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STATUTORY INSTRUMENTS

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**2009 No. 813**

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

**Amendments to the 2004 Regulations**

9. After regulation 12 (offences as to declarations) insert—

**“Offences relating to applications for postal and proxy votes**

**12A.—**(1) A person commits an offence if he—

- (a) engages in an act specified in paragraph (2) at a European Parliamentary election, and
- (b) intends, by doing so, to deprive another of an opportunity to vote or to make for himself or another a gain of a vote to which he or the other is not otherwise entitled or a gain of money or property.

(2) These are the acts—

- (a) applying for a postal or proxy vote as some other person (whether that other person is living or dead or is a fictitious person);
- (b) otherwise making a false statement in, or in connection with, an application for a postal or proxy vote;
- (c) inducing the registration officer or returning officer to send a postal ballot paper or any communication relating to a postal or proxy vote to an address which has not been agreed by the person entitled to the vote;
- (d) causing a communication relating to a postal or proxy vote or containing a postal ballot paper not to be delivered to the intended recipient.

(3) In paragraph (1)(b) property includes any description of property.

(4) In paragraph (2) a reference to a postal vote or a postal ballot paper includes a reference to a proxy postal vote or proxy postal ballot paper (as the case may be).

(5) A person who commits an offence under paragraph (1) or who aids, abets, counsels or procures the commission of such an offence is guilty of a corrupt practice.”.