
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 279

**The Health Protection (Coronavirus) (Restrictions
and Requirements) (Scotland) Regulations 2020**

PART 3

Restrictions on gatherings

Restriction on public gatherings

- 8.—**(1) A person must not participate in a gathering in a public place, unless the gathering—
- (a) consists of no more than six persons from no more than two households,
 - (b) is for the purpose of—
 - (i) work or providing voluntary or charitable services,
 - (ii) childcare, education or training,
 - (iii) attending a place of worship,
 - (iv) facilitating a house move,
 - (v) an organised activity which—
 - (aa) takes place outdoors, or
 - (bb) is for persons under 18 years of age (whether indoors or outdoors),
 - (vi) organised exercise,
 - (c) relates to a funeral, marriage ceremony or civil partnership registration,
 - (d) is taking place in student accommodation, where all the persons in the gathering—
 - (i) are using cooking, dining, toilet or washing facilities which are shared with any person who is not a member of their household, and
 - (ii) have the accommodation as their only or main residence.
- (2) In this regulation, “gathering” means a situation where two or more persons, who are not members of the same household, are present together in a place in order to engage in any form of social interaction with each other.
- (3) For the purpose of paragraph (1)(a), children under 12 years of age are not to be included when counting the number of persons participating in a gathering but are to be included when counting the number of households participating in a gathering.
- (4) For the purpose of paragraph (1)(b)(v) and (vi), an activity or exercise is “organised” if it is organised by—
- (a) a person who is responsible for carrying on a business or providing a service,
 - (b) a person who is responsible for a place of worship,
 - (c) a charity or other not for profit organisation,
 - (d) a club or political organisation, or

- (e) the governing body of a sport or other activity.

Restriction on gatherings in private dwellings

- 9.**—(1) A person must not attend a gathering in a private dwelling, unless the gathering—
- (a) consists of no more than six persons from no more than two households,
 - (b) is for the purpose of—
 - (i) work or providing voluntary or charitable services,
 - (ii) childcare, education or training,
 - (iii) facilitating a house move,
 - (c) is a funeral, marriage ceremony or civil partnership registration,
 - (d) is taking place in student accommodation, where all the persons in the gathering—
 - (i) are using cooking, dining, toilet or washing facilities which are shared with any person who is not a member of their household, and
 - (ii) have the accommodation as their only or main residence.
- (2) For the purpose of paragraph (1)(a), children under 12 years of age are not to be included when counting the number of persons attending a gathering but are to be included when counting the number of households attending a gathering.
- (3) In this regulation, “gathering” has the meaning given by regulation 8(2).

Restriction on parties in private dwellings

- 10.**—(1) A person must not attend a party in a private dwelling.
- (2) In paragraph (1), “party” means a social gathering where 16 or more persons, who are members of more than one household, are present together in a place, unless the gathering is—
- (a) for the purpose of—
 - (i) work or providing voluntary or charitable services,
 - (ii) childcare, education or training,
 - (b) a funeral, marriage ceremony or civil partnership registration,
 - (c) taking place in student accommodation, where all the persons in the gathering—
 - (i) are using cooking, dining, toilet or washing facilities which are shared with any person who is not a member of their household, and
 - (ii) have the accommodation as their only or main residence.
- (3) For the purpose of the definition of “party” in paragraph (2), children under 12 years of age are not to be included when counting the number of persons attending a gathering but are to be included when counting the number of households attending a gathering.

Power to enter a private dwelling

- 11.**—(1) A constable may enter a private dwelling if—
- (a) the constable reasonably suspects that—
 - (i) there is a contravention of regulation 9 or 10 going on there, and
 - (ii) it is necessary and proportionate to enter the dwelling for the purpose of preventing the continuation of the contravention, and
 - (b) a condition in paragraph (2) or (3) is met.

- (2) Where the constable reasonably suspects that there is a contravention of regulation 9 going on at the private dwelling, the condition mentioned in paragraph (1)(b) is that either—
 - (a) the person who appears to be the occupier of the dwelling has consented, or
 - (b) the entry is effected under the authority of a warrant issued under paragraph (7).
- (3) Where the constable reasonably suspects that there is a contravention of regulation 10 going on at the private dwelling, the condition mentioned in paragraph (1)(b) is that—
 - (a) the constable has requested any person reasonably suspected to be contravening regulation 10 to stop doing so, and
 - (b) the person has failed to comply with the request.
- (4) The power of entry in this regulation—
 - (a) may be exercised at any time, and
 - (b) includes the power to use reasonable force.
- (5) The constable must, if requested to do so, provide a document or any other thing showing the constable's authority to exercise the power of entry in this regulation.
- (6) Paragraph (7) applies where—
 - (a) a constable has been refused entry or reasonably anticipates being refused entry, or
 - (b) the occupier of the dwelling is temporarily absent and the constable considers the situation to be urgent.
- (7) A sheriff or justice of the peace may by warrant authorise a constable to enter the private dwelling.
- (8) A warrant under this regulation continues in force until the purpose for which it is issued is fulfilled.