



STATUTORY INSTRUMENTS.

S.I. No. 231 of 2007

SEANAD ELECTORAL (PANEL MEMBERS) (PRESCRIBED FORMS)
(AMENDMENT) (NO. 3) REGULATIONS 2007

(Prn. A7/1003)

SEANAD ELECTORAL (PANEL MEMBERS) (PRESCRIBED FORMS)
(AMENDMENT) (NO. 3) REGULATIONS 2007

The Minister for the Environment, Heritage and Local Government, in exercise of the powers conferred on him by section 5 of, and rule 8(1)(a)(ii) of the First Schedule to, the Seanad Electoral (Panel Members) Act 1947 (No. 42 of 1947), hereby makes the following Regulations:—

1. These Regulations may be cited as the Seanad Electoral (Panel Members) (Prescribed Forms) (Amendment) (No. 3) Regulations 2007.

2. The Seanad Electoral (Panel Members) (Prescribed Forms) Regulations 1954 (S.I. No. 91 of 1954), the Seanad Electoral (Panel Members) (Prescribed Forms) (Amendment) Regulations 1972 (S.I. No. 202 of 1972), the Seanad Electoral (Panel Members) (Prescribed Forms) (Amendment) Regulations 2000 (S.I. No. 291 of 2000), the Seanad Electoral (Panel Members) (Prescribed Forms) (Amendment) Regulations 2002 (S.I. No. 68 of 2002), the Seanad Electoral (Panel Members) (Prescribed Forms) (Amendment) Regulations 2007 (S.I. No. 116 of 2007), the Seanad Electoral (Panel Members) (Prescribed Forms) (Amendment) (No. 2) Regulations 2007 (S.I. No. 191 of 2007) and these Regulations shall be construed as one and may be cited together as the Seanad Electoral (Panel Members) (Prescribed Forms) Regulations 1954 to 2007.

3. The Seanad Electoral (Panel Members) (Prescribed Forms) Regulations 1954 are amended by substituting form No. 10 in the Schedule hereto for form No. 10 in the Schedule to the said Regulations.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 22nd May, 2007.*

SCHEDULE
DECLARATION OF IDENTITY
FOR USE AT SEANAD GENERAL ELECTION

Form No. 10,

First Schedule, Rule 8(1)(a)(ii)

Declaration of Identity

I hereby declare that I am the person to whom the ballot papers and the envelope in which they were enclosed were sent and I produce the said envelope and the ballot papers unmarked.

(Voter's Signature)

The above-named, who has produced the ballot papers unmarked and the envelope above referred to, and has signed the above declaration in my presence, is personally known to me (or is identified to me by..... of who is personally known to me).

(Witness's Signature).....

(Official Status and Address).....

.....

Date

(See instructions on back of this form)

INSTRUCTIONS TO THE VOTER

(To be printed on the back of the Declaration of Identity).

1. An authorised person is any one of the following:-
 - (a) the Seanad Returning Officer,
 - (b) the Clerk of Dáil Éireann,
 - (c) the Clerk-Assistant of Seanad Éireann,
 - (d) the Clerk-Assistant of Dáil Éireann,
 - (e) the County Registrar of the county or city in which is situate the premises the address of which is stated on the envelope (hereinafter

referred to as "the outer envelope") addressed to the elector containing the ballot papers, the ballot paper envelope and the envelope addressed to the Seanad Returning Officer,

- (f) the Sheriff for the said county or city,
- (g) in case the said premises is situate in a county, the Manager under the Local Government Act 2001, for the county and the Secretary of the council of the county,
- (h) in case the said premises is situate in a city, the City Manager,
- (i) the Superintendent of the Garda Síochána in whose district is situate the said premises or, where the Superintendent is unable through illness, absence or other cause to perform his or her duties, such inspector of the Garda Síochána performing duties in that district as the Superintendent may nominate, and
- (j) (in cases where the elector is detained in prison pursuant to an order of a court) the relevant official of the prison (as defined in section 1 of the Electoral (Amendment) Act 2006) where he or she is detained is the authorised person.

2. The voter must produce to an authorised person the outer envelope, the ballot papers which must be five in number and which must be unmarked, the ballot paper envelope and the covering envelope addressed to the Seanad Returning Officer.

3. The declaration of identity (which is furnished to the voter by the authorised person) must be completed and handed together with the outer envelope produced to the authorised person who, if he or she is satisfied that the person who made the declaration is the person to whom the outer envelope is addressed, shall sign the declaration of identity and return it to the voter and then destroy the outer envelope.

4. The voter must mark one or more than one of the ballot papers and must place all the ballot papers, whether marked or unmarked, in the ballot paper envelope, without showing the papers to anyone after they have been shown unmarked to the authorised person in accordance with instruction 2 above.

5. The ballot paper envelope and the completed declaration of identity must then be placed in the covering envelope addressed to the Seanad Returning Officer. That envelope must be effectually closed and then handed to the authorised person, who will affix a label bearing a certificate which he or she will sign if satisfied that it is proper to do so.

- 6. (a) Except in cases referred to at (b) below, the voter must return the envelope containing the ballot paper envelope and the declaration of identity to the Seanad Returning Officer by registered post. If this is not done, the vote will be rejected as invalid. If the voter delays

returning the ballot papers, they may be received too late and not be counted.

- (b) Where the elector is detained in prison pursuant to an order of a court, the relevant official must ensure that appropriate arrangements are made for the return of the documentation referred to in (a) above to the Seanad Returning Officer by registered post. This must be done without delay to ensure that the ballot papers arrive in time for the count.

7. There is a different ballot paper for each panel. An elector in marking a ballot paper at a Seanad general election must place on the ballot paper the figure 1 opposite the name of the candidate for whom he or she votes, and may in addition place on the ballot paper the figures 2 and 3, or 2, 3 and 4, and so on, opposite the name of other candidates in the order of his or her preference.

8. Any ballot paper—

- (a) which does not bear the official mark, or
- (b) on which the figure 1 standing alone is not placed at all or is not so placed as to indicate a first preference for some candidate, or
- (c) on which the figure 1 standing alone indicating a first preference is set opposite the name of more than one candidate, or
- (d) on which the figure 1 standing alone indicating a first preference and some other number is set opposite the name of the same candidate, or
- (e) on which anything is written or marked by which the voter can be identified,

shall be invalid and shall not be counted.



GIVEN under my Official Seal,
17 May 2007

DICK ROCHE.

Minister for the Environment, Heritage and Local
Government.

EXPLANATORY NOTE

(This note is not part of the instrument and does not purport to be a legal interpretation)

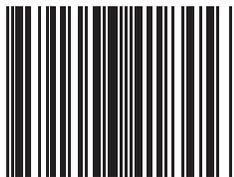
These Regulations amend the Seanad Electoral (Panel Members) (Prescribed Forms) Regulations 1954 by prescribing a revised form of the Declaration of Identity.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHAN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2
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(Teil: 01 - 6476834/35/36/37; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased directly from the
GOVERNMENT PUBLICATIONS SALE OFFICE
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,
or by mail order from
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,
51 ST. STEPHEN'S GREEN, DUBLIN 2
(Tel: 01-6476834/35/36/37; Fax: 01-6476843)
or through any bookseller.

€2.54

ISBN 1-4064-1845-5



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