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SCOTTISH STATUTORY INSTRUMENTS

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**2020 No. 471**

**PUBLIC HEALTH**

**The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 9) Regulations 2020**

*Approved by the Scottish Parliament*

		<i>at 12.39 p.m. on</i>
<i>Made</i>	- - - -	<i>23rd December 2020</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>at 3.00 p.m. on 23rd December 2020</i>
<i>Coming into force</i>	- -	<i>26th December 2020</i>

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(1) (“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. These Regulations may be cited as the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 9) Regulations 2020 and come into force on 26 December 2020.

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

2. The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020(2) are amended in accordance with regulations 3 to 6.

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(1) 2020 c.7.

(2) 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, S.S.I. 2020/415, S.S.I. 2020/427, S.S.I. 2020/439 and S.S.I. 2020/452.

**Amendments to restrict travel to and from the Republic of Ireland**

3. In regulation 2(1) (interpretation), omit the definition of “County Donegal”.
4. In paragraph 4 of schedule 7A (restrictions on leaving or entering Scotland: common travel area), for “County Donegal” substitute “the Republic of Ireland”.

**Amendment to Level 4: closure of premises**

5. In paragraph 1(2) of schedule 5 (closure of certain premises in Level 4), after head (sa), insert—
  - “(sb) a tanning salon or premises which operates a self-tanning machine or a spray-tan booth,
  - (sc) a travel agency,
  - (sd) a premises laid out as a showroom to demonstrate products for installation in residential property, such as kitchen, bathroom, furniture or glazing showrooms”.
6. In paragraph 2 of schedule 5 (closure of retail premises in Level 4)—
  - (a) for sub-paragraph (3)(e), substitute—
    - “(e) building merchants and suppliers of products and tools used in building work and repairs,”.
  - (b) in sub-paragraph (3)(u), omit “garden centres, plant nurseries,”.

St Andrew’s House,  
Edinburgh  
At 12.39 p.m. on 23rd December 2020

*MICHAEL RUSSELL*  
A member of the Scottish Government

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## EXPLANATORY NOTE

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

These Regulations amend the Health Protection (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 (“the Local Levels Regulations”). These Regulations come into force on 26 December 2020.

Regulations 3 and 4 amend schedule 7A of the Local Levels Regulations so that the restrictions in relation to the common travel area apply to the whole of the Republic of Ireland rather than just County Donegal.

Regulations 5 and 6 amend schedule 5 of the Local Levels Regulations to alter premises which are required to close in a Level 4 area. Regulation 5 adds the following to the definition of a “listed business” in paragraph 1 of schedule 5: travel agencies, tanning salons or premises which operate self-tanning machines or spray-tan booths, and certain showrooms such as kitchen, bathroom, furniture or glazing showrooms.

Regulation 6 alters the list of retail premises that are exempt from the closure requirements in paragraph 2 of schedule 5. It omits garden centres and plant nurseries from that list and replaces “homeware, building supplies and hardware stores” with “building merchants and suppliers of products and tools used in building work and repairs”.

A Business and Regulatory Impact Assessment has been prepared. Copies may be obtained online at [www.legislation.gov.uk](http://www.legislation.gov.uk).