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SCOTTISH STATUTORY INSTRUMENTS

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**2021 No. 277**

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

**PART 4**

**Enforcement**

**Enforcement of requirements**

**15.**—(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 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 notice for the purpose of preventing that person from continuing to contravene the requirement.

(3) Where the person contravening a requirement in these Regulations is a child accompanied by an individual who has responsibility for the child, that individual must, so far as reasonably practicable, ensure that the child complies with a direction or instruction given by the relevant person to the child.

(4) Where a relevant person has reasonable grounds to believe that a child is repeatedly failing to comply with a requirement of these Regulations, 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 requirement.

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

- (a) care or control of the child for the time being, or
- (b) parental responsibilities, within the meaning of section 1(3) of the Children (Scotland) Act 1995<sup>(1)</sup>, in relation to the child.

(6) A relevant person may only exercise a power in paragraph (4) if the relevant person considers that it is a necessary and proportionate means of ensuring compliance with the requirement.

(7) A relevant person exercising a power under paragraph (4) may give the person concerned any reasonable instructions the relevant person considers necessary.

(8) For the purpose of this regulation, a “relevant person” means—

- (a) a constable, or
- (b) subject to paragraph 9, a person designated by a local authority.

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(1) 1995 c.36.

(9) A local authority may only designate a person for the purpose of this regulation in relation to the requirements in—

- (a) regulation 3, and
- (b) Part 3.