



Referendums (Scotland) Act 2020

2020 asp 2

Conduct

10 Correction of procedural errors

- (1) The Chief Counting Officer or a counting officer may take such steps as the officer thinks appropriate to remedy any act or omission on the officer's part, on the part of a deputy of the officer, or on the part of a relevant person, which—
 - (a) arises in connection with any function the Chief Counting Officer, counting officer or relevant person (as the case may be) has in relation to the referendum, and
 - (b) is not in accordance with the requirements of this Act relating to the conduct of the referendum.
- (2) But the Chief Counting Officer or a counting officer may not under subsection (1) recount the votes cast in the referendum after the result has been declared.
- (3) For the purposes of subsection (1), each of the following is a relevant person—
 - (a) in relation to the Chief Counting Officer, a counting officer or a deputy of a counting officer,
 - (b) a registration officer,
 - (c) a presiding officer,
 - (d) a person providing goods or services to the counting officer,
 - (e) a deputy of any registration officer or presiding officer,
 - (f) a person appointed to assist or, in the course of the person's employment, assisting any person mentioned in paragraphs (b) to (d) in connection with any function that person has in relation to the referendum.
- (4) The Chief Counting Officer or a counting officer does not commit an offence under paragraph 5 of schedule 6 by virtue of an act or omission in breach of the officer's official duty if the officer remedies that act or omission in full by taking steps under subsection (1).
- (5) Subsection (4) does not affect any conviction, or any penalty imposed, before the date on which the act or omission is remedied in full.

Changes to legislation:

There are currently no known outstanding effects for the Referendums (Scotland) Act 2020, Section 10.