

## SCHEDULE 6 FUNCTIONING OF PUBLIC BODIES

### PART 3

#### DUTIES IN RESPECT OF REPORTS AND OTHER DOCUMENTS

##### *Power to postpone publication and laying of reports*

- 8 (1) This paragraph applies to a statutory duty (however expressed)—
- (a) that is within the legislative competence of the Scottish Parliament to amend, and
  - (b) that requires the Scottish Ministers or a Scottish public authority to publish, or to publish and lay before the Scottish Parliament, a report (and any other associated documents) in connection with the exercise of their or its functions on or by a particular date while this paragraph is in force.
- (2) The Scottish Ministers or the Scottish public authority may decide to postpone complying with the duty if they or, as the case may be, it are of the view that complying would be likely to impede their or, as the case may be, its ability to take effective action to prevent, protect against, delay or otherwise control the incidence or transmission of coronavirus.
- (3) Where the Scottish Ministers decide or, as the case may be, a Scottish public authority decides to postpone complying with the duty they or it must publish a statement to that effect in such manner as they consider or it considers appropriate—
- (a) on or before the date by which the report is due, or
  - (b) as soon as reasonably practicable after the date.
- (4) A statement published under sub-paragraph (3) must indicate that the report will be published in accordance with paragraph 10(2).
- (5) This paragraph does not apply to—
- (a) a duty contained in this Act,
  - (b) accounts or associated documents required under section 19 or 20 of the Public Finance and Accountability (Scotland) Act 2000 (see paragraph 15),
  - (c) any other document in respect of which there is a statutory duty to publish or publicise it, lay it before the Scottish Parliament or otherwise make it available (see paragraph 9).