



Coronavirus (Recovery and Reform) (Scotland) Act 2022

2022 asp 8

PART 2

EDUCATION

CHAPTER 1

EDUCATIONAL ESTABLISHMENTS ETC.

10 Regulations on student accommodation

- (1) The Scottish Ministers may by regulations—
 - (a) require a relevant manager of student accommodation premises to take reasonable steps to restrict or prohibit access to the premises for a specified period,
 - (b) require a relevant manager of student accommodation premises to provide support for students for a specified period in order to assist—
 - (i) their compliance with any restriction or requirement relating to the protection of public health imposed by virtue of an enactment or rule of law,
 - (ii) their following of any guidance or advice from a public authority relating to the protection of public health,
 - (iii) their response to a particular request or recommendation from a public authority relating to the protection of public health (for example, a recommendation for a student or group of students to self-isolate).
- (2) Regulations under [subsection \(1\)](#) may make provision applying to—
 - (a) the relevant manager of one or more named student accommodation premises,
 - (b) the relevant managers of all student accommodation premises,
 - (c) the relevant managers of a particular description of student accommodation premises.
- (3) Before making regulations under [subsection \(1\)](#), the Scottish Ministers—

Status: This is the original version (as it was originally enacted).

- (a) must have regard to any advice from the Chief Medical Officer of the Scottish Administration about protecting public health (or, as the case may be, from another person designated for the purposes of this section by the Scottish Ministers), and
 - (b) must be satisfied, in view of that advice, that making the regulations is a necessary and proportionate action for or in connection with protecting public health.
- (4) Regulations under [subsection \(1\)](#) may provide that any failure to comply with a duty or time limit imposed under any enactment or rule of law relating to education is to be disregarded to the extent that the failure would be attributable to the regulations.
- (5) Regulations under [subsection \(1\)](#) may—
- (a) restrict or prohibit access in respect of the whole or a specified part of student accommodation premises,
 - (b) restrict or prohibit access in respect of the carrying on of all activities or in respect of the carrying on of specified activities,
 - (c) require the taking of actions in general terms, or require the taking of particular actions, that the Scottish Ministers consider appropriate,
 - (d) make different provision for different purposes (for example, for different descriptions of people for whom student accommodation is provided),
 - (e) make transitional, transitory or saving provision.
- (6) In this section—
- “relevant manager”, in relation to student accommodation, means a person having responsibility for the management of the accommodation,
 - “specified” means specified, or falling within a description specified, in regulations under [subsection \(1\)](#),
 - “student” means a person who is or is about to be matriculated at a further education institution or a higher education institution,
 - “student accommodation” means residential accommodation which has been built or converted for the purpose of being provided to students,
 - “student accommodation premises” means a place where student accommodation is provided.