



STATUTORY INSTRUMENTS.

S.I. No. 482 of 2019



SEANAD ELECTORAL (PANEL MEMBERS) (PRESCRIBED FORMS)
(AMENDMENT) REGULATIONS 2019

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I, JOHN PAUL PHELAN, Minister of State at the Department of Housing, Planning and Local Government, in exercise of the powers conferred on me by sections 5, 27, 29, 37 and 47 (as amended by section 57 of the Electoral (Amendment) Act 2001 (No. 38 of 2001)) of the Seanad Electoral (Panel Members) Act 1947 (No. 42 of 1947), (as adapted by the Housing, Planning, Community and Local Government (Alteration of Name of Department and Title of Minister) Order (S.I. No. 358 of 2017) and the Housing, Planning and Local Government (Delegation of Ministerial Functions) Order 2017 (S.I. No. 473 of 2017)), hereby order as follows:

1. These Regulations may be cited as the Seanad Electoral (Panel Members) (Prescribed Forms) (Amendment) Regulations 2019.

2. The Seanad Electoral (Panel Members) (Prescribed Forms) Regulations 1954 to 2016 and these Regulations may be cited together as the Seanad Electoral (Panel Members) (Prescribed Forms) Regulations 1954 to 2019 and shall be construed as one.

3. The Seanad Electoral (Panel Members) (Prescribed Forms) Regulations 1954 (S. I. No. 91 of 1954) are amended-

- (a) in Article 2A(i) (as inserted by article 3(a) of the Seanad Electoral (Panel Members) (Prescribed Forms) (Amendment) Regulations 2002) by substituting “Schedule to the Seanad Electoral (Panel Members) (Prescribed Matters) (Amendment) Regulations 2002” for “Schedule hereto”,
- (b) by substituting forms No. 3, No. 4, No. 5 and No. 8 of Part 1 of the Schedule hereto for forms No.3, No.4, No.5 and No.8 in the Schedule to said Regulations.

4. The Seanad Electoral (Panel Members) (Prescribed Forms) (Amendment) Regulations 2002 (S.I. No. 68 of 2002) are amended by the substitution of the requirements specified in Part 2 of the Schedule hereto for the requirements specified in Part 1 of the Schedule to the said Regulations.

5. The Seanad Electoral (Panel Members) (Prescribed Forms) (Amendment) Regulations 2007 (S.I. 116 of 2007) are revoked.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 1st October, 2019.*

SCHEDULE

Part 1

Form No. 3. Section 27(1)

**SEANAD ELECTORAL (PANEL MEMBERS) ACTS 1947 TO 2015
SEANAD GENERAL ELECTION**

**NOTICE TO NOMINATING BODY OF RIGHT TO PROPOSE FOR
NOMINATION**

Name of Panel.....
To
.....

being a body registered in the register of nominating bodies in respect of the above-mentioned panel.

Notice is hereby given that the above-mentioned body has the right to propose for nomination.....person(s) to thepanel.

A form of proposal for nomination paper is sent herewith.

Subsections (2) and (3) of section 27 of the Seanad Electoral (Panel Members) Act 1947 (as amended by the Seanad Electoral (Panel Members) Act 1954 and the Electoral (Amendment) Act 2015) make the following provisions with respect to nominations:-

“(2) A proposal for nomination to a panel by a nominating body shall be made in accordance with the following provisions:-

- (a) the proposal shall be made in writing on a proposal for nomination paper in the prescribed form;
- (b) the nominating body shall propose by one and the same proposal for nomination paper all the persons which it proposes for nomination;
- (c) the proposal for nomination paper shall contain the particulars required by the prescribed form of proposal for nomination paper to be stated therein (including a statement of the

qualifications of every person thereby proposed for the panel to which he is proposed) and shall be signed by the nominating body;

- (d) where the nominating body is a body corporate, the proposal for nomination paper shall be signed by the body by affixing to such paper the seal of the body in the manner and with the counter signatures required by the constitution, articles of association, or other regulations of the body;
 - (e) where the nominating body is not a body corporate, the proposal for nomination paper shall be signed in the name of the body by some person having authority to sign in that name.
- (3) In the case of the Association of Irish Local Government and the Local Authority Members' Association, the persons to be proposed for nomination to the administrative panel by those bodies respectively shall be chosen by the members of the body voting on the system of proportional representation by means of the single transferable vote."

The qualifications referred to in subsection (2)(c) of section 27, for the panels named in section 3 of the Seanad Electoral (Panel Members) Act 1947, are set out in Article 18.7 of the Constitution. Each panel must contain the names of persons having knowledge and practical experience of the interests and services as listed below.

- (i) Cultural and Educational panel -
National Language and Culture, Literature, Art, Education and such professional interests as may be defined by law for the purpose of this panel.

(Professional interests for the purposes of this panel are defined by section 3(2) of the Seanad Electoral (Panel Members) Act 1947 as (a) law, and (b) medicine, including surgery, dentistry, veterinary medicine and pharmaceutical chemistry.)

- (ii) Agricultural panel -
Agricultural and allied interests, and Fisheries;
- (iii) Labour panel -
Labour, whether organised or unorganised;

- (iv) Industrial and Commercial panel -
Industry and Commerce, including banking, finance, accountancy, engineering and architecture;
- (v) Administrative panel -
Public Administration and social services, including voluntary social activities.

The form of proposal for nomination paper is, for convenience, in three separate parts: a first sheet, continuing sheets and a final sheet. A separate continuing sheet should be used for each candidate proposed. Each continuing sheet should state the name, address, description and qualifications for the panel of the person proposed, in the spaces provided therefor. The surname of the person proposed and the other name or names must be given in full. In the space opposite the words "Description of person proposed for nomination," the rank, profession or calling of the person proposed should be stated. The address and qualifications of the person proposed should be set out in the spaces provided therefor on the sheet. The particulars given should be such that the identity of the person proposed is free from doubt.

It should be indicated in the space provided if photographs of the candidate have been attached for inclusion on the ballot paper. 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 the day for the closing of the poll 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.**

When completed, the "First Sheet," the sheets marked "Continuing Sheet No....." and the sheet marked "Final Sheet", should be fastened together in that order and submitted as one proposal for nomination paper.

Where a nominating body purports to propose for nomination by a proposal for nomination paper more persons to a panel than such nominating body is entitled so to propose, the nomination paper shall be wholly void.

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The period during which proposals for nomination by nominating bodies may be received expires on theday ofat.....

Seanad Returning Officer

Leinster House,

Dublin.

Form No. 4. Section 27(2)

FIRST SHEET

Number of Candidates proposed for nomination

SEANAD ELECTORAL (PANEL MEMBERS) ACTS 1947 AND 1954

**PROPOSAL FOR NOMINATION PAPER FOR USE BY NOMINATING
BODY**

Name of Nominating Body.....

Address

.....

The above-named body proposes for nomination to the.....

..... panel, the person or persons whose names are hereinafter set forth, and declares in respect of every such person that he or she is qualified to be and is not disqualified from being elected a member of Seanad Éireann, and is qualified for inclusion in the said panel by reason of the qualifications hereinafter set forth in respect of him or her.

CONTINUING SHEET NO

Name of person proposed for nomination, in full (Surname first)

Description of person proposed for nomination

.....

.....

.....

Photographs attached for inclusion on ballot paper (see Note 1 below)

Yes

No

Address of person proposed for nomination

.....
.....
.....
.....

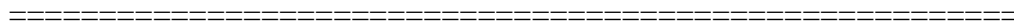
Statement of qualifications of person proposed for nomination for the panel to which he or she is hereby proposed for nomination.

.....
.....
.....
.....

FINAL SHEET

Authentication.

(See Note 2 below)



NOTES

Note 1

Section 57(b) of the Electoral (Amendment) Act 2001 amended section 47 of the Seanad Electoral (Panel Members) Act 1947 to provide for the inclusion of a photograph of the candidate on the ballot paper in a Seanad General Election. The Seanad Electoral (Panel Members) (Prescribed Forms) (Amendment) Regulations 2002, as amended by the Seanad Electoral (Panel Members) (Prescribed Forms) (Amendment) Regulations 2019, set out the required specification of a photograph for inclusion on a ballot paper.

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 the day for the closing of the poll 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.

Note 2

The statutory requirements with respect to the signing of proposal for nomination papers are as follows:-

1. Where the nominating body is a body corporate, the proposal for nomination paper shall be signed by the body by affixing to such paper the seal of the body in the manner and with the counter signatures required by the Constitution, articles of association, or other regulations of the body.
2. Where the nominating body is not a body corporate, the proposal for nomination paper shall be signed in the name of the body by some person having authority to sign in that name.

Form No. 5. Section 29(1)

SEANAD ELECTORAL (PANEL MEMBERS) ACTS 1947 AND 1954

SEANAD GENERAL ELECTION

**NOMINATION PAPER FOR USE BY MEMBERS OF THE
OIREACHTAS**

We the undersigned Members of the Oireachtas hereby nominate to thepanel, the under-mentioned person for election to Seanad Éireann and declare that the said person is qualified to be and is not disqualified from being elected a Member of Seanad Éireann, and that the said person is qualified for the said panel by reason of the qualifications hereinafter set forth.

Name of person
nominated, in full
(Surname first)

Description of person
nominated

Address of person
nominated

Photographs attached for inclusion
on the ballot paper (see note
below)

Yes

No

Statement of
qualifications of person
nominated for the panel to
which he or she is hereby
nominated

.....
.....
.....
.....
.....
.....
.....
.....

Signed
Member of *Dáil *Seanad Éireann

Signed
Member of *Dáil *Seanad Éireann

Signed
Member of *Dáil *Seanad Éireann

Signed
Member of *Dáil *Seanad Éireann

*Strike out whichever is inapplicable.

Note

Section 57(b) of the Electoral (Amendment) Act 2001 amended section 47 of the Seanad Electoral (Panel Members) Act 1947 to provide for the inclusion of

a photograph of the candidate on the ballot paper in a Seanad General Election. The Seanad Electoral (Panel Members) (Prescribed Forms) (Amendment) Regulations 2002, as amended by the Seanad Electoral (Panel Members) (Prescribed Forms) (Amendment) Regulations 2019, set out the required specification of a photograph for inclusion on a ballot paper.

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 the day for the closing of the poll 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

Form No. 8 Section 37(4)

SEANAD ELECTORAL (PANEL MEMBERS) ACTS 1947 AND 1954

SEANAD GENERAL ELECTION

NOMINATION PAPER FOR NOMINATIONS BY TAOISEACH TO COMPLETE PROVISIONAL SUB-PANELS

In pursuance of section 37 of the Seanad Electoral (Panel Members) Act 1947, the Taoiseach hereby nominates to the..... sub-panel of the panel the person whose name is hereinafter set forth as a candidate for election to Seanad Éireann and declares in respect of such person that he or she is qualified to be and is not disqualified from being elected a member of Seanad Éireann, and is qualified for inclusion in the said panel by reason of the qualifications hereinafter set forth in respect of him or her.

Name in full of person nominated (Surname first)

Description of person nominated

Address of person nominated

Photographs attached for inclusion on ballot paper (see note below). Yes No

Statement of
qualifications of person
nominated for the panel to
which he or she is hereby
nominated.
.....
.....
.....
.....

Signed

TAOISEACH

Note

Section 57(b) of the Electoral (Amendment) Act 2001 amended section 47 of the Seanad Electoral (Panel Members) Act 1947 to provide for the inclusion of a photograph of the candidate on the ballot paper in a Seanad General Election. The Seanad Electoral (Panel Members) (Prescribed Forms) (Amendment) Regulations 2002, as amended by the Seanad Electoral (Panel Members) (Prescribed Forms) (Amendment) Regulations 2019, set out the required specification of a photograph for inclusion on a ballot paper.

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 the day for the closing of the poll 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

Part 2
PHOTOGRAPHS

1. A photograph in digitised format and two identical printed copies of the photograph (passport size - 35mm x 45mm) shall be delivered with the candidate's nomination paper.
2. The photograph shall be of good quality and in colour showing the candidate's full face, head and shoulders only, on a light background (any colour) and taken to a professional standard.
3. The photograph shall have been taken not more than twelve months prior to the date appointed by the Minister for Housing, Planning and Local Government by order under section 24 of the Seanad Electoral (Panel Members) Act 1947 for the close of the poll at the election.
4. Each copy of the printed photograph shall have the candidate's name clearly shown on the back.

GIVEN under my hand,
25 September 2019

JOHN PAUL PHELAN

Minister of State at the Department of Housing, Planning and Local
Government.

EXPLANATORY NOTE

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

These regulations provide for revised forms for use at Seanad Panel Members elections and updates the provisions for the submission of candidates' photographs.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
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