



# Scottish General Election (Coronavirus) Act 2021

2021 asp 5

## *Postal voting arrangements for 2021 election*

- 3 Closing date for application to vote by post or amend existing absent vote arrangements**
- (1) In relation to the 2021 election, paragraph 9 of schedule 3 of the 2015 Order has effect in accordance with the modifications in [subsections \(2\) and \(3\)](#).
  - (2) Sub-paragraph (1) has effect as if for the word “eleventh” there were substituted “twenty-first”.
  - (3) Sub-paragraph (5) has effect as if for the word “eleventh” there were substituted “twenty-first”.
  - (4) [Subsections \(1\) to \(3\)](#) are subject to [subsection \(5\)](#).
  - (5) The Scottish Ministers may by regulations provide that in relation to the 2021 election, paragraph 9(1) or (5) of schedule 3 of the 2015 Order is to be read, in relation to a particular type of application, as if for the numbered day for the time being specified there were substituted a different numbered day.
  - (6) But the power in [subsection \(5\)](#) may be exercised only so as to specify a day numbered twenty-one or less.
- 4 Postal voting applications: report at closing date**
- (1) The Scottish Ministers must prepare a report, using the most recent information available as at 7 April 2021, setting out—
    - (a) the number of persons who are registered to vote at the 2021 election,
    - (b) the number of persons who have been granted a postal vote for the election, and
    - (c) the number of applications for a postal vote for the election which have been received but not determined.
  - (2) The report—

- (a) must specify any funding provided to local authorities by the Scottish Ministers for the purpose of ensuring that electoral registration officers have adequate resources to deal with any increase in applications for a postal vote for the 2021 election arising as a result of coronavirus,
  - (b) may include such further information relating to postal voting at the 2021 election as the Scottish Ministers consider appropriate.
- (3) The Scottish Ministers must prepare and publish the report and lay it before the Scottish Parliament as soon as reasonably practicable after 7 April 2021.
- (4) In subsection (2)(a), “electoral registration officer” means an officer appointed under section 8(3) of the Representation of the People Act 1983.

## **5 Power to provide for all-postal vote**

- (1) The Scottish Ministers may, if they consider it necessary for a reason relating to coronavirus, by regulations provide that the poll at the 2021 election is to be held solely by means of postal voting.
- (2) Regulations under [subsection \(1\)](#) may make such provision as to the arrangements for the poll as the Scottish Ministers consider appropriate.
- (3) Regulations under [subsection \(1\)](#) may modify any enactment (including section 3(2) and (3) of, but excluding the rest of, this Act).
- (4) Regulations under subsection (1) are subject to the affirmative procedure.
- (5) When laying draft regulations under subsection (4) before the Scottish Parliament, the Scottish Ministers must at the same time lay a statement of the reasons for the regulations, including information on the responses received from the persons listed in subsection (6).
- (6) Before laying draft regulations under subsection (4), the Scottish Ministers must consult—
  - (a) the Presiding Officer,
  - (b) the Electoral Commission,
  - (c) the convener of the Electoral Management Board for Scotland, and
  - (d) the Chief Medical Officer of the Scottish Administration.