



An Bille um Thoghcháin do Pharlaimint na hEorpa (Leasú), 2019
European Parliament Elections (Amendment) Bill 2019

Mar a tionscnaíodh

As initiated



**AN BILLE UM THOGHCHÁIN DO PHARLAIMINT NA hEORPA (LEASÚ), 2019
EUROPEAN PARLIAMENT ELECTIONS (AMENDMENT) BILL 2019**

Mar a tionscnaíodh

As initiated

CONTENTS

Section

1. Definition
2. Amendment of section 10 of Principal Act
3. Amendment of section 15 of Principal Act
4. Amendment of Second Schedule to Principal Act
5. Substitution of Third Schedule to Principal Act
6. Amendment of section 25 of Electoral Act 1992
7. Short title, collective citations and construction

ACTS REFERRED TO

Electoral Act 1992 (No. 23)

Electoral Acts 1992 to 2018

European Parliament Elections Act 1997 (No. 2)

European Parliament Elections Acts 1992 to 2014



**AN BILLE UM THOGHCHÁIN DO PHARLAIMINT NA hEORPA (LEASÚ), 2019
EUROPEAN PARLIAMENT ELECTIONS (AMENDMENT) BILL 2019**

Bill

entitled

An Act to give effect to European Council Decision (EU) 2018/937 of 28 June 2018¹ 5
establishing the composition of the European Parliament and Council Decision (EU,
Euratom) 2018/994 of 13 July 2018² amending the Act concerning the election of the
members of the European Parliament by direct universal suffrage, annexed to Council
Decision 76/787/ECSC, EEC, Euratom of 20 September 1976 and, for that purpose, to 10
revise the European Parliament constituencies; to provide for the number of members to
be elected for such constituencies; to amend the European Parliament Elections Act
1997; to amend the Electoral Act 1992; and to provide for related matters.

Be it enacted by the Oireachtas as follows:

Definition

1. In this Act “Principal Act” means the European Parliament Elections Act 1997. 15

Amendment of section 10 of Principal Act

2. Section 10 of the Principal Act is amended, in paragraph (a) of subsection (1), by the
substitution of “sixty days” for “fifty days”.

Amendment of section 15 of Principal Act

3. Section 15 of the Principal Act is amended by the substitution of the following 20
subsection for subsection (3):

“(3) An area specified in the Third Schedule shall be taken to be that area
as constituted on 1 September 2018.”.

Amendment of Second Schedule to Principal Act

4. The Second Schedule to the Principal Act is amended— 25

(a) in rule 2, by the substitution of “the forty-fifth day” for “the thirty-fifth day”,

(b) in rule 5—

1 OJ No. L165, 2.7.2018, p.1

2 OJ No. L178, 16.7.2018, p.1

(i) by the substitution of the following paragraph for paragraph (3):

- “(3) (a) A candidate may include in the nomination paper the name of the registered political party of which he or she is a candidate or the name of such political party together with the name of any political group or European political party noted on the Register of Political Parties in relation to that political party, provided that, at the time the nomination paper is delivered to the returning officer, a certificate in the form directed by the Minister (in this Schedule referred to as a ‘certificate of political affiliation’) authenticating the candidature is produced to the returning officer, being a certificate signed by the officer or officers of such party whose name or names appear in the said Register pursuant to section 25(7)(d) of the Act of 1992. Where such a certificate is produced, the returning officer, provided he or she is satisfied that it is appropriate to do so in relation to the candidate, shall cause—
- (i) a statement of the name of the relevant political party and a copy of the political party’s emblem as registered in the said Register to be specified in relation to the candidate on all the ballot papers, and
 - (ii) a statement of the name of the relevant political party to be specified in relation to the candidate on notices.
- (b) Where a candidate includes in the nomination paper a statement of the name of a political group or a European political party in addition to the name of a political party, the returning officer, provided he or she is satisfied that it is appropriate to do so in relation to the candidate, shall cause a statement of the name of such political group or such European political party in addition to the name of such party to be specified on all such ballot papers and notices.”,

and

(ii) by the substitution of the following paragraph for paragraph (5):

- “(5) A person to whom paragraph (4) applies may include in the nomination paper the name of any—
- (a) political group formed in accordance with the rules of procedure of the European Parliament, or
 - (b) European political party established in accordance with Regulation (EU, Euratom) No 1141/2014 of the European Parliament and of the Council of 22 October 2014³ on the statute and funding of European political parties and European political foundations,

of which he or she is a member, provided that, at the time the nomination paper is delivered to the returning officer, a certificate (in this Schedule referred to as a ‘certificate of European political

affiliation’) is also produced to the returning officer, being a certificate signed by a member of the Secretariat of the relevant political group or European political party that the person in question is a member of the political group or European political party named in the certificate. Where such a certificate is produced, the returning officer, provided he or she is satisfied that it is appropriate to do so in relation to the candidate, shall cause a statement of the name of such political group or such European political party, in addition, where appropriate, to the expression ‘Non-Party’, to be specified in relation to the candidate on all the ballot papers and on notices.”,

and

- (c) in rule 50, by the substitution of the following subparagraph for subparagraph (d) of paragraph (2):

“(d) the name of each candidate’s political party, if any, or, if appropriate, the expression ‘Non-Party’ shall be printed in large capitals, and the name of each candidate’s political group or European political party, if any, shall be printed in ordinary characters.”.

Substitution of Third Schedule to Principal Act

5. The Principal Act is amended as respects European elections held after 1 January 2019 by the substitution of the following Schedule for the Third Schedule:

“Third Schedule

Section 15

CONSTITUENCIES

Constituency	Area	Number of Members
Dublin	The counties of: Dún Laoghaire-Rathdown, Fingal and South Dublin; and the city of Dublin.	4
Midlands-North-West	The counties of: Cavan, Donegal, Galway, Kildare, Leitrim, Longford, Louth, Mayo, Meath, Monaghan, Roscommon, Sligo and Westmeath; and the city of Galway.	4
South	The counties of: Carlow, Clare, Cork, Kerry, Kilkenny, Laois, Offaly, Tipperary, Wexford and Wicklow; the cities and counties of Limerick and Waterford; and the city of Cork.	5

Amendment of section 25 of Electoral Act 1992

6. Section 25 of the Electoral Act 1992 is amended—

- (a) in subsection (7), by the substitution of the following paragraph for paragraph (g):

“(g) the name of any political group or European political party in accordance with subsection (8), and”,

and

(b) by the substitution of the following subsection for subsection (8):

“(8) Where a party which is registered in the Register as a party organised to contest a European election, or which applies for such registration in the Register, informs the Registrar that a member of the party, being a representative in the European Parliament (whether by reason of his having been elected as such a representative in the State or having been nominated as a replacement candidate under the European Parliament Elections Act 1997), is a member of—

(a) a political group formed in accordance with the rules of procedure of the European Parliament, or

(b) a European political party established in accordance with Regulation (EU, Euratom) No. 1141/2014 of the European Parliament and of the Council of 22 October 2014 on the statute and funding of European political parties and European political foundations,

the Registrar shall, if that member certifies in writing to the Registrar that he is a member of that party and that political group or that European political party, note on the Register, in relation to the party, the name of that political group or that European political party.”.

Short title, collective citations and construction

7. (1) This Act may be cited as the European Parliament Elections (Amendment) Act 2019.

(2) The European Parliament Elections Acts 1992 to 2014 and this Act (other than *section 6*) may be cited together as the European Parliament Elections Acts 1992 to 2019 and shall be construed together as one.

(3) The Electoral Acts 1992 to 2018 and *section 6* may be cited together as the Electoral Acts 1992 to 2019 and shall be construed together as one.

An Bille um Thoghcháin do Pharlaimint na hEorpa (Leasú), 2019

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do thabhairt éifeacht do Chinneadh (AE) 2018/937 an 28 Meitheamh 2018 ón gComhairle Eorpach lena socraítear comhdhéanamh Pharlaimint na hEorpa agus do Chinneadh (AE, Euratom) 2018/994 an 13 Iúil 2018 ón gComhairle lena leasaítear an Ionstraim maidir le toghadh comhaltaí de Pharlaimint na hEorpa trí vótáil chomhchoiteann dhíreach, atá i gceangal le Cinneadh 76/787/CEGC, CEE, Euratom an 20 Meán Fómhair 1976 ón gComhairle agus, chun na críche sin, do leasú thoghlaigh Pharlaimint na hEorpa; do dhéanamh foráil chun líon na gcomhaltaí atá le toghadh do na toghlaigh sin a shocrú; do leasú an Achta um Thoghcháin do Pharlaimint na hEorpa, 1997; do leasú an Achta Toghcháin, 1992; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

*An tAire Tithíochta agus Pleanála agus Rialtais
Áitiúil a thíolaic,*

31 Eanáir, 2019

European Parliament Elections
(Amendment) Bill 2019

BILL

(as initiated)

entitled

An Act to give effect to European Council Decision (EU) 2018/937 of 28 June 2018 establishing the composition of the European Parliament and Council Decision (EU, Euratom) 2018/994 of 13 July 2018 amending the Act concerning the election of the members of the European Parliament by direct universal suffrage, annexed to Council Decision 76/787/ECSC, EEC, Euratom of 20 September 1976 and, for that purpose, to revise the European Parliament constituencies; to provide for the number of members to be elected for such constituencies; to amend the European Parliament Elections Act 1997; to amend the Electoral Act 1992; and to provide for related matters.

*Presented by the Minister for Housing, Planning
and Local Government,*

31st January, 2019

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2.
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2.
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)
or through any bookseller.

€1.27

ISBN 978-1-4468-6427-2



9 781446 864272