

Standing Orders for Selection of candidates for the European Parliament

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Part 1 – General

1. Application of standing orders

1. These standing orders shall apply to the selection of candidates (including substitutes) for election to the European Parliament.

2. Determination of number of candidates

2.1 The Organisation Committee (OC) shall prior to the date of opening of nominations determine the number of candidates and substitute candidates to be selected. The number of substitute candidates to be selected shall be the number of candidates plus four, or such other maximum as shall be prescribed by law for the time being, unless the OC determines a lesser figure. Prior to the opening of nominations, the OC shall invite expressions of interest from members in the European Constituency concerned, and shall establish a Candidate Selection Board (CSB) in each such Constituency.

2.2 CSBs will have three members drawn from three panels appointed by the OC, a panel of active female party members, a panel of active male party members

and a panel of Oireachtas, or former Oireachtas members and of former councillors. There shall be one member from each panel.

2.3 Each CSB will consult in good time with:-

- i) Local Oireachtas members
- ii) Sitting councilors
- iii) Officers of the relevant Constituency Council(s)
- iv) Any other persons the CSB deems appropriate

2.4 The CSB will invite declarations of interest to be a candidate from Party members or others who are not party members but are contemplating joining the party and becoming a candidate.

2.5 The CSB will invite written submissions at the start of the process from party members in an area in relation to the best candidate strategy or other relevant matters.

2.6 The CSBs will make recommendations to the Organisation Committee (OC), on the number of candidates to be selected in each Constituency, the gender balance if this number is more than one, on the candidates eligible to be nominated and on any other matter it deems relevant. It may also make recommendations on the division of an area in the selection of candidates for the purposes of ensuring a geographical spread of candidates.

2.7 The OC will consider the recommendations of each CSB and make the final decision on the above matters.

3. *Determination of whether a postal ballot or convention shall apply*

3. The OC shall recommend for approval by the Executive Board (EB) whether the candidates will be selected by postal ballot or by a selection convention consisting of a meeting of relevant members.

4. *Opening of Nominations*

4. On a date determined by the General Secretary which is at least fourteen days prior to the closing of nominations as determined by these standing orders, nominations for the position of candidate for the European Parliament or candidate for election as a substitute member of the European Parliament shall stand open, and on or as soon as practicable after that date, the General Secretary

shall give notice in such manner as he thinks fit to branches within the Constituency of the date on which nominations shall close.

5. *Closing of Nominations*

5. The General Secretary shall determine a date for the closing of nominations for election as member or substitute member of the European Parliament.

6. *Relevant branches*

6. Relevant branches are those branches which are located wholly or partly within the European constituency concerned on the date on which nominations open.

7. *Making of Nominations*

7. Nominations for candidates (including substitutes) must be for persons approved by the OC as set out in these standing orders and proposed and seconded by branches registered to a Dáil constituency which is wholly or partly within the European Parliament constituency concerned, provided that the branch has paid its affiliation fee for the year in question. Where the European constituency consists of more than one Dáil constituency, the proposing and seconding branches must be in different Dáil constituencies. Nominations shall be in writing and signed by the person being nominated and by a representative of the proposing and seconding branch. A nomination shall be made by delivering it to the General Secretary at the head office of the Party within the time limited by these Standing Orders.

8. *Eligibility of candidates*

8. Persons nominated must be paid up members of the Labour Party at the time of the close of nominations.

9. *Withdrawal of Nominations*

9. A nomination may be withdrawn in writing at any time after it has been made but only by or with the written consent of the person who has been nominated.

10. *Motion disagreeing with OC recommendation*

10. Not later than the time for closing of nominations, two branches within the European constituency may propose and second respectively a motion for consideration by the members concerned that the Convention disagrees with the recommendation of the OC regarding the number of candidates and proposing an alternative number of candidates. If in the opinion of the General Secretary, a motion to increase the number of substitute candidates shall contravene the maximum number referred to in these standing orders, the General Secretary shall reject the motion as invalid.

11. *Declaration of election on close of nominations*

11. If upon the close of nominations, the number of candidates nominated for members of the European Parliament and the number of candidates nominated as substitute members is less than or equal to the numbers recommended by the OC, then the General Secretary shall immediately, upon the close of nominations or as soon as practicable thereafter, declare that those persons have been deemed selected as the candidates and substitute candidates respectively.

12. *Determination of whether a poll is necessary*

12. On close of nominations, the General Secretary shall decide whether a poll is necessary. A poll shall be held if:
- (a) The number of candidates nominated for the position of member of the European Parliament is greater than the number recommended by the EB;
 - (b) The number of candidates nominated for the position of substitute is greater than the number recommended by the EB;
 - (c) Otherwise, more than one candidate is nominated for member or more than one for substitute member, unless the candidates or substitute candidates concerned agree amongst themselves in writing as to the order in which they should appear on the substitute candidates list.

13. *Declaration of whether a poll is necessary*

13. If a poll is required, the General Secretary shall forthwith declare that a poll is necessary. If, however, following close of nomination a candidate or candidates withdraws such that a poll is no longer necessary, the Returning Officer shall thereupon declare the appropriate result.

14. *Place and time of poll*

14. The General Secretary, acting under the auspices of the EB, shall determine the date and time on which the postal poll shall open and close, and the place at which ballots shall be counted, or the place, date and time of the selection convention and of the voting times thereat, as the case may be.

15. *Returning Officer*

15. If a poll is required, the General Secretary of the party shall appoint a Returning Officer for the purpose of any particular Selection Convention to which these standing orders apply. The Returning Officer shall be assisted by such and so many persons as may be appointed by him or her to act as assistants, and may for this purpose call upon members of the Standing Orders Committee to assist him or her.

16. *Conduct of Poll*

16. Where a poll is required under these standing orders, the Returning Officer shall be responsible for conducting the election, shall examine and count the votes and on the conclusion of the count, shall issue a statement declaring the result and send a report thereof to the General Secretary.

17. *Agents*

17. Candidates may appoint an election agent and such other number (being an equal number for each candidate, if any, fixed by the Returning Officer) of agents to represent them in connection with the election and the count. The Returning Officer may require an agent to produce to the Returning Officer written notice of their appointment.

18. *The Electorate*

18. The selection of a candidate or candidates shall be in accordance with the principle of one-member-one-vote as set out in Article 2.14 of the Party Constitution. Subject to these standing orders, those entitled to vote shall be members whose membership has been registered at least 6 months prior to the date of the count/selection convention and who were registered as paid-up members on the date on which the convention (which for this purpose includes a postal ballot) is convened. In order to vote a member must be personally present

at a convention or personally complete a ballot paper if a postal vote applies, must be a member of a relevant branch and must have been a member of that branch or some other relevant branch for a continuous period of 6 months prior to the date of the count or selection convention.

19. *Register of electors*

19. Prior to the convening of the convention or postal ballot, the General Secretary shall prepare a register of the electorate stating the name and address of each elector. He or she shall amend the register as appropriate if required in accordance with the Party Constitution.

20. *Copy of register*

20. Each nominated candidate shall be entitled to a free copy of the Register of Electors from the General Secretary.

21. *Death of member on register*

21. Where a person on the Register of Electors dies following the preparation of the Register, the General Secretary shall remove their name from the Register and inform the Returning Officer accordingly.

Part 2 - Conduct of Postal ballot

22. *Application of this Part*

22. This part applies in the event that a postal ballot is decided upon.

23. *Sending of ballot material*

23. If a poll is necessary, and if a postal ballot is decided upon by the EB, the General Secretary shall, subject to any directions that may be given by the Returning Officer, as soon as may be and in any event at least 18 days before the election, transmit by post to each elector the following material "ballot material":
- (a) A Ballot paper for each poll containing the names of the candidates for the position in question, printed using a method designed to prevent duplication. If two polls are necessary, there shall be a separate ballot paper for candidate and for

substitute candidate. If a motion has been proposed suggesting an alternative number of candidates be elected, there shall be a separate ballot paper containing the text of that motion.

- (b) An instruction paper prepared by the Returning Officer containing instructions as to voting and stating that papers must be returned on or before 12.00 noon on the day of the count.
- (c) A pre-paid return envelope, addressed to the Returning Officer at a post office box address in which the ballot paper or ballot papers are to be returned to the Returning Officer.

24. *Manner of sending material*

- 24. The Returning Officer shall supervise this process as he or she deems appropriate. The ballot material shall be posted out by recorded post or registered post at the discretion of the Returning Officer. The ballot material shall be transmitted to each elector at his or her address as registered on the Party's register of paid-up members, provided that the member has supplied a home address to the General Secretary for this purpose. Where a member has supplied only an address care of some other person or body, the Returning Officer may if he or she is in doubt as to whether the member will receive the ballot paper, determine that the ballot materials shall not be posted to the member unless or until the member supplies a satisfactory address to the General Secretary. However in such a case the member may collect the ballot material in person from the General Secretary on providing satisfactory proof of identity to the General Secretary.

25. *Inadvertent spoilt papers*

- 25. Where a voter has inadvertently spoiled his or her ballot paper and applied in writing to the Returning Officer for a duplicate ballot paper and returns the spoilt ballot paper by registered post or in person to the Returning Officer, to an address specified in the instruction paper, the Returning Officer shall issue duplicate ballot material to the voter.

26. *Change of address*

- 26. Where a voter has changed address and notified the General Secretary in writing of the change of address, the General Secretary having made such enquiries, if any, as he or she deems appropriate shall rectify the records of the party and notify the Returning Officer accordingly and the ballot material shall be issued to

the address as so amended unless such materials have already been issued to the old address in which case the following standing order shall apply.

27. *Material returned undelivered*

27. Where ballot materials are returned by An Post as undelivered to the Returning Officer, he or she shall record the name of the voter in question. If the voter subsequently applies in writing for the issue of duplicate ballot material to the same address, the Returning Officer shall issue such material to that address. If the voter subsequently applies in writing for the duplicate ballot materials to be issued to a different address, the Returning Officer shall inform the General Secretary and if the General Secretary notifies the Returning Officer that the records of the party have been amended under these standing orders, the Returning Officer shall issue duplicate ballot materials to the voter at the amended address.

28. *Non-delivered materials*

28. Where a voter applies in writing to the Returning Officer for the issue of duplicate ballot material on the grounds of non-delivery, but no materials relating to that person have been returned to the Returning Officer by An Post, the Returning Officer shall cause enquiries to be made with An Post in the matter. If, following such enquiries and such other enquiries, if any as he or she thinks fit, the Returning Officer is satisfied that the ballot materials were not delivered to the voter, he or she shall issue duplicate ballot materials to the voter.

29. *Ballot boxes*

29. The Returning Officer shall maintain at a place determined by him or her one or more locked ballot boxes for the purpose of the election. As each ballot envelope is received by the Returning Officer, it shall be placed by him or her unopened in the ballot box(es).

30. *Records to be kept*

30. The Returning Officer shall retain records of all ballot materials sent and returned. Prior to announcing the result, the Returning Officer shall announce and report to the General Secretary on the following matters:-
- (a) total electorate;

- (b) total original i.e. non-duplicate ballot papers issued;
- (c) a statement of any reason for a discrepancy between (a) and (b);
- (d) total number of duplicate ballot papers issued pursuant to these standing orders;
- (e) total number of ballot envelopes returned to the Returning Officer;
- (f) a statement of the number of envelopes returned as non-delivered.

Part 3 – Conduct of Poll and Count – General

31. *Application of this Part*

- 31. This part applies to a poll whether conducted by postal ballot or at a convention save where otherwise specified.

32. *Secret Ballot*

- 32. Voting shall be by secret ballot. All persons concerned shall assist in preserving the secrecy of the ballot.

33. *Closing of poll*

- 33. At the time on which poll closes, the Returning Officer shall close the poll. He or she shall thereupon take the locked ballot box(es) to the place determined for that purpose by the General Secretary and notified to the candidates for the counting of votes.

34. *Opening of ballot boxes*

- 34. He or she with such assistants as may be appointed for the purpose shall thereupon in the presence of the candidates and their agents, open the ballot box(es) and, in the case of a postal ballot, the envelopes therein.

35. *Counting of Votes*

- 35. Where a selection convention is held, the count shall commence as soon as may be after close of poll. Where a postal ballot is held, the count shall constitute a

Selection Convention for the purposes of the Constitution and the standing orders, and shall commence at such time after the close of poll as is determined by the Returning Officer.

36. *Invalid papers*

36. Any ballot papers which are invalid shall be rejected. Invalidity for this purpose shall be determined in accordance with the rules applying to a Dáil Election. Papers shall be counted in like manner to the procedures for counting votes at a Dáil Election, with the modifications set forth in this paragraph. In the event that the application of the rules for Dáil elections would result in random selection between two or more candidates to determine the final count, the convention shall stand adjourned and the EB shall select which of the candidates is to be deemed selected in lieu of random selection. Where more than one candidate is to be selected and a gender quota is to apply, the votes shall be counted in the following manner. Counting shall proceed in accordance with Dáil rules, save where the elimination of a particular candidate would result in a breach of the applicable gender quota. Where such a breach would occur, the candidate in question shall not be eliminated and the lowest candidate of the other gender shall instead be eliminated.

37. *Members counted first*

37. Votes for candidates for membership of the European Parliament shall be counted first.

38. *Count for substitutes*

38. When the votes for candidates for membership of the European Parliament have been counted, the votes for candidates as substitute members of the European Parliament shall be counted.

39. *Count on a proposal to vary OC recommendation*

39. When the votes for substitute members are counted, any votes on a proposal to nominate a different number of candidates shall also be counted.

40. *Signature of pledge*

40. Each successful candidate shall sign the Party Electoral Pledge as soon as practicable following the declaration of the result of the ballot. In the event of a candidate failing to do so, his or her selection shall be declared invalid by the General Secretary.

41. *Report on result*

41. The Returning Officer shall inform the General Secretary in writing of the result of the Selection Convention within four days.

42. *Ratification of candidates*

42. In accordance with the Party Constitution, the EB may ratify or not any candidate or candidates selected in accordance with this standing orders.

43. *Adding of additional candidate*

43. If, following a Selection Convention at which one candidate is selected, the EB decides to add a second candidate; they shall adjust the list of substitute candidates so that the selected and added candidates are the first two names on the substitute list.

44. *Adding candidates where insufficient numbers selected*

44. Where insufficient names come forward from the process set out in the standing orders, the OC will nominate the appropriate number of persons as substitute candidates to meet the number specified by SO 2 and shall specify the proposed order of those substitute candidates (who shall rank after the substitutes selected in accordance with foregoing standing orders). The EB may either approve the OC decision or may on motion made vary the order of precedence of candidates proposed under this standing order between themselves.

Part 4 - Relationship between Candidate list and Substitute list

45. *1 candidate – uncontested*

45. Where the EB determines that 1 candidate shall run, and there is no contest for the candidature, the person selected shall not be entered on the ballot paper for substitute candidates.

46. 1 candidate – contested

46. Where the EB determines that 1 candidate shall run, and there is a contest for the candidature, the names of the candidates shall be entered on the ballot papers for substitutes. Following selection of the candidate for membership of the EP, that person's first preference votes on the substitute ballot shall be disregarded and the vote for substitutes shall proceed as if the successful candidate for membership of the EP had been eliminated prior to the first count.

47. 2 candidates – uncontested

47. Where the EB determines that 2 candidates shall run, and there is no contest for the candidatures, the persons selected shall not be entered on the ballot paper for substitute candidates. However if ratified by the EB, those persons shall be the first 2 substitutes, in alphabetical order, followed by the other substitutes elected on the substitutes ballot.

48. 2 candidates – contested

48. Where the EB determines that 2 candidates shall run, and there is a contest for the candidatures, the candidates shall be entered on the ballot paper for substitutes. Following selection of the candidates for membership of the EP, those selected candidates shall be the first two substitutes in alphabetical order, followed by the other substitutes elected on the substitute ballot, and for that purpose each selected candidate's first preference votes on the substitute ballot shall be disregarded and the vote for substitutes shall proceed as if the successful candidates for membership of the EP had been eliminated prior to the first count.

49. 3 or more candidates

49. Where the EB determines that 3 or more candidates shall run, whether or not there is a contest for candidature, the names of those persons shall be entered on the ballot paper for substitutes and a count shall take place following the count for candidates, to determine the order of substitutes. Once the count for substitutes is completed, if the selected candidates are not the first substitutes, then the final order of substitute candidates shall be adjusted in order to place all substitutes who are only substitutes below all substitutes who are also selected candidates.

Part 5 - repeal

50. *Repeal*

50. All previous Standing Orders for Selection Conventions for elections to the European Parliament are hereby repealed.