
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 3

The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 11) Regulations 2021

Amendment to Level 4: restrictions

4. In schedule 5 (level 4 restrictions)—
- (a) in paragraph 1 (requirement to close certain premises in a level 4 area to members of the public)—
- (i) in sub-paragraph (2)—
- (aa) in head (sd) after “premises” insert “or an area within a premises”,
- (bb) after head (sd) insert—
- “(se) an independent clinic which is registered with Healthcare Improvement Scotland under section 10P of the 1978 Act⁽¹⁾,
- (sf) an independent medical agency which is registered with Healthcare Improvement Scotland under section 10P of the 1978 Act,
- (sg) an independent hospital which is registered with Healthcare Improvement Scotland under section 10P of the 1978 Act”, and
- (cc) after head (t) insert—
- “(ta) a snow sports centre,”,
- (ii) in sub-paragraph (3) after head (d) insert—
- “(da) premises of a listed business in sub-paragraph (2)(se), (sf) or (sg) for the purposes of providing medical or surgical assistance,”, and
- (iii) after sub-paragraph (6) insert—
- “(7) In this paragraph—
- “the 1978 Act” means the National Health Service (Scotland) Act 1978,
- “medical or surgical assistance” does not include a cosmetic or aesthetic procedure (such as the injection or implantation into or under the skin of a substance for cosmetic purposes, or electrolysis).”,
- (b) after paragraph 1 insert—

“Requirement to close places of worship in a level 4 area to members of the public

1A.—(1) A person who is responsible for a place of worship must close that place of worship, except for a use permitted in paragraph (2).

(2) A place of worship may be used—

(1) 1978 c.29, section 10P was added by section 108 of the Public Services Reform (Scotland) Act 2010 (asp 8).

- (a) for a funeral,
 - (b) for a commemorative event for a person who has died but is not a wake or a funeral tea,
 - (c) to broadcast an act of worship, whether over the internet or as part of a radio or television broadcast,
 - (d) for a marriage ceremony or civil partnership registration which—
 - (i) consists of no more than 5 persons, or
 - (ii) where an interpreter is required to attend, consists of no more than 6 persons, or
 - (e) to provide essential voluntary services or urgent public support services (including the provision of food banks or other support for the homeless or vulnerable people, blood donation sessions, vaccination centres or support in an emergency),
provided that, in each case, the premises are used in accordance with the requirements of paragraph 8.
- (3) Sub-paragraph (1) does not prevent the use of premises, while those remain closed to members of the public, to take preparatory steps in pursuance of a requirement in paragraph 8.”,
- (c) in paragraph 7 (exceptions to food and drink business closures for certain services) omit sub-paragraph (2)(b),
 - (d) in paragraph 8(4)(c) (requirement to take measures to minimise risk of exposure to coronavirus in a level 4 area) for “including” substitute “excluding”,
 - (e) in paragraph 11 (restriction on public gatherings indoors in level 4 area)—
 - (i) omit sub-paragraph (1)(b)(iii),
 - (ii) in sub-paragraph (1)(c), for “relates to” substitute “is”,
 - (iii) for sub-paragraph (1)(ca) substitute—
 - “(ca) is a marriage ceremony or civil partnership registration and—
 - (i) consists of no more than 5 persons, or
 - (ii) where an interpreter is required to attend, consists of no more than 6 persons,” and
 - (iv) after sub-paragraph (1)(ca) insert—
 - “(cb) is a commemorative event for a person who has died but is not a wake or a funeral tea,”
 - (f) in paragraph 12 (restriction on public gatherings outdoors in a level 4 area)—
 - (i) omit sub-paragraph (1)(d)(iii),
 - (ii) in sub-paragraph (1)(e), for “relates to” substitute “is”,
 - (iii) for sub-paragraph (1)(ea) substitute—
 - “(ea) is a marriage ceremony or civil partnership registration and—
 - (i) consists of no more than 5 persons, or
 - (ii) where an interpreter is required to attend, consists of no more than 6 persons,”
 - (iv) after sub-paragraph (1)(ea) insert—

- “(eb) is a commemorative event for a person who has died but is not a wake or funeral tea.”, and
- (v) in sub-paragraph (3) insert “(1)(d)” before “(xiii)”,
- (g) in paragraph 13 (restriction on gatherings in private dwellings in a level 4 area)—
 - (i) in sub-paragraph (1)(d), omit “marriage ceremony or civil partnership registration, or,” and
 - (ii) after sub-paragraph (1)(d), insert—
 - “(da) is a marriage ceremony or civil partnership registration and—
 - (i) consists of no more than 5 persons, or
 - (ii) where an interpreter is required to attend, consists of no more than 6 persons, or”,
- (h) in paragraph 16(1) (examples of reasonable excuse), for “regulation 15” substitute “paragraph 15”,
- (i) in paragraph 18 (requirement to stay at home in level 4 areas: examples of reasonable excuse)(2)—
 - (i) in sub-paragraph (1), for “regulation 17” substitute “paragraph 17”,
 - (ii) for sub-paragraph (2)(v) substitute—
 - “(v) attend a marriage ceremony or registration of a civil partnership, where the person is, in relation to that marriage ceremony or civil partnership registration—
 - (i) a party,
 - (ii) a witness,
 - (iii) the approved celebrant or authorised registrar within the meaning of section 8(2) of the Marriage (Scotland) Act 1977(3),
 - (iv) the approved celebrant within the meaning of section 94A(4)(a) of the Civil Partnership Act 2004(4),
 - (v) the authorised registrar within the meaning of section 87(5) of the Civil Partnership Act 2004, or
 - (vi) a required interpreter,”, and
 - (iii) in sub-paragraph (2)(w) after “funeral”, insert “or commemorative event for a person who has died (other than a wake or a funeral tea)”.

(2) Paragraph 18 was inserted by [S.S.I. 2021/1](#).

(3) [1977 c.15](#). Section 8(2) was relevantly amended by section 12(2)(c) of the Marriage and Civil Partnership (Scotland) Act 2014 ([asp 5](#)) (“the 2014 Act”).

(4) [2004 c.33](#). Section 94A was inserted by section 24(13) of the 2014 Act.

(5) Section 87 was amended by section 24(4) of the 2014 Act.