

**2020 No. 427**

**PUBLIC HEALTH**

**The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 7) Regulations 2020**

*Approved by the Scottish Parliament*

*Made - - - -at 12.20 p.m. on 10th December 2020*

*Laid before the Scottish Parliament at 2.45 p.m. on 10th December 2020*

*Coming into force in accordance with regulation 1(2) and (3)*

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<sup>(a)</sup> (“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, commencement and interpretation**

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 7) Regulations 2020.

(2) Subject to paragraph (3), these Regulations come into force at 1800 hours on 11 December 2020.

(3) Regulation 8 comes into force at 0600 hours on 11 December 2020.

(4) In these Regulations, “the principal Regulations” means the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020(a).

### **Amendment of the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020**

2. The principal Regulations are amended in accordance with regulations 3 to 7.

### **Interpretation of the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020**

3. In regulation 2(1) (interpretation), after the definition of “contact sport” insert—  
““County Donegal” means County Donegal in the Republic of Ireland,”.

### **Amendment to modification of the restrictions in certain areas**

4. In regulation 3A(2) (modification of the restrictions in certain areas) before sub-paragraph (a) insert—

“(za) 19 (Highland) but for the purpose of this regulation that area is limited to any island within that area other than the Isle of Skye,”.

### **Amendment to temporary modification of restrictions: holiday gatherings**

5. In regulation 3B(1) (temporary modification of restrictions: holiday gatherings)—

- (a) in sub-paragraphs (d)(iii) and (e)(v), after “holiday gathering” insert “, or a gathering in the Republic of Ireland or Jersey,” and
- (b) in sub-paragraph (f), after “holiday gathering” insert “, or a gathering in County Donegal or Jersey,”.

### **Changes to levels of areas**

6.—(1) In the table in schedule 6 (areas), in column 3 (level of area), in each of the entries mentioned in paragraph (2), for “4” substitute “3”.

(2) The entries are 1 (East Ayrshire), 3 (South Ayrshire), 9 (Stirling), 13 (East Renfrewshire), 15 (Renfrewshire), 16 (West Dunbartonshire), 17 (East Dunbartonshire), 18 (Glasgow City), 21 (South Lanarkshire), 22 (North Lanarkshire) and 26 (West Lothian).

(3) In the table in schedule 6, in column 3, in each of the entries mentioned in paragraph (4), for “3” substitute “2”.

(4) The entries are 8 (Falkirk), 14 (Inverclyde) and 29 (Angus).

(5) In the table in schedule 6, in column 3, in each of the entries mentioned in paragraph (6), for “2” substitute “1”.

(6) The entries are 4 (Scottish Borders) and 5 (Dumfries and Galloway).

### **Restrictions on leaving or entering Scotland: common travel area**

7. In paragraph 4 of schedule 7A (restrictions on leaving or entering Scotland: common travel area)—

- (a) for “Republic of Ireland” substitute “County Donegal”, and

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(a) S.S.I. 2020/344, amended by S.S.I. 2020/347, S.S.I. 2020/374, S.S.I. 2020/389, S.S.I. 2020/392, S.S.I. 2020/400 and S.S.I. 2020/415.

- (b) after sub-paragraph (d), insert—
  - “(e) Jersey.”.

**Restrictions on premises in Level 4 areas: temporary measures**

8. For the period beginning at 0600 hours on 11 December 2020 and ending at 1759 hours that same day, the restrictions in the principal Regulations have effect as if the following requirements in schedule 5 (level 4 restrictions) were omitted—

- (a) paragraph 1(1) insofar as it relates to the listed businesses in paragraph 1(2)(o)(a) (betting shop) and (s) (premises which provide a close contact service), and
- (b) paragraph 2.

*MICHAEL RUSSELL*  
A member of the Scottish Government

St Andrew’s House,  
Edinburgh  
At 12.20 p.m. on 10th December 2020

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations (which, with the exception of regulation 8, come into force on at 6.00 p.m. on 11 December 2020) amend the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 (“the principal regulations”) and make a temporary modification of the principal regulations.

Regulation 3 inserts a definition of County Donegal in connection with regulations 5 and 7.

Regulation 4 modifies regulation 3A of the principal regulations so that, in relation to certain islands, it is permitted to hold gatherings indoors in private dwellings in certain circumstances.

Regulation 5 modifies regulation 3B of the principal regulations so that the temporary modifications in regulation 3B, in relation to reasonable excuse for contravening the travel restrictions in a Level 3 or Level 4 area, are extended to cover travel to the Republic of Ireland or Jersey and, in relation to the common travel area, reflect the changes to the common travel area made by regulation 7.

Regulation 6 changes the levels of restrictions and requirements which apply in the local authority areas listed in paragraphs (2), (4) and (6). The restrictions and requirements applicable in relation to the different levels are set out in schedules 1 to 5 of the principal regulations.

Regulation 7 amends schedule 7A of the principal regulations so that the restrictions in relation to the common travel area apply to County Donegal (and no longer apply to the rest of the Republic of Ireland) and Jersey.

Regulation 8 provides for a temporary lifting of the restriction on betting shops, premises which provide close contact services and retail and library premises in Level 4 areas, and this regulation comes into force at 6.00 a.m. on 11 December 2020.

An island communities impact assessment has been prepared. Copies may be obtained online at [www.legislation.gov.uk](http://www.legislation.gov.uk).

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£4.90

[www.legislation.gov.uk/ssi/2020/427](http://www.legislation.gov.uk/ssi/2020/427)

ISBN 978-0-11-130192-0



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