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SCOTTISH STATUTORY INSTRUMENTS

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**2020 No. 415**

**The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 6) Regulations 2020**

**Restrictions on gatherings: temporary measures**

3. After regulation 3A (modification of restrictions in certain areas) insert—

**“Temporary modification of restrictions: holiday gatherings**

**3B.**—(1) For the period beginning on 23 December 2020 and ending at 11:59 p.m. on 27 December 2020 the restrictions in these Regulations have effect as if—

(a) in regulation 2(1) (interpretation), after the definition of “gathering” there were inserted—

““holiday gathering” means a gathering of no more than 8 persons from no more than 3 households who have chosen to be treated as a holiday gathering for the purposes of—

(a) gathering in a private dwelling which is either—

(i) the main residence of one of the households, or

(ii) located in the same local authority area as the place which is the main residence of one of the households,

(b) gathering outdoors,”

(b) in schedule 2 (level 1 restrictions) before paragraph 9(1)(a) (restriction on gatherings in private dwellings in a level 1 area) there were inserted—

“(za) is a holiday gathering,”

(c) in schedule 3 (level 2 restrictions)—

(i) before paragraph 12(1)(a) (restriction on public gatherings outdoors in a level 2 area) there were inserted—

“(za) is a holiday gathering,”

(ii) before paragraph 13(1)(a) (restriction on gatherings in private dwellings in a level 2 area) there were inserted—

“(za) is a holiday gathering,”

(d) in schedule 4 (level 3 restrictions)—

(i) before paragraph 11(1)(a) (restriction on public gatherings outdoors in a level 3 area) there were inserted—

“(za) is a holiday gathering,”

(ii) before paragraph 12(1)(a) (restriction on gatherings in private dwellings in a level 3 area) there were inserted—

“(za) is a holiday gathering,”

- (iii) before paragraph 15(2)(a) (travel restrictions: reasonable excuses) there were inserted—
    - “(za) gather with one or more other households as a holiday gathering or a gathering in England, Wales or Northern Ireland of a kind only permitted during the relevant period,”
  - (e) in schedule 5 (level 4 restrictions)—
    - (i) after paragraph 3(1) (requirement to cease providing holiday accommodation in a level 4 area) there were inserted—
      - “(1A) Sub-paragraph (1) does not prevent a holiday gathering in a private dwelling.”
    - (ii) before paragraph 3(2)(a) there were inserted—
      - “(za) to a person for the purpose of attending a holiday gathering in a private dwelling which is located in the same local authority area as that holiday accommodation,”
    - (iii) before paragraph 12(1)(a) (restriction on public gatherings outdoors in a level 4 area) there were inserted—
      - “(za) is a holiday gathering,”
    - (iv) before paragraph 13(1)(a) (restriction on gatherings in private dwellings in a level 4 area) there were inserted—
      - “(za) is a holiday gathering,”
    - (v) before paragraph 16(2)(a) (travel restrictions: reasonable excuses) there were inserted—
      - “(za) gather with one or more other households as a holiday gathering or a gathering in England, Wales or Northern Ireland of a kind only permitted during the relevant period,”
  - (f) in schedule 7A (restrictions on leaving or entering Scotland: common travel area) before paragraph 3(2)(a) (travel restrictions: reasonable excuses) there were inserted—
    - “(za) gather with one or more other households as a holiday gathering or a gathering in England, Wales or Northern Ireland of a kind only permitted during the relevant period,”
- (2) For the purposes of travelling to or from Northern Ireland, the restrictions on movement in these Regulations have effect as if—
- (a) in schedule 4, after paragraph 15(2)(b) there were inserted—
    - “(ba) where it is necessary to do so in order to facilitate a holiday gathering or a gathering in England, Wales or Northern Ireland of a kind only permitted during the relevant period, travel the day before the relevant period,”
  - (b) in schedule 5, after paragraph 16(2)(b) there were inserted —
    - “(ba) where it is necessary to do so in order to facilitate a holiday gathering or a gathering in England, Wales or Northern Ireland of a kind only permitted during the relevant period, travel the day before the relevant period,”
  - (c) in schedule 7A, after paragraph 3(2)(b) there were inserted —

“(ba) where it is necessary to do so in order to facilitate a holiday gathering or a gathering in England, Wales or Northern Ireland of a kind only permitted during the relevant period, travel the day before the relevant period.”.

(3) In this regulation a reference to the “relevant period” is a reference to the period in paragraph (1).

(4) 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 attending a holiday gathering but are to be included when counting the number of households attending a holiday gathering.

(5) A person who during the relevant period attends—

(a) a holiday gathering may attend a subsequent gathering of that holiday gathering provided that in aggregate they gather with no more than 8 persons from not more than 3 households and may not attend any other holiday gathering,

(b) a gathering in England, Wales or Northern Ireland of a kind only permitted during the relevant period may not attend a holiday gathering.

(6) A holiday gathering may not include more than one extended household.”.