
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 103

**The Health Protection (Coronavirus) (Restrictions)
(Scotland) Regulations 2020 (revoked)**

PART 4

Enforcement

Enforcement of requirements

7.—(1) A relevant person may take such action as is necessary to enforce any requirement imposed by these Regulations.

(2) A relevant person may give a prohibition notice to a person if the relevant person reasonably believes that—

- (a) the person is contravening a requirement in these Regulations, and
- (b) it is necessary and proportionate to give the prohibition notice for the purpose of preventing that person from continuing to contravene the requirement.

^{F1}(3)

(4) A constable, exercising the power in paragraph [^{F2}(9)(c)] to remove a person to the place where they are living, may use reasonable force, if necessary, in exercise of the power.

(5) Where the person [^{F3}contravening a requirement in these Regulations] is a child accompanied by an individual who has responsibility for the child—

- (a) the relevant person may direct that individual to take the child to the place where they are living, and
- (b) that individual must, so far as reasonably practicable, ensure that the child complies with any such direction or instruction given by the relevant person to the child.

(6) Where a relevant person has reasonable grounds to believe that a child is repeatedly failing to comply with the restriction in regulation [^{F4}6(1)], the relevant person may direct any individual who has responsibility for the child to secure, so far as reasonably practicable, that the child complies with that restriction.

(7) For the purposes of this regulation, an individual has responsibility for a child if the individual—

- (a) has custody or charge of the child for the time being, or
- (b) has parental responsibility for the child.

(8) A relevant person may only exercise a power in paragraph [^{F5}(5), (6) or (9)] if the relevant person considers that it is a necessary and proportionate means of ensuring compliance with the requirement.

(9) Where a relevant person considers that three or more people are gathered together in contravention of regulation 6, the relevant person may—

Status: Point in time view as at 10/07/2020. This version of this provision has been superseded.
Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020 (revoked), Section 7. (See end of Document for details)

- (a) direct the gathering to disperse,
- (b) direct any person in the gathering to return to the place where they are living, or
- (c) remove any person in the gathering to the place where they are living.

^{F6}(10)

(11) A relevant person exercising a power under paragraph ^{F7}... (5), (6) or (9) may give the person concerned any reasonable instructions they consider to be necessary.

(12) For the purposes of this regulation, a “relevant person” means—

- (a) a constable, or
- (b) subject to paragraph (13), a person designated by a local authority for the purposes of this regulation.

(13) A local authority may only designate a person for the purposes of this regulation in relation to a requirement in regulation 3 or 4.

(14) For the purposes of this Part, references to a requirement include references to a restriction.

F1	Reg. 7(3) omitted (10.7.2020) by virtue of The Health Protection (Coronavirus) (Restrictions) (Scotland) Amendment (No. 7) Regulations 2020 (S.S.I. 2020/210) , regs. 1(2), 2(10)(a)
F2	Word in reg. 7(4) substituted (10.7.2020) by The Health Protection (Coronavirus) (Restrictions) (Scotland) Amendment (No. 7) Regulations 2020 (S.S.I. 2020/210) , regs. 1(2), 2(10)(b)
F3	Words in reg. 7(5) substituted (10.7.2020) by The Health Protection (Coronavirus) (Restrictions) (Scotland) Amendment (No. 7) Regulations 2020 (S.S.I. 2020/210) , regs. 1(2), 2(10)(c)
F4	Word in reg. 7(6) substituted (10.7.2020) by The Health Protection (Coronavirus) (Restrictions) (Scotland) Amendment (No. 7) Regulations 2020 (S.S.I. 2020/210) , regs. 1(2), 2(10)(d)
F5	Words in reg. 7(8) substituted (10.7.2020) by The Health Protection (Coronavirus) (Restrictions) (Scotland) Amendment (No. 7) Regulations 2020 (S.S.I. 2020/210) , regs. 1(2), 2(10)(e)
F6	Reg. 7(10) omitted (10.7.2020) by virtue of The Health Protection (Coronavirus) (Restrictions) (Scotland) Amendment (No. 7) Regulations 2020 (S.S.I. 2020/210) , regs. 1(2), 2(10)(f)
F7	Word in reg. 7(11) omitted (10.7.2020) by virtue of The Health Protection (Coronavirus) (Restrictions) (Scotland) Amendment (No. 7) Regulations 2020 (S.S.I. 2020/210) , regs. 1(2), 2(10)(g)
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Commencement Information	
I1	Reg. 7 in force at 26.3.2020 at 7.15 p.m., see reg. 1(1)

Status:

Point in time view as at 10/07/2020. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020 (revoked), Section 7.