

**REPLACEMENT CANDIDATES LIST**  
**(Non-party candidate)**

IDENTIFYING LETTERS \_\_\_\_\_ (to be assigned by returning officer)

**PLEASE READ NOTES BEFORE COMPLETING FORM**

Name of non-party candidate presenting replacement candidates list:

Surname: \_\_\_\_\_

Other name(s): \_\_\_\_\_

1. I nominate the person(s) named under, in the order stated (which I have determined), as replacement candidate(s) at the election of members of the European Parliament for the constituency of \_\_\_\_\_

REPLACEMENT CANDIDATE(S)			CITIZENSHIP/ NATIONALITY	
SURNAME	OTHER NAME(S)	ADDRESS	IRELAND	OTHER EU MEMBER STATE
PLEASE USE BLOCK CAPITALS			TICK AS APPROPRIATE	
1.				
2.				
3.				
4.				

*NOTE: If a replacement candidate is a national of an EU Member State other than Ireland the replacement candidates list must be accompanied by a statutory declaration in respect of such replacement candidate - see section 2 of the notes on this form.*

2. I have read the notes on this form and declare that-
- (a) each of the person(s) named as a replacement candidate-
    - (i) has consented to the nomination;
    - (ii) is, to the best of my knowledge and belief, eligible for election to the European Parliament,
  - (b) none of the persons named as a replacement candidate-
    - (i) is a replacement candidate at the election in any other constituency;
    - (ii) is a candidate at the election in any other EU Member State, and
  - (c) to the best of my knowledge and belief, the information furnished in the replacement candidates list is correct in all material respects.

*NOTE: See section 4 of the notes on this form.*

Signature of non-party candidate: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

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I rule that this replacement candidates list is valid (*or* is invalid because \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ )

\_\_\_\_\_  
Returning Officer

Date: \_\_\_\_\_

## **Notes on FORM EP 5 – Replacement Candidates List [Non-party candidate]**

*These notes are for guidance only and do not purport to be a definitive statement of the law which is contained in sections 11 and 12 of, and rules 17 to 19 of the Second Schedule to, the European Parliament Elections Act 1997.*

### **1. Nomination of replacement candidates**

A person who is not eligible for election to the European Parliament may not be nominated as a replacement candidate (see 4 below).

A non-party candidate may nominate, with their consent, up to four persons to be replacement candidates in the constituency. A person who is a candidate at the election may be nominated as a replacement candidate. If the number of replacement candidates included in the list exceeds four, the returning officer will delete from the list, commencing at the bottom, the number of replacement candidates by which the list exceeds four.

The names of replacement candidates must be listed in the order determined by the non-party candidate.

A person may not be nominated as a replacement candidate for more than one constituency.

A non-party candidate may present one replacement candidates list only at an election.

The completed replacement candidates list, signed by the candidate, must be delivered to the returning officer by the candidate or proposer within the period fixed for receiving nominations in respect of the candidate to whom the replacement list relates.

### **2. National of an EU Member State other than Ireland**

Where a person who is a national of an EU Member State other than Ireland is nominated as a replacement candidate and is not also nominated as a candidate in the constituency, the replacement candidates list must be 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.

If the statutory declaration is not furnished with the replacement candidates list or if it is not properly made out or signed, the returning officer is obliged to delete from the list the name of the person concerned (rule 19 of the Second Schedule).

### **3. Ruling on replacement candidates list**

The returning officer will rule as invalid any list which is not properly made out or signed, if the list is not amended to his/her satisfaction (rule 19 of the Second Schedule).

**4. 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).

**5. Withdrawal of replacement candidates list**

A replacement candidates list may be withdrawn by notice in writing signed by the candidate and handed to the returning officer by the candidate or the proposer of the candidate not later than the time when the nomination period for candidates who are Irish citizens expires i.e. 12 noon on the 14th day (disregarding any excluded day) after the latest date for the publication of the notice of election. Where, at the latest time for withdrawal of candidature, the candidate is deemed to have withdrawn, the replacement candidates list of that non-party candidate is also deemed to have been withdrawn (*rule 19 of the Second Schedule*).

**6. Penalties**

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

- (a) nominating a person as a replacement candidate without the person's consent (*rule 110 of the Second Schedule*),
- (b) making a false declaration that a person is eligible for nomination as a replacement candidate or does not stand validly nominated as either a replacement candidate in any other constituency or as a candidate in any other Member State (*rule 113 of the Second Schedule*).