

CORONAVIRUS (SCOTLAND) (NO.2) ACT 2020

EXPLANATORY NOTES

DETAIL ABOUT PROVISIONS

Suspension, revival and expiry of the provisions of the Act

11. Section 8 provides the Scottish Ministers with a power, by regulations, to suspend the effect of any provision in Part 1 of the Act, and also to revive the effect of any suspended provision. This power allows a provision which is no longer, in the view of the Scottish Ministers, appropriate or proportionate, but which may become necessary to use again, to be temporarily suspended.
12. Section 9 provides for Part 1 of the Act to expire on 30 September 2020, unless the Scottish Parliament approves regulations providing for its effect to continue until 31 March 2021. If the Scottish Parliament does approve such regulations, it may then approve regulations allowing one further, final extension until 30 September 2021, at which point any remaining provisions in the Act will expire. These are the same dates as set out in section 12 of the 2020 Act, meaning that the provisions of the Act will be able to expire to the same timetable as the provisions of the 2020 Act.
13. Subsection (9) of section 9 allows the Scottish Ministers, by regulations, to make transitional, transitory, saving or consequential provision in connection with the expiry of provisions of the Act. This will allow, for instance, the status in law of anything done under the provisions of the Act while it is in effect to be clarified if necessary for the period after the Act expires.
14. Section 10 allows the Scottish Ministers, by regulations, to cause any provision in Part 1 of the Act to expire earlier than set out above, where they are satisfied that the provisions are no longer appropriate or proportionate.