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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 8(4) of the principal regulations provides that it is a defence to a charge of committing an offence under paragraph (1), (2) or (3) of that regulation if the person had a reasonable excuse. These Regulations amend regulation 8(5) of the principal regulations to provide that it is a reasonable excuse to take part in outdoor recreation in certain circumstances or visit a recycling or waste disposal service.

These Regulations also provide that some businesses may make preparations, while the premises of that business remain closed to members of the public, towards introducing physical distancing measures. Garden centres and plant nurseries are added to the list, in Part 3 of schedule 1 of the principal regulations, of businesses or services which may remain open. These Regulations also make technical amendments, the effect of which is to require that the termination of a restriction or requirement imposed by the principal regulations must be by way of an amending instrument.