



Image taken from the Commission's 2009 advertising campaign

# Media guide:

## European Parliamentary elections in Northern Ireland

March 2009

## **Translations and other formats**

For information on obtaining this publication in another language or in a large-print or Braille version, please contact the Electoral Commission:

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# 1 Media contacts and resources

## Electoral Commission press offices

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## Websites

[www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)

[www.electoralcommission.org.uk/elections](http://www.electoralcommission.org.uk/elections)

Our corporate website features a dedicated elections area and a media centre which is regularly updated with press releases.

[www.aboutmyvote.com](http://www.aboutmyvote.com)

This website provides information on how to register and vote. It includes a postcode search facility which allows people to find out where elections are taking place.

[www.dopolitics.co.uk](http://www.dopolitics.co.uk)

The Do Politics Centre is an online resource for democracy practitioners. It provides information and resources to equip people to run interactive workshops and events.

[www.eoni.org.uk](http://www.eoni.org.uk)

This website is for the Electoral Office for Northern Ireland (EONI) and provides extensive information about registering and voting at elections in Northern Ireland.

## Images

Please contact our press team at Weber Shandwick if you would like any images from our public information campaign, of people registering to vote or of polling stations.

## Other media guides

This guide is for journalists covering the European Parliamentary elections in Northern Ireland. There are separate guides available for journalists covering the elections in Great Britain. These are all available on the Electoral Commission website at:

[www.electoralcommission.org.uk/news-and-media/media-resources](http://www.electoralcommission.org.uk/news-and-media/media-resources)

## 2 Roles and responsibilities

### The Electoral Commission

The Electoral Commission is an independent body set up by the UK Parliament. Our aim is integrity and public confidence in the democratic process. We:

- register political parties
- make sure people understand and follow the rules on party and election finance
- publish details of where parties and candidates get money from and how they spend it
- set the standards for running elections and report on how well this is done
- make sure people understand it is important to register to vote, and know how to vote

For the elections on 4 June 2009, we have published guidance for parties, candidates, agents and third parties in Northern Ireland. These are all available on our website at:

[www.electoralcommission.org.uk/elections/upcoming-elections-and-referendums/europe/european-parliamentary-elections-in-june-2009](http://www.electoralcommission.org.uk/elections/upcoming-elections-and-referendums/europe/european-parliamentary-elections-in-june-2009)

The Commission is running a public awareness campaign ahead of the 4 June elections. For more details, please see Appendix C.

The Commission is statutorily required to publish a report on the administration of the European Parliamentary elections. This report will be published later this year.

### The Chief Electoral Officer for Northern Ireland

The arrangements for electoral administration in Northern Ireland are different from elsewhere in the UK. The system in Northern Ireland is administered centrally by a Chief Electoral Officer who is an independent statutory office holder independent of government. The Electoral Office for Northern Ireland (EONI) is the organisation that supports the Chief Electoral Officer in carrying out his statutory duties. EONI comprises a headquarters in Belfast and eight area electoral offices located across Northern Ireland. Each office is headed by an Area Electoral Officer. Their role is primarily to manage the compilation of the electoral register, and to act as a Deputy Returning Officer as required by the Chief Electoral Officer.

The Chief Electoral Officer is both the Returning Officer and Registration Officer for all elections in Northern Ireland, including the European Parliamentary elections.

### 3 Elections 2009 overview

#### **What elections are taking place?**

On 4 June 2009 electors in the UK will vote for our representatives in the European Parliament. Seventy-two MEPs are to be elected to the 12 regional constituencies in the UK.

More details on the European Parliament and the division of seats can be found in Appendix A.

There are 72 seats in the UK divided as follows:

Northern Ireland	3
Wales	4
Scotland	6
England	59

There will also be local elections in some parts of England on 4 June 2009.

## 4 Election timetable

The key dates for European Parliamentary election in Northern Ireland on Thursday 4 June 2009 are listed below.

<b>Event</b>	<b>Date</b>
Last date for receipt of applications to register under continuous registration	Tuesday 7 April 2009
Publication of notice of election	Monday 27 April 2009
Delivery of nomination papers	Between the hours of 10am and 4pm on: Tuesday 28 April, Wednesday 29 April, Thursday 30 April, Friday 1 May, Tuesday 5 May, Wednesday 6 May and Thursday 7 May 2009
Deadline for completed applications from new parties intending to field candidates to register with the Electoral Commission	Tuesday 28 April 2009
Deadline for delivery of nomination papers	4pm on Thursday 7 May 2009
Withdrawal of candidates	Not later than 4pm on Thursday 7 May 2009
Notice of appointment of election agents	Not later than 4pm on Thursday 7 May 2009
Deadline for making objections to nomination papers	For objections to papers delivered before 4pm on Wednesday 6 May – between 10am and noon on Thursday 7 May. For objections to papers delivered after 4pm on Wednesday 6 May – between 10am and 5pm on Thursday 7 May
Publication of statement of candidates nominated	5pm on Thursday 7 May 2009 (if no objection received) otherwise not later than 4pm on Friday 8 May
Final date for receipt of absent vote applications	Not later than 5pm on Thursday 14 May 2009
Final date for late registration applications	Tuesday 19 May 2009

<b>Event</b>	<b>Date</b>
Final date for receipt of absent vote applications due to late illness	Not later than 5pm on Wednesday 27 May 2009
Final date for receipt of lists of sub-agents/polling/verification/counting agents	Not later than 5pm on Tuesday 2 June 2009
<b>Polling day</b>	<b>7am–10pm on Thursday 4 June 2009</b>
Deadline to make alterations to the register to correct a clerical error	Not later than 7pm on Thursday 4 June
Verification of votes	From 9.30am on Friday 5 June 2009
Counting of votes	From 9am on Monday 8 June 2009
Final date for submission to Returning Officer of returns and declarations of election expenses by election agent	Not later than Tuesday 28 July 2009
Final date for submission to Returning Officer of declarations of election expenses by candidate	Not later than Tuesday 4 August 2009 (If the candidate is out of the UK, the declaration shall be delivered 14 days after their return)

## 5 Who can register to vote?

### **Who can register to vote?**

A person can register to vote in the European Parliamentary elections if they are:

- aged 18 or over on polling day. (A person can register once they are 16 but cannot vote until their 18th birthday)
- a British, Irish or qualifying Commonwealth citizen resident in the UK
- citizens of other European Union (EU) member states who are resident in the UK

They also need to be on the electoral register by 19 May 2009 to vote on 4 June 2009.

### **Can EU citizens living in the UK register and vote in European Parliamentary elections?**

EU citizens living in the UK, who are 16 and over and from one of the European Union (EU) countries, are entitled to register and vote. They can vote in all elections except UK Parliamentary general elections once they are 18 years old.

Citizens of EU member states wishing to register as European Parliamentary electors in the UK must complete a separate application accompanied by a declaration which must state that they will only vote in the UK at any European Parliamentary election. It is an offence to vote in more than one member state.

### **Can Commonwealth citizens living in the UK register and vote in European Parliamentary elections?**

Qualifying Commonwealth citizens are entitled to vote when resident in the UK. A qualifying Commonwealth citizen is someone who has leave to enter or remain in the UK, or does not require such leave.

Citizens of Fiji and Zimbabwe retain their voting rights despite the countries having either withdrawn or been suspended from the Commonwealth.

### **Can nationalities, other than those already listed, register to vote in the UK?**

People of other nationalities are not eligible to vote in the UK even if they are UK taxpayers and long-term residents.

### **Can UK citizens now living abroad register to vote in the UK?**

Overseas electors can vote in European Parliamentary elections for 15 years after leaving the UK. They register in the area of their last UK residence.

**Can homeless people register to vote in the UK?**

Yes. Homeless people can register to vote using a declaration of local connection – this means they register naming a place they visit frequently, such as a hostel for homeless people.

**Can patients in a mental health hospital register to vote in the UK?**

Patients in mental health hospitals, including those detained on an involuntary basis, may register to vote unless they are also a detained offender.

**Can personnel serving in the UK Armed Forces register to vote?**

Yes. Personnel (and their spouses or civil partners) serving in the UK or overseas in the armed forces can choose to register either at their UK home address as ordinary electors or by making an armed services declaration. This declaration means they are only required to register once every three years.

**Can prisoners register to vote in the UK?**

Remand prisoners can vote if they are on the electoral register. Convicted prisoners are not allowed to register to vote and therefore cannot vote.

## 6 How to register to vote

### **What is the electoral register?**

The electoral register lists the name and address of everyone who is registered to vote. The register is available for anyone to view at any area electoral office in Northern Ireland.

### **How do you register to vote?**

You can contact the Electoral Office for Northern Ireland (EONI) or go to [www.aboutmyvote.com](http://www.aboutmyvote.com) and print off a registration form.

Eligible voters are required to provide specified material with their registration form (in its original format) in support of their application to prove:

- name
- date of birth
- nationality
- address
- that they have been resident in Northern Ireland for the previous three months

### **What if you are not on the electoral register?**

You must be on the electoral register to vote in elections

### **What is the deadline for registering to vote in the European Parliamentary elections?**

Electors are being encouraged to register by 7 April 2009 to vote at the European Parliamentary elections in Northern Ireland. However, recent changes to legislation will allow eligible voters to register up to 19 May 2009.

### **How many people are on the electoral register?**

EONI figures show that as at 1 March 2009, there were 1,154,228 people on the electoral register in Northern Ireland.

### **Who are the people least likely to register to vote?**

Electoral Commission research found that some minority ethnic groups, those who have recently moved house, people living in private-rented accommodation and students are less likely to be registered.

For more information and statistics please see the Commission's *Accuracy and comprehensiveness of the electoral register in Northern Ireland* report: [www.electoralcommission.org.uk/\\_data/assets/pdf\\_file/0009/64872/Accuracy-and-Comprehensiveness.pdf](http://www.electoralcommission.org.uk/_data/assets/pdf_file/0009/64872/Accuracy-and-Comprehensiveness.pdf)

### **What is the difference between the full and the edited register?**

The register has two formats. The 'full' version of the register is available for supervised inspection at any electoral office. It is this register which is used for elections and its supply and use is limited by law. An 'edited' version which

omits those people who have chosen to 'opt-out' can be purchased by anyone for any purpose from the Chief Electoral Officer for Northern Ireland.

**Can anyone look at the electoral register?**

A copy of the full register for all Northern Ireland constituencies is available for inspection, under supervision, at the Belfast area electoral office. Any person who inspects the register may only make handwritten notes to record any part of it and may not take copies.

**Who is entitled to have a copy of the full electoral register?**

An election agent or a candidate is entitled to receive a copy of the full register for all Northern Ireland constituencies. This is made available, on request, after valid nomination papers have been submitted.

A registered political party can request a copy of the full register on written request at any time.

Those entitled to receive a copy of the full electoral register can also receive copies of the lists of those electors who will vote by post and by proxy.

## 7 Standing for election

### **Who can stand as a candidate?**

To qualify as a candidate for election to the European Parliament, a person must be at least 18 years old and a British, qualifying Commonwealth or European Union citizen, or a citizen of the Republic of Ireland.

If you are a citizen of a member state of the European Union and not also a British, Irish, or Commonwealth citizen you only qualify if your home address is within the United Kingdom

### **Are there any reasons why someone could not be a candidate?**

There are a range of disqualifications that can prevent a person from standing. These include certain people who:

- hold offices under the Crown, such as judges, civil servants and members of a police force
- are the subject of a bankruptcy restrictions order given by a court in England and Wales
- have had their estate sequestrated by a court in Scotland and where they have not been discharged
- are judged bankrupt by a court in Northern Ireland
- are bankrupt under the law of Gibraltar

Guidance for registered parties, candidates and agents is available on the Commission's website at

[www.electoralcommission.org.uk/elections/upcoming-elections-and-referendums/europe/european-parliamentary-elections-in-june-2009](http://www.electoralcommission.org.uk/elections/upcoming-elections-and-referendums/europe/european-parliamentary-elections-in-june-2009)

### **What consent must be given?**

Candidates must submit a signed declaration of consent to being nominated dated within one month before the deadline for delivery of nominations.

The last day for the delivery of nomination papers for June's European Parliamentary elections is 4pm on 7 May 2009.

The form of consent, which is incorporated in the candidate's nomination paper, must be in writing, with their signature witnessed. It must show the candidate's date of birth and include a statement that they are aware of the contents of Section 10 of the European Parliamentary Elections Act 2002, which sets out disqualifications from being a Member of the European Parliament.

It must also include a declaration that, to the best of their knowledge and belief, they are not disqualified from standing. Candidates are advised to ensure that they are not disqualified before signing the consent to nomination.

**Is a deposit required?**

Yes. Candidates must ensure their nomination papers are accompanied by a £5,000 deposit which will be returned if the candidate achieves one quarter of the quota of the first preference votes cast at the European Parliamentary election.

**How do you apply to register a party?**

Anyone can decide to start a political party, but it must be registered with the Electoral Commission.

In order to register a political party a group must submit the following to the Commission if they wish to contest elections in the UK:

- an application form giving details of the party name, registered address, at least two party officers, whether the party wishes to be registered on the Great Britain or Northern Ireland register or both, and whether the party will have any accounting units
- a copy of the party's constitution
- a draft financial scheme showing how the party will comply with the financial controls
- a fee of £150

**How long does the registration process take?**

Registration can take up to 20 working days but the Electoral Commission endeavours to process registrations as quickly as possible in the run up to elections.

**When do you have to register by to contest the European Parliamentary elections in June?**

The deadline in law for registering a political party with the Commission to contest the 2009 European Parliamentary elections in the UK is Tuesday 5 May 2009. However, the Commission has advised parties to submit their application by Thursday 2 April 2009 to allow adequate time for the application to be processed.

**Do you have to stand under a political party name?**

No. A person may stand as an independent candidate by submitting a nomination paper.

A person becomes a candidate at the European Parliamentary elections on the last day of the publication of the notice of election (28 April 2009) or the subsequent date on which they are declared to be a candidate or have submitted a nomination paper (whichever is earlier). Nominations close at 4pm on 7 May 2009.

**Can two political parties run a joint candidate?**

Yes, but to do so both parties must agree a joint description which must be registered with the Commission.

## 8 Election spending

### **What law covers these rules?**

The rules on election spending are set out in Part V of the Political Parties, Elections and Referendums Act 2000 (PPERA). The rules on candidate spending are set out in the European Parliamentary Elections (Northern Ireland) Regulations 2004 (as amended).

### **What counts as election spending?**

Election spending is defined as spending on certain items used for the purpose of the election during the regulated period.

### **When is the regulated period?**

The regulated period for political parties is from 5 February 2009 until the date of the election on 4 June 2009.

For candidates, the regulated period starts on the 28 April 2009 or the date at which they become a candidate (whichever is later) and ends on 4 June 2009.

### **Does spending before the regulated period count?**

Money that was spent before the start of the regulated period must be included if the goods or services purchased are used during the regulated period.

### **What are the spending limits?**

Northern Ireland is treated as a single constituency for the purposes of a European Parliamentary election and has three seats. Parties can spend £45,000 per seat, giving a maximum party spend of £135,000. In addition, candidates can spend up to £135,000, giving a total of £270,000 for a party and their candidate.

### **Who can incur this spending?**

Only a registered party treasurer/campaigns officer or one of their registered deputies or any other person authorised in writing can legally incur or pay campaign expenditure on behalf of the party.

For candidates, expenditure can only be incurred by the candidate, their agent or anyone authorised in writing by the agent.

### **What are the categories of election spending?**

Election spending includes any expenditure incurred by a party or candidate in connection with the following items:

- advertising
- unsolicited material to electors
- transport
- public meetings
- election agent's salary
- accommodation

### **What has to be reported?**

The report must itemise each individual item of expenditure, and give a breakdown of total expenditure incurred by reporting category and, for parties, a breakdown of spending in each part of the UK.

Candidates must also include the total of all donations under £50 and individual details of all donations over £50.

### **What if nothing was spent?**

If nothing has been spent a nil return must still be submitted.

### **Who should political parties and candidates report their spending to?**

Political parties are required to submit a report to the Electoral Commission detailing all campaign expenditure incurred by them. Candidates are required to submit a report to the Chief Electoral Officer for Northern Ireland detailing all the campaign expenditure incurred by them and donations received by them during the regulated period.

### **Who are permissible donors?**

Permissible donors to a **Northern Ireland political party** are defined as:

- an individual registered on a UK electoral register
- a UK registered political party<sup>1</sup>
- a UK registered company which carries on business in the UK
- a UK registered trade union
- a UK registered building society
- a UK registered limited liability partnership which carries on business in the UK
- a UK registered friendly/building society
- a UK based unincorporated association which has a main office in and carries on business or other activities in the UK
- an Irish citizen
- an Irish registered company which is registered within the European Union and carries on business on the island of Ireland
- an Irish registered political party
- an Irish registered trade union
- an Irish registered building society
- an Irish registered limited liability partnership that carries on business in the island of Ireland
- an Irish registered friendly, industrial or provident society
- an Irish based, unincorporated association that carries on business or other activities wholly or mainly in Ireland and has its main office there
- certain types of trusts

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<sup>1</sup> A Great Britain registered political party may donate to a Northern Ireland registered party, but a Northern Ireland registered party may not donate to a Great Britain registered party.

Permissible donors to Northern Ireland **candidates** are defined as:

- an individual registered on a UK electoral register
- a UK registered political party<sup>1</sup>
- a UK registered company which carries on business in the UK
- a UK registered trade union
- a UK registered building society
- a UK registered limited liability partnership which carries on business in the UK
- a UK registered friendly/building society
- a UK based unincorporated association which has a main office in and carries on business or other activities in the UK
- certain types of trusts

During a regulated period, all donations over £50 to candidates and over £200 to parties must be from permissible sources.

### **How are donations reported?**

Parties continue to report donations in the normal way – through quarterly reports to the Electoral Commission.

At European Parliamentary elections, candidates must report donations received in their campaign expenditure return.

The Commission must keep donations made to parties confidential.

### **What is a third party?**

A third party is any individual or organisation that is not standing or fielding candidates at an election, but who campaigns for or against a political party, parties, policy, single issue or candidates at that election. An example of a third party is a trade union.

### **Can anyone be a third party?**

Third parties are required to register with the Electoral Commission if they wish to spend over £5,000 in Northern Ireland in relation to the European Parliamentary elections.

Once registered with the Commission, a third party in Northern Ireland can spend up to £6,750 in relation to the European Parliamentary elections.

The Electoral Commission also provides guidance for third parties explaining the rules relating to them at election time. Guidance for third parties is available on the Commission's website at [www.electoralcommission.org.uk/data/assets/pdf\\_file/0019/71254/Third-Party-2009-Guidance.pdf](http://www.electoralcommission.org.uk/data/assets/pdf_file/0019/71254/Third-Party-2009-Guidance.pdf)

## 9 Campaigning

### **Are there rules on campaign literature?**

Campaign publicity material is subject to a number of restrictions under electoral law, as well as the general civil and criminal law relating to published material. All such material (i.e. posters, placards and leaflets) must include an imprint – the name and address of the printer and publisher, and preferably the promoter. This applies to all printed material distributed for the purpose of promoting or procuring the election of a candidate and/or party.

### **Can candidates make comparisons/defamatory remarks about each other?**

It is an offence, under European Parliamentary Elections Regulations 2004 (as amended), to make false statements about the personal character of another candidate. The usual laws about defamation/libel could also apply to election publications as they do to any other types of published material.

### **If someone displays a campaign poster in the window of their house, or a placard in their garden, does this count as a donation?**

No. It is up to the individual to decide whether or not they wish to display the material. If they do not normally take money to display posters, then they cannot accept payment either.

It is an offence to pay someone to display a poster unless they ordinarily take such payments as part of their normal business activities.

### **Does the time provided by volunteers have to be reported as a donation?**

No. Volunteering does not count as a donation. However, if volunteers incur expenses which are not reimbursed, those values count as a non-cash donation.

### **What are the rules on media coverage?**

Under electoral and broadcasting legislation, television and radio broadcasters have to follow a code of conduct in their coverage of candidates to ensure that they achieve an appropriate balance. The law requires broadcasters to have regard to any views expressed by the Electoral Commission on these codes of conduct.

The codes, which are drawn up by the broadcast authorities, do not require broadcasters to give exactly the same amount of coverage to all candidates but take into account the relative electoral strength of the candidates and their parties. In addition, reports should usually contain a list of all parties or candidates standing.

Political advertising on television, other than party election broadcasts, is not allowed.

# 10 How to vote





## When are polling stations open?

The hours of poll for the European Parliamentary elections on 4 June 2009 are 7am to 10pm.

## How do you complete the ballot paper in Northern Ireland?

The single transferrable vote system is used. Voters cast their votes by putting a '1' next to the name of their favourite candidate, a '2' next to their second favourite candidate and so on. Voters can vote for as few or as many candidates as they like.

## Example of a ballot paper for European Parliamentary elections in Northern Ireland

FORM A: THE BALLOT PAPER	
<i>Form of front of ballot paper</i>	
Mark order of preference in space below	
	 <p>BITTERN (Richard Bittern of 5 Down Street, Bangor, Co. Down. Democratic Unionist Party)</p>
	<p>DIPPER (JOANNA Dipper of 9 Mourne View, Donaghadee, Co. Down. Independent)</p>
	 <p>DIPPER (MARTIN Dipper of 8 Magilligan Drive, Portaferry, Co. Down. SDLP (Social Democratic and Labour Party))</p>
	 <p>FINCH (John Finch of 29 Gilford Place, Millisle, Co. Down. Sinn Féin)</p>
	<p>KITE (Julie Kite of Glen Cottage, Banbridge, Co. Down. Independent)</p>
	 <p>LINNET (Harry Linnet of 7 Gortin Mansions, Dromara, Co. Down. Ulster Unionist Party)</p>
	<p>ROBIN (David Robin of 3 Strangford Road, Killinchy, Co Down. Independent)</p>
	<p>SPARROW (Anne Sparrow of 41 Devenish Dive, Ballynahinch, Co. Down. Independent)</p>
	<p>SWALLOW (Peter Swallow of 3 Mourne View, Bangor, Co. Down. Independent)</p>
	<p>SWIFT (Lee Swift of 11 Moira Terrace, Newry, Co. Down. Independent)</p>

### **How can you vote?**

The most common way to vote is do so in person at the local polling station. A person can apply for a postal or proxy vote but must provide a valid reason for their application such as:

- inability to attend due to illness
- blindness or other disability
- absence on the day of poll due to work commitments
- holiday arrangements

### **What is a proxy vote?**

A proxy vote means appointing someone to vote on one's behalf in their polling station. Proxy voters must tell their proxy which candidate(s) they wish to vote for. Persons applying for a proxy vote in Northern Ireland must provide a valid reason as to why they require one. Valid reasons are the same as those applying for a postal vote.

The deadline for completed applications for postal or proxy votes is **14 May 2009**.

### **Can the media enter the polling station?**

Representatives of the media may not enter a polling station except as voters. No filming or interviewing is allowed in the polling station. If the media wish to film or conduct interviews outside the polling station, they must ensure that voters are not hindered or harassed on their way to vote and that they do not obstruct the entrance to the polling station.

### **What photographic identification is required?**

Photographic identification must be presented at a polling station to confirm a voter's identity.

Voters must present one of the following to poll staff before they can be issued with a ballot paper:

- a UK, Irish, or EU passport
- a photographic Northern Ireland or Great Britain driving licence
- a Translink Senior Smartpass
- an electoral identity card
- a Translink 60+ SmartPass
- a Translink War Disabled Smartpass
- a Translink Blind Person's Smartpass

# Don't forget your photographic ID

European Parliamentary  
elections - 4 June 2009

Polling 7am to 10pm

You **must bring one** of the following to vote



UK, Irish or European Union Passport



Translink Senior SmartPass  
Translink 60+ SmartPass  
Translink Blind Person's SmartPass  
Translink War Disabled SmartPass



NI or GB photographic driving licence



Electoral Identity Card

helpline **0800 0323 700**  
aboutmyvote.co.uk  
textphone **0800 0323 020**

The  
Electoral  
Commission

## Can you get a replacement for a lost or spoilt postal ballot paper?

You can only get a replacement postal ballot paper if you have inadvertently spoilt your postal ballot paper and can return it to the Electoral Office for Northern Ireland (EONI) with the declaration of identity before 5pm on the day before the day of poll.

Anyone issued with a postal ballot paper cannot vote at a polling station although in certain circumstances they may be offered a tendered ballot paper.

There is a freephone public information helpline run by the Chief Electoral Officer for Northern Ireland: 0800 4320 712 and further information can be obtained from [www.aboutmyvote.com](http://www.aboutmyvote.com) or [www.eoni.org.uk](http://www.eoni.org.uk)

# 11 Electoral offences and penalties

## **What are the key electoral offences?**

There are a number of electoral offences under the Representation of the People Act 1983 (RPA 1983) that can arise during an election period.

## **If someone suspects fraudulent activity, who should they report it to?**

If a person believes that an offence has been committed, and is prepared to substantiate this allegation through a written statement, they should bring their complaint to the attention of the Police Service for Northern Ireland. Reporting allegations to the police should not be considered unless the complaint is substantiated by evidence and the complainant is prepared to make a written statement. Neither the Returning Officer nor the Electoral Commission has any role in the investigation of alleged offences under electoral law.

- **Bribery**  
A person is guilty of bribery if they directly or indirectly give any money or procure any office to or for any voter, in order to induce any voter to vote, or refrain from voting.
- **Treating**  
A person is guilty of treating if either before, during or after an election they directly or indirectly give or provide (or pay wholly or in part the expense of giving or providing) any food, drink, entertainment or provision in order to influence any voter to vote or refrain from voting.
- **Undue influence**  
A person is guilty of undue influence if they directly or indirectly make use of or threaten to make use of force, violence or restraint, or inflict or threaten to inflict injury, damage, loss or harm in order to induce or compel any voter to vote or refrain from voting. A person may also be guilty of undue influence if they impede or prevent the voter from freely exercising their right to vote.
- **Secrecy**  
Everyone involved in the electoral process should be aware of the secrecy of the ballot under Section 66 of the RPA 1983.
- **Personation**  
It is an offence to commit, aid, abet, counsel or procure the offence of personation. This is where any individual votes as someone else (whether that person is living or dead or is a fictitious person), either by post or in person at a polling station as an elector, or as a proxy.
- **Multiple voting and proxy voting offences**  
There are various offences regarding multiple voting and proxy voting including: voting by post as an elector or proxy when subject to a legal incapacity to vote; voting more than once in the same local election area;

applying for a proxy without cancelling a previous proxy appointment;  
and inducing or procuring another to commit one of the above offences.

### **How can people help keep their postal vote safe?**

- If you are expecting a postal vote and do not receive it, contact the Electoral Office for Northern Ireland (EONI) immediately.
- If you did not apply for a postal vote and receive one, contact the EONI immediately.
- Ensure your correct address is on the postal vote application.
- Make sure you complete it correctly, sign it yourself and seal it up before posting.
- Do not give it to a representative of a political party or to anyone else.

## 12 The count

### **When are the votes counted?**

The counting of ballot papers in Northern Ireland begins at 9am on Monday 8 June 2009.

The verification of all ballot papers (comparing the number of votes recorded by polling station staff as being cast with the number of ballot papers in the ballot box) may begin as soon as polls close at 10pm on Thursday 4 June 2009.

### **Are postal votes opened early?**

Returned postal votes are placed in sealed ballot boxes. The last box must be opened at the verification of votes. The other boxes can be opened and processed earlier provided the Deputy Returning Officer gives each election agent at least 48 hours notice of the time and place of opening.

### **Where are the votes counted?**

Ballots in Northern Ireland are counted at:  
The Kings Hall  
Balmoral  
Belfast BT9 6GW

### **Will electronic counting be used?**

No. The votes will be counted manually.

### **How are the votes counted?**

The ballot papers are sorted into parcels according to the first preference votes cast. This number is recorded along with the total number of valid ballot papers.

As three MEPs are to be returned for Northern Ireland, the quota is arrived at by dividing the total number of valid ballot papers by the number of candidates to be elected plus one and then adding one. For example:

Total number of valid votes: 549,277

Number of candidates to be elected plus one:  $3 + 1 = 4$

Quota equals:  $(549,277 / 4) + 1 = 137,320$

When a candidate reaches the quota they are deemed elected. In some instances it is not necessary to reach a quota to be elected.

### **What if someone in Northern Ireland votes with 'X' instead of a number?**

Voters who mark an 'X' on their ballot papers instead of numbers will still have their vote counted. The 'X' will be considered as a first preference vote. However, ballot papers marked with more than one 'X' will be considered invalid and therefore will not be counted.

**Can the media attend the count?**

Members of the media must apply to the Northern Ireland Information Service if they wish to attend the count. The Chief Electoral Officer is not obliged to permit the media access to the count and his decision is final.

Any individual entering the count must abide by Section 66 of the Representation of the People Act and Article 29 of the European Parliamentary Elections Regulations 2004 (as amended) – ensuring the secrecy of the ballot. Further details can be found at:

[www.opsi.gov.uk/acts/acts1983/pdf/ukpga\\_19830002\\_en.pdf](http://www.opsi.gov.uk/acts/acts1983/pdf/ukpga_19830002_en.pdf)

Anyone found guilty of breaching these sections may face a fine of up to £5,000 or may be imprisoned for up to six months.

## Appendix A – The European Parliament

### **What does the European Parliament do?**

The European Parliament is the directly elected body of the European Union. Along with the Council of Ministers, the European Parliament makes European legislation and budgetary decisions.

For more information about the work of the European Parliament please contact the UK Office of the European Parliament.

Tel: 020 7227 4300

Email: [eplondon@europarl.europa.eu](mailto:eplondon@europarl.europa.eu)

### **How often are MEPs elected?**

MEPs are elected every five years.

### **How many seats does the UK have in the European Parliament?**

After the 2009 European elections, the UK will have 72 seats in the European Parliament. A break down is available in Chapter 3 'Elections 2009 Overview'.

### **Why did the number of seats change recently?**

Following the accession of Romania and Bulgaria to the European Union in January 2007, the Treaty of Nice stipulated that the UK's allocation of seats in the European Parliament would be reduced by six from 78 to 72 at the 2009 elections.

### **How are the seats allocated across the UK's European Parliamentary electoral regions?**

Following the Treaty of Nice, the then Secretary of State for Justice and Lord Chancellor, Lord Falconer, directed the Electoral Commission to recommend how the UK's reduced number of seats should be allocated across the UK's 12 electoral regions.

The Commission used the Sainte-Laguë method to apportion the 72 seats. Consultation responses received from statistical experts confirmed that this was the method which best enabled the Commission to meet the criteria set out in the European Parliament (Representation) Act 2003.

Prior to making its recommendations, the Commission held a consultation through which a number of significant submissions were received from stakeholders. In making a recommendation, the Commission was required to ensure that:

- each electoral region is allocated at least three MEPs
- the ratio of electors to MEPs is as nearly as possible the same in each electoral region

The Commission's recommendation was implemented in its entirety through the European Parliament (Number of MEPs and Distribution between Electoral Regions) (United Kingdom and Gibraltar) Order 2008. This came into force on 18 July 2008.

## Appendix B – Who's who at European Parliamentary elections

### Deputy Returning Officer

The Chief Electoral Officer for Northern Ireland has appointed eight Deputy Returning Officers who are each responsible for two or three Parliamentary constituencies and will assist in the conduct of the election.

### Election agent

An election agent is the person responsible in law for the conduct of a candidate's political campaign. Candidates who do not appoint an agent are automatically deemed to be their own election agent.

### Electoral observers

For the first time in Northern Ireland, individuals and organisations can apply to the Electoral Commission to be an observer at an election. Representatives of the Electoral Commission may also attend. Observers can ask questions of candidates, agents, electoral staff and electors but must not interfere with the electoral process. Observers can be identified by silver or pink identity badges.

To find out more about being an elections observer, please visit the Electoral Commission website at

[www.electoralcommission.org.uk/elections/electoral\\_observers](http://www.electoralcommission.org.uk/elections/electoral_observers)

### Poll clerks

Poll clerks are employed to assist the Presiding Officer with their duties in the polling station.

### Polling agents

Polling agents are appointed by candidates to assist in the detection of personation at polling stations.

### Presiding Officer

Presiding Officers are appointed and paid by the Returning Officer to run polling stations. They must act impartially at all times and ensure the proper procedure for voting is observed.

Duties include organising the layout of the polling station, supervising poll clerks, issuing ballot papers, assisting voters and ensuring that the ballot boxes are transported securely to the venue for the count.

## Appendix C – The Electoral Commission’s public awareness campaign

The Electoral Commission runs public awareness campaigns to encourage voter registration and to provide electors with the information they need to take part in elections. All of our public awareness work is underpinned by research. This ensures that what we do is based on sound evidence and takes account of what the public think, and know, about registering and voting.

For the 2009 European Parliamentary elections, the Commission will be running a registration and voter ID campaign to raise awareness of the elections, the need to register to vote and how to vote on 4 June 2009.

Register to Vote week is 23–29 March in Northern Ireland.

An example of the campaign advertising is shown below.



## Appendix D – List of Regional Returning Officers in the UK

<b>Region</b>	<b>Regional Returning Officer</b>
Northern Ireland	Douglas Bain CBE TD Advocate
Wales	Bryn Parry Jones
Scotland	Tom Aitchinson
East Midlands	Charles Poole
Eastern	David Monks
London	Barry Quirk
North East	Dave Smith
North West	Sir Howard Bernstein
South East	Mark Heath
South West	Paul Morris
West Midlands	Stephen Hughes
Yorkshire & the Humber	Paul Rogerson

## Appendix E – Voter turnout statistics

The table below shows voter turnout statistics for the European Parliamentary elections in 1999 and 2004.

<b>Region</b>	<b>1999 percentage turnout*</b>	<b>2004 percentage turnout*</b>
UK wide	24.02	38.52
Northern Ireland	57.3	51.8

\*Total number of ballots returned/cast as percentage of registered electorate.

## How to contact us

### Head Office

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Trevelyan House  
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### Northern Ireland Office

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**Northern Ireland Office**  
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[www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)

We are an independent body set up by the UK Parliament. Our aim is integrity and public confidence in the democratic process. We regulate party and election finance and set standards for well-run elections.

# Democracy matters