Register of Electors

Comhshaol, Oidhreacht agus Rialtas Áitiúil
Environment, Heritage and Local Government

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The Register of Electors

1 INTRODUCTION

In order to be able to vote at an election or referendum, a person's name must be entered on the register of electors for the locality in which the elector ordinarily resides. Registration authorities (county and city councils) are required by law to prepare and publish a register of electors every year. The register comes into force on 15th February and is used at each election and referendum held in the succeeding 12 months.

Since 2004, registration authorities are required to publish two versions of the register – the full register and the edited register. The full register lists everyone who is entitled to vote and can only be used for an electoral or other statutory purpose. The edited register contains the names and addresses of persons whose details can be used for a purpose other than an electoral or other statutory purpose, e.g. for direct marketing use by a commercial or other organisation (see para. 3)

2 CONDITIONS FOR REGISTRATION

The conditions are:

- **Age:** a person must be at least 18 years of age on the day the register comes into force (15th February). Every resident aged 18 and upwards is entitled to be on the register.
- **Citizenship:** while every adult resident is entitled to be registered, the registration authority needs to know a person's citizenship because it is citizenship that determines the elections at which a person may vote. The qualifying date for citizenship is the 1st September preceding the coming into force of the register. The right to vote is as follows:

Irish citizens may vote at every election and referendum;

British citizens may vote at Dáil, European and local elections;

Other EU citizens may vote at European and local elections;

Non-EU citizens may vote at local elections only.

- **Residence:** a person must be ordinarily resident at the address in question on 1st September preceding the coming into force of the register.
  A person may be registered at one address only. If a person has more than one address (e.g. a person living away from home to attend college), the registration authority should be informed of the address at which the person wishes to be registered.

A person who leaves his/her ordinary residence with the intention of returning there within eighteen months can continue to be registered there, subject to the over-riding condition that a person may be registered at one address only. A person who is absent on a temporary basis from his/her ordinary address, for example on holiday, in hospital or in the course of employment, should be registered at his/her ordinary address. A visitor or person staying temporarily at the address should not be registered.

PREPARATION OF REGISTER

During September/October the registration authority carries out house-to-house or other local enquiries for the purpose of preparing the draft register. In many cases, this will involve delivering registration (RFA) forms to households for completion. A registration authority may require a person to produce documentary evidence in support of eligibility to vote, e.g. a birth certificate or a certificate of naturalisation in the case of citizenship.

The draft register is published on 1st November and is made available for examination at post offices, public libraries, Garda stations, courthouses and local authority offices up to 25th November and the public are invited to check the draft during this period to make sure that they are correctly registered.

Any errors or omissions in the draft should be brought immediately to the attention of the registration authority.

Claims for the addition or deletion of names are ruled on by the county registrar who is a legally qualified court officer. The ruling is made in public and any person may attend and give evidence. Interested persons are notified of the county registrar's decision. An appeal may be made in the circuit court against a county registrar's decision. The claims process takes place between 25th November and 23rd December each year.

Edited Register:

As explained in paragraph 1, the edited register contains the names and addresses of persons whose details can be used for a purpose other than an electoral or other statutory purpose, e.g. for direct marketing use by a commercial or other organisation.

If you do not wish your details to be included on the edited register you should tick the "opt out" box on the RFA. If you are completing this form on behalf of other household members you should check with them as regards their intentions concerning appearing on the edited register.

The final register is published on 1st February and comes into force for a year on 15th February.

POSTAL VOTERS LIST

Registration authorities prepare a postal voters list as part of the register of electors. Applications for inclusion in the list must be received by 25th November at the latest.

The following categories of persons are registered as postal voters:

- whole-time members of the Defence Forces - members who live in military barracks may be registered either at the barracks or at their home address;
- Irish diplomats posted abroad and their spouses - they are registered at their home address in Ireland.

The following categories of persons may apply for registration as postal voters:

- Members of the Garda Síochána (police force);
- persons living at home who are unable to go to a polling station to vote because of a physical illness or physical disability;
- persons whose occupations are likely to prevent them from voting at their local polling station on election day, including full-time students registered at home who are living elsewhere while attending an educational institution in the State.
- electors unable to vote at their polling station due to circumstances of their detention in prison pursuant to an order of the court.

An elector registered as a postal voter may vote by post only and may not vote at a polling station.

SPECIAL VOTERS LIST

As part of the register of electors, registration authorities also prepare a list of special voters comprising electors with a physical illness or physical disability living in hospitals, nursing homes or similar institutions who wish to vote at these locations. In order to qualify, an elector's physical illness or physical disability must be likely to continue for the duration of the register and prevent him/her from going to a polling station to vote.

Applications to be entered on the special voters list must be made by 25th November and -

in the case of a first application - must be accompanied by a medical certificate.

Electors on the special voters list vote at the hospital, nursing home etc. where they are residing by marking a ballot paper delivered to them by a special presiding officer accompanied by a Garda.

A separate leaflet in this series sets out information for voters with disabilities.

6 SUPPLEMENT TO THE REGISTER OF ELECTORS

If a person is not included in the register of electors currently in force but considers that he/she qualifies for registration, the person may apply for entry in a supplement to the register which is published prior to polling day at each election and referendum. In order to qualify, a person must meet the requirements in relation to residence and age. To be eligible for inclusion in the supplement, a person must:

- be at least 18 years on or before polling day;
- be ordinarily resident at the address at which he/she wishes to be registered; and
- ***not*** be already registered as an elector at any other address.

An application for entry on the supplement must be witnessed by a member of the Garda Siochana or, if the person cannot attend their local Garda Station, by an official of their county or city council provided they state the reason why they were unable to attend a Garda station. Application for entry in the supplement must be received by the registration authority at least 15 working days before polling day in order to be considered for that election or referendum. While the majority of applications for inclusion in the supplement to the register are normally made in the run-up to an election or referendum, an application can be made at any time once the elector is eligible for entry on the supplement. Persons entered in the supplement are entitled to vote at elections/referenda held during the currency of the register.

7 SUPPLEMENTS TO THE POSTAL VOTERS AND SPECIAL VOTERS LISTS

Electors who are eligible for, but not already included in, the postal or special voters list, may apply for entry in the relevant supplement to these lists which are published prior to each election and referendum.

The latest date for receipt of supplement applications by registration authorities before a

poll is two days after the date of dissolution of the Dáil in the case of a general election and two days after the polling day order is made in the case of a Dáil bye-election or a Presidential, European or local election or Referendum. However, as in the case of ordinary supplement to the register, an application for inclusion in the postal and special voters supplement can be made at any time once the elector is eligible for entry on the supplement.

CHANGE OF ADDRESS

Since 2002, a person who is on the register of electors and moves residence from one constituency to another constituency or within the same constituency (different local electoral area) can apply for entry to the supplement at their new address provided they have authorised the registration authority to delete their name from the register in respect of their previous address. The application must be signed and stamped at a Garda Station and photographic identification may be required.

To be included in the supplement following a change of address a person must be:

- already on the register in respect of their previous address and;
- ordinarily resident at the address at which they now wish to be registered.

INSPECTING THE REGISTER OF ELECTORS

Any person may inspect the register, draft register or edited register during working hours at the offices of the registration authority or the county registrar and at public libraries, post offices and Garda stations. A copy of the register, or extracts, may be purchased from the registration authority for a fee of sixty three cent for the first hundred names, plus thirteen cent for each subsequent hundred names. Copies of the register are provided free to elected public representatives and election candidates.

Since the requirement to publish both a full and edited register from 1 November 2004, it is an offence to use details on the full register for anything other than an electoral or other statutory purpose.

10 REGISTRATION LAW

The information contained in this leaflet does not purport to be a definitive statement of the law on the registration of electors. The law is set out in:

- Part II of, and the Second Schedule to, the Electoral Act 1992;
- the Electoral (Amendment) Act 1996;
- Part VII and section 76 of the Electoral Act 1997;
- the Electoral (Amendment) Act 2001
- Electoral (Amendment) Act 2002.

These Acts are available from the Government Publications Sale Office, Sun Alliance House, Molesworth Street, Dublin 2. They may also be downloaded from the Oireachtas website at www.oireachtas.ie

OTHER LEAFLETS

Other leaflets available in this series are as follows:

How the President is Elected

The Referendum in Ireland

How the Dáil (Lower House of Parliament) is Elected

How the Seanad (Senate/Upper House of Parliament) is Elected

European Parliament: How Ireland's Representatives are Elected

How Members of Local Authorities are Elected

Information for Voters with Disabilities

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