

Regulations made by the Scottish Ministers and laid before the Scottish Parliament under paragraph 6(3) of schedule 19 of the Coronavirus Act 2020 for approval by resolution of the Scottish Parliament within 28 days beginning with the day on which the Regulations were made, not taking into account any period of dissolution or recess for more than 4 days.

SCOTTISH STATUTORY INSTRUMENTS

2020 No. 232

PUBLIC HEALTH

**The Health Protection (Coronavirus) (Restrictions) (Scotland)
Amendment (No. 9) Regulations 2020**

Made - - - - 30th July 2020

Laid before the Scottish Parliament 31st July 2020

Coming into force in accordance with regulation 1

The Scottish Ministers make the following Regulations in exercise of the power conferred by paragraph 1(1) of schedule 19 of the Coronavirus Act 2020(a) (“the Act”) and all other powers enabling them to do so.

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of coronavirus in Scotland.

The Scottish Ministers consider that the restrictions and requirements imposed by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with paragraph 6(2) and (3) of schedule 19 of the Act, the Scottish Ministers are of the opinion that, by reason of urgency, it is necessary to make these Regulations without a draft having been laid before, and approved by, a resolution of the Scottish Parliament.

Citation and commencement

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus) (Restrictions) (Scotland) Amendment (No. 9) Regulations 2020.

(2) Subject to paragraph (3), these Regulations come into force on 31 July 2020.

(3) Regulation 2(2)(b)(i) and (d) come into force on 3 August 2020.

Amendment of the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020

2.—(1) The Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020(a) are amended as follows.

(2) In regulation 4 (further restrictions and closures)—

(a) in the cross heading, omit “**and closures**”,

(b) in paragraph (1)—

(i) omit “and paragraph (8)”,

(ii) in sub-paragraphs (a) and (c), for “two members of the same household, or a carer and the person assisted by the carer” substitute “persons mentioned in paragraph (1A)”,

(c) after paragraph (1), insert—

“(1A) The persons mentioned in paragraph (1)(a) and (c) are—

(a) two or more members of the same household,

(b) a carer and the person assisted by the carer, or

(c) in relation to premises being used to provide school education, two or more people where at least one of them is a pupil.”,

(d) omit paragraph (8),

(e) in paragraph (11)—

(i) after the definition of “premises” insert—

““pupil” has the meaning given by section 135(1) of the Education (Scotland) Act 1980(b),”,

(ii) after the definition of “required distance” insert—

““school education” has the meaning given by section 1(5)(a) of the Education (Scotland) Act 1980(c),”,

(iii) in the definition of “shop”, after “include” insert “cinemas,”.

MICHAEL RUSSELL

A member of the Scottish Government

St Andrew’s House,
Edinburgh
30th July 2020

(a) S.S.I. 2020/103, relevantly amended by S.S.I. 2020/126, S.S.I. 2020/210 and S.S.I. 2020/211.

(b) 1980 c.44.

(c) Section 1(5)(a) was amended by schedule 3 of the Standards in Scotland’s Schools etc. Act 2000 (asp 6), paragraph 3(2)(a) of schedule 3 of the Education (Additional Support for Learning) (Scotland) Act 2004 (asp 4) and paragraph 2(2)(c) of schedule 5 of the Children and Young People (Scotland) Act 2014 (asp 8).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020 (“the principal regulations”).

Regulation 4(1) of the principal regulations provides that a person who is responsible for a place of worship, carrying on a business or providing a service must take all reasonable measures to ensure that the required distance is maintained between any persons on the premises except in certain cases. These Regulations amend the principal regulations to provide that the duty in regulation 4(1) does not require the taking of all reasonable measures to ensure that the required distance is maintained, in relation to premises being used for the provision of school education, between two or more people where at least one of them is a pupil.

These Regulations also revoke the requirement to close community centres and amend the definition of “shop” in regulation 4(11) of the principal regulations to exclude cinemas, with the effect that the required distance to be maintained in a cinema is two metres.

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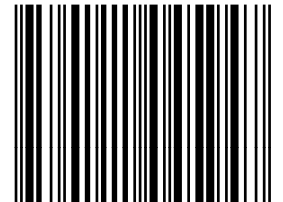
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