
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 (“the Local Levels Regulations”). Regulations 3 and 5(6)(c) come into force on 15 March 2021. Otherwise these Regulations come into force on 12 March 2021.

Regulation 3 amends regulation 2 of the Local Levels Regulations (interpretation) to insert definitions relevant to the amendments made by regulation 5(6)(c).

Regulation 4 amends schedule 4 of the Local Levels Regulations (level 3 restrictions). Paragraph 15 is amended, to make provision so that outdoor exercise or outdoor recreation are examples of a reasonable excuse for entering or leaving a Level 3 area. Some conditions apply for the reasonable excuse to be available, including that the activity starts and ends at the same place, which must be in the local government area in which the person lives, or within 5 miles of that area.

Regulation 5 amends schedule 5 of the Local Levels Regulations (level 4 restrictions).

Regulation 5(2) amends paragraph 11, to increase the number of persons who can gather indoors in a public place.

Regulation 5(3) amends paragraph 12, to increase the number of adults and the number of persons aged 12 to 17 years who can gather outdoors. It increases the number of adults and persons aged 12 to 17 years who can meet outdoors, including for organised exercise and non-contact sport. It also re-introduces provision which enables 12 to 17 year olds to take part in organised activities. Regulation 5(4) amends paragraph 13, to increase the number of adults and persons aged 12 to 17 years who can gather in private dwellings outdoors.

Regulation 5(5) amends paragraph 16, so that it is an example of a reasonable excuse to enter a level 4 area to participate in or facilitate organised activity, sport or exercise which is for persons under 18 years of age. Paragraph 16 is also amended, so that outdoor exercise or outdoor recreation are examples of a reasonable excuse to enter a level 4 area. Similarly to the provision in regulation 4 in regard to level 3, some conditions apply for the reasonable excuse to be available.

Regulation 5(6)(a) and (b) amend paragraph 18, so that it is an example of a reasonable excuse to leave home in a level 4 area, to participate in or facilitate organised activity, sport or exercise which is for persons under 18 years of age. Regulation 5(6)(c) makes provision so that it is an example of a reasonable excuse to leave home in a level 4 area to undertake activities for election purposes or to observe an election.