

These notes refer to the European Parliamentary and Local Elections (Pilots) Act 2004 (c.2) which received Royal Assent on 1 April 2004

EUROPEAN PARLIAMENTARY AND LOCAL ELECTIONS (PILOTS) ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 7: Time limit for prosecution of offences

20. This section provides that the magistrates courts are given a power to allow, on application from the police or a prosecutor, an extension of time up to a maximum of 24 months after the date of the offence for a prosecution to be commenced. The application must not be granted unless the court is satisfied that there are exceptional circumstances requiring the application to be granted, and that the investigation of the offence has been pursued with all reasonable diligence. Existing legislation provides that the prosecution for any offence under the Representation of the People Act is to be commenced within one year after the offence was committed. This new provision again reflects a recommendation by the Electoral Commission. It will apply only to regions where piloting is taking place under the Act and solely to the 2004 European Parliamentary and combined local government elections.