

## POLICY NOTE

### THE HEALTH PROTECTION (CORONAVIRUS) (REQUIREMENTS) (SCOTLAND) AMENDMENT REGULATIONS 2021

#### SSI 2021/299

The above instrument was made in exercise of the power conferred by paragraph 1(1) of schedule 19 of the Coronavirus Act 2020. The instrument is subject to made affirmative procedure by virtue of paragraph 6(3) of schedule 19 of the Act.

These Regulations make a minor amendment to the Health Protection (Coronavirus) (Requirements) (Scotland) Regulations 2021 (“the principal Regulations”) to enable performers to perform or rehearse for a performance without face coverings in situations where distancing or partitioning is not possible. The exemption will apply as long as there is either a partition or a distance of at least one metre between performers and other people (including the audience) but that does not include people who are performing or rehearsing with the performers or assisting with the performance or rehearsal.

#### Legislative background

1. The UK Coronavirus Act 2020 received Royal Assent on 25 March 2020. Under that Act, the Scottish Government made regulations (in force from 26 March 2020) to implement physical distancing and impose restrictions on gatherings, events and operation of business activity. From 14 September 2020 they were replaced by the Health Protection (Coronavirus) (Restrictions and Requirements) (Scotland) Regulations 2020. From 9 October 2020 those Regulations were suspended and replaced by the Health Protection (Coronavirus) Restrictions and Requirements) (Additional Temporary Measures) (Scotland) Regulations 2020. A new levels-based approach was introduced on 2 November 2020, when the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 (“the Local Levels Regulations”) came into force and revoked the previous regulations. On 9 August 2021 the principal Regulations came into force and revoked the Local Levels Regulations, and introduced a new approach to tackling coronavirus.

#### Policy Objectives

##### *Requirement to wear face covering regulations and performers*

2. These regulations provide that performers are able to perform or rehearse for a performance without face coverings in situations where distancing or partitioning is not possible. The exemption will apply as long as there is either a partition or a distance of at least one metre between performers and other people (including the audience) but that does not include people who are performing or rehearsing with the performers or assisting with the performance or rehearsal.

### **Consultation**

3. There has been no public consultation in relation to this instrument.

### **Impact Assessments**

4. Appropriate impact assessments will be carried out.

Scottish Government  
Directorate for Covid Coordination  
*2 September 2021*