
STATUTORY INSTRUMENTS

2009 No. 186

**The European Parliamentary Elections
(Amendment) Regulations 2009**

Amendments to the 2004 Regulations

16.—(1) Regulation 25 (breach of official duty) is to be amended as follows.

(2) In paragraph (3), after sub-paragraph (b) omit “and” and insert—

“(ba) a CORE keeper (within the meaning of Part 1 of the 2006 Act),

(bb) 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 ”.

(3) In sub-paragraph (3)(c) for “(a) to (b)” substitute “(a), (b) and (bb)”.

(4) After paragraph (3) insert—

“(4) Where—

(a) a local returning officer to whom regulation 9 applies is guilty of an act or omission in breach of his official duty, but

(b) remedies that act or omission in full by taking steps under paragraph (4A) of that regulation,

he shall not be guilty of an offence under paragraph (1) of this regulation.

(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.”