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*Number 23 of 2002*

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**ELECTORAL (AMENDMENT) (NO. 2) ACT, 2002**

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ARRANGEMENT OF SECTIONS

Section

1. Amendment of section 36 of Electoral Act, 1997.
  2. Short title, construction and collective citation.
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[No. 23.] *Electoral (Amendment) (No. 2) Act,* [2002.]  
2002.

ACT REFERRED TO

Electoral Act, 1997

1997, No. 25



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*Number 23 of 2002*

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**ELECTORAL (AMENDMENT) (NO. 2) ACT, 2002**

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AN ACT TO EXTEND, AS RESPECTS EXPENSES INCURRED IN RELATION TO THE GENERAL ELECTION FOR MEMBERS OF DÁIL ÉIREANN LATELY HELD, THE PERIOD SPECIFIED IN SECTION 36 OF THE ELECTORAL ACT, 1997, WITHIN WHICH STATEMENTS UNDER THAT SECTION IN RESPECT OF SUCH EXPENSES CAN BE FURNISHED. [3rd July, 2002]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—(1) In this section “last general election” means the general election last held before the passing of this Act. Amendment of section 36 of Electoral Act, 1997.

(2) Section 36 of the Electoral Act, 1997, shall, as respects statements under that section in respect of the matters mentioned in that section that relate to the last general election, have effect as if—

(a) in subsection (1)(a), for “within the fifty six days next following the polling day at an election, furnish” there were substituted:

“within whichever of the following periods is the longer, namely—

(i) the 167 days next following the polling day at an election, or

(ii) the 21 days next following the date of pronouncement by the Supreme Court of its decision in the relevant appeal,

furnish”,

(b) in subsection (6), for “within the 56 days next following polling day at the election or as soon as practicable after the expiration of that period” there were substituted:

“within whichever of the following periods is the longer, namely—

(i) the 167 days next following polling day at the election, or

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(ii) the 21 days next following the date of pronouncement by the Supreme Court of its decision in the relevant appeal,

or as soon as practicable after the expiration of that period”,

and

(c) the following subsections were added to that section:

“(7) In this section the ‘relevant appeal’ means the appeal made on 14 June 2002 to the Supreme Court against the order of the High Court made on 16 May 2002 in proceedings entitled ‘Desmond Kelly, Applicant and The Minister for the Environment, Ireland and the Attorney General, Respondents’ (High Court record no. 2002/172 JR).

(8) References in this section to the date of pronouncement by the Supreme Court of its decision in the relevant appeal shall, if the issues arising on that appeal (other than the matter of costs) are the subject of separate decisions pronounced by that Court on different dates, be construed as references to the later or latest of the dates on which those decisions are pronounced by it.”.

Short title,  
construction and  
collective citation.

**2.—**(1) This Act may be cited as the Electoral (Amendment) (No. 2) Act, 2002.

(2) The Electoral Acts, 1992 to 2002, and this Act shall be read together as one and this Act shall be included in the collective citation “Electoral Acts, 1992 to 2002”.