



Louth County Council

Comhairle Chontae Lú

June 2016 Annual Meeting

Date: 20/06/2016 10:00

Meeting Location: Council Chamber

You are hereby summoned to attend the Annual Meeting of Louth County Council which will be held in the Council Chamber, County Hall, Dundalk on Monday 20th June 2016. The meeting will be preceded by Mass at 9.30 a.m. in the Redemptorist Church for deceased Members of Council & Staff.

Items	Submitted By: Fiona Downes	Item ID: 1639
	Date Submitted: 31/05/2016 00:00:00	Owners:
	Election of Cathaoirleach	
	Section 37 of the Local Government Act, 2001 as amended	
	The Election of the Cathaoirleach of Louth County Council for the ensuing year	
Items	Submitted By: Fiona Downes	Item ID: 1640
	Date Submitted: 31/05/2016 00:00:00	Owners:
	Election of Leas Cathaoirleach	
	Section 37 of the Local Government Act, 2001 as amended	
	The Election of the Leas Cathaoirleach of Louth County Council for the ensuing year	

Local Government Act 2001

Annual election of Cathaoirleach and Leas-Cathaoirleach by local authority

36.—(1) (a) Subject to *paragraph (c)*, a local authority shall elect a Cathaoirleach and Leas-Chathaoirleach from amongst its members at every annual meeting.

(b) The election of a Cathaoirleach shall be carried out in accordance with *section 37*.

(c) A member of a local authority who is a member of Dáil Éireann or Seanad Éireann shall be disqualified from being elected or from being a Cathaoirleach or Leas-Chathaoirleach of a local authority.

(2) (a) Subject to *subsection (3)*, a member who holds the office of Cathaoirleach or Leas-Chathaoirleach shall hold that office (unless he or she becomes disqualified under *subsection (1)(c)*, resigns under *section 33* or is removed from office under *section 34*) from election until a successor is elected at the next annual meeting of the local authority after that member's election to that office.

(b) In a year in which local elections are to be held under *section 26* and notwithstanding *subsection (3)*, *subsection (4)* shall apply in respect of a Cathaoirleach.

(3) Except as is provided for in *subsection (4)*, the Cathaoirleach or Leas-Chathaoirleach of a local authority shall, upon ceasing to be a member of the authority, cease to be Cathaoirleach or Leas-Chathaoirleach of that authority.

(4) Following a local election the Cathaoirleach shall continue to hold office for the period between the retirement of the outgoing members and the commencement of the annual meeting at which the successor is elected unless he or she sooner dies or resigns from the office or becomes disqualified for local authority membership.

Method of election of Cathaoirleach by Local Authority

37.—Subject to *paragraph 4* of *Schedule 10*, the following provisions shall apply and have effect in respect of the election of a Cathaoirleach by the members of a local authority:

- (a) one or more than one member may be proposed and seconded for nomination and every person so proposed and seconded who does not reject the nomination shall be a candidate and no other person shall be a candidate otherwise than in accordance with this provision;
- (b) where there is only one candidate, such candidate shall be elected;
- (c) where there are more than 2 candidates, a poll shall be taken;
- (d) if at such poll a majority of the members present vote for any particular candidate, such candidate shall be elected;
- (e) if at such poll no candidate receives the votes of a majority of the members present, the candidate receiving the least number of votes shall be excluded from the election, and, subject to *paragraph (g)*, one or more further polls (according as may be necessary) shall be taken;
- (f) *paragraphs (d)* and *(e)* shall apply in relation to such further poll or polls;
- (g) where there are only 2 candidates or

where, as a result of one or more polls all the candidates except 2 have been excluded, the question as to which of such candidates shall be elected shall be put to the members present and whichever of such candidates receives the majority of votes cast shall be elected;

- (h) if from an equality of votes given to 2 or more candidates any question arises as to which of such candidates is to be excluded or as to which of such candidates is to be elected, such question shall be decided by lot in accordance with *paragraph (i)*;
- (i) in deciding any such question by lot, the names of the candidates concerned shall be written on similar slips of paper, the slips shall be folded so as to prevent identification and mixed and drawn at random, and the candidate whose name is first drawn shall be—
 - (I) the candidate who shall be excluded, where the question concerns an exclusion, or
 - (II) the candidate who shall be elected, where the question concerns an election.

