
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 86

**The Health Protection (Coronavirus) (Restrictions
and Requirements) (Local Levels) (Scotland)
Amendment (No. 16) Regulations 2021**

Amendment to schedule 5: level 4 restrictions

3. In schedule 5 (level 4 restrictions)—

- (a) after paragraph 4B (requirement to cease mobile close contact services or vehicle driving lessons or tests in respect of Level 4 areas) insert—

“Exemption for certain driving lessons and tests in Level 4 areas

4C.—(1) Paragraphs 4A and 4B(2), (4) and (5) do not prevent a person providing a driving test—

- (a) in accordance with their appointment under regulation 23(1)(c), (db) or (e) or 24(1)(cb), (d) or (f) of the 1999 Regulations, or
- (b) for the purposes of the 2007 Regulations, where that person is appointed to conduct driving tests under regulations 23(1)(e) or 24(1)(f) of the 1999 Regulations.

(2) Paragraphs 4A and 4B(2), (4) and (5) do not prevent a person providing a driving lesson—

- (a) for the purpose of delivering training prior to a test that will be conducted in accordance with sub-paragraph (1)(a), or
- (b) for the purpose of delivering training required by the 2007 Regulations, where that person is an eligible person to be appointed under regulations 23(1)(e) or 24(1)(f) of the 1999 Regulations.

(3) In this paragraph—

“the 1999 Regulations” means the Motor Vehicles (Driving Licences) Regulations 1999⁽¹⁾,

“the 2007 Regulations” means the Vehicle Drivers (Certificate of Professional Competence) Regulations 2007⁽²⁾.”

- (b) in paragraph 16 (restrictions on movement: examples of reasonable excuse) after sub-paragraph (2)(z) insert—

“(za) access or undertake driving lessons or take a driving test where the lesson or test is permitted under this schedule.”

(1) S.I. 1999/2864, relevantly amended by S.S.I. 2005/344, S.I. 2007/698, S.I. 2009/788, S.I. 2010/1203, S.I. 2011/3058 and S.S.I. 2013/119.

(2) S.I. 2007/605, amended by S.I. 2008/506, S.I. 2008/1965, S.I. 2010/865, S.I. 2010/1111, S.I. 2011/996, S.I. 2011/2324, S.I. 2013/602, S.I. 2013/1753, S.I. 2013/2667, S.I. 2014/1816, S.I. 2014/2264, S.I. 2015/583, S.I. 2015/2024, S.I. 2018/1004 and S.I. 2020/662.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (c) in paragraph 18 (requirement to stay at home in level 4 areas: examples of reasonable excuse) after sub-paragraph (2)(z) insert—
- “(za) access or undertake driving lessons or take a driving test where the lesson or test is permitted under this schedule.”.