

Regulations made by the Scottish Ministers and laid before the Scottish Parliament under paragraph 6(2) and (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 periods of dissolution or recess for more than 4 days.

SCOTTISH STATUTORY INSTRUMENTS

2022 No. 74

PUBLIC HEALTH

**The Health Protection (Coronavirus) (Requirements)
(Scotland) Amendment (No. 5) Regulations 2022**

<i>Made</i>	- - - -	<i>at 11.40 a.m. on 24th February 2022</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>at 2.00 p.m. on 24th February 2022</i>
<i>Coming into force</i>	- -	<i>28th February 2022</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(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 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) (Requirements) (Scotland) Amendment (No. 5) Regulations 2022 and come into force on 28 February 2022.

Amendment of the Health Protection (Coronavirus) (Requirements) (Scotland) Regulations 2021

2.—(1) The Health Protection (Coronavirus) (Requirements) (Scotland) Regulations 2021(2) are amended in accordance with paragraphs (2) and (3).

(2) Omit—

- (a) regulation 7A (requirement to ensure that persons are fully vaccinated, have received appropriate test results, or are otherwise exempt, when in certain places),
- (b) regulation 7B (requirement to treat information as confidential),
- (c) regulation 7C (requirement to have a compliance plan),
- (d) regulation 7D (supplemental provision – licensing),
- (e) regulation 7E (interpretation of regulations 7A to 7D).

(3) In regulation 15(9) (enforcement of requirements)—

- (a) immediately before sub-paragraph (c) omit “and”,
- (b) omit sub-paragraph (c).

St Andrew’s House,
Edinburgh
At 11.40 a.m. on 24th February 2022

JOHN SWINNEY
A member of the Scottish Government

(2) [S.S.I. 2021/277](#) as relevantly amended by [S.S.I. 2021/349](#), [S.S.I. 2021/384](#), [S.S.I. 2021/453](#), [S.S.I. 2021/496](#), [S.S.I. 2022/6](#) and [S.S.I. 2022/13](#).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus) (Requirements) (Scotland) Regulations 2021 (“the Principal Regulations”). These Regulations come into force on 28 February 2022.

The effect of these Regulations is to remove the requirement in the Principal Regulations for persons responsible for certain premises to have a reasonable system for checking that a person on the premises has been fully vaccinated, has received appropriate test results, or is otherwise exempt. Regulation 2(2) also removes the requirement to treat information as confidential (regulation 7B), the requirement for persons responsible for certain premises to prepare and maintain a compliance plan (regulation 7C), supplemental provisions in relation to licensing (regulation 7D), and regulation 7E (interpretation of regulations 7A to 7D).

Regulation 2(3) makes a consequential amendment to regulation 15(9) of the Principal Regulations.