
DRAFT STATUTORY INSTRUMENTS

2009 No.

The European Parliamentary Elections (Northern Ireland) (Amendment) Regulations 2009

Amendments to the 2004 Regulations

16.—(1) Amend regulation 26 (breach of official duty) as follows.

(2) In paragraph (3)—

(a) after sub-paragraph (b) omit “and” and insert—

“(ba) any other person whose duty it is to be responsible after a European Parliamentary election for the used ballot papers and other documents (including returns and declarations as to expenses), and”; and

(b) in sub-paragraph (c) for “(a) and (b)” substitute “(a) to (ba)”.

(3) After paragraph (3) insert—

“(4) The returning officer shall not be guilty of an offence under paragraph (1) of this regulation where—

(a) although guilty of an act or omission in breach of official duty,

(b) he remedies that act or omission in full by taking steps under regulation 6(2A).

(5) Paragraph (4) does not affect any conviction which takes place, or any penalty which is imposed, before the date on which the act or omission is remedied in full.”.