

SCOTTISH STATUTORY INSTRUMENTS

2020 No. 103

**The Health Protection (Coronavirus) (Restrictions)
(Scotland) Regulations 2020 (revoked)**

PART 3

^{F1}Restrictions on ... gatherings

Textual Amendments

- F1** Words in Pt. 3 heading omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Amendment \(No. 7\) Regulations 2020 \(S.S.I. 2020/210\)](#), regs. 1(2), **2(4)**

Restrictions on movement

^{F2}5.

Textual Amendments

- F2** Reg. 5 omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Amendment \(No. 7\) Regulations 2020 \(S.S.I. 2020/210\)](#), regs. 1(2), **2(5)**

[^{F3}Restrictions on [^{F4}public gatherings]

- 6.—^{F5}(1) No person may participate in a gathering in a public place except—
- (a) where the gathering takes place outdoors and all the persons in the gathering are members of no more than five households,
 - (b) where the gathering takes place indoors and all the persons in the gathering are members of no more than three households,
 - ^{F6}(c) to attend a funeral, marriage ceremony or civil partnership registration,
 - (d) where the gathering is for the purposes of—
 - (i) work, or for the provision of voluntary or charitable services,
 - (ii) [^{F7}childcare, education] or training,
 - (iii) providing care or assistance to a vulnerable person,
 - (iv) providing emergency or medical assistance,
 - (v) avoiding injury, illness or escaping a risk of harm,
 - (vi) facilitating a house move,
 - (vii) participation in legal proceedings or fulfilling a legal obligation,
 - (viii) donating blood,

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(ix) accessing public services, including—

^{F8}(aa)

(bb) social services,

(cc) services provided by the Department of Work and Pensions,

(dd) services provided to victims (such as victims of crime),

[^{F9}(x) organised exercise,

(xi) organised activities—

(aa) which take place indoors or outdoors, for people who are under 18 years of age,

(bb) which take place outdoors, for people who are aged 18 years or over,]

[^{F10}(e) to attend a place of worship.]]

[^{F11}(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.]

[^{F12}(3) For the purpose of paragraph (1)(d)(x) and (xi), an activity or exercise is “organised” if it is organised by—

(a) a person responsible for carrying on a business or providing a service,

(b) a place of worship,

(c) a charity or other not for profit organisation,

(d) a club or political organisation, or

(e) the governing body of a sport or other activity.]]

Textual Amendments

- F3** Reg. 6 substituted (29.6.2020) by [The Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Amendment \(No. 5\) Regulations 2020 \(S.S.I. 2020/190\)](#), regs. 1, **2(3)**
- F4** Words in reg. 6 heading substituted (28.8.2020) by [The Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Amendment \(No. 13\) Regulations 2020 \(S.S.I. 2020/261\)](#), regs. 1(2), **2(2)(a)**
- F5** Reg. 6(1) substituted (10.7.2020 except so far as it relates to gatherings for the purpose of supervised outdoor recreation for people who are under 18 years of age and 13.7.2020 so far as it relates to such gatherings) by [The Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Amendment \(No. 7\) Regulations 2020 \(S.S.I. 2020/210\)](#), reg. 1(2)(3), **2(6)**
- F6** Reg. 6(1)(c) substituted (15.7.2020) by [The Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Amendment \(No. 8\) Regulations 2020 \(S.S.I. 2020/211\)](#), regs. 1(2), **2(4)(a)(i)**
- F7** Words in reg. 6(1)(d)(ii) substituted (15.7.2020) by [The Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Amendment \(No. 8\) Regulations 2020 \(S.S.I. 2020/211\)](#), regs. 1(2), **2(4)(a)(ii)(aa)**
- F8** Reg. 6(1)(d)(ix)(aa) omitted (15.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Amendment \(No. 8\) Regulations 2020 \(S.S.I. 2020/211\)](#), regs. 1(2), **2(4)(a)(ii)(bb)**
- F9** Reg. 6(1)(d)(x)(xi) substituted for reg. 6(1)(d)(x) (31.8.2020) by [The Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Amendment \(No. 13\) Regulations 2020 \(S.S.I. 2020/261\)](#), regs. 1(3)(a), **2(2)(b)**
- F10** Reg. 6(1)(e) substituted (15.7.2020) by [The Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Amendment \(No. 8\) Regulations 2020 \(S.S.I. 2020/211\)](#), regs. 1(2), **2(4)(a)(iii)**
- F11** Reg. 6(2) substituted (15.7.2020) by [The Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Amendment \(No. 8\) Regulations 2020 \(S.S.I. 2020/211\)](#), regs. 1(2), **2(4)(b)**

F12 Reg. 6(3) substituted (31.8.2020) by [The Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Amendment \(No. 13\) Regulations 2020 \(S.S.I. 2020/261\)](#), regs. 1(3)(a), **2(2)(c)**

[F13] Restriction on parties in private dwellings

6ZA.—(1) No person may attend a party in a private dwelling.

(2) In paragraph (1)—

“party” means a social gathering where 16 or more people, who are members of more than one household, are present together in a place, except—

- (a) a funeral, marriage ceremony or civil partnership registration, or
- (b) where the gathering is for the purpose of—
 - (i) work or providing voluntary or charitable services,
 - (ii) childcare, education or training, or
 - (iii) an act of worship.

“private dwelling” means any building, or part of a building, used or intended to be used as a dwelling (including any indoor passage or stair, outhouse or other structure of the dwelling) but does not include—

- (a) accommodation in a hotel, hostel, campsite, caravan park, members club, boarding house or bed and breakfast accommodation,
- (b) accommodation provided by a care home service, within the meaning of paragraph 2 of schedule 12 of the Public Services Reform (Scotland) Act 2010,
- (c) accommodation for children at a residential establishment, within the meaning of section 93(1) of the Children (Scotland) Act 1995,
- (d) school boarding accommodation, within the meaning of paragraph 10(5) of schedule 16 of the Coronavirus Act 2020,
- (e) student accommodation, within the meaning of paragraph 11(5) of schedule 16 of the Coronavirus Act 2020,
- (f) accommodation intended for use by the army, navy or air force,
- (g) a prison,
- (h) a young offenders institution, within the meaning of section 19(1)(b) of the Prisons (Scotland) Act 1989,
- (i) secure accommodation, within the meaning of section 108 of the Criminal Justice (Scotland) Act 2016,
- (j) a remand centre, within the meaning of section 19(1)(a) of the Prisons (Scotland) Act 1989.

Textual Amendments

F13 Regs. 6ZA, 6ZB inserted (28.8.2020) by [The Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Amendment \(No. 13\) Regulations 2020 \(S.S.I. 2020/261\)](#), regs. 1(2), **2(3)**

Power to enter a private dwelling

6ZB.—(1) A constable may enter a private dwelling if—

- (a) the constable reasonably suspects that—

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- (i) there is a contravention of regulation 6ZA going on there, and
 - (ii) it is necessary and proportionate to enter the dwelling for the purpose of preventing the continuation of the contravention, and
- (b) the condition in paragraph (2) is met.
- (2) The condition mentioned in paragraph (1)(b) is that—
- (a) the constable has requested any person reasonably suspected to be contravening regulation 6ZA to stop doing so, and
 - (b) the person has failed to comply with the request.
- (3) The power of entry in this regulation—
- (a) may be exercised at any time, and
 - (b) includes the power to use reasonable force.
- (4) The constable must, if requested to do so, provide a document or any other thing showing the constable’s authority to exercise the power of entry in this regulation.]

Textual Amendments

F13 Regs. 6ZA, 6ZB inserted (28.8.2020) by [The Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Amendment \(No. 13\) Regulations 2020 \(S.S.I. 2020/261\)](#), regs. 1(2), **2(3)**

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