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SCOTTISH STATUTORY INSTRUMENTS

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**2021 No. 202**

**PUBLIC HEALTH**

**The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 22) Regulations 2021**

*Approved by the Scottish Parliament*

<i>Made</i>	- - - -	<i>4th May 2021</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>13th May 2021</i>
<i>Coming into force</i>	- -	<i>5th May 2021</i>

The Scottish Ministers make the following Regulations in exercise of the power conferred by paragraph 1(1) of schedule 19 of the Coronavirus Act 2020(1) (“the Act”) and all other powers enabling them to do so.

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of coronavirus in Scotland.

The Scottish Ministers consider that the restrictions and requirements imposed by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with paragraph 6(2) and (3) of schedule 19 of the Act, the Scottish Ministers are of the opinion that, by reason of urgency, it is necessary to make these Regulations without a draft having been laid before, and approved by a resolution of, the Scottish Parliament.

**Citation and commencement**

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 22) Regulations 2021.

(2) These Regulations come into force on 5 May 2021.

**Amendment of the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020**

2. The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020(2) are amended in accordance with regulations 3 to 5.

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(1) 2020 c.7.

(2) S.S.I. 2020/344, last amended by S.S.I. 2021/193.

**Amendment of schedule 2: Level 1 restrictions**

- 3.—(1) Schedule 2 (level 1 restrictions) is amended in accordance with this regulation.  
(2) After paragraph 3 (restricted opening hours for food and drink businesses), insert—

**“Restricted opening hours for casinos in a Level 1 area**

**3A.** A person who is responsible for carrying on a casino business in a Level 1 area must, between the hours of 2300 and 0600—

- (a) close to members of the public any premises operated as part of the business, and  
(b) not carry on business at such premises.”.

**Amendment of schedule 3: Level 2 restrictions**

- 4.—(1) Schedule 3 (level 2 restrictions) is amended in accordance with this regulation.  
(2) In paragraph 1(2) (requirement to close certain premises to members of the public), omit head (1).  
(3) In paragraph 3(4) (requirement for seated food and drink sale and consumption in food and drink businesses) omit from—  
(a) “the closure” to “4,”, and  
(b) “and the” to “6”.  
(4) After paragraph 5 (restricted opening hours for food and drink businesses), insert—

**“Restricted opening hours for casinos in a Level 2 area**

**5A.** A person who is responsible for carrying on a casino business in a Level 2 area must, between the hours of 2230 and 0600—

- (a) close to members of the public any premises operated as part of the business, and  
(b) not carry on business at such premises.”.

- (5) In paragraph 12(1)(b) (restriction on public gatherings outdoors), for “six” substitute “eight”.

**Amendment of schedule 4: Level 3 restrictions**

- 5.—(1) Schedule 4 (level 3 restrictions) is amended in accordance with this regulation.  
(2) In paragraph 3(4) (requirement for seated food and drink sale and consumption in food and drink businesses), for “paragraphs 4 and” substitute “paragraph”.  
(3) In paragraph 6(1)(a) (exceptions to food and drink business restrictions for certain services), for “(c)” substitute “(b)”.

St Andrew’s House,  
Edinburgh  
4th May 2021

*MICHAEL MATHESON*  
A member of the Scottish Government

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 (“the Local Levels Regulations”). The Regulations come into force on 5 May 2021.

Regulation 3 amends schedule 2 of the Local Levels Regulations (level 1 restrictions).

Regulation 3(2) inserts a new paragraph 3A to restrict the opening hours of casinos between the hours of 11 p.m. and 6.00 a.m. in a Level 1 area.

Regulation 4 amends schedule 3 of the Local Levels Regulations (level 2 restrictions).

Regulation 4(2) amends paragraph 1 (requirement to close certain premises to members of the public) to remove the requirement for casinos to close in a Level 2 area.

Regulation 4(3) amends paragraph 3(4) (requirement for seated food and drink sale and consumption in food and drink businesses) to remove the references to paragraphs 4 and 6 of schedule 3.

Regulation 4(4) inserts a new paragraph 5A to restrict the opening hours of casinos between the hours of 10.30 p.m. and 6.00 a.m. in a Level 2 area.

Regulation 4(5) amends paragraph 12(1)(b) (restriction on public gatherings outdoors) to increase the number of people under the age of 18 who can gather in a public place outdoors, where at least one person in the gathering has attained 12 years of age but has not attained 18 years of age, from six people to eight people.

Regulation 5 amends schedule 4 of the Local Levels Regulations (level 3 restrictions).

Regulation 5(2) amends paragraph 3(4) (requirement for seated food and drink sale and consumption in food and drink businesses) to remove the reference to paragraph 4 of schedule 4.

Regulation 5(3) amends paragraph 6(1)(a) (exceptions to food and drink business restrictions for certain services) to substitute a reference to paragraph 5(1)(b) of schedule 4.