



Scotland Act 1998

1998 CHAPTER 46

PART I

THE SCOTTISH PARLIAMENT

General elections

3 Extraordinary general elections.

- (1) The Presiding Officer shall propose a day for the holding of a poll if—
 - (a) the Parliament resolves that it should be dissolved and, if the resolution is passed on a division, the number of members voting in favour of it is not less than two-thirds of the total number of seats for members of the Parliament, or
 - (b) any period during which the Parliament is required under section 46 to nominate one of its members for appointment as First Minister ends without such a nomination being made.
- (2) If the Presiding Officer makes such a proposal, Her Majesty may by proclamation under the Scottish Seal—
 - (a) dissolve the Parliament and require an extraordinary general election to be held,
 - (b) require the poll at the election to be held on the day proposed, and
 - (c) require the Parliament to meet within the period of seven days beginning immediately after the day of the poll.

[^{F1}(2A) Subsection (2B) applies if a proclamation is made under subsection (2).

- (2B) If the Presiding Officer proposes another day for the holding of the poll at the extraordinary general election which is not more than one month later than the day on which the poll is required to be held under the proclamation, Her Majesty may by further proclamation under the Scottish Seal—
 - (a) require the poll at the election to be held instead on the day proposed under this subsection, and

*Changes to legislation: There are currently no known outstanding effects
for the Scotland Act 1998, Section 3. (See end of Document for details)*

- (b) require the Parliament to meet within the period of seven days beginning immediately after the day of the poll.
- (2C) Before proposing a day for the holding of the poll under subsection (2B), the Presiding Officer must consult the Electoral Commission.”. Scottish local government elections]
- (3) If a poll is held under this section within the period of six months ending with the day on which the poll at the next ordinary general election would be held (disregarding section 2(5)), that ordinary general election shall not be held.
- (4) Subsection (3) does not affect the year in which the subsequent ordinary general election is to be held.

Textual Amendments

- F1** S. 3(2A)-(2C) inserted (S.) (1.10.2020) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), ss. **3(3)**, 35; S.S.I. 2020/278, reg. 2, sch.

Changes to legislation:

There are currently no known outstanding effects for the Scotland Act 1998, Section 3.