
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 453

**The Health Protection (Coronavirus) (Requirements)
(Scotland) Amendment (No. 4) Regulations 2021**

Amendment of the Health Protection (Coronavirus) (Requirements) (Scotland) Regulations 2021

2.—(1) The Health Protection (Coronavirus) (Requirements) (Scotland) Regulations 2021(1) are amended in accordance with paragraphs (2) to (6).

(2) In regulation 7A (requirement to ensure that persons are fully vaccinated, or exempt, when in certain places)(2)—

(a) for the heading, substitute—

“Requirement to ensure that persons are fully vaccinated, have received appropriate test results, or are otherwise exempt, when in certain places”,

(b) in paragraph (3)—

(i) after sub-paragraph (a), insert—

“(aa) has received a negative result from a qualifying test taken by the person no more than 24 hours before the person enters the premises,”

(ii) for sub-paragraph (c) substitute—

“(c) for medical reasons—

(i) cannot be fully vaccinated against coronavirus, and

(ii) cannot undertake a qualifying test.”

(3) In regulation 7B(2)(b) (requirement to treat information as confidential)—

(a) at the end of head (ii), omit “or”,

(b) after head (ii), insert—

“(iia) has undertaken a qualifying test,

(iib) cannot undertake a qualifying test for medical reasons, or”.

(4) After regulation 7C(3) (requirement to have a compliance plan), insert—

“(4) A relevant person may inspect and copy any compliance plan shown to them in accordance with paragraph (2)(b).

(5) In this regulation, “relevant person” has the meaning given in regulation 15(8)(b).”.

(5) In regulation 7E(1) (interpretation of regulations 7A to 7D)—

(a) in the definition of “an exempt event”, after paragraph (f), insert—

“(fa) a gathering of individuals engaged in a protest or demonstration,”

(b) before the definition of “relevant event”, insert—

(1) S.S.I. 2021/277, amended by S.S.I. 2021/299, S.S.I. 2021/349 and S.S.I. 2021/384.

(2) Regulations 7A to 7E were added by S.S.I. 2021/349. Regulation 7A was amended with temporary effect by S.S.I. 2021/384.

““qualifying test” has the meaning given in paragraph (4),”.

(6) After regulation 7E(3), insert—

“(4) A test is a qualifying test if it is capable of detecting the presence of coronavirus, and is—

- (a) a polymerase chain reaction test provided or administered under the National Health Service Act 2006⁽³⁾, the National Health Service (Wales) Act 2006⁽⁴⁾, the National Health Service (Scotland) Act 1978⁽⁵⁾, or the Health and Personal Services (Northern Ireland) Order 1972⁽⁶⁾, or
- (b) a lateral flow test, the results of which have been submitted through the NHS public reporting system.”.

(3) 2006 c. 41.

(4) 2006 c. 42.

(5) 1978 c. 29.

(6) S.I. 1972/1265 (N.I. 14).