

2021 No. 224

PUBLIC HEALTH

The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 25) Regulations 2021

Approved by the Scottish Parliament

Made - - - - at 11.47 a.m. on 27th May 2021

Laid before the Scottish Parliament at 2.30 p.m. on 27th May 2021

Coming into force - - 31st May 2021

The Scottish Ministers make the following Regulations in exercise of the power conferred by paragraph 1(1) of schedule 19 of the Coronavirus Act 2020^(a) (“the Act”) and all other powers enabling them to do so.

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of coronavirus in Scotland.

The Scottish Ministers consider that the restrictions and requirements imposed by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with paragraph 6(2) and (3) of schedule 19 of the Act, the Scottish Ministers are of the opinion that, by reason of urgency, it is necessary to make these Regulations without a draft having been laid before, and approved by a resolution of, the Scottish Parliament.

Citation and commencement

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 25) Regulations 2021.

(2) These Regulations come into force on 31 May 2021.

Amendment of the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020

2. The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020^(b) are amended as follows.

(a) 2020 c.7.

(b) S.S.I. 2020/344, last amended by S.S.I. 2021/211.

Amendment of schedule 3 (Level 2 restrictions)

3. In schedule 3 (Level 2 restrictions), in paragraph 11(1)(b)(xii) (restrictions on public gatherings indoors in a Level 2 area), omit “which is for persons under 18 years of age”.

Amendment of schedule 7 (face covering requirements)

4. In schedule 7 (face covering requirements)—

(a) in paragraph 2 (requirement to wear face coverings in certain indoor places), after subparagraph (p), insert—

“(pa) receiving a close contact service that requires access to the area covered by a face covering, where—

(i) the face covering is removed only for as long as is necessary to receive the service to that area, and

(ii) the person giving the service takes appropriate mitigation measures to minimise exposure to coronavirus, taking into account any relevant guidance issued by the Scottish Ministers,”

(b) after paragraph 2, insert—

“**2A.** In paragraph 2(pa), “a close contact service” means—

(a) hairdressing and barber services,

(b) beauty and nail services (including make-up services),

(c) hair removal services,

(d) tattoo, piercing and body modification services,

(e) fashion design, dress-fitting and tailoring services,

(f) indoor portrait photography and art services,

(g) massage therapies,

(h) complementary and alternative medicine services requiring physical contact or close physical proximity between persons, but not osteopathy and chiropractic services,

(i) spa and wellness services,

(j) other services or procedures which require physical contact or close physical proximity between a provider and a customer and are not ancillary to medical, health or social care services.”

JOHN SWINNEY

A member of the Scottish Government

St Andrew's House,
Edinburgh
At 11.47 a.m. on 27th May 2021

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”). These Regulations come into force on 31 May 2021.

Regulation 3 amends schedule 3 of the Local Levels Regulations, which sets out restrictions applying in Level 2 areas. Paragraph 11 of schedule 3 sets out restrictions on public gatherings indoors in Level 2 areas. The amendment is to the effect that gathering is permitted in Level 2 areas for the purpose of organised activity involving persons of any age (organised activity is defined in paragraph 11(3) of schedule 3).

Regulation 4 amends schedule 7 of the Local Levels Regulations to add a new exception to the requirement to wear a face covering in certain indoor places. The effect of the amendment is that, in certain circumstances, a person does not require to wear a face covering in a place mentioned in paragraph 3 of schedule 7 of the Local Levels Regulations if they are receiving a close contact service that requires access to the area covered by a face covering.

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