
STATUTORY INSTRUMENTS

1994 No. 342

**The European Parliamentary Elections
(Changes to the Franchise and Qualification
of Representatives) Regulations 1994**

PART II

**CHANGES TO THE QUALIFICATION OF REPRESENTATIVES AND
ASSOCIATED AMENDMENTS ABOUT CITIZENS OF THE UNION**

Amendments to paragraph 5 of Schedule 1 to the Act of 1978

3.—(1) After paragraph 5(2) of Schedule 1 to the Act of 1978 (disqualification for office of representative to the European Parliament) there shall be inserted the following sub-paragraphs—

“(2A) A citizen of the Union, determined in accordance with article 8.1 of the Treaty establishing the European Community (as amended by Title II of the Treaty on European Union), who is not a Commonwealth citizen or citizen of the Republic of Ireland is disqualified under this paragraph for the office of representative to the European Parliament if he is disqualified for that office through a criminal law or civil law decision under the law of the Member State of which he is a national.

(2B) In sub-paragraph (2A) above “a criminal law or civil law decision” has the same meaning as it has in the directive of the Council of the European Communities No.93/109/EC.”.

(2) In paragraph 5(3) of Schedule 1 to the Act of 1978 (exceptions to the disqualification for office of representative to the European Parliament that would otherwise apply by virtue of paragraph 5(1)), after paragraph (d) there shall be inserted the following: “or

- (e) that he is disqualified under section 3 of the Act of Settlement⁽¹⁾ (disqualification for membership of either House of Parliament of persons born out of the Kingdoms of England, Scotland or Ireland or the dominions thereunto belonging except those who are Commonwealth citizens or citizens of the Republic of Ireland), provided that he is a citizen of the Union, determined in accordance with article 8.1 of the Treaty establishing the European Community (as amended by Title II of the Treaty on European Union), who is resident in the United Kingdom.”.

⁽¹⁾ 12 & 13 Will. 3 c.2, as amended by Schedule 7 to the British Nationality Act 1981 (c. 61).