

Questions on the withdrawal of a candidate

1. Will Jim Gavin stay on the ballot paper?

Yes, he will stay on the ballot paper. Section 30 of the Presidential Elections Act, 1993 provides for the withdrawal of candidates at a presidential election. It sets out that a person who has delivered their nomination paper to the Presidential Returning Officer may withdraw their candidature at any time before the completion of the ruling on nominations but not thereafter.

The ruling on nominations is a process in which the Presidential Returning Officer rules on the validity of the nomination papers he has received over the nomination period. In accordance with section 20 of the 1993 Act, the ruling on nominations for the presidential election took place at 15.00 on Wednesday 24 September.

The following were declared nominated as candidates at the election: Catherine Connolly, Jim Gavin and Heather Humphreys.

Section 37(2)(a) of the Presidential Elections Act 1993 provides that a ballot paper shall contain the names and descriptions of the candidates standing nominated at the election.

All three nominated candidates are therefore included on the ballot paper.

2.. What is the legal status of Jim Gavin's nomination? Is he considered to have withdrawn or is he still a candidate?

As section 30 of the Presidential Elections Act, 1993 provides for the withdrawal of candidates before the completion of the ruling on nominations but not thereafter, Mr. Gavin formally remains a candidate.

3. How will votes for Mr Gavin (first preferences or other preferences) be treated during the counting of votes?

Ballot papers with preferences for Mr Gavin will be treated and counted in the same way as those for other candidates. His announced withdrawal will have no effect on the counting of votes.

After the first count at the counting of votes, the candidate with the lowest number of first preferences will be excluded, if necessary, and the next available preferences of those ballot papers will be distributed among the remaining candidates, as applied normally at electoral events.

4. Can Fianna Fáil nominate an alternative candidate to Mr Gavin?

No. The nominations period closed at 12 noon on 24 September 2025.

5. Why is the nomination process not reopened to allow for a replacement candidate or new candidates?

The Presidential Elections Act, 1993 does not provide for replacement candidates or new candidates. Section 30 of the Presidential Elections Act 1993 is clear in providing for the withdrawal of candidates at a presidential election at any time before the completion of the ruling on nominations, but not thereafter. There is no provision in the Act for the re-opening for the nomination process in these circumstances.

6. What will happen to Jim Gavin's election posters/leaflets?

That is a matter for Mr Gavin. In accordance with Section 19 of the Litter Pollution Act, 1997, as amended, candidate posters can be displayed from 30 days before the election, or from the date the Presidential Election Order is signed, whichever is the shorter period. Candidates' posters could be displayed from September 24th. They must be removed within 7 days following the election.