

SCHEDULE 5

Level 4 Restrictions

PART 3

Restrictions on gatherings

Restriction on public gatherings indoors in ^{F1}... Level 4 area

11.—(1) A person must not participate in a gathering in a public place located in a Level 4 area, unless the gathering—

- (a) consists of no more than [^{F2}two] 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),
- (c) relates to a funeral, ^{F3}...
- [^{F4}(ca) is a 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.

Textual Amendments

- F1** Word in sch. 5 para. 11 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)**

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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)

F2	Word in sch. 5 para. 11(1)(a) substituted (5.1.2021) by The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 10) Regulations 2021 (S.S.I. 2021/1) , regs. 1, 4(a)
F3	Words in sch. 5 para. 11(1)(c) omitted (20.11.2020 at 6.00 p.m.) by virtue of The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 3) Regulations 2020 (S.S.I. 2020/389) , regs. 1, 10(a)
F4	Sch. 5 para. 11(1)(ca) inserted (20.11.2020 at 6.00 p.m.) by The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 3) Regulations 2020 (S.S.I. 2020/389) , regs. 1, 10(b)
Commencement Information	
I1	Sch. 5 para. 11 in force at 2.11.2020 at 6.00 a.m., see reg. 1(1)

Restriction on public gatherings outdoors in a Level 4 area

12.—(1) A person must not participate in a gathering in a public place outdoors located in a Level 4 area, unless the gathering—

- [^{F5}(a) consists of no more than two persons from different households,]
- ^{F6}(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),
 - ^{F7}(xii)
- [^{F8}(xiii) an organised activity which is for persons under [^{F9}12] years of age, but which is not a public procession,]
- (e) relates to a funeral, ^{F10}...
- [^{F11}(ea) is a 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

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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)

- (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 [^{F12}sub-paragraph ^{F13}... (xiii), exercise or activity] 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 8(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

- F5** Sch. 5 para. 12(1)(a) substituted (5.1.2021) by [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Amendment \(No. 10\) Regulations 2021 \(S.S.I. 2021/1\)](#), regs. 1, **4(b)(i)**
- F6** Sch. 5 para. 12(1)(b) omitted (5.1.2021) by virtue of [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Amendment \(No. 10\) Regulations 2021 \(S.S.I. 2021/1\)](#), regs. 1, **4(b)(ii)**
- F7** Sch. 5 para. 12(1)(d)(xii) omitted (5.1.2021) by virtue of [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Amendment \(No. 10\) Regulations 2021 \(S.S.I. 2021/1\)](#), regs. 1, **4(b)(iii)**
- F8** Sch. 5 para. 12(1)(d)(xiii) inserted (13.11.2020 at 6.00 a.m.) by [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Amendment \(No. 2\) Regulations 2020 \(S.S.I. 2020/374\)](#), regs. 1, **9(a)**
- F9** Word in sch. 5 para. 12(1)(d)(xiii) substituted (5.1.2021) by [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Amendment \(No. 10\) Regulations 2021 \(S.S.I. 2021/1\)](#), regs. 1, **4(b)(iv)**
- F10** Words in sch. 5 para. 12(1)(e) omitted (20.11.2020 at 6.00 p.m.) by virtue of [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/389\)](#), regs. 1, **11(a)**
- F11** Sch. 5 para. 12(1)(ea) inserted (20.11.2020 at 6.00 p.m.) by [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/389\)](#), regs. 1, **11(b)**
- F12** Words in sch. 5 para. 12(3) substituted (13.11.2020 at 6.00 a.m.) by [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Amendment \(No. 2\) Regulations 2020 \(S.S.I. 2020/374\)](#), regs. 1, **9(b)**
- F13** Words in sch. 5 para. 12(3) omitted (5.1.2021) by virtue of [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Amendment \(No. 10\) Regulations 2021 \(S.S.I. 2021/1\)](#), regs. 1, **4(b)(v)**

Commencement Information

- I2** Sch. 5 para. 12 in force at 2.11.2020 at 6.00 a.m., see reg. 1(1)

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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)

Restriction on gatherings in private dwellings in a Level 4 area

13.—(1) A person must not attend a gathering in a private dwelling located in a Level 4 area, unless the gathering—

- [^{F14}(a) takes place outdoors and consists of no more than two persons from different households,]
- (b) takes place outdoors and—
 - ^{F15}(i)
 - (ii) 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) fulfilling a legal obligation,
 - (viii) facilitating shared parenting arrangements,
- (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

F14 Sch. 5 para. 13(1)(a) substituted (5.1.2021) by *The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 10) Regulations 2021 (S.S.I. 2021/1)*, regs. 1, **4(c)(i)**

F15 Sch. 5 para. 13(1)(b)(i) omitted (5.1.2021) by virtue of *The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 10) Regulations 2021 (S.S.I. 2021/1)*, regs. 1, **4(c)(ii)**

Commencement Information

I3 Sch. 5 para. 13 in force at 2.11.2020 at 6.00 a.m., see reg. 1(1)

Status:

Point in time view as at 05/01/2021.

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.