

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations (which come into force at 6.00 p.m. on 18 December 2020) amend the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 (“the Local Levels Regulations”), and the Health Protection (Coronavirus) (Protection from Eviction) (Scotland) Regulations 2020 (“the Protection from Eviction Regulations”).

Regulation 3 amends regulation 3A of the Local Levels Regulations so that, in relation to the following islands in Argyll and Bute, it is permitted to hold gatherings indoors in private dwellings in certain circumstances: the Isles of Coll, Colonsay, Erraid, Gometra, Iona, Islay, Jura, Mull, Oronsay, Tiree and Ulva.

Regulation 4 amends paragraph 8(1)(d) of schedule 1 of the Local Levels Regulations, restricting gatherings in private dwellings for a funeral, marriage ceremony or civil partnership registration in a Level 0 area.

Regulation 5 amends paragraph 9(1)(d) of schedule 2 of those Regulations, restricting gatherings in private dwellings in a Level 1 area for a funeral, marriage ceremony or civil partnership registration.

Regulation 6 changes the levels of restrictions and requirements which apply in the local authority areas listed in paragraph (2) of that regulation. The restrictions and requirements applicable in relation to the different levels are set out in schedules 1 to 5 of the Local Levels Regulations.

Regulation 7 amends the Protection from Eviction Regulations, and is relevant to orders made under section 16(2) of the Housing (Scotland) Act 2001 (“the 2001 Act”) for recovery of possession of a property subject to a secure tenancy. Section 16(5A) of the 2001 Act provides that where an order is made on the ground of rent arrears, or on grounds including rent arrears, the order must specify the period for which the landlord’s right to recover possession of the property is to have effect. Regulation 7 has the effect of ensuring that the period of time for which regulation 2 of the Protection from Eviction Regulations is in force is not counted when calculating the period of time specified.

An Island Communities Impact Assessment has been prepared. Copies may be obtained online at www.legislation.gov.uk.