

Schedule

Part 1

Form A – Local Authority Members

Kilkenny County Council

Local Government Act 2001 - Part 15 - Annual Declaration

Name	DAVID FITZGERALD
Date of election or co-option	MAY 2016.
Appropriate period ^o	12/1/18 — 01/1/19 31/1/19.

1. I hereby furnish the following particulars of my declarable interests as required by section 171 of the Local Government Act 2001 and which I have set out at paragraphs 1 to 10 of this form. None of the grounds for disqualification referred to in section 13, or 182 of the Local Government Act 2001 or under section 20 of the Local Elections (Disclosure of Donations and Expenditure) Act 1999 apply to me,
2. I hereby declare that I have read the Code of Conduct for Councillors and further declare that I understand its meaning, and
3. I hereby undertake to have regard to and be guided by the Code of Conduct for Councillors in the exercise of my functions. (The Code of Conduct for Councillors was issued by the Minister under section 169 of the Local Government Act 2001).

Signed:  Dated: 3rd JAN 2019.

^o **Appropriate Period**

Appropriate period means the period to be covered when giving particulars of declarable interests. For a first declaration this means the period of 12 months leading up to and including the day the form is signed by you. In relation to subsequent declarations it is the period between the date of your previous declaration and the date of the next declaration.

Part 2

Declarable Interests

In relation to each of the following declarable interests as specified in section 175 of the Local Government Act 2001, you should provide particulars of any such interests held by you (or your nominee as may be required) during the appropriate period. The amount or monetary value of any declarable interests need not be specified. Notes related to certain declarable interests are at the back of this form.

1. Profession, occupation, etc. relating to dealing in or developing land

Any profession, business or occupation in which you are engaged or employed, whether on your own behalf or otherwise, and which relates to dealing in or developing land during the appropriate period.

Description of profession, occupation etc. relating to land	Business Address
FITZGERALD AUCTIONEERS (KILKENNY) LTD 216 PATRICK ST, KILKENNY. EVA LTD	216 PATRICK ST, KILKENNY. 216 PATRICK ST, KILKENNY

2. Other profession, occupation, etc.

Any other remunerated trade, profession, employment, vocation, or other occupation held by you during the appropriate period.

Description of profession, occupation, etc.	Business Address

3. Land (ownership, interest)

Any estate or interest you have in landⁱ in the State (including the case where you or your nominee, is a member of a companyⁱⁱ or other body which has an estate or interest in land) during the appropriate period and without prejudice to the foregoing an interest in land shall be deemed to include

- (a) your interest in any contract entered into by you for the purchase or sale of land, whether or not a deposit or part payment has been made under the contract; and
- (b) your interest in any option held by you to purchase or sell land, whether or not any consideration has been paid for it, or land in respect of which such an option has been exercised by you but which has not yet been conveyed to you,

but excluding an interest to which section 167(3) of the Act relatesⁱⁱⁱ.

Property Address	Purpose for which used
① BALLEVEN, BALLACULLIN CO. KILKENNY.	FAMILY HOME - PRINCIPAL PRIVATE RESIDENCE.
② No. 10 THE WALK, ORSLEOMON R.D., KILKENNY.	RESIDENTIAL INVESTMENT.
③ CHILLHILL, CUFFESBANE, CO. KILKENNY.	RESIDENTIAL INVESTMENT.
④ No. 8 CASTLEHILL, KILKENNY.	RESIDENTIAL INVESTMENT.
⑤ No. 11 CASTLEHILL, KILKENNY.	RESIDENTIAL INVESTMENT.
⑥ No. 9 ORANORIS COURT, KILKENNY.	COMMERCIAL INVESTMENT.

4. Company business of dealing in land, etc.

Any business of dealing in or developing land^{iv} carried on during the appropriate period by a company or other body of which you, or any nominee of yours, is a member, if not declared elsewhere in this form.

ERO LTO, 26 PATRICK STREET, KILKENNY.

5. Shares etc.

Any holding^v by you of shares in, or bonds or debentures of, or other like investments in, a particular company or other enterprise or undertaking (which does not relate to land or any business of dealing in or developing land) if the aggregate value of the holding exceeded €12,697.38 at any time during the appropriate period.

Name and address of Company where shares etc. are held	Nature of Business of Company etc.
<p>NONE.</p>	

6. Directorships

Any directorship or shadow directorship^{vi} of any company held by you during the appropriate period other than one held by virtue of membership of or employment by a local authority.

Business Address of Company	Nature of Business
① FERGUSON AUCTIONEERS (KILKENNY) LTD 24 PATRICK ST, KILKENNY.	AUCTIONEERING + PROPERTY MANAGEMENT.
② EAD LTD, 24 PATRICK ST, KILKENNY.	RESIDENTIAL DEVELOPMENT.
③ HOUSEHOLDERS PROPERTY MANAGEMENT LTD.	PROPERTY MANAGEMENT.
④ CALLAN FRIENDS TRUST, PRILLAGE, CALLAN, CO. KILKENNY.	COMMUNITY FACILITY MANAGEMENT / TRUST
⑤ THE WILLOW + THE MAYFLY MANAGEMENT CO. LTD.	BLOCK PROPERTY MANAGEMENT.

7. Gifts, Property and Services

Gifts

- (1) Any gift, including foreign travel facilities, given to you during the appropriate period, but excluding
 - (a) a gift given to you by a relative or friend of yours or of your spouse, or of your child or of a child of your spouse [spouse includes a person with whom you are co-habiting] for purely personal reasons only;
 - (b) a gift given to you, or gifts given to you by the same person, during the appropriate period, as respects which the value, or the aggregate value, of the property the subject of the gift or gifts did not exceed €634.87 at any time during the appropriate period;
 - (b) a donation which you have already declared in a current donation statement under the Local Elections (Disclosure of Donations and Expenditure) Act 1999.

Property and Services^{vii}

- (2) (a) Any property supplied or lent, or a service supplied to you, once or more than once by the same person, during the appropriate period, 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 €634.87 or which in the aggregate exceeded €634.87; or
- (b) any property supplied or lent, or a service supplied to you, once or more than once by the same person, during the appropriate period, free of charge if the commercial consideration or considerations, or the commercial price or prices was, or were more than €634.87 or which in the aggregate exceeded €634.87; but for both (a) and (b) excluding
 - (i) property supplied or lent or a service supplied to you by a relative or friend of yours, or of your spouse, where such supply or loan was in the nature of a gift to you and for personal reasons only,
 - (ii) a donation which you have already declared in a current donation statement under the Local Elections (Disclosure of Donations and Expenditure) Act 1999.

Description of Gift, Property and/or Service	Name and Address of Benefactor, Supplier and/or Lender
	<p><i>None</i></p>

8. Local Authority Contracts

Any contract to which you were a party, or were in any other way, directly or indirectly interested for the supply of goods or services to a local authority during the appropriate period, if the value of the goods or services supplied during the period exceeded €6,348.69 or, in case other goods or services were supplied under such a contract to a local authority during that period, if the aggregate of their value exceeded €6,348.69.

Name and Address of Contractor	Description of Contract	Local Authority Concerned
<i>NONE.</i>		

9. Political or public affairs/lobbyist etc.

Any remunerated position held by you as a political or public affairs lobbyist, consultant or adviser during the appropriate period.

Description of Position	Name and Address of Person / Company / Organisation
<i>NONE</i>	

10. Any Other Additional Interests

Any other interest which you may wish to volunteer.

<i>NONE.</i>

NOTES

Appropriate Period

Appropriate period means the period to be covered when giving particulars of declarable interests. For a first declaration appropriate period means the period of 12 months leading up to and including the day the annual declaration form is signed by you. In relation to subsequent declarations it is the period between the date of your previous declaration and the date of the next declaration.

Non Declaration of Amount(s)

The amount or monetary value of any declarable interest need not be specified. (Section 171(5)) of the Act).

Land

ⁱ "land" includes all property including buildings, dwellings, etc.. All land interests in the State should be declared.

Company

ⁱⁱ Where any body which is a company within the meaning of section 155 of the Companies Act, 1963 is deemed under that section to be a subsidiary of another or to be another such company's holding company, a person who is a member of the first-mentioned such company is deemed also to be a member of the other company for the purposes of annual declaration. (Section 166(3) of the Act).

Non-declaration of certain land interests

ⁱⁱⁱ An interest in land or an interest relating to land or any business of dealing in or developing land does not have to be declared where such interest is by reason only of the beneficial ownership of shares in a company or other body by you or by your nominee and the total nominal value of those shares does not exceed the lesser of €12,697.38, or $\frac{1}{100}$ th part of the total nominal value of either the issued share capital of the company or body or, where that capital is issued in shares of more than one class, the issued share capital of the class or classes of shares in which you have an interest. Section 167(3) of Act refers.

Declarable Interest no. 4

^{iv} See note iii above.

Holding (shares etc.)

^v "holding" does not include money in a current, deposit or other similar account with a financial institution (see declarable interest no. 5).

Shadow Directorship

^{vi} "shadow directorship" means the position held by a person who is a shadow director for the purposes of the Companies Acts, 1963 to 1999. (see declarable interest no. 6).

Declarable Interest no. 7

^{vii} Insofar as services at (2) of declarable interest no. 7 relate to legal or medical services, it is only necessary to state that such services were supplied.