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SCOTTISH STATUTORY INSTRUMENTS

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**2020 No. 262**

**The Health Protection (Coronavirus, Restrictions) (Directions  
by Local Authorities) (Scotland) Regulations 2020**

**Guidance: powers and duties**

2.—(1) Subject to paragraph (2), the Scottish Ministers may issue and update guidance to local authorities about the exercise of their functions under these Regulations.

(2) Before issuing or updating guidance under paragraph (1), the Scottish Ministers must consult the Chief Medical Officer of the Scottish Administration or such other person as may be designated for the purposes of this paragraph by the Scottish Ministers.

(3) When exercising its functions under these Regulations, a local authority must have regard to—

- (a) any guidance issued under paragraph (1), as amended from time to time by the Scottish Ministers, and
- (b) any guidance issued by the Scottish Ministers under regulation 4A of the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020<sup>(1)</sup>.

(4) Guidance issued under paragraph (1) may, in particular, include guidance on—

- (a) steps which should be taken and matters which should be taken into account before a direction is issued,
- (b) the form a direction should take,
- (c) the process for notifying the Scottish Ministers that a direction has been made.

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<sup>(1)</sup> S.S.I. 2020/103. Regulation 4A was inserted by regulation 2(2) of S.S.I. 2020/236.