**Form LE1**

**NOMINATION PAPER FOR LOCAL ELECTIONS**

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

(month/year)

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

(To be inserted by returning officer)

**PLEASE READ NOTES BEFORE COMPLETING FORM AND USE BLOCK CAPITALS**

Local Authority \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. I nominate the person named under as a candidate for election to the above mentioned local authority for the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ local electoral area.

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**

**Surname of Candidate:**

**Other Names:**

**DESCRIPTION**

**Address:**

**Occupation:**

**Name of Registered Political**

**Party (if any):**

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 (15) attached,

or

(3) Deposit of €100 enclosed.

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

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

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

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

*NOTE: See sections 2 and 3 of the notes on this form.*

4. Please tick, as appropriate –

|  |  |
| --- | --- |
| Photographs attached (see section 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 area of the local   
  
authority concerned\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

(Candidate/Proposer)

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

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**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.

**Form LE1**

**Notes on Nomination Paper**

*(References in parentheses are to the provisions of the Local Elections Regulations 1995 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 local government elector in the local electoral area of the local authority for which he or she proposes to nominate the candidate *(article 14*).

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 15 assentors registered as local government electors in the relevant local electoral area which must be witnessed by a Commissioner for Oaths, a Peace Commissioner, a Notary Public, 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 €100 with the returning officer.

Under the assentors option, the relevant forms for the making of statutory declarations (Form LE1A) 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 local government electors in force at the time of assent, address on the register, contact details, the relevant local electoral area on the date of assent where he/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, travel document containing name and photograph, Public Services Card, Temporary Residence Certificate or a Garda National Immigration Bureau card. One of the documents MUST be produced to the person taking the statutory declaration.

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. The assent may be made at any time but it may only be used at the next local election in the relevant local electoral area and it expires when the register 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 proposer 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.

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[[1]](#footnote-1) 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 15 assents, their candidature will be deemed to have been withdrawn. A candidate, or someone on his or her behalf, may lodge a deposit of €100 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(3) on the nomination paper).

All relevant parts of the nomination paper must be completed by all candidates *(articles 14,15 and 16).*

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 column at 2 of the nomination paper.
2. If the candidate does not represent a registered political party, the column may be left blank or the words “Non-Party” may be entered in it (*article 14)*

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). (*articles 17 and 18*).

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/her and may rule that it is invalid if he/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 assenting alternative referred to at 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, incorrect, insufficient to identify the candidate or unnecessarily long or which contains a political reference other than, where appropriate, a reference to a public or elected office held, or formerly held, by the candidate or an entry in the nomination paper referred to at 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/her proposer) and any other person authorised by the returning officer *(article 20).*

1. **Eligibility For Election to Local Authority**
   1. Every Irish citizen and every person ordinarily resident in the State, who has reached the age of 18, who is not subject to any of the disqualifications outlined in paragraph (b) below, is eligible for election;
   2. A person is disqualified for election to a local authority if he/she -
      * is a member of the Commission of the European Community, or
      * is a representative in the European Parliament, or
      * is a Judge, Advocate General or Registrar of the Court of Justice of the European Community , or
      * is a member of the Court of Auditors of the European Community, or
      * is a member of Dáil Éireann or Seanad Éireann, or
      * is appointed under the Constitution as a Judge or as the Comptroller and Auditor General, or
      * is a member of the Garda Síochána, or
      * is a wholetime member of the Defence Forces, or
      * is a civil servant who is not by the terms of his or her employment expressly permitted to be a member of a local authority, or
      * is a person employed by a local authority, the Health Service Executive or the Child and Family Agency and is not the holder of a class, description or grade of employment designated by order under *section 161(1)(b) of the Local Government Act 2001*, or
      * is a person employed by the Health Service Executive and is at a grade or of a description of employment designated by order of the Minister for Health and Children, or
      * is undergoing a sentence of imprisonment for any term exceeding 6 months imposed by a court of competent jurisdiction in the State, or
      * fails to pay any sum or any portion of any sum charged or surcharged by an auditor of the accounts of any local authority upon or against that person, or
      * fails to comply with a final judgement, order or decree of a court of competent jurisdiction, for payment of money due to a local authority, or
      * is convicted of, or has had a conviction confirmed on appeal for, an offence relating to fraudulent or dishonest dealings affecting a local authority or corrupt practice or acting when disqualified.

(*Local Government Act 2001, as amended – sections 13 and 13A).*

A person in any of the categories listed above is also disqualified from nomination for election (*Local Government Act 2001 – section 2(4)).*

8. **Withdrawal of Nomination**

A candidate may withdraw his/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 (*article 22*).

9. **Penalties**

There are penalties for –

(a) producing a forged -

(i) nomination paper, or

(ii) certificate of political affiliation

to the returning officer (*articles 99 and 103)*,

(b) without the consent of the person concerned -

(i) nominating such person as a candidate, or

(ii) withdrawing the candidature of such person (*article 102*),

* 1. making a false declaration with respect to the eligibility of a candidate for election (*article104*).

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

**An Fhoirm LE1**

**PÁIPÉAR AINMNIÚCHÁIN DO THOGHCHÁIN ÁITIÚLA**

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

(mí/bliain)

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

(Le cur isteach ag an gceann comhairimh)

**LÉIGH NA NÓTAÍ SULA gCOMHLÁNÓIDH TÚ AN FHOIRM AGUS ÚSÁID BLOCLITRECACHA, LE DO THOIL**

Údarás Áitiúil \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Déanaim an duine thíos-ainmnithe a ainmniú mar iarrthóir lena thoghadh nó lena toghadh chun an údaráis áitiúil thuasluaite do thoghlimistéar áitiúil \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

2. Dearbhaím gur léigh mé na nótaí faoin 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.

**Úsáid BLOCLITREACHA le do thoil**

**Sloinne an Iarrthóra:**

**Ainmneacha Eile:**

**TUAIRISC**

**Seoladh:**

**Slí Bheatha:**

**Ainm Páirtí Polaitíochta**

**Cláraithe (más ann):**

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 (15) i gceangal

leis seo,

nó

(3) Tá éarlais €100 i gceangal leis seo.

Ainm agus seoladh an duine a bhfuil éarlais le cur ar ais chuige nó chuici–

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

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

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

*NÓTA: Féach ailt 2 agus 3 de na nótaí faoin bhfoirm seo.*

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

An bhfuil grianghrafanna i gceangal leis seo (féach alt 4 de na nótaí) Tá Níl

lena gcur san áireamh sa pháipéar ballóide.

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

Uimhir agus litreacha ceantair vótaíochta an mholtóra ar Chlár na dToghthóirí don cheantar

an údaráis áitiúil 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.

**An Fhoirm LE1**

**Nótaí faoin bPáipéar Ainmniúcháin**

*(Aon tagairtí idir lúibíní is tagairtí iad, mura luaitear a mhalairt, d’fhorálacha na Rialachán um Thoghcháin Áitiúla 1995, 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 rialtais áitiúil i toghlimistéar aitiúil an údaráis áitiúil ar ina leith a bheartaíonn sé nó sí an t-iarrthóir a ainmniú (*airteagal 14*).

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 chláraithe (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 15 aontaitheoir atá cláraithe mar thoghthóirí rialtais áitiúil sa toghlimistéar áitiúil 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 €100, a bheith taiscthe leis an gCeann Comhairimh ag an iarrthóir, nó ag duine éigin atá ag gníomhú thar ceann an iarrthóra.

Faoi rogha na n-aontaitheoirí, tá na foirmeacha iomchuí chun dearbhuithe reachtúla a dhéanamh (Foirm LE1A) ar fáil ó na cinn chomhairimh agus ó údaráis chlárúcháin. Ní mór mionsonraí iomchuí na n-aontaitheoirí a chur san áireamh sna dearbhuithe reachtúla - uimhir (agus litreacha ceantair vótaíochta) ar chlár na dtoghthóirí rialtais áitiúil atá i bhfeidhm tráth an aontaithe, seoladh ar an gclár, sonraí teagmhála, an toghlimistéar áitiúil iomchuí ina bhfuil sé/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 nó 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, nó doiciméad taistil ar a bhfuil ainm agus grianghraf, Cárta Seirbhísí Poiblí, Deimhniú Cónaithe Sealadach nó Cárta Bhiúró Náisiúnta Inimirce an Gharda Síochána. NÍ MÓR ceann amháin de na doiciméid a thabhairt ar aird don duine a ghlacann an dearbhú reachtúil.

Níl aontú bailí ach amháin i leith an toghlimistéir áitiúil ina bhfuil seoladh an aontaitheora suite le linn an toghcháin. Féadfar an t-aontú a dhéanamh aon tráth ach ní féidir é a úsáid ach amháin sa chéad toghchán áitiúil eile sa toghlimistéar áitiúil iomchuí agus téann sé in éag nuair a scoireann an clár atá reatha tráth déanta an dearbhuithe reachtúil d’fheidhm a bheith aige, d’ainneoin nár tharla aon toghchán den sórt sin faoin tráth sin.

Tá an t-iarrthóir nó an moltóir freagrach as na haontuithe riachtanacha a fháil, as na 15 dhearbhú 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.

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[[2]](#footnote-2) 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 in aon phonc ábhartha. Ach ní bheidh ainmniúchán iarrthóra neamhbhailí i gcás go 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 15 aontú a fháil, measfar a n-iarrthóireacht a bheith tarraingthe siar. Féadfaidh iarrthóir, nó duine éigin atá ag gníomhú thar ceann iarrthóra, éarlais €100 a thaisceadh leis an gceann comhairimh roimh dheireadh an ama chun ainmniúcháin a ghlacadh. Féadfar an éarlais a thabhairt ar mhodh dlíthairisceana 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 go 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(3) ar an bpáipéar ainmniúcháin).

Ní mór do gach iarrthóir gach cuid iomchuí den pháipéar ainmniúcháin a chomhlánú (*airteagail 14, 15* agus *16*).

3. **Deimhniú Cleamhnachta Polaitíochta**

1. Más ionadaí de chuid páirtí polaitíochta chláraithe 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 cholún cuí ag 2 ar an bpáipéar ainmniúcháin.
2. Más rud é nach ionadaí de chuid páirtí polaitíochta chláraithe an t-iarrthóir, féadfar an colún a fhágáil bán nó na focail “Neamh-Pháirtí” a iontráil sa cholún sin (*airteagal 14*).

4. **Grianghraf an Iarrthóra**

Más mian le hiarrthóir a ghrianghraf nó a grianghraf 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.

Ní mór an grianghraf a bheith arna ghlacadh tráth nach luaithe ná 12 mí roimh an lá vótaíochta agus cáilíocht mhaith a bheith ann. Ní mór é a bheith lándaite, a bheith arna ghlacadh de réir caighdeáin ghairmiúil agus aghaidh iomlán, ceann agus guaillí an iarrthóra féin amháin a bheith ar taispeáint ann ar chúlra geal (de dhath ar bith).

Ní foláir ainm an iarrthóra a bheith 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 san 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, an lá deireanach chun ainmniúcháin a ghlacadh). (*airteagail 17* agus *18*).

6. **Rialú ar an bPáipéar 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 amach i gceart nó nár síníodh é. Féadfaidh ceann comhairimh a rialú go bhfuil páipéar ainmniúcháin neamhbhailí freisin i gcás páipéir ainmniúcháin gan deimhniú cleamhnachta polaitíochta ó iarrthóir a roghnaigh modh an aontaithe dá dtagraítear ag 2 thuas má mheasann sé nó sí nár chomhlíon an t-iarrthóir na ceanglais reachtúla a bhaineann le haontú.

Ceanglaítear ar an gceann comhairimh cur 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 dóigh dó iomrall a chur ar dhaoine, nó

(c) go bhfuil sé rófhada gan ghá, nó

(d) go bhfuil ábhar polaitiúil ann.

Ceanglaítear ar an gceann comhairimh freisin cur 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 ag 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 (*airteagal 20*).

7. **Cáilitheacht maidir le Toghadh d’Údarás Áitiúil**

(a) Gach saoránach Éireannach agus gach duine a bhfuil gnáthchónaí air nó uirthi sa Stát, a bhfuil 18 mbliana slánaithe aige nó aici, nach bhfuil faoi réir aon cheann de na dícháilíochtaí atá sainithe i mír (b) thíos, tá sé nó sí cáilithe lena thoghadh nó lena toghadh;

(b) Tá duine dícháilithe lena thoghadh nó lena toghadh chun údaráis áitiúil más rud é –

* gur comhalta de Choimisiún an Chomhphobail Eorpaigh é nó í, nó
* gur ionadaí de Pharlaimint na hEorpa é nó í, nó
* gur Breitheamh, Ardabhcóide nó Cláraitheoir ar Chúirt Bhreithiúnais an Chomhphobail Eorpaigh é nó í, nó
* gur comhalta de Chúirt Iniúchóirí an Chomhphobail Eorpaigh é nó í,
* gur comhalta de Dháil Éireann nó de Sheanad Éireann é nó í, nó
* go gceaptar é nó í faoin mBunreacht mar Bhreitheamh nó mar Ard-Reachtaire Cuntas agus Ciste, nó
* gur comhalta den Gharda Síochána é nó í, nó
* gur comhalta lánaimseartha de na Fórsaí Cosanta é nó í, nó
* gur státseirbhíseach é nó í nach bhfuil cead aige nó aici go sainráite de réir théarmaí a fhostaíochta nó a fostaíochta a bheith ina chomhalta nó ina comhalta d’údarás áitiúil, nó
* gur duine é nó í atá fostaithe ag údarás áitiúil, ag Feidhmeannacht na Seirbhíse Sláinte nó ag an nGníomhaireacht um Leanaí agus an Teaghlach agus nach sealbhóir ar aicme fostaíochta, ar thuairisc fostaíochta nó ar ghrád fostaíochta atá ainmnithe le hordú faoi *alt 161(1)(b)* den *Acht Rialtais Áitiúil 2001*, nó
* gur duine é nó í atá fostaithe ag Feidhmeannacht na Seirbhísí Sláinte agus atá ar ghrád fostaíochta nó ar thuairisc fostaíochta atá ainmnithe le hordú ag an Aire Sláinte agus Leanaí, nó
* go bhfuil pianbhreith phríosúnachta á cur isteach aige nó aici ar feadh aon téarma is faide ná 6 mhí ar pianbhreith í arna forchur ag cúirt dlínse inniúla sa Stát, nó
* go mainníonn sé nó sí aon suim nó aon chuid d’aon suim arna muirearú nó arna formhuirearú ag iniúchóir cuntais aon údaráis áitiúil ar an duine sin nó ina choinne nó ina coinne a íoc, nó
* go mainníonn sé nó sí déanamh de réir breithiúnais chríochnaithigh, ordaithe chríochnaithigh nó foraithne críochnaithí ó chúirt dlínse inniúla, i leith airgid a dhlitear a íoc le húdarás áitiúil, nó
* go gciontaítear é nó í i gcion, nó gur daingníodh ciontú ar achomharc ina leith mar gheall ar chion a bhaineann le déileálacha calaoiseacha nó mí-ionraice a fhearann ar údarás áitiúil nó a bhaineann le cleachtas éillitheach nó gníomhú le linn a bheith dícháilithe.

(*An tAcht Rialtais Áitiúil 2001, arna leasú – ailt 13 agus 13A*).

Tá duine in aon cheann de na hearnálacha atá liostaithe thuas dícháilithe lena ainmniú nó lena hainmniú chun a thofa nó chun a tofa freisin (*An tAcht Rialtais Áitiúil 2001 – alt 2(4)*).

8. **Ainmniúchán** **a Tharraingt Siar**

Féadfaidh iarrthóir a ainmniúchán nó a hainmniúchán 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 gur 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 chun tarraingt siar a dhéanamh, agus é sínithe ag an iarrthóir agus ag an duine a sheachadann é (*airteagal 22*).

9. **Pionóis**

Tá pionóis ann i leith na nithe seo a leanas–

(a) (i) páipéar ainmniúcháin brionnaithe, nó

(ii) deimhniú brionnaithe cleamhnachta polaitíochta

a thabhairt ar aird don cheann comhairimh (*airteagal 99 agus 103*),

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

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

(ii) iarrthóireacht an duine sin a tharraingt siar (*airteagal 102*),

(c) dearbhú bréagach a dhéanamh maidir le hincháilitheacht iarrthóra lena thoghadh/toghadh (*airteagal 104*).

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

1. See Part 2 of Fines Act 2010 [↑](#footnote-ref-1)
2. Feach Cuid 2 don tAcht Fíneálacha 2010 [↑](#footnote-ref-2)