

*APPLICATION FOR ENTRY IN THE
POSTAL VOTERS LIST BY
PRISONERS*

STATUTORY DATES FOR 2009/2010

- The period for giving public notice in respect of applications for entry in the postal voters list starts on **19th January 2009** and ends on **26th January 2009**
- The latest date for the receipt of applications for entry in the postal voters list is **14th February 2009**

***Application for entry in the Postal Voters List by
electors unable to vote at their polling station due to circumstances
of their detention in a prison pursuant to an order of a court***

(Please read the notes overleaf before completing the form)

PART A - PARTICULARS OF APPLICANT

(Insert your full name and address(es) as indicated below and, where available, your number on the register of electors)

Name (BLOCK LETTERS): _____

Current Home Address¹ (BLOCK LETTERS): (See note 2 overleaf)

Address Immediately Prior to Imprisonment (if different from above) (BLOCK LETTERS): (See note 2 overleaf) _____

Date of Birth: _____

Number on register of electors (if known): _____

DECLARATION AND APPLICATION

I hereby declare that I am likely to be unable to go in person on polling day to vote at the polling station because of the circumstances of my detention in prison. I hereby apply to have my name entered in the postal voters list.

Signature or Mark: _____ Date: _____

Name and address of Prison: _____

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PART B – CERTIFICATE BY RELEVANT OFFICIAL OF THE PRISON²

(This part must be completed with each application)

I hereby certify that the above named applicant is currently detained in prison pursuant to an order of a court and is by virtue of the circumstances of his/her detention likely to be unable to go in person on polling day to vote at the polling station.

Signature of Relevant Official: _____ Name (BLOCK LETTERS): _____ Rank/Title: _____ No. of Relevant Official: _____ Telephone: _____ Date: _____	Prison Stamp
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¹ The address as stated on the register of electors where you would be currently living if you were not in prison. You will be able to vote for candidates in the constituency where this address is located.

² “Relevant official” is the Governor or a person appointed by him/her to carry out registration and voting-related duties.

Notes

Application for entry in the Postal Voters List by electors unable to vote at their polling station due to circumstances of their detention in a prison pursuant to an order of a court

(Please read these notes and instructions carefully before completing the form)

1. **Electors who may apply for entry into the postal voters list:**

Provided you are registered as an elector, you may apply to be entered in the postal voters list if you are likely to be unable to go in person on polling day at an election or referendum to vote at a polling station because of the circumstances of your detention in a prison pursuant to an order of a court. You must, if required, be able to establish to the satisfaction of the registration authority that you were ordinarily resident in the State prior to your detention. (If you are not on the register of electors, you must also complete Form RFA or, after 25 November in any year in respect of the next year's register, Form RFA4 for entry on the Supplement to the Register).

2. **Completing the application form:**

To apply for inclusion in the postal voters list you must complete Part A of the form. You must give your full name and current home address as they appear on the register of electors (i.e. the place where you would be living if you were not in prison). (If you had an address different from this immediately before you entered prison, you should also give this address). You will, therefore, be able to vote for candidates in your own local constituency. You must also give the name and address of the prison to enable the ballot paper to be sent to you.

It is important that you sign/mark and date the application form, to make the application valid.

3. **Certification of the application form:**

When you have completed the form, you should hand it to the relevant official of the prison to certify that you are likely to be unable to go in person to the polling station to vote because of the circumstances of your detention in the prison.

4. **Return of application form by post:**

Completed application forms, including certificates, must reach your local registration authority in the area in which you are registered on the register of electors by **25 November in any given year.**

If the place where you are registered is a city (i.e. Cork, Dublin, Galway, Limerick or Waterford), the form must be sent to the City Council at the City Hall.

If you are registered in a county, the form must be sent to the head office of the County Council. In this regard, you should hand the completed documentation to the relevant official who will arrange to have it posted to the relevant registration authority.

5. **What happens next?**

If your application is received by the registration authority before the latest date for receipt of applications and it is satisfied that you are qualified to be entered in the postal voters list and that your application is properly completed and certified, your name will be entered in the postal voters list. The registration authority may require additional information or documents to decide your eligibility for inclusion in the postal voters list. Where a registration authority seeks any additional information or documents and specifies a date within which it must be furnished, failure to do so within the specified time means that your application will be deemed to be withdrawn.

You will be notified by the registration authority of the decision on your application and, if it is refused, you will be given the reason for the refusal. Where your application is refused, you will have the right to appeal to the County Registrar against the ruling of the registration authority.

6. **Method of voting:**

An elector entered in the postal voters list because of the circumstances of his/her detention will be sent a ballot paper and a declaration of identity before polling day. In order to vote you will be required to produce to the relevant official in the prison the envelope addressed to you, the unmarked ballot paper and a declaration of identity. You will be required to complete and sign (or mark) the declaration of identity in the presence of the relevant official, who, on being satisfied as to your identity, will witness the declaration and stamp the declaration of identity with the stamp of the prison. You may then mark the ballot paper (in secret), put it in the ballot paper envelope, put all documents in a covering envelope and hand that envelope to the relevant official who will arrange to have it posted to the returning officer so as to be received by the polling day.

7. **Release from prison etc.**

If your application for inclusion in the postal voters list is granted you can only vote by post. If you are no longer in prison and still on the postal voters list, you cannot vote at a polling station unless you write to the registration authority to have your name deleted from the postal voters list. This must be done within a certain period before the holding of an election or referendum (i.e. 2 days after the date of dissolution of the Dáil at a general election or 2 days after the making of an order

appointing polling day at a Dáil bye-election or a Presidential, European, local election or a referendum).

If, however, you are still on the postal voters list at the time of an election or referendum and where there is time to do so, the returning officer can re-address the envelope (containing the ballot paper etc.) to you at your home address on receipt of the returned envelope from the prison authorities. In these circumstances, you can vote at a Garda station. (To do this, you must go in person to a Garda station and produce to a member of the Garda Síochána the envelope addressed to you, the unmarked ballot paper and the declaration of identity. You will be required to complete and sign or mark the declaration of identity in the presence of the Garda and hand it to the Garda. If the Garda is satisfied as to your identity he or she will witness the declaration and stamp the declaration of identity with the stamp of the Garda station. You may then mark the ballot paper (in secret), put it in the ballot paper envelope, put all documents in a covering envelope and return that envelope by post to the returning officer.)

If you have been transferred to another prison, the prison authorities can re-address the envelope to you in the new prison or, if you are no longer in prison, they can re-address the envelope to the returning officer.

**IT IS AN OFFENCE TO APPLY FOR ENTRY IN THE POSTAL VOTERS LIST IN THE NAME
OF ANOTHER PERSON.**

**WHERE AN ELECTOR ENTERED IN THE POSTAL VOTERS LIST CEASES TO BE
ELIGIBLE FOR ENTRY THEREIN (IS NO LONGER IN PRISON AND IS THEREFORE
INELIGIBLE TO VOTE BY POST), HE OR SHE SHOULD NOTIFY THE
REGISTRATION AUTHORITY.**