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SCOTTISH STATUTORY INSTRUMENTS

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**2020 No. 251**

**PUBLIC HEALTH**

**The Health Protection (Coronavirus) (Restrictions)  
(Scotland) Amendment (No. 12) Regulations 2020**

*Approved by the Scottish Parliament*

<i>Made</i>	- - - -	<i>at 1.00 p.m. on 21st August 2020</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>at 3.00 p.m. on 21st August 2020</i>
<i>Coming into force</i>	- -	<i>24th August 2020</i>

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<sup>(1)</sup> (“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. These Regulations may be cited as the Health Protection (Coronavirus) (Restrictions) (Scotland) Amendment (No. 12) Regulations 2020 and come into force on 24 August 2020.

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

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

(2) For regulation 3(5)(a) (requirement to close premises and businesses) substitute—

“(a) premises used for the businesses or services listed in paragraph 6 or 9 of schedule 1, while those premises remain closed to members of the public, to—

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(1) 2020 c.7.

(2) S.S.I. 2020/103, relevantly amended by S.S.I. 2020/190 and S.S.I. 2020/211.

- (i) record a performance,
  - (ii) broadcast a performance to people outside the premises, whether over the internet or as part of a radio or television broadcast, or
  - (ii) rehearse or otherwise prepare for a performance.”.
- (3) In regulation 6 (restrictions on gatherings)—
  - (a) for paragraph (1)(d)(x) substitute—
    - “(x) an organised outdoor activity.”,
  - (b) after paragraph (2) insert—
    - “(3) For the purposes of paragraph (1)(d)(x), an activity is an “organised outdoor activity” if it—
      - (a) takes place outdoors, and
      - (b) is organised by—
        - (i) a person responsible for carrying on a business or providing a service,
        - (ii) a place of worship,
        - (iii) a charity or other not for profit organisation,
        - (iv) a club or political organisation, or
        - (v) the governing body of a sport or other activity.”.
- (4) After regulation 6B(2)(k) (requirement to wear a face covering in certain indoor public places), insert—
  - “(l) amusement arcades and other indoor leisure facilities,
  - (m) bingo halls,
  - (n) bowling alleys,
  - (o) casinos,
  - (p) indoor funfairs.”.
- (5) In schedule 1 (businesses subject to restrictions or closure)—
  - (a) for paragraph 6 substitute—
    - “**6.** Indoor theatres.”,
  - (b) omit paragraph 8 (bingo halls),
  - (c) omit paragraph 11 (casinos),
  - (d) in paragraph 18—
    - (i) omit “, bowling alleys, amusement arcades”,
    - (ii) omit “or facilities”,
  - (e) omit paragraph 19 (funfairs).

St Andrew’s House,  
Edinburgh  
At 1.00 p.m. on 21st August 2020

*MICHAEL RUSSELL*  
A member of the Scottish Government

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## 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(4) of the principal regulations requires a person responsible for carrying on a business or providing a service listed in Part 2 of schedule 1 to cease carrying on that business or providing that service. Regulation 2(2) of these Regulations amends the exceptions to that requirement to provide that the premises of a theatre or concert hall may be used to record a performance, broadcast a performance or to rehearse or otherwise prepare for a performance.

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(3) of these Regulations provides a further exception for where the gathering is for the purposes of an organised outdoor activity.

Regulation 2(5) amends schedule 1 of the principal regulations, with the effect that bingo halls, casinos, bowling alleys, amusement arcades, funfairs and outdoor theatres may open or provide services. Regulation 2(4) amends regulation 6B of the principal regulations to require a face covering in amusement arcades, bingo halls, bowling alleys, casinos and indoor funfairs.