POLICY NOTE

THE HEALTH PROTECTION (CORONAVIRUS) (RESTRICTIONS AND REQUIREMENTS) (LOCAL LEVELS) (SCOTLAND) AMENDMENT (NO. 24) REGULATIONS 2021

SSI 2021/211

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 adjust the Levels allocation across Scotland as a result of the most recent data. These Regulations also adjust the travel restrictions between Scotland and parts of the Common Travel Area to address increased prevelance in some areas.

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 2020) to implement physical distancing and impose restrictions on gatherings, events and operation of business activity. From 14 September 2020 they were replaced by the Health Protection (Coronavirus) (Restrictions and Requirements) (Scotland) Regulations 2020. From 9 October 2020 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 2020, 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

Allocation of levels

2. These Regulations amend schedule 6 of the principal regulations to adjust the allocation of levels across Scotland. This change is being made as a result of the most recent data and evidence available. These Regulations move Moray local government area to Level 2, having previously been kept at Level 3 due to high case numbers. As the position has improved, Moray is now able to move to Level 2. All others areas of Scotland remain at their existing Level.

Common Travel Area restrictions

3. These Regulations add the areas of Bedford Borough Council, Blackburn with Darwen Borough Council and Bolton Metropolitan Borough Council to the list of places in the Common Travel Area (CTA) from which travel to and from Scotland is not permitted, unless you have a reasonable excuse. These changes are being made as a result of a

substantially increased prevalence of coronavirus in these areas, and particularly with the new B1.617.2 variant being present in these areas.

Consultation

4 There has been no public consultation in relation to this instrument.

Impact Assessments

5. Impact Assessments have not been prepared for this instrument, Impact Assessments have been prepared previously to assess the content of the Levels and the CTA travel restrictions. The provisions are also subject to strict obligations on the Scottish Government to review their necessity.

Scottish Government
Directorate for Constitution and Cabinet
21 May 2021