



Coronavirus (Scotland) Act 2020

2020 asp 7

CORONAVIRUS (SCOTLAND) ACT 2020

PART 1

MAIN PROVISIONS

Key expression

- 1 Meaning of “coronavirus”

Eviction from dwelling-houses

- 2 Eviction from dwelling-houses

Protection for debtors

- 3 Temporary extension of moratoriums on diligence

Children and vulnerable adults

- 4 Children and vulnerable adults

Justice

- 5 Justice

Alcohol licensing

- 6 Alcohol licensing

Public bodies

- 7 Functioning of public bodies

Other measures in response to coronavirus

- 8 Other measures in response to coronavirus

Status: Point in time view as at 29/09/2020.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus (Scotland) Act 2020. (See end of Document for details)

PART 2

SUPPORTING PROVISIONS

- 9 Advancement of equality and non-discrimination
- 10 Subordinate legislation making powers
- 11 Power to suspend and revive provisions
- 12 Expiry
- 13 Power to bring forward expiry
- 14 Power to amend Act in consequence of amendments to subordinate legislation
- 15 Reports by the Scottish Ministers on status of provisions
- 15A Reviews: information about domestic abuse
- 16 Ancillary provision
- 17 Commencement
- 18 Short title

SCHEDULE 1 — Eviction from dwelling-houses

Private residential tenancies: eviction grounds to be discretionary

- 1 (1) The Private Housing (Tenancies) (Scotland) Act 2016 applies, in...

Private residential tenancies: extension of notice periods

- 2 (1) The Private Housing (Tenancies) (Scotland) Act 2016 applies, in...

Assured tenancies: eviction grounds to be discretionary

- 3 (1) The Housing (Scotland) Act 1988 applies, in relation to...

Assured tenancies: extension of notice periods

- 4 (1) The Housing (Scotland) Act 1988 applies, in relation to...

Tenancies under the Rent (Scotland) Act 1984: eviction grounds to be discretionary

- 5 (1) The Rent (Scotland) Act 1984 applies, in relation to...

Tenancies under the Rent (Scotland) Act 1984: extension of notice periods

- 6 (1) The Rent (Scotland) Act 1984 applies, in relation to...

Scottish secure tenancies: extension of notice periods

- 7 (1) The Housing (Scotland) Act 2001 applies, in relation to...

Power to modify notice periods

- 8 (1) The Scottish Ministers may by regulations—

Consequential modifications in relation to prescribed forms

- 9 (1) The Private Residential Tenancies (Prescribed Notices and Forms) (Scotland)...

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Errors in notices

10 (1) Where a notice to which this paragraph applies is...

SCHEDULE 2 — Temporary extension of moratoriums on diligence

- 1 The Bankruptcy (Scotland) Act 2016 applies in accordance with the...
- 2 Section 195 (moratorium on diligence: notice of intention to make...
- 3 Section 196 (moratorium on diligence: notice of intention to make...
- 4 Section 198 (period of moratorium) has effect as if—

SCHEDULE 3 — Children and vulnerable adults

PART 1 — CHILDREN

Requirements as to members of children's hearings

1 (1) The Children's Hearings (Scotland) Act 2011 applies in accordance...

Child assessment and child protection orders

2 (1) The Children's Hearings (Scotland) Act 2011 (“the 2011 Act”)...

Maximum period for which compulsory supervision order has effect

3 (1) The Children's Hearings (Scotland) Act 2011 (“the 2011 Act”)...

Maximum period for which interim compulsory supervision order or interim variation of compulsory supervision order has effect

4 (1) The Children's Hearings (Scotland) Act 2011 (“the 2011 Act”)...

Period within which children's hearing must be held in certain cases

5 (1) The Children's Hearings (Scotland) Act 2011 (“the 2011 Act”)...

Children in secure accommodation

6 (1) The Secure Accommodation (Scotland) Regulations 2013 (S.S.I. 2013/205) (“...

Modification of certain time limits for making and determination of appeals etc.

7 (1) The Children's Hearings (Scotland) Act 2011 applies in accordance...

Attendance at children's hearing

8 (1) The Children's Hearings (Scotland) Act 2011 (Rules of Procedure...

Authentication of children's hearings documents

9 (1) The Children's Hearings (Scotland) Act 2011 (Rules of Procedure...

Looked after children

10 (1) The Looked After Children (Scotland) Regulations 2009 (S.S.I. 2009/210)...

PART 2 — VULNERABLE ADULTS

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Care of adults with incapacity

11 (1) The Social Work (Scotland) Act 1968 has effect as...

SCHEDULE 4 — Justice

PART 1 — COURTS AND TRIBUNALS: CONDUCT OF BUSINESS BY
ELECTRONIC MEANS

Electronic signatures and transmission of documents

1 (1) An electronic signature fulfils any requirement (however expressed and...

Intimation, etc. on Scottish Courts and Tribunals Service website

1A (1) Any requirement (however expressed) that a document—

Suspension of requirements for physical attendance

2 (1) Any requirement (however expressed) that a person physically attend...

Attendance by electronic means

3 (1) A person excused from a requirement to physically attend...

Further provision about attendance by electronic means

4 (1) A court or tribunal may— (a) issue a direction...

Publication of directions and guidance

5 A person who issues any of the following must make...

Interpretation of Part

6 In this Part— “court” means any of the Scottish courts...

PART 2 — FISCAL FINES

Fixed penalty: conditional offer by procurator fiscal

7 (1) The Criminal Procedure (Scotland) Act 1995 applies in accordance...
PART 3 — CASES BEGINNING WITH AN APPEARANCE FROM CUSTODY

Ability to take case in any sheriff court

8 (1) If it involves an appearance from police custody, a...

Paragraph 8: supporting provision

9 (1) A sheriff court has jurisdiction for all cases which...
PART 4 — EXTENSION OF TIME LIMITS

Criminal proceedings: extension of time limits

10 (1) The Criminal Procedure (Scotland) Act 1995 applies in accordance...
PART 5 — EVIDENCE

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Exceptions to the rule that hearsay evidence is inadmissible

- 11 (1) The Criminal Procedure (Scotland) Act 1995 applies in accordance...
PART 6 — COMMUNITY ORDERS

Community payback orders: extension of unpaid work or other activity requirements

- 12 (1) Sub-paragraph (2) applies to a community payback order—

Community payback orders: time limit for completion of unpaid work or other activity

- 13 (1) Section 227L of the Criminal Procedure (Scotland) Act 1995...

Community orders: postponement

- 14 (1) The Scottish Ministers may by regulations postpone the effect...

Community orders: variation

- 15 (1) The Scottish Ministers may by regulations vary requirements imposed...

Community orders: interpretation

- 16 In paragraphs 12, 14 and 15— “community payback order” means...
PART 7 — PAROLE BOARD

Chairing of the Parole Board

- 17 (1) The Prisoners and Criminal Proceedings (Scotland) Act 1993 applies...

Modifications of the Parole Board Rules

- 18 (1) The Parole Board (Scotland) Rules 2001 (S.S.I. 2001/315) apply...
PART 8 — RELEASE OF PRISONERS

Early release of prisoners

- 19 (1) The Scottish Ministers may by regulations provide that a...

Regulations under paragraph 19: procedure and expiry

- 20 (1) Regulations under paragraph 19(1) are subject to the affirmative...
PART 9 — LEGAL AID

Assessment of claims for interim payment of fees and outlays

- 21 (1) The Legal Aid (Scotland) Act 1986 applies in accordance...

Recovery of overpayment of interim fees or outlays paid to firms

- 22 (1) The Legal Aid (Scotland) Act 1986 applies in accordance...

Payment of interim fees for civil legal aid to counsel

- 23 (1) The Civil Legal Aid (Scotland) (Fees) Regulations 1989 (S.I....

SCHEDULE 5 — Alcohol licensing

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Requirement to hold a hearing

- 1 (1) The Licensing (Scotland) Act 2005 applies in accordance with...

Premises licences

- 2 (1) The Licensing (Scotland) Act 2005 applies in accordance with...

Personal licence holders

- 3 (1) The Licensing (Scotland) Act 2005 applies in accordance with...

Licensing Boards etc.

- 4 (1) The Licensing (Scotland) Act 2005 applies in accordance with...

Modifications of duties of Licensing Standards Officers

- 5 (1) The Licensing (Scotland) Act 2005 applies in accordance with...

Notifications by the chief constable

- 6 (1) The Licensing (Scotland) Act 2005 applies in accordance with...

Interpretation

- 7 (1) The Licensing (Scotland) Act 2005 applies in accordance with...

Modifications of the Licensing (Procedure) (Scotland) Regulations 2007

- 8 (1) The Licensing (Procedure) (Scotland) Regulations 2007 (S.S.I. 2007/453) apply...

SCHEDULE 6 — Functioning of public bodies

PART 1 — LICENSING OTHER THAN ALCOHOL LICENSING

Modifications of Civic Government (Scotland) Act 1982 etc.

- 1 (1) The Civic Government (Scotland) Act 1982 applies in accordance...

PART 2 — FREEDOM OF INFORMATION

Interpretation

- 2 In this Part (other than this paragraph)—

Time periods for responding to requests

- 3 (1) Section 10 (time for compliance) has effect as if...
4 The Freedom of Information (Scotland) Act 2002 (Time for Compliance)...

Extension of periods in which certain authorities may respond

- 5 (1) This paragraph applies where the Scottish Ministers are of...

Commissioner's ability to take account of impact of coronavirus

- 6 (1) This paragraph applies in relation to an application made...

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Giving notice electronically

- 7 Section 74(1)(a) (giving of notice etc.) has effect as if...
PART 3 — DUTIES IN RESPECT OF REPORTS AND OTHER DOCUMENTS

Power to postpone publication and laying of reports

- 8 (1) This paragraph applies to a statutory duty (however expressed)—...

Power to publish or make available documents for inspection electronically

- 9 (1) This paragraph applies to a statutory duty (however expressed)—...

Resumption of duties in relation to reports and documents

- 10 (1) Sub-paragraph (2) applies where the Scottish Ministers or, as...
PART 4 — LOCAL AUTHORITY MEETINGS

Introductory

- 11 This Part contains temporary modifications of the Local Government (Scotland)...

Interpretation

- 12 In this Part (other than this paragraph)—

Grounds for exclusion of the public from meetings of local authorities

- 13 (1) Section 50A (admission to meetings of local authorities) applies...

Photographic copies of documents in respect of meetings of local authorities

- 14 Section 50H(2)(b) (supplemental provisions and offences) has effect as if...
PART 5 — DUTIES UNDER THE PUBLIC FINANCE AND ACCOUNTABILITY (SCOTLAND) ACT 2000

- 15 (1) The Scottish Ministers may by regulations make provision modifying...

SCHEDULE 7 — Other measures in response to coronavirus

Social security

- 1 The Social Security (Scotland) Act 2018— (a)
2 In section 41 (right to request re-determination)—
3 In section 48 (deadline for appealing), in subsection (1)(c) after...
4 After section 52 insert— Coronavirus: relaxation of deadlines Re-determination and...
5 Section 43 (duty to re-determine) has effect as if—

Irritancy clauses in commercial leases: non-payment of rent or other sums due

- 6 The Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 applies in...
7 Section 4 (irritancy clauses etc. relating to monetary breaches of...

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Duration of planning permission

- 8 The Town and Country Planning (Scotland) Act 1997 applies in...
- 9 Section 58 (duration of planning permission) has effect as if...
- 10 Section 59 (planning permission in principle) has effect as if...

Electronic delivery of copy of deed to Registers of Scotland

- 11 The Land Registration etc. (Scotland) Act 2012 applies in accordance...
- 12 Section 21 (application for registration of deed) has effect as...
- 13 The Land Registers (Scotland) Act 1868 applies in accordance with...
- 14 Section 6A (writs transmitted electronically to Register of Sasines) has...

Land registration: period of effect of advance notice

- 15 Paragraph 16 applies to an advance notice within the meaning...
- 16 The advance notice is to be treated as having continued...
- 17 Paragraph 18 applies to an advance notice within the meaning...
- 18 The advance notice is to be treated as having continued...
- 19 Section 58 of the 2012 Act (period of effect of...

Anatomy Act 1984: extension of periods

- 20 The Anatomy Act 1984 applies in accordance with the modifications...
- 21 Section 4B (lawful examinations: further provision) has effect as if...
- 22 Section 5 (control of possession after examination) has effect as...

Scrutiny of subordinate legislation in urgent cases

- 23 Subordinate legislation which— (a) is to be made by Scottish...
- 24 A Scottish statutory instrument containing subordinate legislation made in accordance...
- 25 Where subordinate legislation is made in accordance with paragraph 23,...
- 26 Subordinate legislation made in accordance with paragraph 23 must be...
- 27 Subordinate legislation made in accordance with paragraph 23 ceases to...
- 28 In calculating the period of 28 days for the purpose...
- 29 If subordinate legislation ceases to have effect as a result...
- 30 (1) In paragraphs 23 to 29, “subordinate legislation” includes an...

Business improvement districts: extension of certain arrangements

- 31 (1) This paragraph applies to BID arrangements if—

Muirburn

- 32 The Hill Farming Act 1946 applies in accordance with the...
- 33 Section 23 (muirburn season) has effect as if—

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