



Scottish General Election (Coronavirus) Act 2021

2021 asp 5

Other arrangements for 2021 election

8 Power to provide for polling on additional days

- (1) If—
- (a) the convener of the Electoral Management Board for Scotland recommends to the Scottish Ministers that polling at the 2021 election should take place on one or more specified days, as well as on the day of the poll, and
 - (b) the Scottish Ministers consider that giving effect to that recommendation is necessary for a reason relating to coronavirus,
- the Scottish Ministers may by regulations give effect to that recommendation.
- (2) A day may be specified by the convener under subsection (1) only if it is—
- (a) consecutive to the day of the poll or any other day so specified (unless the convener considers that there is a reason to recommend a break in polling days), and
 - (b) one of the 8 days immediately succeeding the day of the poll.
- (3) In subsections (1) and (2), “the day of the poll” means 6 May 2021 (or, where the Presiding Officer has exercised the power conferred by section 11(1), the day fixed by the Presiding Officer under that section for the holding of the poll for the 2021 election).
- (4) Regulations under subsection (1) may specify particular days (or times on particular days) when specified descriptions or categories of persons entitled to vote in person at the 2021 election (whether as electors or as proxies) may vote.
- (5) Regulations under subsection (1) are subject to the affirmative procedure.
- (6) When laying draft regulations under subsection (5) 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 (7).

Changes to legislation: There are currently no known outstanding effects for the Scottish General Election (Coronavirus) Act 2021, Section 8. (See end of Document for details)

- (7) Before laying draft regulations under subsection (5), 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.
- (8) Regulations under subsection (1) are without prejudice to the exercise (or, as the case may be, re-exercise) of the power conferred by section 11(1).
- (9) The Scottish Ministers may by regulations modify the meaning of a relevant reference so far as it applies in relation to the 2021 election if regulations under subsection (1) are in effect.
- (10) Otherwise, the meaning of a relevant reference is not, in relation to the 2021 election, affected by regulations under subsection (1).
- (11) In subsections (9) and (10) a “relevant reference” means a reference (however expressed) in the 2015 Order or any other enactment or document to the day or date of the poll at an election for membership of the Scottish Parliament.

Changes to legislation:

There are currently no known outstanding effects for the Scottish General Election (Coronavirus) Act 2021, Section 8.