

Regulations made by the Scottish Ministers and laid before the Scottish Parliament under 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. 211

PUBLIC HEALTH

**The Health Protection (Coronavirus) (Restrictions)
(Scotland) Amendment (No. 8) Regulations 2020**

Made - - - - *at 11.08 a.m. on 14th*
July 2020
Laid before the Scottish *at 1.30 p.m. on 14th*
Parliament - - - - *July 2020*
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⁽¹⁾ (“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, a resolution of the Scottish Parliament.

Citation and commencement

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus) (Restrictions) (Scotland) Amendment (No. 8) Regulations 2020.

(2) Subject to paragraph (3), these Regulations come into force on 15 July 2020.

(3) Regulation 2(5)(d) and (f) to (h) comes into force on 22 July 2020.

Amendment of the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020

2.—(1) The Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020(2) are amended as follows.

- (2) In regulation 3 (requirement to close premises and businesses)—
 - (a) omit paragraphs (1) to (3),
 - (b) in paragraph (5), for “5, 6, 8, 9 or 10” substitute “6, 8 or 9”,
 - (c) in paragraph (6)—
 - (i) omit “1 or”,
 - (ii) for “(1)” substitute “(4)”.
- (3) In regulation 4 (further restrictions and closures)—
 - (a) in paragraph (1)—
 - (i) for “paragraphs (2), (4), (6), (8) and (9)” substitute “paragraph (8)”,
 - (ii) after “who is responsible for” insert “a place of worship”,
 - (b) omit paragraphs (2) to (7) and (9) to (10),
 - (c) in paragraph (11), for the definition of “premises” substitute—
 - ““premises” includes any building or structure and any land.”.
- (4) In regulation 6 (restrictions on gatherings)—
 - (a) in paragraph (1)—
 - (i) for sub-paragraph (c) substitute—
 - “(c) to attend a funeral, marriage ceremony or civil partnership registration,”,
 - (ii) in sub-paragraph (d)—
 - (aa) in head (ii), for “education” substitute “childcare, education”,
 - (bb) omit head (ix)(aa),
 - (iii) for sub-paragraph (e) substitute—
 - “(e) to attend a place of worship.”,
 - (b) for paragraph (2) substitute—
 - “(2) In paragraph (1), “gathering” means a situation where two or more people are present together in the same place in order to engage in any form of social interaction with each other.”.
- (5) In schedule 1 (businesses subject to restriction or closure)—
 - (a) omit Part 1 (restaurants, cafes, bars and public houses),
 - (b) omit paragraph 5 (cinemas),
 - (c) omit paragraph 10 (museums and galleries),
 - (d) omit paragraph 13 (spas),
 - (e) for paragraph 14 (nail, beauty, hair salons and barbers) substitute—

(2) S.S.I. 2020/103, relevantly amended by S.S.I. 2020/106, S.S.I. 2020/126, S.S.I. 2020/164, S.S.I. 2020/182, S.S.I. 2020/190, S.S.I. 2020/199 and S.S.I. 2020/210.

“14. Nail and beauty salons (except beauty salons where the only service provided is the use of sunbeds, and for the purposes of this paragraph “sunbeds” has the meaning given by section 108 of the Public Health etc. (Scotland) Act 2008(3)).”,

- (f) omit paragraph 14,
- (g) omit paragraph 15 (massage parlours),
- (h) omit paragraph 16 (tattoo and piercing parlours),
- (i) omit paragraph 23 (auction houses).

St Andrew’s House,
Edinburgh
At 11.08 a.m. on 14th July 2020

MICHAEL RUSSELL
A member of the Scottish Government

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020 (“the principal regulations”).

Regulation 3(1) of the principal regulations requires any person who is responsible for carrying on a restaurant, cafe, bar or public house to close any place on the premises which is indoors and used for the consumption of food or drink. Regulation 2(2) and (5)(a) of these Regulations revokes that requirement, enabling such businesses to carry on their business using indoor premises.

Regulation 4(2), (4), (6) and (9) of the principal regulations requires any person responsible for a library, the provision of holiday accommodation, a place of worship or a crematorium to stop providing that service except in certain circumstances. Regulation 2(3) of these Regulations revokes those requirements, enabling such services to be provided.

Regulation 6 of the principal regulations provides that no person may participate in a gathering in a public place with certain exceptions, including where a gathering takes place outdoors and consists of no more than five households or where the gathering takes place indoors and consists of no more than three households. Regulation 2(4) of these Regulations provides further exceptions for where the gathering is for the purpose of a marriage ceremony, civil partnership registration or childcare. These Regulations also substitute a new definition of “gathering”.

These Regulations also omit paragraphs 5, 10 and 23 of schedule 1 of the principal regulations from 15 July 2020, with the effect that a person responsible for a cinema, museum, gallery, or auction house is no longer required to cease to carry on that business from that date. Paragraphs 13, 15 and 16 of schedule 1 are omitted from 22 July 2020, enabling spas, massage parlours and tattoo and piercing parlours to reopen from that date. Regulation 2(5)(e) and (f) of these Regulations enables hair salons, barbers and certain beauty salons to open from 15 July 2020, with nail salons and the remaining beauty salons allowed to open from 22 July 2020.