

REFERENDUMS (SCOTLAND) ACT 2020

EXPLANATORY NOTES

COMMENTARY

Conduct

Section 9 – Functions of the Chief Counting Officer and other counting officers

105. **Section 9** deals with the functions of the CCO and counting officers. The CCO is responsible for the proper and effective conduct of the referendum, including the conduct of the poll and the count of the votes. Each counting officer is responsible for conducting the poll and the count of votes in their local government area. The CCO must certify the total number of ballot papers in the referendum and the total number of votes cast in favour of each answer to the referendum question (section 9(4)), while the counting officers do the same for each local government area (section 9(2)) under the direction of the CCO. After consulting the Electoral Commission (section 9(7)), the CCO can give directions to counting officers with which they must comply (section 9(6)). Local authorities are responsible for providing the CCO and counting officers with the property, staff and services they need to conduct the referendum (section 9(9) and (10)).