

Ethics in Public Office Acts 1995 and 2001

- Designated Positions of Employment -

Statement of Interests for the purposes of Section 18 of the Ethics in Public Office Act 1995

Please complete in **BLOCK CAPITALS**

Name:	
Designated Position of Employment Held:	
Public Body:	
Date of Appointment:	
Period comprehended by this Statement (i.e. 1 January to 31 December or part thereof):	
Address for Correspondence:	

In relation to each of the following disclosable interests, you should state any interest held **by you** and any interests held, to your actual knowledge, **by your spouse¹ or civil partner², a child of yours, or a child of your spouse**, which could materially influence³ you in or in relation to the performance of your official functions. **The amount or monetary value of the interests need not be specified.** Explanatory notes on certain of the required statements are attached.

1. OCCUPATIONAL INCOME , ETC.

Details of any remunerated trade, profession, employment, vocation or other occupation (other than the position of employment described on the first page of this form), the remuneration from which exceeded €2,600, during the period comprehended by this statement, should be listed here.

Description of Occupation	Business Address
<u>Self:</u>	
<u>Spouse or Civil Partner or Child (name):</u>	

2. SHARES ETC.

Details of any holding of shares in, or bonds or debentures of, or other like investments in, a particular company or other enterprise or undertaking, where the aggregate value of the holding exceeded €13,000 at any time during the period comprehended by this statement, should be listed here⁴.

Type of Holding	Where held	Nature of Business
<u>Self:</u>		
<u>Spouse or Civil Partner or Child (name):</u>		

3. DIRECTORSHIPS

Details of any directorship or shadow directorship of any company⁵ held during the period comprehended by this statement should be listed here⁶.

Type of Directorship	Business Address	Nature of Business
<u>Self:</u>		
<u>Spouse or Civil Partner or Child (name):</u>		

4. LAND (EXCLUDING PRIVATE HOME⁷)

Details of any interest in land where the value of such interest exceeded €13,000 at any time during the period comprehended by this statement should be listed here, including -

- (i) any contract entered into for the purchase of land, whether or not a deposit or part payment has been made under the contract; and
- (ii) any option held to purchase land, whether or not any consideration has been paid in respect thereof, or land in respect of which such an option has been exercised but has not yet been conveyed.

Property Address	Purpose for which used
<u>Self:</u>	
<u>Spouse or Civil Partner or Child (name):</u>	

5. TRAVEL, ACCOMMODATION, MEALS, ETC.

Details of travel facilities, living accommodation, meals or entertainment supplied during the period comprehended by this statement, free of charge or at a price that was less than the commercial price or prices, should be listed here⁸.

Full Description	Name and Address of Supplier
<u>Self:</u>	
<u>Spouse or Civil Partner or Child (name):</u>	

6. OTHER REMUNERATED POSITIONS

Details of any remunerated positions held as a political or public affairs lobbyist, consultant or adviser during the period comprehended by this statement, should be listed here.

Full Description of Position	Name and Address of Person / Company / Organisation
<u>Self:</u>	
<u>Spouse or Civil Partner or Child (name):</u>	

7. PUBLIC SERVICE CONTRACTS

Details of any contract to which the person concerned was a party, or was in any other way, directly or indirectly interested, for the supply of goods or services to a Minister of the Government, or a public body during the period comprehended by this statement, if the value of the goods or services supplied exceeded €6,500 or, in case other goods or services were supplied under such a contract if the aggregate of their value and the value aforesaid exceeded €6,500, should be listed here.

Description of Contract and Interest	Name and Address of Contractor	Minister / Public Body Concerned
<u>Self:</u>		
<u>Spouse or Civil Partner or Child (name):</u>		

8. GIFTS, PROPERTY & SERVICES

Details of:

- (i) any gift given during the period comprehended by this statement⁹;
- (ii) property supplied or lent, or a service supplied to the person, once or more than once by the same person, during the period comprehended by this statement, for a consideration or considerations, or at a price or prices less than the commercial consideration or considerations, or the commercial price or prices, by more than €650; and
- (iii) property lent, or a service supplied to the person, once or more than once by the same person, during the period comprehended by this statement, free of charge if the commercial consideration or considerations, or the commercial price or prices was, or were more than €650¹⁰;

should be listed here¹¹.

Full Description of Gift, Property and/or Service	Name and Address of Benefactor, Supplier and/or Lender
<u>Self:</u>	
<u>Spouse or Civil Partner or Child (name):</u>	

9. OTHER INTERESTS

In line with the provisions of Section 30 of the Ethics in Public Office Act 1995, voluntary statements in respect of any interests not specified in the Second Schedule to that Act (i.e., other than those specified at 1. to 8. above), and which are held by **you or your spouse or civil partner, or a child of yours or your spouse**, may be listed here if it is considered that such interests could materially influence you in or in relation to the performance of your official duties.

<u>Self:</u>
<u>Spouse or Civil Partner or Child (name):</u>

**OBLIGATION TO DISCLOSE A MATERIAL INTEREST IN AN OFFICIAL
FUNCTION**

I am aware of the obligations placed on me by Section 18(2)(b) of the Ethics in Public Office Act 1995¹².

Signed: _____

Date: _____

¹ “spouse”, in relation to a person, does not include a spouse who is living separately and apart from the person;

² “civil partner” in relation to a person, means a civil partner within the meaning of the *Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010*, but does not include a civil partner who is living separately and apart from the person;

³ which could materially influence you in or in relation to the performance of the functions of the position of employment by reason of the fact that such performance could so affect those interests as to confer on or withhold from you or your spouse or civil partner or child of yours or child of your spouse a substantial benefit.

⁴ “holding” does not include money in a current, deposit or other similar account with a financial institution.

⁵ “company” means any body corporate;

⁶ “shadow directorship” means the position held by a person who is a shadow director within the meaning of the Companies Acts 1963 to 1990, or, in the case of a public body that is not a company (within the meaning of the Companies Act 1963) and is specified in subparagraph (8), (9), (10), (11), or (12), or stands prescribed for the purposes of subparagraph (13), of paragraph 1 of the First Schedule to the Ethics in Public Office Act 1995, the position held by the person in accordance with whose instructions or directions, the members of the body, or the members of the board or other body that controls manages or administers that body, are accustomed to act.

⁷ but excluding any interest in land consisting of any private home of the person or of his or her spouse or civil partner, that is to say, a building or part of a building that is occupied by the person or his or her spouse or a child of the person or of the spouse as a separate dwelling and any garden or other land usually occupied with the dwelling, being land that is subsidiary or ancillary to it, is required for its amenity or convenience and is not being used or developed primarily for commercial purposes.

⁸ but excluding:

(a) travel facilities, living accommodation, meals or entertainment provided -

(i) within the State, or

(ii) in the course and for the purpose of:

- the performance of the functions of the person as the occupier of a designated position of employment, or

- the trade, profession, employment, vocation or other occupation of the person (other than as the occupier of a designated position of employment);

(b) travel facilities, living accommodation, meals or entertainment supplied to the person by a relative or civil partner or friend of the person, or of his or her spouse or civil partner, or of a child of the person or of his or her spouse, where such supply was in the nature of a gift to the person and for personal reasons only, unless the acceptance of such facilities, accommodation, meals or entertainment might reasonably be seen to have been capable of influencing him or her in the performance of his or her functions as the occupier of a designated position of employment;

(c) travel facilities, living accommodation, meals or entertainment supplied to the person, once or more than once by the same person during the period comprehended by this statement, free of charge if the commercial price, or the aggregate of the commercial prices, of the facilities, accommodation, meals or entertainment did not exceed €650; or

(d) travel facilities, living accommodation, meals or entertainment supplied to the person, once or more than once by the same person during the period comprehended by this statement, at a price or prices less than the commercial price or prices by not more than €650.

⁹ but excluding:

(i) a gift to the person by a relative or civil partner or friend of the person or of his or her spouse or civil partner, or of a child of the person or of his or her spouse, for purely personal reasons only, unless the acceptance of the gift by the person could have materially influenced him or her in the performance of his or her functions as the occupier of a designated position of employment; and

(ii) a gift given to the person, or gifts given to the person by the same person, during the period comprehended by the statement, as respects which the value, or the aggregate value, of the property the subject of the gift or gifts did not exceed €650 at any time during the period comprehended by the statement.

¹⁰ other than property supplied or lent, or a service supplied to a person by a relative or civil partner or friend of the person, or of his or her spouse or civil partner, or of a child of the person or of his or her spouse, where such supply or loan was in the nature of a gift to the person and for personal reasons only, unless the acceptance of the property or loan or the service by the person could have materially influenced him or her in the performance of his or her functions as the occupier of a designated position of employment.

¹¹ insofar as services in (ii) and (iii) relate to legal or medical services (including psychiatric or psychological services), it is only necessary to state that such services were supplied to you or to a person (who need not be identified) in respect of whom you are required to make a statement.

¹² in any case where a function of a designated position of employment falls to be performed and the occupier of a designated position of employment has actual knowledge that he or she or a connected person within the meaning of the Ethics in Public Office Act 1995 and section 97 of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 has a material interest in a matter to which the function relates, he or she shall prepare and furnish to the relevant authority for the position a statement in writing of those facts and shall not perform the function unless there are compelling reasons requiring him or her to do so. If he or she proposes to perform the function, he or she shall prepare and furnish to the relevant authority a statement in writing of the compelling reasons aforesaid.

Additional information

Additional information on the requirements of the Ethics Acts and further relevant definitions are set out in the Standards in Public Office Commission's guidelines for public servants on compliance with the provisions of the Ethics in Public Office Acts 1995 and 2001. In addition to the guidelines, public servants may seek further information or advice from the Standards in Public Office Commission (tel: 01 639 5666; e-mail: info@sipo.ie) concerning any provision of the legislation or the application of any such provision in any particular case.

Designated positions of employment.

18.—(1) In this section “relevant authority”, in relation to a person who occupies or occupied a designated position in a public body, means such person or persons as may stand determined for the time being by the Minister in relation to the position.

(2) A person who occupies or occupied a designated position in a public body—

(a) shall, subject to *section 20 (3)*, in each year during any part of which he or she occupies or occupied the position, prepare and furnish to the relevant authority for the position a statement in writing of—

(i) the interests of the person, and

(ii) the interests of which he or she has actual knowledge of his or her spouse or civil partner or a child of the person or of his or her spouse, during the appropriate period specified in *section 20 (1)* which could materially influence the person in or in relation to the performance of the functions of the position by reason of the fact that such performance could so affect those interests as to confer on or withhold from the person or the spouse or civil partner or child a substantial benefit, and

(b) in any case where such a function falls to be performed and he or she has actual knowledge that he or she or a connected person has a material interest in a matter to which the function relates—

(i) shall, as soon as may be, prepare and furnish to the relevant authority a statement in writing of those facts,

(ii) shall not perform the function unless there are compelling reasons requiring him or her to do so, and

(iii) shall, if he or she proposes to perform the function, prepare and furnish to the relevant authority, before or, if that is not reasonably practicable, as soon as may be after such performance, a statement in writing of the compelling reasons aforesaid.

(3) (a) A person who, during any period, holds or held or occupies or occupied an office or position specified in *paragraph (b)* shall be deemed for the purposes of this Act to be a person who, during that period, occupies or occupied a designated position in a public body.

(b) The offices and positions referred to in *paragraph (a)* are—

(i) the office of Comptroller and Auditor General,

(ii) the office of Ombudsman,

(iii) the office of Data Protection Commissioner,

(iv) the office of Director of Consumer Affairs, and

(v) such other (if any) offices or positions (other than the office of judge of any court) established by or under statute as may (if, but only if, the Minister considers it necessary in the public interest to do so) be prescribed.

(c) *Subsection (4)* shall not apply to a person who holds or held an office specified in *subparagraphs (i) to (iv) of paragraph (b)*.

(4) There shall be deemed to be included in the terms of the employment of a person in a designated position referred to in *subsection (2)* a term that the person shall comply with that subsection.