

Appendix 3 to Circular LG 2 / 2015

Suggested Notice for issue by Ethics Registrar requiring submission of Annual Declaration by members

Part 15 of Local Government Act 2001

1. It is my duty in accordance with section 174 of the Local Government Act 2001 (the Act) to issue this notice informing you of your obligations under section 171 of the Act. This notice is being issued to all councillors and to all relevant staff.
2. Section 171 obliges you to prepare and furnish to the Ethics Registrar an annual written declaration containing particulars of your “declarable interests” within the meaning of section 175 of the Act. The prescribed annual declaration form is enclosed for your attention; it sets out the list of “declarable interests” required by the Act. The enclosed form should be completed and furnished to the Ethics Registrar no later than the **last day of February** and failure to do so is an offence under the Act.
3. The form is to be completed in respect of your declarable interests held during the period between the date of your previous declaration and the date of this declaration. Please remember to sign and **date** the form. (However if this is your first declaration, it needs to be completed in respect of your declarable interests held during the 12 month period prior to and including the date of your signing it.)
4. The onus is on each councillor to complete and furnish the annual declaration. If you do not have an interest to declare please enter 'nil' on the form, where appropriate. Members must also provide a statement that they are not subject to disqualification¹.
5. Your attention is drawn to the Code of Conduct for Councillors, which is attached, and to the requirement in section 169 of the Act that each member shall have regard to and be guided by the Code of Conduct in the exercise of his or her functions. The annual declaration form attached includes –
 - a declaration that you have read the Code of Conduct for Councillors and that you understand its meaning, and
 - an undertaking to have regard to and be guided by the Code of Conduct for Councillors in the exercise of your functions.

Signed: _____ **Ethics Registrar. Dated :** _____ **January 20**____

¹ [Section 13 of the Local Government Act 2001](#) as amended by the [Health Act 2004](#) and the [Child and Family Agency Act 2013](#) sets out the various disqualifications from local authority membership which apply. Among those disqualified are –

- persons employed by local authorities, the Health Service Executive or the Child and Family Agency other than those designated by order under section 161(1)(b) of the Act (e.g. the [Local Government Act 2001 \(Section 161\) Order 2004 \(S.I. No. of 216/2004\)](#)),
- Gardaí, members of Defence Forces, civil servants, and
- those convicted of certain offences.

[Section 15 of the Act](#) provides that it is an offence for a person to act as a member of a local authority when disqualified.