

Regulations made by the Scottish Ministers and laid before the Scottish Parliament under section 122(6) and (7) of the Public Health etc. (Scotland) Act 2008 and paragraph 6(3) of schedule 19 of the Coronavirus Act 2020 for approval by resolution of the Scottish Parliament within 28 days beginning with the day on which the Regulations were made, not taking into account any period of dissolution or recess for more than 4 days.

SCOTTISH STATUTORY INSTRUMENTS

2020 No. 389

PUBLIC HEALTH

**The Health Protection (Coronavirus) (Restrictions
and Requirements) (Local Levels) (Scotland)
Amendment (No. 3) Regulations 2020**

<i>Made</i>	- - - -	<i>at 11.20 a.m. on 20th November 2020</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>at 2.00 p.m. on 20th November 2020</i>
<i>Coming into force</i>	- -	<i>at 6.00 p.m. on 20th November 2020</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 94(1)(b) of the Public Health etc. (Scotland) Act 2008⁽¹⁾ (“the 2008 Act”) and paragraph 1(1) of schedule 19 of the Coronavirus Act 2020⁽²⁾ (“the 2020 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 section 122(6) of the 2008 Act and paragraph 6(2) and (3) of schedule 19 of the 2020 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, a resolution of the Scottish Parliament.

(1) 2008 asp 5.
(2) 2020 c.7.

PART 1

Introductory

Citation and commencement

1. These Regulations may be cited as the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 3) Regulations 2020 and come into force at 6.00 p.m. on 20 November 2020.

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(3) are amended in accordance with regulations 3 to 11.

PART 2

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

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

3.—(1) In regulation 2(1) (interpretation)—

(a) in the definition of “private dwelling”—

- (i) in paragraph (g), omit “, within the meaning of section 19(1)(b) of the Prisons (Scotland) Act 1989”,
- (ii) in paragraph (h), omit “, within the meaning of section 108 of the Criminal Justice (Scotland) Act 2016”,
- (iii) in paragraph (i), omit “, within the meaning of section 19(1)(a) of the Prisons (Scotland) Act 1989”,

(b) in the appropriate places, insert the following definitions—

““further education institution” has the meaning given in paragraph 6 of schedule 16 of the Coronavirus Act 2020,”,

““higher education institution” has the meaning given in paragraph 6 of schedule 16 of the Coronavirus Act 2020,”,

““remand centre” has the meaning given in section 19(1)(a) of the Prisons (Scotland) Act 1989(4),”,

““secure accommodation” has the meaning given in section 108 of the Criminal Justice (Scotland) Act 2016(5),”,

““young offenders institution” has the meaning given in section 19(1)(b) of the Prisons (Scotland) Act 1989.”.

(3) S.S.I. 2020/344, amended by S.S.I. 2020/347 and S.S.I. 2020/374.

(4) 1989 c.45. Section 19(1) was amended by section 23(1) of the Criminal Justice (Scotland) Act 2003 (asp 7).

(5) 2016 asp 1.

PART 3

Changes to levels of areas

Changes to levels of areas

4.—(1) In the table in schedule 6 (areas), in column 3 (level of area) of each of the entries mentioned in paragraph (2), for “3” substitute “4”.

(2) The entries are 1 (East Ayrshire), 3 (South Ayrshire), 9 (Stirling), 13 (East Renfrewshire), 15 (Renfrewshire), 16 (West Dunbartonshire), 17 (East Dunbartonshire), 18 (Glasgow City), 21 (South Lanarkshire), 22 (North Lanarkshire) and 26 (West Lothian).

PART 4

Restrictions on movement

Restrictions on movement

5.—(1) In regulation 3 (application of the restrictions)—

- (a) in paragraph (1), after “(“Level 0 restrictions”)” insert “, paragraph 14 of schedule 4, paragraph 15 of schedule 5 (restrictions on leaving and entering Level 3 and 4 areas)”,
- (b) in paragraph (2), after “(“Level 1 restrictions”)” insert “, paragraph 14 of schedule 4, paragraph 15 of schedule 5”,
- (c) in paragraph (3), after “(“Level 2 restrictions”)” insert “, paragraph 14 of schedule 4, paragraph 15 of schedule 5”,
- (d) in paragraph (4), after “(“Level 3 restrictions”)” insert “, paragraph 15 of schedule 5”,
- (e) in paragraph (5), after “(“Level 4 restrictions”)” insert “, paragraph 14 of schedule 4”,
- (f) after paragraph (5A) insert—

“(5B) The restrictions set out in schedule 7A (restrictions on leaving or entering Scotland: common travel area) have effect.”.

(2) In regulation 5(1) (offences and penalties), in the opening words, for “and 7” substitute “, 7 and 7A”.

(3) In schedule 4 (Level 3 restrictions), after paragraph 12, insert—

“PART 4

Restrictions on movement

Restrictions on leaving Level 3 area

13.—(1) A person who lives in a Level 3 area must not leave or remain away from that area.

(2) But a person who lives in a Level 3 area may leave the area in order to travel to another part of the same area.

Restrictions on entering Level 3 area

14.—(1) A person who does not live in a Level 3 area must not enter or remain in that area.

(2) But a person who does not live in a Level 3 area may travel through it in order to reach a place outwith the area.

Examples of reasonable excuse

15.—(1) For the purposes of this Part, examples of what constitutes a reasonable excuse (see regulation 5(4)) include leaving or remaining away from the area in which the person lives, or (as the case may be) entering or remaining in a Level 3 area that the person does not live in, for the purposes set out in sub-paragraph (2).

- (2) The purposes are to—
- (a) obtain or provide—
 - (i) food and medical supplies for those in the same household (including animals in the household) or for vulnerable persons,
 - (ii) supplies for the essential upkeep, maintenance and functioning of the household, or the household of a vulnerable person,
 - (b) work or provide voluntary or charitable services, where it is not possible for the person to do so from home,
 - (c) access, provide or receive childcare, education or training, including a support service for parents or expectant parents,
 - (d) access or undertake driving tuition or take a driving test,
 - (e) lead an act of worship or attend the person’s usual place of worship,
 - (f) provide care or assistance to a vulnerable person,
 - (g) visit a person detained in a prison, young offenders institution, remand centre, secure accommodation or other place of detention,
 - (h) provide or receive emergency assistance,
 - (i) provide or obtain medical assistance, including accessing any of the following—
 - (i) audiology services,
 - (ii) chiropody services,
 - (iii) chiropractic services,
 - (iv) dental services,
 - (v) ophthalmic services,
 - (vi) osteopathic services,
 - (vii) services relating to mental health,
 - (j) accompany a person obtaining medical assistance, or visit a person receiving treatment in a hospital or who is residing in a hospice or care home,
 - (k) avoid injury, illness or other risk of harm, or support someone who is doing so,
 - (l) move home or undertake activities in connection with the maintenance, purchase, sale, letting, or rental of residential property that the person owns or is otherwise responsible for,
 - (m) participate in or facilitate shared parenting arrangements,
 - (n) fulfil a legal obligation or participate in legal proceedings,
 - (o) vote, or register to vote, in an election (including to vote as proxy),
 - (p) donate blood,
 - (q) access public services, including any of the following—

- (i) social services,
 - (ii) services provided by the Department for Work and Pensions,
 - (iii) services provided to victims (such as victims of crime),
 - (iv) asylum and immigration services and interviews,
 - (r) access services provided by voluntary or charitable services, including food banks,
 - (s) access waste disposal or recycling facilities,
 - (t) obtain money from or deposit money with a business mentioned in paragraph 2(3) (j) or (k) of schedule 5,
 - (u) participate in or facilitate organised activity, sport or exercise which is for persons under 18 years of age,
 - (v) exercise outdoors, provided that the exercise—
 - (i) is not organised, and
 - (ii) starts and ends at the same place, which place must be—
 - (aa) in the local government area in which the person lives, or
 - (bb) within 5 miles of such local government area,
 - (w) where the person is a professional sportsperson, or the coach of a professional sportsperson, coach, train or compete,
 - (x) attend a gathering which relates to a marriage ceremony or civil partnership registration,
 - (y) attend a gathering which relates to a funeral or to travel for compassionate reasons which relate to the end of a person's life,
 - (z) feed or care for an animal, including obtaining veterinary services,
 - (aa) where the person is a member of an extended household, visit a member of the household which forms the other part of the extended household and who lives outwith the area in which the person lives or, as the case may be, in a Level 3 area.
- (3) For the purpose of sub-paragraph (2)(u) and (v), activity, sport or exercise is “organised” if—
- (a) it is organised by—
 - (i) a person who is responsible for carrying on a business or providing a service,
 - (ii) a person who is responsible for a place of worship,
 - (iii) a charity or other not for profit organisation,
 - (iv) a club or political organisation,
 - (v) the governing body of a sport or other activity, and
 - (b) the organiser has taken such measures described in paragraph 7(1)(a) and (b) as are relevant to the particular activity, sport or exercise, taking into account any relevant guidance issued by the Scottish Ministers.”.
- (4) In schedule 5 (Level 4 restrictions), after paragraph 13, insert—

“PART 4

Restrictions on movement

Restrictions on leaving Level 4 area

14.—(1) A person who lives in a Level 4 area must not leave or remain away from that area.

(2) But a person who lives in a Level 4 area may leave the area in order to travel to another part of the same area.

Restrictions on entering Level 4 area

15.—(1) A person who does not live in a Level 4 area must not enter or remain in that area.

(2) But a person who does not live in a Level 4 area may travel through it in order to reach a place outwith the area.

Examples of reasonable excuse

16.—(1) For the purposes of this Part, examples of what constitutes a reasonable excuse (see regulation 5(4)) include leaving or remaining away from the area in which the person lives, or (as the case may be) entering or remaining in a Level 4 area that the person does not live in, for the purposes set out in sub-paragraph (2).

(2) The purposes are to—

(a) obtain or provide—

(i) food and medical supplies for those in the same household (including animals in the household) or for vulnerable persons,

(ii) supplies for the essential upkeep, maintenance and functioning of the household, or the household of a vulnerable person,

(b) work or provide voluntary or charitable services, where it is not possible for the person to do so from home,

(c) access, provide or receive childcare, education or training, including a support service for parents or expectant parents,

(d) lead an act of worship,

(e) provide care or assistance to a vulnerable person,

(f) visit a person detained in a prison, young offenders institution, remand centre, secure accommodation or other place of detention,

(g) provide or receive emergency assistance,

(h) provide or obtain medical assistance, including accessing any of the following—

(i) audiology services,

(ii) chiropody services,

(iii) chiropractic services,

(iv) dental services,

(v) ophthalmic services,

(vi) osteopathic services,

(vii) services relating to mental health,

- (i) accompany a person obtaining medical assistance, or visit a person receiving treatment in a hospital or who is residing in a hospice or care home,
 - (j) avoid injury, illness or other risk of harm, or support someone who is doing so,
 - (k) move home or undertake activities in connection with the maintenance, purchase, sale, letting, or rental of residential property that the person owns or is otherwise responsible for,
 - (l) participate in or facilitate shared parenting arrangements,
 - (m) fulfil a legal obligation or participate in legal proceedings,
 - (n) donate blood,
 - (o) vote, or register to vote, in an election (including to vote as proxy),
 - (p) access public services, including any of the following—
 - (i) social services,
 - (ii) services provided by the Department for Work and Pensions,
 - (iii) services provided to victims (such as victims of crime),
 - (iv) asylum and immigration services and interviews,
 - (q) access services provided by voluntary or charitable services, including food banks,
 - (r) access waste disposal or recycling facilities,
 - (s) obtain money from or deposit money with a business mentioned in paragraph 2(3)(j) or (k),
 - (t) exercise outdoors, provided that the exercise—
 - (i) is not organised, and
 - (ii) starts and ends at the same place, which place must be—
 - (aa) in the local government area in which the person lives, or
 - (bb) within 5 miles of such local government area,
 - (u) where the person is a professional sportsperson, or the coach of a professional sportsperson, coach, train or compete,
 - (v) attend a solemnisation of a marriage or registration of a civil partnership,
 - (w) attend a gathering which relates to a funeral, or to travel for compassionate reasons which relate to the end of a person's life,
 - (x) feed or care for an animal, including obtaining veterinary services,
 - (y) where the person is a member of an extended household, visit a member of the household which forms the other part of the extended household and who lives outwith the area in which the person lives or, as the case may be, in a Level 4 area.
- (3) For the purpose of sub-paragraph (2)(t) exercise is “organised” if—
- (a) it is organised by—
 - (i) a person who is responsible for carrying on a business or providing a service,
 - (ii) a person who is responsible for a place of worship,
 - (iii) a charity or other not for profit organisation,
 - (iv) a club or political organisation,
 - (v) the governing body of a sport or other activity, and

- (b) the organiser has taken such measures described in paragraph 8(1)(a) and (b) as are relevant to the particular activity or exercise, taking into account any relevant guidance issued by the Scottish Ministers.”.

(5) After schedule 7 (face covering requirements) insert—

“SCHEDULE 7A

Regulation 3(5B)

Restrictions on leaving or entering Scotland: common travel area

Restrictions on leaving Scotland

1.—(1) A person who lives in Scotland must not leave Scotland for the purpose of entering or remaining in a place within the common travel area mentioned in paragraph 4.

(2) But a person who lives in Scotland may travel through such a place in order to reach another destination.

(3) This paragraph is without prejudice to the restrictions in Part 4 of schedule 4 and Part 4 of schedule 5.

Restrictions on entering Scotland

2.—(1) A person who lives in a place within the common travel area mentioned in paragraph 4 must not enter or remain in Scotland.

(2) But a person who does not live in Scotland may travel through Scotland in order to reach a place outwith Scotland.

Examples of reasonable excuse

3.—(1) For the purposes of this schedule, examples of what constitutes a reasonable excuse (see regulation 5(4)) include leaving Scotland or (as the case may be) entering or remaining in Scotland, for the purposes set out in sub-paragraph (2).

(2) The purposes are to—

(a) obtain or provide—

(i) food and medical supplies for those in the same household (including animals in the household) or for vulnerable persons,

(ii) supplies for the essential upkeep, maintenance and functioning of the household, or the household of a vulnerable person,

(b) work or provide voluntary or charitable services, where it is not possible for the person to do so from home,

(c) access, provide or receive childcare, education or training, including a support service for parents or expectant parents,

(d) access or undertake driving tuition or take a driving test,

(e) lead an act of worship or attend the person’s usual place of worship,

(f) provide care or assistance to a vulnerable person,

(g) visit a person detained in a prison, young offenders institution, remand centre, secure accommodation or other place of detention,

(h) provide or receive emergency assistance,

(i) provide or obtain medical assistance, including accessing any of the following—

(i) audiology services,

- (ii) chiropody services,
 - (iii) chiropractic services,
 - (iv) dental services,
 - (v) ophthalmic services,
 - (vi) osteopathic services,
 - (vii) services relating to mental health,
 - (j) accompany a person obtaining medical assistance, or visit a person receiving treatment in a hospital or who is residing in a hospice or care home,
 - (k) avoid injury, illness or other risk of harm, or support someone who is doing so,
 - (l) move home or undertake activities in connection with the maintenance, purchase, sale, letting, or rental of residential property that the person owns or is otherwise responsible for,
 - (m) participate in or facilitate shared parenting arrangements,
 - (n) fulfil a legal obligation or participate in legal proceedings,
 - (o) vote, or register to vote, in an election (including to vote as proxy),
 - (p) donate blood,
 - (q) access public services, including any of the following—
 - (i) social services,
 - (ii) services provided by the Department for Work and Pensions,
 - (iii) services provided to victims (such as victims of crime),
 - (iv) asylum and immigration services and interviews,
 - (r) access services provided by voluntary or charitable services, including food banks,
 - (s) access waste disposal or recycling facilities,
 - (t) obtain money from or deposit money with a business mentioned in paragraph 2(3)(j) or (k) of schedule 5,
 - (u) participate in or facilitate organised activity, sport or exercise which is for persons under 18 years of age,
 - (v) exercise outdoors, provided that the exercise—
 - (i) is not organised, and
 - (ii) starts and ends at the same place, which place must be—
 - (aa) in the local government area in which the person lives, or
 - (bb) within 5 miles of such local government area,
 - (w) where the person is a professional sportsperson, or the coach of a professional sportsperson, coach, train or compete,
 - (x) attend a gathering which relates to a marriage ceremony or civil partnership registration,
 - (y) attend a gathering which relates to a funeral or to travel for compassionate reasons which relate to the end of a person's life,
 - (z) feed or care for an animal, including obtaining veterinary services,
 - (aa) where the person is a member of an extended household, visit a member of the household which forms the other part of the extended household and who lives outwith the area in which the person lives or, as the case may be, in Scotland.
- (3) For the purpose of sub-paragraph (2)(u) and (v), activity, sport or exercise is “organised” if—

- (a) it is organised by—
 - (i) a person who is responsible for carrying on a business or providing a service,
 - (ii) a person who is responsible for a place of worship,
 - (iii) a charity or other not for profit organisation,
 - (iv) a club or political organisation,
 - (v) the governing body of a sport or other activity, and
 - (b) if taking place in Scotland, the organiser has taken such measures described in these regulations as are relevant to the particular activity, sport or exercise, taking into account the level of the area in question and any relevant guidance issued by the Scottish Ministers or, if taking place outwith Scotland, the organiser has taken into account such equivalent measures as are relevant to the particular exercise as are applicable in that place.
- (4) For the purpose of sub-paragraph (2)(v)(ii), a reference to a local government area is a reference to a local government area in Scotland or, as the case may be, the area of a county within the meaning of section 1 of the Local Government Act 1972⁽⁶⁾.

Places in respect of which restrictions in this schedule apply

4. The places are—
- (a) England,
 - (b) Northern Ireland,
 - (c) Republic of Ireland,
 - (d) Wales.
5. In this schedule, the “common travel area” has the meaning given in section 1(3) of the Immigration Act 1971⁽⁷⁾.”.

PART 5

Closure of premises

Closure of premises in a Level 4 area: indoor attraction at a visitor attraction

6. In schedule 5—
- (a) in paragraph 1(2) (requirement to close certain premises in a Level 4 area to members of the public), after head (h), insert—
 - “(ha) an indoor attraction at a visitor attraction,”, and
 - (b) in paragraph 1(6), at the end, insert—
 - “(c) “indoor attraction” means those parts of a venue, including visitor centres but not including toilets for visitors, which—
 - (i) would be considered to be wholly or substantially enclosed for the purposes of section 4(2) of the Smoking, Health and Social Care (Scotland) Act 2005⁽⁸⁾ under the Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006⁽⁹⁾, and

⁽⁶⁾ 1972 c.70.

⁽⁷⁾ 1971 c.77. Section 1(3) provides that the United Kingdom, the Channel Islands, the Isle of Man, and the Republic of Ireland are collectively referred to in that Act as “the common travel area”.

⁽⁸⁾ 2005 asp 13.

- (ii) are, in normal times, open for members of the public to visit for the purposes of recreation, whether or not for payment.”.

Closure of library premises: exception for further or higher education institutions

7. In schedule 5, after paragraph 2(3)(u) (requirement to close retail and library premises in a Level 4 area to members of the public: exceptions), insert—

- “(v) libraries operated by, or associated with, a further education institution or a higher education institution in relation to the provision of library services to a member of staff or a student of the institution.”.

PART 6

Restrictions on gatherings

Restriction on public gatherings outdoors in a Level 1 area

8. In schedule 2, paragraph 8(1) (restriction on public gatherings outdoors in a Level 1 area)—

- (a) in head (a), omit “, in the period to 18 November 2020, of no more than six persons from no more than two households, and from 19 November 2020,”, and
- (b) for head (b), substitute—

- “(b) consists of no more than eight persons who are all under 18 years of age, where at least one person in the gathering has attained 12 years of age but has not attained 18 years of age.”.

Restriction on gatherings in private dwellings in a Level 1 area

9. In schedule 2, paragraph 9(1) (restriction on gatherings in private dwellings in a Level 1 area)

- (a) in head (a)—
 - (i) for “six” substitute “eight”,
 - (ii) for “two” substitute “three”, and
- (b) in head (b)(i), for “six” substitute “eight”.

Restriction on public gatherings indoors in a Level 4 area

10. In schedule 5, paragraph 11(1) (restriction on public gatherings indoors in Level 4 area)—

- (a) in head (c), omit “marriage ceremony or civil partnership registration, or”, and
- (b) after head (c) insert—
 - “(ca) is a marriage ceremony or civil partnership registration, or”.

Restriction on public gatherings outdoors in a Level 4 area

11. In schedule 5, paragraph 12(1) (restriction on public gatherings outdoors in a Level 4 area)—

- (a) in head (e), omit “marriage ceremony or civil partnership registration, or”, and
- (b) after head (e) insert—

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“(ea) is a marriage ceremony or civil partnership registration, or”.

St Andrew’s House,
Edinburgh
At 11.20 a.m. on 20th November 2020

MICHAEL RUSSELL
A member of the Scottish Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations (which come into force at 6.00 p.m. on 20 November 2020) amend the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 (“the principal regulations”).

Regulation 3 amends the principal regulations to insert interpretative provision relevant to the amendments made by these Regulations.

Regulation 4 changes the restrictions and requirements which apply in the local authority areas listed in paragraph (2), by making them subject to level 4 restrictions and requirements. The restrictions and requirements applicable in relation to different levels are set out in schedules 1 to 5 of the principal regulations.

Regulation 5 amends the principal regulations to create travel restrictions in relation to Level 3 and 4 areas and also in relation to travel between Scotland and parts of the common travel area. Regulation 5(1) makes technical changes to regulation 3 of the principal regulations to ensure that the movement restrictions inserted by regulation 5(3) can take effect in the areas of Scotland which are subject to the appropriate level of restrictions. Regulation 5(1) also gives effect to new schedule 7A of the principal regulations (inserted by regulation 5(5)) which provides for restrictions on leaving Scotland for, or entering Scotland from, the common travel area.

Regulation 5(2) amends regulation 5(1) of the principal regulations to provide that a contravention of new schedule 7A is an offence.

Regulation 5(3) inserts Part 4 into schedule 4 of the principal regulations. Part 4 prohibits a person who lives in a Level 3 area from leaving or remaining away from that area and prohibits a person who does not live in a Level 3 area from entering or remaining in that area (“the Level 3 travel restrictions”). A contravention of the Level 3 travel restrictions will be an offence under regulation 5(1) of the principal regulations but it is a defence if a person can show that they had a reasonable excuse in the circumstances (regulation 5(4) of the principal regulations). Paragraph 15 of Part 4 provides a non-exhaustive list of examples of purposes for which a contravention of the Level 3 travel restrictions will constitute a reasonable excuse.

Regulation 5(4) inserts Part 4 into schedule 5 of the principal regulations. Part 4 prohibits a person who lives in a Level 4 area from leaving or remaining away from that area and prohibits a person who does not live in a Level 4 area from entering or remaining in that area (“the Level 4 travel restrictions”). A contravention of the Level 4 travel restrictions will be an offence under regulation 5(1) of the principal regulations but it is a defence if a person can show that they had a reasonable excuse in the circumstances (regulation 5(4) of the principal regulations). Paragraph 16 of Part 4 provides a non-exhaustive list of examples of purposes for which a contravention of the Level 4 travel restrictions will constitute a reasonable excuse.

Regulation 5(5) inserts schedule 7A into the principal regulations which creates restrictions on leaving Scotland for, or entering Scotland from, the common travel area. Paragraph 1 of schedule 7A prohibits a person who lives in Scotland from leaving Scotland to enter or remain in a place within the common travel area. Paragraph 2 of schedule 7A prohibits a person living in certain parts of the common travel area from entering or remaining in Scotland. A contravention of the schedule 7A travel restrictions will be an offence under regulation 5(1) of the principal regulations but it is a defence if a person can show that they had a reasonable excuse in the circumstances (regulation 5(4) of the principal regulations). Paragraph 3 of schedule 7A provides a non-exhaustive

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list of examples of purposes for which a contravention of the schedule 7A travel restrictions will constitute a reasonable excuse. Paragraph 4 lists the parts of the common travel area in respect of which the schedule 7A restrictions will apply.

Regulation 6 closes indoor attractions at visitor attractions in Level 4 areas.

Regulation 7 creates an exception to the closure of library services in Level 4 areas for libraries in colleges or universities, where those services are provided to a member of staff or a student of the college or university.

Regulation 8 removes spent provisions and re-states the current provisions.

Regulation 9 alters the numbers of persons/households permitted to gather outdoors in private dwelling settings (for example, gardens) in Level 1 areas.

Regulations 10 and 11 make changes in relation to public gatherings relevant to marriage ceremonies and civil partnership registrations in Level 4 areas.

A Business and Regulatory Impact Assessment and an Equality Impact Assessment have been prepared. Copies may be obtained online at www.legislation.gov.uk.