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SCOTTISH STATUTORY INSTRUMENTS

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**2021 No. 49**

**The Health Protection (Coronavirus)  
(Restrictions and Requirements) (Miscellaneous  
Amendment) (Scotland) Regulations 2021**

**Amendment to schedule 5: level 4 restrictions**

5. In schedule 5 (level 4 restrictions)—
- (a) in paragraph 1 (requirement to close certain premises in a level 4 area to members of the public)—
- (i) in sub-paragraph (2), after head (v) insert—
- “(w) a drive-in event venue.”,
- (ii) in sub-paragraph (3), after head (h) insert—
- “(i) any suitable premises which a returning officer or electoral registration officer has requested the use of in connection with the carrying out of any of their functions in relation to an election.”,
- (iii) in sub-paragraph (6), after head (c) insert—
- “(d) “drive-in event venue” means any premises or place indoors to which the public, or a section of the public, has access, whether on payment or otherwise, for the purpose of participating in or attending from within vehicles a drive-in or drive-through event, including an act of worship, a sporting event, a film or the performance of music, comedy or a play.”,
- (b) in paragraph 1A (requirement to close places of worship in a level 4 area to members of the public), after sub-paragraph (2A)(1) insert—
- “(2B) A place of worship may be used if it is a suitable premises which a returning officer or electoral registration officer has requested the use of in connection with the carrying out of any of their functions in relation to an election.”,
- (c) in paragraph 2 (requirement to close retail and library premises in a level 4 area to members of the public), after sub-paragraph (4) insert—
- “(4A) Sub-paragraph (1) does not prevent the use of suitable premises which a returning officer or electoral registration officer has requested the use of in connection with the carrying out of any of their functions in relation to an election.”,
- (d) in paragraph 3 (requirement to cease providing holiday accommodation in a level 4 area) after sub-paragraph (2) insert—
- “(3) Sub-paragraph (1) does not prevent the use of suitable premises which a returning officer or electoral registration officer has requested the use of in connection with the carrying out of any of their functions in relation to an election.”,
- (e) in paragraph 6 (closure of food and drink businesses in a level 4 area), after sub-paragraph (7) insert—

“(8) Sub-paragraph (1) does not prevent the use of suitable premises which a returning officer or electoral registration officer has requested the use of in connection with the carrying out of any of their functions in relation to an election.”,

(f) in paragraph 16(2) (examples of reasonable excuse)(2)—

(i) for head (v) substitute—

“(v) attend a marriage ceremony or registration of a civil partnership, where the person is, in relation to that marriage ceremony or civil partnership registration—

(i) a party,

(ii) a witness,

(iii) the approved celebrant or authorised registrar within the meaning of section 8(2) of the Marriage (Scotland) Act 1977(3),

(iv) the approved celebrant within the meaning of section 94A(4)(a) of the Civil Partnership Act 2004(4),

(v) the authorised registrar within the meaning of section 87 of the Civil Partnership Act 2004(5), or

(vi) a required interpreter,”

(ii) for head (w) substitute—

“(w) attend a funeral or commemorative event for a person who has died (other than a wake or a funeral tea), or to travel for compassionate reasons which relate to the end of a person’s life.”.

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(2) Paragraph 16 was inserted by [S.S.I. 2020/389](#).

(3) [1977 c.15](#). Section 8 was amended by section 12(2)(c) of the Marriage and Civil Partnership (Scotland) Act 2014 ([asp 5](#)).

(4) [2004 c.33](#). Section 94A was inserted by section 24(13) of the Marriage and Civil Partnership (Scotland) Act 2014 ([asp 5](#)).

(5) Section 87 was amended by section 24(4) of the Marriage and Civil Partnership (Scotland) Act 2014 ([asp 5](#)).