



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

Meabhrán Mínitheach
Explanatory Memorandum



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EXPLANATORY MEMORANDUM

Overview

The purpose of the European Parliament Elections (Amendment) Bill 2019 is to give effect to European Council Decision (EU) 2018/937 of 28 June 2018 establishing the composition of the European Parliament and to certain provisions in 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.

The Bill implements the recommendations in the Report on European Parliament Constituencies 2018 (September 2018) in order to provide for revised European Parliament constituencies for the 2019-2024 parliamentary term having particular regard to the number of seats allocated to Ireland in accordance with Article 3(1) of Council Decision (EU) 2018/937. The Report on European Parliament Constituencies 2018 was prepared by the European Parliament Constituency Committee established in accordance with section 5(1A) of the Electoral Act 1997. The Bill will also provide for the number of members to be elected in each European Parliament constituency.

In addition to revising European Parliament constituencies, the Bill amends the European Parliament Elections Act 1997 in order to revise the timeframes in respect of the making of a ‘polling day order’ and the giving of the ‘notice of election’. These are largely technical amendments necessary to implement certain requirements set out in Council Decision (EU, Euratom) 2018/994 in relation to the mandatory deadline for the submission of candidates and for the exchange of information on candidate nominations with other Member States.

The Bill also provides for the inclusion of the names of European political parties on European Parliament ballot papers. This provision is voluntary and mirrors similar legislative provisions which currently exist in respect of European political groups.

Main provisions of the Bill

Section 1, for the purposes of the Bill, defines the “Principal Act” as the European Parliament Elections Act 1997.

Section 2 amends section 10 of the Principal Act to extend the minimum period of time by which the Minister for Housing, Planning and Local Government must make a ‘polling day order’ announcing the date for the

holding of a poll for an election to the European Parliament. The ‘polling day order’ will now have to be made by the Minister not less than 60 days before polling day (currently it is not less than 50 days). This is a consequential amendment having regard to the provisions in Section 4 to extend the timeframe for the giving of the ‘notice of election’ as set out in Rule 2 of the Second Schedule to the Principal Act.

Sections 3 and 5 make provision for the new European Parliament constituencies in accordance with the recommendations in the Report on European Parliament Constituencies 2018.

Details of the new European Parliament constituencies as recommended by the European Parliament Constituency Committee are as follows –

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

Section 4 provides for amendments to Rules 2, 5 and 50 of the Second Schedule to the Principal Act. The extension of the current timeframe for the giving of the ‘notice of election’ as set in Rule 2 will ensure that the mandatory requirements under Decision (EU, Euratom) 2018/994 in respect of the three week deadline for receipt of nominations as well as the six week deadline for the commencement of the exchange of information will be achieved. The Bill provides that the timeframe for a returning officer to issue a ‘notice of election’ shall increase to 45 days before polling day - up from the current 35 days.

The amendments to Rules 5 and 50 will allow candidates standing for election to the European Parliament the option to include on their ballot papers the name of any European political party to which their national political party may be affiliated.

Section 6 amends section 25 of the Electoral Act 1992 to allow national political parties the option of including on the Register of Political Parties the name of any European political party to which they may be affiliated.

Section 7 contains standard provisions dealing with the Bill’s short title, collective citation and construction.

*An Roinn Tithíochta, Pleanála agus Rialtais Áitiúil,
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