réachtúil

Ní foláir don dearbhu réachtúil a bheith fianaithe ag Nótaire Poiblí, ag Coimisinéir Mionnaí, ag Feidhmeannach Stochána, ag comhalta den Gharda Stochána nó ag oifigeach de chuid an údaráis clárúcháin. I gcás ina dtagtar an ID riachtanach a thabhairt ar aird faoi Chuid 4, foráilítear leis an dlí gur leor an méid sin chun go bhféadfaidh an Finné an fhoirm a shíniú á ra go bhfuil aithne phearsanta aige/aici ar an aontaitheoir.

I gcás Gardai nó oifigeach údaráis chlárúcháin, ní foláir stampa oifigiúil stáisiún na ngardaí nó an údaráis clárúcháin a stampáil ar an dearbhu sa bhosca a sholáthraítear chuige sin.

Pionóis

Faoin Acht i dTaobh Dearbhuithe Réachtúla 1938, diffeár finnéil nach mó ná €2,539 nó príosúnacht ar feadh téarma nach faide ná 6 mhí, nó iad araon, a chur ar dhuine a dhéanann, go feassach, dearbhu réachtúil a thabhairt atá bréagach nó mifhreorach i bpionc ábhartha.

FOIRM AN DEARBHAI THE REACHTUÍL Ó AONTAITHEOIRI

LE BAINMNIÚ IARRTHÓIRI AIRTHE

I PTOGHCHÁN DÁLA

NÓTAÍ

(Leigh na nótaí go curamach le do thoil roimh an dearbhuí reachtúil a chomhlánu. Is mar threoir amháin a thugtar na nótaí atá i gceangal leis seo agus ní mníú dlíthiúil iad.)

Ginearálta

Foraithear leis an Acht Toghchán (Leasú) 2007 (Uimh. 14 de 2007) nach mór, más rud é nach bhfuil duine ina (h)iarthóir de chuid páirtí polaitíochta cláráithe, d'fhonn a bheith ainmnithe go baili chun seasamh mar iarthóir i dtoghchán Dála, 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 cláráithe mar thoghthóirí Dála sa dáilcheantar iomchuí. Ní mór na haontuithe sin a bheith fianaithe ag Nótaire Poiblí, ag Coimisinéir Mionnai, ag Feidhmeannach Síochána, ag Nótaire Poiblí, ag comhalta den Gharda Síochána nó ag oifigeach de chuid an údaráis clárúcháin (Comhairle Cathrach nó Contae), nó

- (ii) éarlais €500 a bheith taiscthe leis an gCeann Comhairlimh ag an iarthóir, nó ag duine éigin atá ag gníomhu thar ceann an iarthóra.

Tá an fhoirm seo le húsáid chun dearbhuíthe reachtúla a dhéanamh maidir le haontú faoi (i) thuas; tá cóipeanna den fhoirm iar fáil saor in aisce ó chinn chomhairlimh agus ó údaráis chlárúcháin. Níl aontú baili ach amháin i leith an dáilcheantair Dála 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 ollthoghchán nó fothoghchán eile sa dáilcheantar iomchuí agus téann sé in éag nuair a scoireann Clár na dToghthóirí a bhi i bhfeidhm nuair a rinneadh an dearbhuí reachtúil d'fheidhm a bheith aige, d'ainneoin nach raibh aon toghchán den sórt sin ann faoin am sin.

Tá an t-iarthóir nó an moltóir an iarthóra freagrach as na haontuithe riachtanacha a tháil, as an 30 dearbhuí reachtúil a chur i gceangal leis an bpáipéar ainmniúcháin agus as na doiciméid go léir a sheachadadh ar an gceann comhairlimh faoin spríodhata chun ainmniúcháin a ghlacadh sa toghchán.

Féadfadh ceann comhairlimh a rialú go bhfuil páipéar ainmniúcháin neamhbhaili freisin i gcás páipéir ainmniúcháin gan deimhniú cleamhnachta polaitíochta ó iarthóir a roghnaigh modh an aontaithe má mhéasann sé nó sí nár chomhlíon an t-iarthóir na ceanglais reachtúla a bhaineann le haontú.

Aontú

8. Aontáim le hainmníú an iarrthóra da dtagraítear ag 6 agus 7 ag an gcéad toghchán Dála eile atá le bheith ann sa dáilcheantar ina bhfuil an seoladh ag 2 suite trath an toghchán.

9. Níor aontaigh mé le hainmníú aon iarrthóra eile sa toghchán dá dtagraítear ag 8 nó in aon toghchán Dála eile a bheidh ann an trath céanna leis an toghchán sin,

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

Síniú an aontaitheora

Arna dhearbhu os mo chomhairse[aimm i
gceannlitreacha] [notaire poblí] [coimisinéir mionnai] [feidhmeannach síochána] [comhalta den
Garda Síochána] [oifigeach de chuid an údaráis clárúcháin] ag
..... ar a bhfuil aithne phearsanta agam
!
[an dt a sinitear an dearbhú] an u lá seo de[data]

[síniú an fhinné]
.....

Stampa Stáisiún an Gharda
Stochána/an
Udaráis
Chlárúcháin

[má's iomchur]

FOIRM AN DEARBHAITHE REACHTÚIL Ó AONTAITHEOIRI

LE HAINMNITÚ IARRTHÓIRI AIRITHE

I DTÓGCHÁN DÁLA

Dearbhaíme (*aim an aontaitheora i gceannlitreacha*) an méid seo a leanas go sollúnta agus go fírinneach:-

Sonraí an Aontaitheora

1. Uimhir agus litreacha ceantair vótálocha ar Chlár na dToghthóirí atá i bhfeidhm faoi láthair:

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

3. Sonraí teagmhála, lena n-áirítear uimhir theileafón i rith an lae agus uimhir fóin póca:

4. An cineál fianaise fhótaghráfai arna thabhairt ar aird don fhinne mar aon le haon uimhir shainiúil atá air:

Dailcheantair/Iarrthóir

5. Ainm an dailcheantair reatha Dála ina bhfuil seoladh an aontaitheora ag 2 suite:

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

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