

**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 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:

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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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 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 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 in force on the date of the making of the statutory declaration. 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