



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

Changes to legislation: There are currently no known outstanding effects for the Scottish General Election (Coronavirus) Act 2021, Section 11. (See end of Document for details)

- (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).

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