

## SCHEDULE 4

### Level 3 Restrictions

## PART 3

### Restrictions on gatherings

#### Restriction on public gatherings indoors in <sup>F1</sup>... Level 3 area

**10.**—(1) A person must not participate in a gathering in a public place indoors located in a Level 3 area, unless the gathering—

- (a) consists of no more than six persons from no more than two households,
- (b) is for the purpose of—
  - (i) work or providing voluntary or charitable services,
  - (ii) childcare, education or training,
  - (iii) attending a place of worship,
  - (iv) providing care or assistance to a vulnerable person,
  - (v) providing emergency or medical assistance,
  - (vi) avoiding injury, illness or escaping a risk of harm,
  - (vii) facilitating a house move,
  - (viii) facilitating shared parenting arrangements,
  - (ix) participating in legal proceedings or fulfilling a legal obligation,
  - (x) donating blood,
  - (xi) accessing public services, including—
    - (aa) social services,
    - (bb) services provided by the Department for Work and Pensions,
    - (cc) services provided to victims (such as victims of crime),
  - (xii) an organised activity which is for persons under 18 year of age,
  - (xiii) organised exercise which is for persons under 18 years of age,
- (c) relates to a funeral, marriage ceremony or civil partnership registration, or
- (d) is taking place in student accommodation, where all the persons in the gathering—
  - (i) are using cooking, dining, toilet or washing facilities which are shared with any person who is not a member of their household, and
  - (ii) have the accommodation as their only or main residence.

(2) For the purpose of sub-paragraph (1)(a), children under 12 years of age are not to be included when counting the number of persons participating in a gathering but are to be included when counting the number of households participating in a gathering.

(3) For the purpose of sub-paragraph (1)(b)(xii) and (xiii), an activity or exercise is “organised” if—

- (a) it is organised by—
  - (i) a person who is responsible for carrying on a business or providing a service,
  - (ii) a person who is responsible for a place of worship,

**Status:** Point in time view as at 16/04/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020, PART 3.* (See end of Document for details)

- (iii) a charity or other not for profit organisation,
- (iv) a club or political organisation, or
- (v) the governing body of a sport or other activity, and
- (b) the organiser has taken such measures described in paragraph 7(1)(a) and (b) as are relevant to the particular activity or exercise, taking into account any relevant guidance issued by the Scottish Ministers.

**Textual Amendments**

**F1** Word in sch. 4 para. 10 heading omitted (13.11.2020 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Amendment \(No. 2\) Regulations 2020 \(S.S.I. 2020/374\)](#), regs. 1, **18(3)**

**Commencement Information**

**II** Sch. 4 para. 10 in force at 2.11.2020 at 6.00 a.m., see reg. 1(1)

**Restriction on public gatherings outdoors in a Level 3 area**

**11.—(1)** A person must not participate in a gathering in a public place outdoors located in a Level 3 area, unless the gathering—

- (a) consists of no more than six persons from no more than [<sup>F2</sup>six] households,
- <sup>F3</sup>(b) .....
- (c) consists of persons who are all under 12 years of age,
- (d) is for the purpose of—
  - (i) work or providing voluntary or charitable services,
  - (ii) childcare, education or training,
  - (iii) attending a place of worship,
  - (iv) providing care or assistance to a vulnerable person,
  - (v) providing emergency or medical assistance,
  - (vi) avoiding injury, illness or escaping a risk of harm,
  - (vii) facilitating a house move,
  - (viii) facilitating shared parenting arrangements,
  - (ix) participating in legal proceedings or fulfilling a legal obligation,
  - (x) donating blood,
  - (xi) accessing public services, including—
    - (aa) social services,
    - (bb) services provided by the Department for Work and Pensions,
    - (cc) services provided to victims (such as victims of crime),
  - (xii) an organised activity which is not a public procession,
  - (xiii) organised exercise which—
    - (aa) is not a contact sport, or
    - (bb) is for persons under 18 years of age,
  - <sup>F4</sup>(xiv) an organised picket,]

**Status:** Point in time view as at 16/04/2021.

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- (e) relates to a funeral, marriage ceremony or civil partnership registration, or
- (f) is taking place in student accommodation, where all the persons in the gathering—
  - (i) are using cooking, dining, toilet or washing facilities which are shared with any person who is not a member of their household, and
  - (ii) have the accommodation as their only or main residence.
- (2) For the purpose of sub-paragraph (1)(a), children under 12 years of age are not to be included when counting the number of persons or households participating in a gathering.
- (3) For the purpose of sub-paragraph (1)(d)(xii) and (xiii), an activity or exercise is “organised” if—
  - (a) it is organised by—
    - (i) a person who is responsible for carrying on a business or providing a service,
    - (ii) a person who is responsible for a place of worship,
    - (iii) a charity or other not for profit organisation,
    - (iv) a club or political organisation, or
    - (v) the governing body of a sport or other activity, and
  - (b) the organiser has taken such measures described in paragraph 7(1)(a) and (b) as are relevant to the particular activity or exercise, taking into account any relevant guidance issued by the Scottish Ministers.
- [<sup>F5</sup>(4) For the purpose of sub-paragraph (1)(d)(xiv), a picket is “organised” if—
  - (a) it is carried out in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992, and
  - (b) the organiser of the picket has taken such measures described in paragraph 7(1)(a) and (b) as are relevant taking into account any relevant guidance issued by the Scottish Ministers.]

#### Textual Amendments

- F2** Word in sch. 4 para. 11(1)(a) substituted (16.4.2021) by [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Amendment \(No. 20\) Regulations 2021 \(S.S.I. 2021/186\)](#), regs. 1(2), **3(2)(a)**
- F3** Sch. 4 para. 11(1)(b) omitted (16.4.2021) by virtue of [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Amendment \(No. 20\) Regulations 2021 \(S.S.I. 2021/186\)](#), regs. 1(2), **3(2)(b)**
- F4** Sch. 4 para. 11(1)(d)(xiv) inserted (26.3.2021) by [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Amendment \(No. 18\) Regulations 2021 \(S.S.I. 2021/166\)](#), regs. 1(2), **6(2)(a)**
- F5** Sch. 4 para. 11(4) inserted (26.3.2021) by [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Amendment \(No. 18\) Regulations 2021 \(S.S.I. 2021/166\)](#), regs. 1(2), **6(2)(b)**

#### Commencement Information

- I2** Sch. 4 para. 11 in force at 2.11.2020 at 6.00 a.m., see reg. 1(1)

### Restriction on gatherings in private dwellings in a Level 3 area

**12.—(1)** A person must not attend a gathering in a private dwelling located in a Level 3 area, unless the gathering—

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- (a) takes place outdoors and consists of no more than six persons from no more than [<sup>F6</sup>six] households,
  - [<sup>F7</sup>(b) takes place outdoors and all the persons in the gathering are under 12 years of age,]
  - (c) is for the purpose of—
    - (i) work or providing voluntary or charitable services,
    - (ii) 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) facilitating shared parenting arrangements,
    - (viii) fulfilling a legal obligation,
  - (d) is a funeral, marriage ceremony or civil partnership registration, or
  - (e) is taking place in student accommodation, where all the persons in the gathering—
    - (i) are using cooking, dining, toilet or washing facilities which are shared with any person who is not a member of their household, and
    - (ii) have the accommodation as their only or main residence.
- (2) For the purpose of sub-paragraph (1)(a), children under 12 years of age are not to be included when counting the number of people or households attending a gathering.

**Textual Amendments**

- F6** Word in sch. 4 para. 12(1)(a) substituted (16.4.2021) by [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Amendment \(No. 20\) Regulations 2021 \(S.S.I. 2021/186\)](#), regs. 1(2), **3(3)(a)**
- F7** Sch. 4 para. 12(1)(b) substituted (16.4.2021) by [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Amendment \(No. 20\) Regulations 2021 \(S.S.I. 2021/186\)](#), regs. 1(2), **3(3)(b)**

**Commencement Information**

- I3** Sch. 4 para. 12 in force at 2.11.2020 at 6.00 a.m., see reg. 1(1)

**Status:**

Point in time view as at 16/04/2021.

**Changes to legislation:**

There are currently no known outstanding effects for the The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020, PART 3.