# POLICY NOTE

## The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 15) Regulations 2021

## SSI 2021/54

The above instrument was made in exercise of the power conferred by paragraph 1(1) of schedule 19 of the Coronavirus Act 2020. The instrument is subject to made affirmative procedure by virtue of paragraph 6(3) of schedule 19 of the Act.

These Regulations amend the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 to set out changes to the level that applies to Na h-Eileanan Siar, moving from Level 3 to Level 4. All other areas remain in the same level.

### Legislative background

1. The UK Coronavirus Act 2020 received Royal Assent on 25 March 2020. Under that Act, the Scottish Government made regulations (in force from 26 March) to implement physical distancing and impose restrictions on gatherings, events and operation of business activity. From 14 September they were replaced by the Health Protection (Coronavirus) (Restrictions and Requirements) (Scotland) Regulations 2020. From 9 October those regulations were suspended and replaced by the Health Protection (Coronavirus) Restrictions and Requirements) (Additional Temporary Measures) (Scotland) Regulations 2020. A new levels-based approach was introduced on 2 November, when the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 ("the principal regulations") came into force and revoked the previous regulations.

### Policy Objectives

*Adjustments to allocation of levels*

2. The Regulations amend the current allocation of levels in Na h-Eileanan Siar, moving the area from Level 3 to Level 4. This change is necessary as a result of recent data indicating rising numbers of cases in this local authority area and building pressure on NHS capacity. This tightening of restrictions is to ensure a reduction in social activity and is required to manage this increased occurrence and risk of Coronavirus transmission. Moving this area to Level 4 will help to reduce the increased demand on NHS facilities and ensure there is capacity to treat those who need urgent care. No other changes have been made to the allocation of levels at this time.

### Consultation

3. There has been no public consultation in relation to this instrument. The Scottish Government has informally consulted with the industry bodies affected.

**Impact Assessments**

4. An Island Communities Impact Assessment has been prepared for this instrument. Other Impact Assessments have not been prepared. Impact Assessments have been prepared previously to assess the impact of the restrictions within levels, these are published alongside the relevant Regulations. The provisions are however subject to strict obligations on the Scottish Government to review their necessity.

Scottish Government
Directorate for Constitution and Cabinet
*29 January 2021*