SCOTTISH STATUTORY INSTRUMENTS

2021 No. 252

PUBLIC HEALTH

The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 29) Regulations 2021

Approved by the Scottish Parliament

Made - - - - at 1.57 p.m. on 24th June 2021

Laid before the Scottish Parliament at 3.30 p.m. on 24th June 2021

Coming into force in accordance with regulation 1

The Scottish Ministers make the following Regulations in exercise of the power conferred by paragraph 1(1) of schedule 19 of the Coronavirus Act 2020(**a**) ("the Act") and all other powers enabling them to do so.

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of coronavirus in Scotland.

The Scottish Ministers consider that the restrictions and requirements imposed by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with paragraph 6(2) and (3) of schedule 19 of the Act, the Scottish Ministers are of the opinion that, by reason of urgency, it is necessary to make these Regulations without a draft having been laid before, and approved by resolution of, the Scottish Parliament.

Citation and commencement

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 29) Regulations 2021.

(2) With the exception of the regulations mentioned in paragraph (3), these Regulations come into force on 28 June 2021.

(3) Regulation 4(2) and (3) and regulation 5(2), (3) and (4)(b) and (c) come into force on 26 June 2021.

(**a**) 2020 c.7.

Amendment of the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020

2. The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020(**a**) are amended in accordance with regulations 3 to 8.

Amendment of schedule 1 (level 0 restrictions)

3. In paragraph 3(2) of schedule 1 (requirement to take measures to minimise risk of exposure to coronavirus in a level 0 area)(**b**)—

(a) omit "or" following head (c),

(b) after head (d), insert—

"(e) where a funeral is taking place, one or more persons who, as part of the funeral or the preparations for a funeral, are—

(i) carrying or setting down a coffin, or

(ii) lowering, or assisting in the lowering of, a coffin into a lair.".

Amendment of schedule 2 (level 1 restrictions)

4.—(1) Schedule 2 (level 1 restrictions) is amended in accordance with this regulation.

(2) After paragraph 3(1) (restricted opening hours for food and drink businesses in a level 1 area)(**c**), insert—

"(1A) Sub-paragraph (1B) applies where a match forming part of the Championship (within the meaning of section 1(1) of the UEFA European Championship (Scotland) Act 2020(**d**)) is being shown live in any part of the premises of a food and drink business in a Level 1 area and the match has not concluded by 2300 hours.

(1B) Where this sub-paragraph applies, sub-paragraph (1) applies as if the duties mentioned in that sub-paragraph were instead imposed on the person responsible for carrying on the business during the period from 2330 hours on the day in question or as soon as is reasonably practicable following the conclusion of the match (whichever is the earlier) until 0600 hours the following day.".

(3) In paragraph 3A (restricted opening hours for casinos in a level 1 area)(**e**)—

(a) the existing text becomes sub-paragraph (1),

(b) after that sub-paragraph insert—

"(2) Sub-paragraph (3) applies where a match forming part of the Championship (within the meaning of section 1(1) of the UEFA European Championship (Scotland) Act 2020) is being shown live in any part of the premises of a casino business in a Level 1 area and the match has not concluded by 2300 hours.

(3) Where this sub-paragraph applies, sub-paragraph (1) applies as if the duties mentioned in that sub-paragraph were instead imposed on the person responsible for carrying on the business during the period from 2330 hours on the day in question or as soon as is reasonably practicable following the conclusion of the match (whichever is the earlier) until 0600 hours the following day.".

(4) In paragraph 4(2) (requirement to take measures to minimise risk of exposure to coronavirus in a level 1 area)(**f**)—

(a) omit "or" following head (c),

(**a**) S.S.I. 2020/344, last amended by S.S.I. 2021/242.
(**b**) Paragraph 3(2) was relevant amended by S.S.I. 2021/227.
(**c**) Paragraph 3(1) was substituted by S.S.I. 2021/193.
(**d**) 2020 asp 1.
(**e**) Paragraph 3A was inserted by S.S.I. 2021/202.
(**f**) Paragraph 4(2) was relevantly amended by S.S.I. 2021/227.

(b) after head (d), insert—

"(e) where a funeral is taking place, one or more persons who, as part of the funeral or the preparations for a funeral, are—

(i) carrying or setting down a coffin, or

(ii) lowering, or assisting in the lowering of, a coffin into a lair.".

Amendment of schedule 3 (level 2 restrictions)

5.—(1) Schedule 3 (level 2 restrictions) is amended in accordance with this regulation.

(2) After paragraph 5(1) (restricted opening hours for food and drink businesses in a level 2 area)(**a**), insert—

"(1A) Sub-paragraph (1B) applies where a match forming part of the Championship (within the meaning of section 1(1) of the UEFA European Championship (Scotland) Act 2020) is being shown live in any part of the premises of a food and drink business in a Level 2 area and the match has not concluded by 2230 hours.

(1B) Where this sub-paragraph applies, sub-paragraph (1) applies as if the duties mentioned in that sub-paragraph were instead imposed on the person responsible for carrying on the business during the period from 2330 hours on the day in question or as soon as is reasonably practicable following the conclusion of the match (whichever is the earlier) until 0600 hours the following day.".

(3) In paragraph 5A (restricted opening hours for casinos in a level 2 area)(**b**)—

(a) the existing text becomes sub-paragraph (1),

(b) after that sub-paragraph insert—

"(2) Sub-paragraph (3) applies where a match forming part of the Championship (within the meaning of section 1(1) of the UEFA European Championship (Scotland) Act 2020) is being shown live in any part of the premises of a casino business in a Level 2 area and the match has not concluded by 2230 hours.

(3) Where this sub-paragraph applies, sub-paragraph (1) applies as if the duties mentioned in that sub-paragraph were instead imposed on the person responsible for carrying on the business during the period from 2330 hours on the day in question or as soon as is reasonably practicable following the conclusion of the match (whichever is the earlier) until 0600 hours the following day.".

(4) In paragraph 8 (requirement to take measures to minimise risk of exposure to coronavirus in a level 2 area)(**c**)—

(a) in sub-paragraph (2)—

(i) omit "or" following head (c),

(ii) after head (d), insert—

"(e) where a funeral is taking place, one or more persons who, as part of the funeral or the preparations for a funeral, are—

(i) carrying or setting down a coffin, or

(ii) lowering, or assisting in the lowering of, a coffin into a lair.",

(b) in sub-paragraph (3), in the definition of "required distance", after paragraph (a) insert—

"(aa) in relation to Murrayfield, at least 1.15 metres,",

(c) in sub-paragraph (5), before head (a) insert—

"(za) "Murrayfield" means Murrayfield Stadium, Edinburgh, for the purposes of the 1888 Cup rugby event on 26 June 2021,".

(**a**) Paragraph 5(1) was relevantly amended by S.S.I. 2021/193.
(**b**) Paragraph 5A was inserted by S.S.I. 2021/202.
(**c**) Paragraph 8 was relevantly amended by S.S.I. 2021/227 and S.S.I. 2021/238.

Amendment of schedule 4 (level 3 restrictions)

6. In paragraph 7(2) of schedule 4 (requirement to take measures to minimise risk of exposure to coronavirus in a level 3 area)(**a**)—

(a) omit "or" following head (c),

(b) after head (d), insert—

"(e) where a funeral is taking place, one or more persons who, as part of the funeral or the preparations for a funeral, are—

(i) carrying or setting down a coffin, or

(ii) lowering, or assisting in the lowering of, a coffin into a lair.".

Amendment of schedule 5 (level 4 restrictions)

7. In paragraph 8(2) of schedule 5 (requirement to take measures to minimise risk of exposure to coronavirus in a level 4 area)(**b**)—

(a) the word "or" following head (c) is omitted,

(b) after head (d), insert—

"(e) where a funeral is taking place, one or more persons who, as part of the funeral or the preparations for a funeral, are—

(i) carrying or setting down a coffin, or

(ii) lowering, or assisting in the lowering of, a coffin into a lair.".

Amendment of schedule 7 (face covering requirements)

8. In paragraph 2 of schedule 7 (requirement to wear face coverings in certain indoor places)(**c**), after head (h), insert—

"(hza) at a marriage ceremony or civil partnership registration and is a person who is accompanying, in the circumstances described in sub-paragraph (h)(iii), one or both of the parties to be married or entering into a civil partnership,".

JOHN SWINNEY
A member of the Scottish Government

St Andrew's House,
Edinburgh
At 1.57 p.m. on 24th June 2021

(**a**) Paragraph 7(2) was relevantly amended by S.S.I. 2021/227.
(**b**) Paragraph 8(2) was relevantly amended by S.S.I. 2021/227.
(**c**) Paragraph 2 was relevantly amended by S.S.I. 2021/227.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 ("the Local Levels Regulations").

Regulation 3 amends schedule 1 of the Local Levels Regulations to remove the requirement, in a Level 0 area, for persons to maintain the required distance when carrying or setting down a coffin or lowering or assisting in the lowering of the coffin into a lair as part of a funeral or the preparations for a funeral. The same amendments are made to schedule 2 for Level 1 areas by regulation 4(4); to schedule 3 for Level 2 areas by regulation 5(4); to schedule 4 for Level 3 areas by regulation 6; and to schedule 5 for Level 4 areas by regulation 7.

Regulation 4(2) and (3) amends schedule 2 of the Local Levels Regulations to reduce the hours between which food and drink businesses and casinos must remain closed in Level 1 areas where the premises are showing a live match as part of the UEFA European Championship and the match has not finished by 11pm. Those premises must close at the conclusion of the match or 11.30pm, whichever is earlier. The same amendments are made to schedule 3 for Level 2 areas by regulation 5(2) and (3) where the match has not finished by 10.30pm.

Regulation 5 also amends schedule 3 so that the required distance to be maintained between persons in Murrayfield Stadium, Edinburgh, at the 1888 Cup rugby event on 26 June 2021 is reduced to at least 1.15 metres.

Regulation 8 amends schedule 7 of the Local Levels Regulations to remove the requirement for persons accompanying a party to be married or entering into a civil partnership to wear a face covering.

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