
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 325

The Health Protection (Coronavirus) (Restrictions and Requirements) (Additional Temporary Measures) (Scotland) Amendment Regulations 2020

Amendment of the Health Protection (Coronavirus) (Restrictions and Requirements) (Additional Temporary Measures) (Scotland) Regulations 2020

2.—(1) The Health Protection (Coronavirus) (Restrictions and Requirements) (Additional Temporary Measures) (Scotland) Regulations 2020⁽¹⁾ are amended as follows.

- (2) In regulation 24 (requirement to wear face coverings in certain indoor public places)—
- (a) at the beginning of paragraph (d), insert “subject to regulation 24A,”,
 - (b) after paragraph (g), insert—
 - “(ga) at a marriage ceremony or civil partnership registration and is one of the parties to be married or entering into a civil partnership, where—
 - (i) there is a partition between the parties and any other person, or
 - (ii) a distance of at least two metres is maintained between the parties and any other person,”.
- (3) After regulation 24, insert—

“Requirement to wear face coverings in communal areas in indoor workplaces

24A.—(1) A person who enters or remains within an indoor communal area in a workplace must wear a face covering, unless the person is—

- (a) a child who is under 5 years of age,
- (b) a constable acting in the course of the constable’s duty,
- (c) an emergency responder (other than a constable) acting in the person’s capacity as an emergency responder,
- (d) in an area where there are measures in place to keep that person separated from any other person by a—
 - (i) partition, or
 - (ii) distance of at least two metres,
- (e) seeking medical assistance, and—
 - (i) the wearing of a face covering would materially impede the seeking of the assistance, or
 - (ii) the assistance is emergency assistance and either the person does not have a face covering with them or there is not time to put one on,

- (f) providing care or assistance to a vulnerable person, including emergency assistance, where—
 - (i) the wearing of a face covering would materially impede the seeking of the assistance, or
 - (ii) the assistance is emergency assistance and either the person does not have a face covering with them or there is not time to put one on,
 - (g) acting to avoid injury, or illness or to escape a risk of harm, where—
 - (i) the wearing of a face covering would materially impede the seeking of the assistance, or
 - (ii) the assistance is emergency assistance and either the person does not have a face covering with them or there is not time to put one on,
 - (h) unable to put on, wear or remove a face covering—
 - (i) because of any physical or mental illness or impairment or disability (within the meaning of section 6 of the Equality Act 2010⁽²⁾), or
 - (ii) without severe distress,
 - (i) communicating with a person who has difficulties communicating (in relation to speech, language or otherwise) and relies on lip reading or facial expression to be able to communicate,
 - (j) eating or drinking,
 - (k) taking part in exercise of a type which reasonably requires that the person is not wearing a face covering,
 - (l) taking medication, the taking of which reasonably requires that the person is not wearing a face covering,
 - (m) complying with a request by a relevant person or another person acting in the course of their duties, and in this sub-paragraph “relevant person” has the meaning given by regulation 25(10),
 - (n) undertaking food handling tasks, to avoid risk to the hygiene or safety of food arising from or in connection with the wearing of a face covering, or
 - (o) undertaking tasks in the course of their employment, where the wearing of a face covering would cause a material risk of harm.
- (2) In this regulation—
- “communal area” means an area where persons mingle or gather, such as—
- (a) passageways,
 - (b) stairs,
 - (c) lifts,
 - (d) staff rooms,
 - (e) training rooms,
 - (f) changing rooms, or
 - (g) entrances,
- “school” has the meaning given by section 135(1) of the Education (Scotland) Act 1980⁽³⁾,

(2) 2010 c.15.

(3) 1980 c.44, amended by section 2 of the Registered Establishments (Scotland) Act 1987 (c.40) and schedule 3 of the Standards in Scotland’s Schools etc. Act 2000 (asp 6).

“workplace” excludes a school.”.

(4) In regulation 26 (offences and penalties), for “or 24” substitute “, 24 or 24A”.

(5) In paragraph 1(b) of the schedule (places where face coverings must be worn), for “except” substitute “including”.