
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 2(2)(b) amends the list of exceptions to the restriction on gatherings in public places in regulation 6 of the principal regulations with the effect that a gathering may take place where it is for the purpose of organised exercise and, in certain circumstances, other organised activities.

Regulation 2(3) inserts new regulations 6ZA and 6ZB into the principal regulations. Regulation 6ZA makes it an offence to attend a party in a private dwelling. “Party” is defined as a social gathering where 16 or more people, who are members of more than one household, are present together in a place. There are certain types of gatherings excluded from the definition of “party”.

Regulation 6ZB confers on a constable a power to enter a private dwelling if the constable reasonably suspects that there is a contravention of 6ZA going on in the dwelling and it is necessary and proportionate to enter the dwelling for the purpose of preventing the continuation of the contravention. The power can only be used if the constable has first requested any person reasonably suspected to be contravening regulation 6ZA to stop doing so and the person has failed to comply with the request.

Regulation 2(4) amends regulation 6B(2) of the principal regulations with the effect of requiring a face covering to be worn in indoor fitness studios, gyms, swimming pools, skating rinks and other indoor leisure centres. Regulation 2(6)(b) amends regulation 8(5A) of the principal regulations to provide that it is a reasonable excuse to remove a face covering in order to exercise.

Regulation 2(8) amends schedule 1 of the principal regulations to enable skating rinks, indoor fitness studios, gyms, swimming pools and other leisure centres to re-open from 31 August 2020.