
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 1

The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 10) Regulations 2021

Amendment to Level 4: restrictions on gatherings and requirement to stay at home

4. In schedule 5 (level 4 restrictions)—
- (a) in paragraph 11 (restriction on public gatherings indoors in a level 4 area) in sub-paragraph (1)(a), for “six” substitute “two”,
 - (b) in paragraph 12 (restriction on public gatherings outdoors in a level 4 area)—
 - (i) for sub-paragraph (1)(a) substitute—

“(a) consists of no more than two persons from different households,”
 - (ii) omit sub-paragraph (1)(b),
 - (iii) omit sub-paragraph (1)(d)(xii),
 - (iv) in sub-paragraph (1)(d)(xiii) for “18” substitute “12”, and
 - (v) in sub-paragraph (3) omit “(1)(d)(xii) and”,
 - (c) in paragraph 13 (restriction on gatherings in private dwellings in a level 4 area)—
 - (i) for sub-paragraph (1)(a) substitute—

“(a) takes place outdoors and consists of no more than two persons from different households,”, and
 - (ii) omit sub-paragraph (1)(b)(i),
 - (d) omit paragraph 14 (restrictions on leaving level 4 area),
 - (e) for paragraph 16(1) (examples of reasonable excuse) substitute—

“16.—(1) For the purposes of regulation 15, examples of what constitutes a reasonable excuse (see regulation 5(4)) include entering or remaining in a Level 4 area that the person does not live in, for the purposes set out in sub-paragraph (2).” and
 - (f) after paragraph 16 (examples of reasonable excuse) insert—

“Requirement to stay at home in Level 4 areas

17.—(1) A person who is living in a Level 4 area must not leave the place where that person is living.

(2) For the purposes of sub-paragraph (1), the place where a person is living includes the premises where they live together with any garden, yard, passage, stair, garage, outhouse or other appurtenance of such premises.

(3) Sub-paragraph (1) does not apply to any person who is homeless.

Examples of reasonable excuse

18.—(1) For the purposes of regulation 17, examples of what constitutes a reasonable excuse (see regulation 5(4)) include leaving the place where the person is living, for the purposes set out in sub-paragraph (2).

(2) The purposes are to—

(a) obtain or provide—

(i) food and medical supplies for those in the same household (including animals in the household) or for vulnerable persons,

(ii) supplies for the essential upkeep, maintenance and functioning of the household, or the household of a vulnerable person,

(b) work or provide voluntary or charitable services, where it is not possible for the person to do so from home,

(c) access, provide or receive childcare, education or training, including a support service for parents or expectant parents,

(d) lead an act of worship,

(e) provide care or assistance to a vulnerable person,

(f) visit a person detained in a prison, young offenders institution, remand centre, secure accommodation or other place of detention,

(g) provide or receive emergency assistance,

(h) provide or obtain medical assistance, including accessing any of the following—

(i) audiology services,

(ii) chiropody services,

(iii) chiropractic services,

(iv) dental services,

(v) ophthalmic services,

(vi) osteopathic services,

(vii) services relating to mental health,

(viii) vaccination services,

(i) accompany a person obtaining medical assistance, or visit a person receiving treatment in a hospital or who is residing in a hospice or care home,

(j) avoid injury, illness or other risk of harm, or support someone who is doing so,

(k) move home or undertake activities in connection with the maintenance, purchase, sale, letting, or rental of residential property that the person owns or is otherwise responsible for,

(l) participate in or facilitate shared parenting arrangements,

(m) fulfil a legal obligation or participate in legal proceedings where it is not possible for the person to do so from the place where the person is living,

(n) vote, or register to vote, in an election (including to vote as proxy),

(o) donate blood,

(p) access public services, including any of the following, where it is not possible for the person to do so from the place where the person is living—

(i) social services,

- (ii) services provided by the Department for Work and Pensions,
- (iii) services provided to victims (such as victims of crime),
- (iv) asylum and immigration services and interviews,
- (q) access services provided by voluntary or charitable services, including food banks,
- (r) access waste disposal or recycling facilities,
- (s) obtain money from or deposit money with a business mentioned in paragraph 2(3)(j) or (k), where it is not possible for the person to do so from the place where the person is living,
- (t) undertake exercise or recreation—
 - (i) outdoors,
 - (ii) that starts and ends at the same place, which place must be—
 - (aa) in the local government area in which that person lives, or
 - (bb) within 5 miles of such local government area, and
 - (iii) is either undertaken—
 - (aa) alone,
 - (bb) with members of that person’s household,
 - (cc) in a gathering within the meaning of paragraph 12(1)(a), (b) or (c),
 - (dd) in a gathering within the meaning of paragraph 12(1)(d)(xiii),
 - (ee) in a gathering within the meaning of paragraph 13(1)(a), or
 - (ff) in a gathering within the meaning of paragraph 13(1)(b)(i) or (ii),
- (u) where the person is a professional sportsperson, or the coach of a professional sportsperson, coach, train or compete,
- (v) attend a solemnisation of a marriage or registration of a civil partnership,
- (w) attend a funeral or to travel for compassionate reasons which relate to the end of a person’s life,
- (x) feed or care for an animal, including obtaining veterinary services,
- (y) where the person is a member of an extended household, visit a member of the household which forms the other part of the extended household in the place where that other member is living, and
- (z) facilitate the formation of an end of term household, where either or both of the student or the other household which will make up the end of term household live outwith the same area or, as the case may be, in a Level 4 area.”.