
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 277

**The Health Protection (Coronavirus)
(Requirements) (Scotland) Regulations 2021**

PART 1

Introductory

Citation, commencement and application

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus) (Requirements) (Scotland) Regulations 2021 and come into force on 9 August 2021.

(2) These Regulations apply in—

(a) Scotland, and

(b) Scottish airspace, in relation to a person who is on a mode of transport which took off from, or is to land at, a place in Scotland.

(3) In paragraph (2)—

“Scotland” includes so much of the internal waters and territorial sea of the United Kingdom as are adjacent to Scotland, and

“Scottish airspace” means the airspace above Scotland.

Interpretation

2. In these Regulations—

“child” means a person who is under 16 years of age,

“constable” has the meaning given by section 99(1) of the Police and Fire Reform (Scotland) Act 2012⁽¹⁾,

“emergency responder” has the meaning given by section 153A(6) of the Inheritance Tax Act 1984⁽²⁾,

“face covering” means a covering of any type (other than a face shield) which covers a person’s nose and mouth,

“household” means—

(a) one person living alone, or

(b) a group of persons living together in the same place as a family or other unit (whether or not related) and who have the place as their only or main residence,

“indoors” means a place which would be considered to be wholly or substantially enclosed for the purposes of section 4(2) of the Smoking, Health and Social Care (Scotland) Act 2005⁽³⁾

⁽¹⁾ 2012 asp 8.

⁽²⁾ 1984 c.51. Section 153A was inserted by section 75 of the Finance Act 2015 (c. 11).

⁽³⁾ 2005 asp 13.

under the Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006⁽⁴⁾, and “outdoors” is to be construed accordingly,

“live event” means an event or activity which brings individuals together for the purpose of community, culture, sport, recreation, entertainment, art or business but does not include—

- (a) an event or activity which relates to a funeral, marriage ceremony or civil partnership,
- (b) a mass participation event such as a marathon, triathlon, or moonwalk,
- (c) an event designated by the Scottish Ministers as a flagship event according to criteria, and in a list, published by the Scottish Ministers,
- (d) a showing in a cinema,
- (e) a drive-in event,
- (f) an organised picket,
- (g) a public or street market, or
- (h) an illuminated trail,

“passenger transport service” means a service provided for the carriage of passengers by road, railway, tramway, air or sea,

“passenger transport service premises” means off-road premises where a passenger transport service may stop or terminate, allowing passengers on and off,

“premises” includes any building or structure and any land,

“public place” means a place to which the public, or a section of the public, has access whether on payment or otherwise,

“school” has the meaning given by section 135(1) of the Education (Scotland) Act 1980⁽⁵⁾, and

“sexual entertainment venue” has the meaning given by section 45A of the Civic Government (Scotland) Act 1982⁽⁶⁾.

(4) S.S.I. 2006/90.

(5) 1980 c.44. Amended by section 2 of the Registered Establishments (Scotland) Act 1987 (c.4) and schedule 3 of the Standards in Scotland’s Schools etc. Act 2000 (asp 6).

(6) 1982 c.45. Section 45A was inserted by the Air Weapons and Licensing (Scotland) Act 2015 (asp 10), section 76(3).