



Scottish General Election (Coronavirus) Act 2021

2021 asp 5

Reserve power of Presiding Officer to postpone 2021 election

11 Power of Presiding Officer to postpone election

- (1) If the Presiding Officer considers it necessary or appropriate for any reason to do so, the Presiding Officer may fix a day that is after 6 May 2021 for the holding of the poll for the 2021 election.
- (2) [Subsection \(3\)](#) applies if the power conferred by [subsection \(1\)](#) is to be exercised for a reason relating to coronavirus.
- (3) Before exercising the power, the Presiding Officer must be satisfied that the Scottish Parliament could not safely meet for the purpose of passing a Bill for an Act to change the day for the holding of the poll.
- (4) The Presiding Officer must under [subsection \(1\)](#) fix as the day for the poll the earliest day which the Presiding Officer considers reasonably practicable, having regard to the reason for the exercise of the power.
- (5) As soon as reasonably practicable after exercising the power conferred by [subsection \(1\)](#), the Presiding Officer must publish on the website of the Scottish Parliament a statement of—
 - (a) the day fixed for the holding of the poll, and
 - (b) the reason for the exercise of the power.
- (6) The power conferred by [subsection \(1\)](#)—
 - (a) may be exercised more than once, but
 - (b) may not be exercised so as to fix a day that is after 5 November 2021.
- (7) Before exercising the power conferred by [subsection \(1\)](#), the Presiding Officer must consult—
 - (a) the Scottish Ministers,
 - (b) the Electoral Commission,
 - (c) the convener of the Electoral Management Board for Scotland, and

Status: This is the original version (as it was originally enacted).

- (d) the Chief Medical Officer of the Scottish Administration.
- (8) If the Presiding Officer exercises the power conferred by [subsection \(1\)](#), the Scottish Parliament is dissolved on the day immediately before the day fixed for the holding of the poll, unless [subsection \(9\)](#) applies.
- (9) [This subsection](#) applies where, before the day on which the Scottish Parliament is due to be dissolved in accordance with [subsection \(8\)](#), the Presiding Officer exercises the power conferred by [subsection \(1\)](#) again (and, accordingly, [subsection \(8\)](#) applies to that exercise of the power in turn).