

Seanad Bye-Elections
27 April 2018

*Report by the Standards in Public Office Commission
to the Ceann Comhairle pursuant to the Electoral Act 1997, as amended.*



Coimisiún um Chaighdeáin in Oifigí Poiblí
Standards in Public Office Commission

July 2018

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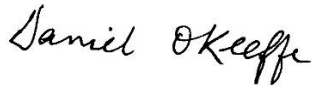
Foreword

I am pleased to furnish this report to the Chairman of Dáil Éireann (Ceann Comhairle) in accordance with the provisions of section 4(1) of the Electoral Act 1997, as amended (the Act). The donation statements referred to in the report were furnished to the Standards in Public Office Commission pursuant to section 24(2)(b) of the Act while the certificates of monetary donations/statutory declarations and statements from financial institutions were furnished pursuant to section 23B(4) of the Act.

Detailed information about the requirements of the legislation, relating to:

- disclosure of political donations,
- limits on the values of donations which may be accepted,
- prohibited donations, and,
- tax clearance requirements,

is contained in the Guidelines for the Seanad Bye-Elections 2018 which are available on www.sipo.ie.



Justice Daniel O'Keeffe
Chairperson
July 2018

Chapter 1: Introduction

Mr Eoghan Murphy, T.D., Minister for Housing, Planning and Local Government, announced on 13 March 2018 that he had made an order directing that bye-elections be held to fill the vacancies in the Seanad caused by the resignations of Senator Denis Landy and Senator Trevor Ó Clochartaigh. Senator Landy was elected from the Oireachtas Nominating Bodies Sub-Panel of the Agricultural Panel in the Seanad election in April 2016 and Senator Trevor Ó Clochartaigh was elected from the Oireachtas Sub-Panel of the Agricultural Panel also in April 2016. Serving members of Dáil Éireann and Seanad Éireann were entitled to vote in the bye-elections. Polls closed at 11am on Friday 27 April 2018.

The provisions of the Act regarding the disclosure and limitation of donations applied to all candidates at the Seanad bye-elections. There are no limits on spending at a Seanad election. Accordingly, this report deals only with the disclosure of donations by unsuccessful candidates at the elections.

Unsuccessful candidates at the Seanad bye-elections were required, within 56 days of the poll closing, to furnish to the Standards Commission a Donation Statement and accompanying documentation. Unsuccessful candidates were required to disclose donations with a value greater than €600. The date by which Donation Statements were to be furnished to the Commission was 22 June 2018.

The successful candidates at the elections, Senator Anthony Lawlor and Senator Ian Marshall, are required as members of Seanad Éireann to furnish an annual Donation Statement and accompanying documentation to the Standards Commission by 31 January each year. The Donation Statement to be furnished to the Standards Commission in respect of 2018 by the successful candidates must include details of any donations received during 2018. This Statement must be furnished to the Standards Commission by 31 January 2019.

Chapter 2: Disclosure of Donations by unsuccessful candidates

2.1 Donation Statements and Certificates of Monetary Donations received from unsuccessful candidates

The Standards Commission issued guidelines on acceptance and disclosure of donations to Seanad Bye-Elections candidates on 11 April 2018. A list of all Seanad Bye-Elections candidates is below.

A donation statement/statutory declaration form and certificate of monetary donations/statutory declaration form issued to 7 unsuccessful candidates on 2 May 2018.

Completed donation statements and certificates of monetary donations were required to be returned to the Standards Commission by 22 June 2018.

Seanad Bye-Elections Candidates
Niall Blaney
Niall Kelleher
Anthony Lawlor (Elected)
Ian Marshall (Elected)
Martin Miley
Mary Newman
Bobby O'Connell
Frank O'Flynn
Mary Redmond

2.2 Donations disclosed

The Standards Commission considered the donation statements furnished by each of the unsuccessful candidates at the Seanad Bye-Elections. There were no donations disclosed by the Seanad Bye-Elections candidates.

Chapter 3: Publication of Donation statements furnished to the Standards Commission

Copies of all donation statements received by the Standards Commission from unsuccessful candidates at the Seanad Bye-Elections have been electronically laid today before each House of the Oireachtas.

The donation statements received by the Standards Commission are being made available today for public inspection and copying at the offices of the Standards Commission.

Certificates of monetary donations/statutory declarations and statements from financial institutions, while retained by the Standards Commission, are not put on public display or otherwise disclosed, unless required by court order or an enquiry by the Standards Commission.