

NOMINATION PAPER FOR EUROPEAN PARLIAMENT ELECTIONS

(_____ / _____)
(month/year)

No. _____
(To be inserted by returning officer)

PLEASE READ NOTES BEFORE COMPLETING FORM AND USE BLOCK CAPITALS

1. I nominate the person named under as a candidate for election to the European Parliament for the constituency of _____
2. I declare that I have read the notes on this nomination paper and that –
 - (a) the person named as a candidate-
 - (i) has consented to the nomination;
 - (ii) is not a candidate at the election in any other constituency;
 - (iii) is not a candidate at the election in any other EU Member State; and
 - (b) to the best of my knowledge and belief, the person named as a candidate is eligible for election to the European Parliament and the information furnished in the nomination paper is correct in all material respects.

Please use BLOCK CAPITALS

Surname of Candidate:

Other Names:

DESCRIPTION

Address:

Occupation:

**Name of Registered
Political Party, (if any):**

**Name of European
Parliament Political Group or
name of European Political
Party (if any):**

3. The person named above as a candidate is-

- (i) a citizen of Ireland [tick, as appropriate] Yes No
or
(ii) a national of an EU Member State other than Ireland [tick, as appropriate] Yes No

NOTE: If the candidate is a national of a Member State other than Ireland the nomination paper must be accompanied by a statutory declaration (Form EP3) - see section 7 of the notes on this form. (This is a mandatory requirement and should not be confused with the option at 4(2) below)

4. Please tick (1) or, where (1) is not applicable, (2) or (3) of below –

- (1) Certificate of Political Affiliation attached,
or
(2) Assentor statutory declarations (60) attached,
or
(3) Deposit of €1,800 enclosed.

Name and address of person to whom deposit is to be returned -

Name _____

Address _____

NOTE: See sections 2 and 3 of the notes on this form

5. Please tick, as appropriate –

Photographs attached (see section 4 of notes) for inclusion on ballot paper. Yes No

6. *(Where nomination paper is completed by a person other than the candidate.)*
Proposer's Number and polling district letters on Register of Electors for the county/city/city
and county of _____ are _____

Signature: _____
(Candidate/Proposer)

Address: _____

Date: _____

7. Decision of Returning Officer

I have decided that this nomination paper is valid (or is invalid because _____

_____)

Returning Officer

Date: _____

TO BE HANDED OR SENT TO THE CANDIDATE

I have decided that nomination paper No. _____ in respect of
_____ is valid (or is invalid because

_____)

Returning Officer

Address: _____

Date: _____

Notes: The notes attached are for guidance only and do not purport to be a legal interpretation.

Notes on FORM EP 2 - Nomination Paper for European Parliament Elections

(References in parentheses are to the provisions of the European Parliament Elections Act 1997, as amended - see section 11 of the notes on this form).

1. Nomination

A candidate may be nominated for one constituency only and in only one Member State of the European Union (section 12).

A candidate may nominate himself or herself or may, with the candidate's consent, be nominated by a proposer. A proposer must be registered as a European elector in the constituency for which he or she proposes to nominate the candidate (section 12).

2. Candidate Nomination Procedures

A nomination paper from a candidate of a registered political party must have a certificate of political affiliation attached (see 3 below).

If no certificate is attached, one or other of the following procedures must be complied with before the expiration of the time for receiving nominations -

- (i) the completion of statutory declarations by 60 assentors registered as European electors in the relevant constituency which must be witnessed by a Commissioner for Oaths, a Peace Commissioner, a Notary Public, a member of the Garda Síochána or an official of the registration authority,
or
- (ii) the candidate, or someone on his or her behalf, lodging a deposit of €1,800 with the returning officer.

Under the assentors option, the relevant form for the making of a statutory declaration (Form EP2A) is available from returning officers and registration authorities. The relevant details of the assentors must be included on the statutory declarations - number (and polling district letters) on the register of European electors in force at the time of assent, address on the register, contact details, the relevant European Parliamentary constituency on the date of assent where he/she is registered, the name and address of the candidate, and the form of prescribed photographic ID produced and any identifying number on it.

Each assentor MUST when making the statutory declaration bring one of the following photographic documents for identification purposes – passport, driving licence, employee identity card containing a photograph, student identity card issued by an educational institution and containing a photograph, travel document containing name and photograph or a Public Services Card. One of the documents MUST be produced to the person taking the statutory declaration.

An assent is valid only in respect of the European Parliament constituency in which the assentor's address at the time of assent is located at election time. The assent may be made at any time but it may only be used at the next European election in the relevant constituency and it expires when the register current when the statutory declaration was made ceases to be in force, notwithstanding that no such election may have been held by then.

Responsibility lies with the candidate or proposer to secure the necessary assents, to attach the 60 statutory declarations to the nomination paper and to deliver all the documentation to the returning officer by the deadline for receipt of nominations.

An assentor must confirm on the statutory declaration that he or she has not assented to the nomination of any other candidate in the election concerned. Under the Statutory Declarations Act 1938, a person who knowingly makes a false or misleading statutory declaration in any material respect is liable on conviction to a class B fine or imprisonment for a term not exceeding 6 months or both. However, a candidate's nomination will not be invalid where a person assents to the nomination of more than one candidate.

Under the deposits option, a candidate may choose the alternative of making a deposit and, if he or she does not do so and has not opted to secure 60 assents, their candidature will be deemed to have been withdrawn. A candidate, or someone on his or her behalf, may lodge a deposit of €1,800 with the returning officer before the expiration of the time for receiving nominations. The deposit may be made by means of legal tender or, with the consent of the returning officer, in any other manner. The deposit will be returned in the case of successful candidates, those receiving votes in excess of a quarter of the quota and in certain other circumstances: death, not being validly nominated, withdrawal of candidature or where candidature is deemed to be withdrawn. Otherwise, the deposit will be forfeited. (Where the deposit is to be returned, it will be returned to the person making it and the name and address of that person should be entered at 4(3) on the nomination paper).

All relevant parts of the nomination paper must be completed by all candidates (sections 11, 12, 13 and 13A).

3. **Certificates of Political Affiliation and of European Political Affiliation**

- (a) A party candidate may include in the nomination paper the name of his/her registered political party, together with the name of any European Parliament political group, or European political party¹ noted on the Register of Political Parties in relation to that political party, provided a completed **Certificate of Political Affiliation** is produced to the returning officer with the nomination paper. The name of the party, or of the party and the European Parliament political group or the European political party, should be entered in the appropriate part of section 2 of this form.
- (b) A non-party candidate may enter the words "Non-Party" in the part of section 2 of this form relating to a registered political party or may leave the space blank. A non-party candidate who is a sitting MEP may include on the nomination paper the name of the European Parliament political group of which he/she is a member, provided a completed **Certificate of European Political Affiliation** is produced to the returning officer with the nomination paper. This is a certificate signed by a member of the Secretariat of the relevant political group that the candidate is a member of the political group named in the certificate and formed in accordance with the rules and procedure of the European Parliament. (rule 5 of the Second Schedule).

4. **Candidate's Photograph**

If a candidate wishes to have his or her photograph included on the ballot paper, they must provide with the nomination paper -

- A photograph in digitised format (passport size – 35mm x 45mm); **AND**
- Two identical printed copies of the photograph.

¹ Established in accordance with Regulation (EU, Euratom) No. 1141/2014

The photograph must be taken not more than 12 months prior to polling day and must be of good quality, in colour and taken to a professional standard, showing the candidate's full face, head and shoulders only, on a light background (any colour).

Each printed copy of the photograph must have the candidate's name clearly shown on the back.

If the above requirements are not complied with, the returning officer may not include the photograph on the ballot paper. In these circumstances, or if no photograph is supplied, the space for the candidate's photograph will be left blank on the ballot paper.

THE ONUS IS ON THE CANDIDATE TO MEET THESE REQUIREMENTS.

5. Delivery of Nomination Paper

The completed nomination paper must be delivered to the returning officer in person by the candidate or proposer within the period fixed for the receipt of nominations (ending at 12 noon on the last day for receiving nominations) – i.e. by the seventh day (disregarding any excluded day) after the latest date for the publication of the notice of election in the case of a candidate who is a national of a Member State other than the State and by the fourteenth day (disregarding any excluded day) after the latest date for the publication of the notice of election in the case of a candidate who is a citizen of Ireland (rules 10 and 11 of the Second Schedule).

6. Ruling on Nomination Paper

The returning officer will rule on the validity of the nomination paper within one hour of its delivery to him/her and may rule that it is invalid if he/she considers that it is not properly made out or signed. A returning officer may also rule as invalid a nomination paper from a candidate without a certificate of political affiliation who has opted for the assenting alternative referred to at 2 above if he or she considers that the candidate has not complied with the statutory requirements relating to assenting.

The returning officer is required to object to the **candidate's name** if it:

- (a) is not the name by which the candidate is commonly known, or
- (b) is misleading and likely to cause confusion, or
- (c) is unduly long, or
- (d) contains a political reference.

The returning officer is also required to object to a **candidate's description** if it is, in his or her opinion, incorrect, insufficient to identify the candidate or unnecessarily long or which contains a political reference other than, where appropriate, a reference to a public or elected office held, or formerly held, by the candidate or an entry in the nomination paper referred to at 3(a) or (b) above.

The ruling on the nomination paper may be attended by the candidate and proposer (if any), one other person designated by the candidate (or his/her proposer) and any other person authorised by the returning officer (rule 13 of the Second Schedule).

7. National of EU Member State other than Ireland

In the case of a candidate who is a national of an EU Member State other than Ireland the returning officer is required to rule his/her nomination paper invalid if -

- (a) it is not accompanied by:

a statutory declaration made by the candidate on Form EP3 (which may be obtained from the returning officer) stating his or her nationality, the date and place of birth, the last address in his or her home Member State, the address in Ireland at which he or she is ordinarily resident, the locality/constituency where he or she was last registered as an elector in the home Member State, that he or she is not a candidate at the election in any other Member State, and that he or she does not stand deprived of the right to stand as a candidate under the law of their home Member State as a result of an individual judicial decision, or an administrative decision that may be subject to judicial remedies

or

- (b) the statutory declaration is not properly made out and signed (rules 6 and 13 of the Second Schedule).

8. Eligibility for election to the European Parliament

Eligibility for election to the European Parliament is governed by section 11 of the European Parliament Elections Act 1997 (as amended).

9. Withdrawal of nomination

Any candidate may withdraw his/her nomination up to 12 noon on the day (disregarding any excluded day) after the latest date for receiving nominations from candidates who are Irish citizens. The notice of withdrawal to the returning officer must be signed by the candidate and delivered in person by the candidate or proposer. Where the returning officer is satisfied that a candidate wishes to withdraw and that neither the candidate nor the proposer can attend in person, the returning officer will accept a notice of withdrawal, signed by the candidate and by the person delivering it, which is received by the latest time for withdrawal (rule 15 of the Second Schedule).

10. Penalties

A person is liable to a fine or imprisonment or both under the European Parliament Elections Act 1997 for-

- (a) producing to the returning officer a forged /forging a -
- (i) nomination paper, or
 - (ii) certificate of either political affiliation or European political affiliation,
- (b) offering or accepting bribes or exercising undue influence in relation to a candidature or the withdrawal, or non-withdrawal, of a candidature (rules 104 and 105 of the Second Schedule),
- (c) without the consent of the person concerned –
- (i) nominating such person as a candidate, or

- (ii) withdrawing the candidature of such person (rule 110 of the Second Schedule) and,
- (d) making a false declaration that a candidate is eligible for election or has consented to nomination or does not stand validly nominated in any other constituency or is not a candidate at the election in any other EU Member State (rule 112 of the Second Schedule).

Penalties under the Statutory Declarations Act 1938 in respect of knowingly making a false or misleading statutory declaration are set out at 2 above.

11. **Legislation**

The European Parliament Elections Act 1997 (as amended) governs the nomination of candidates at elections to the European Parliament.