

## POLICY NOTE

### THE HEALTH PROTECTION (CORONAVIRUS) (RESTRICTIONS AND REQUIREMENTS) (LOCAL LEVELS) (SCOTLAND) AMENDMENT (NO. 4) REGULATIONS 2020

SSI 2020/392

The above instrument was made in exercise of the power conferred by paragraph 1(1) of schedule 19 of the Coronavirus Act 2020 (“the Act”). The instrument is subject to made affirmative procedure by virtue of paragraph 6(3) of schedule 19 of the Act.

These Regulations set out changes to the level that applies to one area of Scotland, all other areas remain in the same level.

#### Legislative background

1. The UK Coronavirus Act 2020 received Royal Assent on 25 March 2020. Under that Act, the Scottish Government made regulations (in force from 26 March) to implement physical distancing and impose restrictions on gatherings, events and operation of business activity. From 14 September they were replaced by the Health Protection (Coronavirus) (Restrictions and Requirements) (Scotland) Regulations 2020. From 9 October those regulations were suspended and replaced by the Health Protection (Coronavirus) Restrictions and Requirements) (Additional Temporary Measures) (Scotland) Regulations 2020. A new levels-based approach was introduced on 2 November, when the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 (“the principal regulations”) came into force and revoked the previous regulations.

#### Policy Objectives

##### *Adjustments to allocation of levels*

2. The Regulations amend the current allocation of levels to one area of Scotland. East Lothian local government area is moved from Level 3 to Level 2 as a result of recent data. No other changes have been made to the allocation of levels at this time. Supporting data was published on 17 November 2020 - <https://www.gov.scot/publications/coronavirus-covid-19-allocation-of-levels-to-local-authorities-17-november-2020/>.

#### Consultation

3. There has been no public consultation in relation to this instrument. The Scottish Government has informally consulted with the industry bodies affected.

#### Impact Assessments

4. Impact Assessments have not been prepared for this instrument. Impact Assessments have been prepared previously to assess the impact of the restrictions within levels, these are published alongside the relevant Regulations. The provisions are subject to strict obligations on the Scottish Government to review their necessity.

Scottish Government  
Directorate for Constitution and Cabinet  
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