



Welsh Elections (Coronavirus) Act 2021

2021 asc 2

Main provisions

6 Power to postpone 2021 election for up to 6 months

- (1) The First Minister for Wales (“the First Minister”) may propose to the Llywydd that the poll for the 2021 election is postponed if, for a reason relating to coronavirus, the First Minister considers it necessary or appropriate to do so.
- (2) But before making a proposal under subsection (1), the First Minister must consult the member of staff of the Welsh Government designated by the Welsh Ministers as the Chief Medical Officer for Wales.
- (3) Following a proposal from the First Minister, the Llywydd may fix a day for the holding of the poll for the 2021 election if—
 - (a) Senedd Cymru approves the day to be fixed by a resolution passed on a vote in which the number of Senedd Members voting in favour of it is not less than two-thirds of the total number of Senedd seats, and
 - (b) Senedd Cymru has not been dissolved.
- (4) When fixing a day for the holding of the poll the Llywydd—
 - (a) must fix a day that is the earliest day the Llywydd considers to be reasonably practicable;
 - (b) must not fix a day that is after 5 November 2021.
- (5) As soon as reasonably practicable after fixing a day for the holding of the poll, the Llywydd must lay before Senedd Cymru a statement of—
 - (a) the day fixed for the holding of the poll, and
 - (b) the reason for the exercise of the power to fix a day.
- (6) The Electoral Commission must provide advice in relation to postponement of the poll if requested to do so by the Llywydd or the First Minister.
- (7) The powers in subsections (1) and (3) may be exercised more than once.

- (8) The First Minister must lay a statement before Senedd Cymru on or before 24 March 2021 setting out whether or not the First Minister intends to exercise the power in subsection (1).
- (9) If the First Minister does not intend to exercise the power, the statement must set out—
- (a) the reasons for not exercising the power, and
 - (b) whether, in the First Minister’s view, a full and fair election campaign can be conducted by all persons seeking election in the 2021 election which does not disadvantage any person eligible to vote in that election.
- (10) Any intention expressed in the statement under subsection (8) does not affect the exercise of the power in subsection (1).
- (11) Nothing in this section limits the power in section 4 of the 2006 Act to vary the date of an ordinary general election for membership of Senedd Cymru.
- (12) The Welsh Ministers must publish the criteria to be used by the First Minister for determining whether it is necessary or appropriate to postpone the poll for the 2021 election for a reason relating to coronavirus under subsection (1).
- (13) The criteria must be published before the end of the period of 14 days beginning with the day on which this Act receives Royal Assent.