



Referendums (Scotland) Act 2020

2020 asp 2

Legal proceedings

39 Restriction on legal challenge to referendum result

- (1) No court may entertain any proceedings for questioning the number of ballot papers counted or votes cast as certified by a counting officer or by the Chief Counting Officer under section 9(2)(b) or (as the case may be) (4) unless—
 - (a) the proceedings are brought by way of a petition for judicial review, and
 - (b) the petition is lodged before the end of the permitted period.
- (2) In subsection (1)(b) “the permitted period” means the period of 8 weeks beginning with—
 - (a) the day on which the officer in question makes the certification as to the number of ballot papers counted and votes cast in the referendum, or
 - (b) if the officer makes more than one such certification, the day on which the last is made.
- (3) In subsection (1), references to a petition for judicial review are references to an application to the supervisory jurisdiction of the Court of Session.

Changes to legislation:

There are currently no known outstanding effects for the Referendums (Scotland) Act 2020, Section 39.