

SCOTTISH STATUTORY INSTRUMENTS

2021 No. 93

PUBLIC HEALTH

**The Coronavirus (Scotland) Acts (Early Expiry
and Suspension of Provisions) Regulations 2021**

Made - - - - 22nd February 2021
*Laid before the Scottish
Parliament* - - - - 24th February 2021
Coming into force - - 29th March 2021

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 13 of the Coronavirus (Scotland) Act 2020 ^{M1} and sections 8(1)(a) and 10 of the Coronavirus (Scotland) (No. 2) Act 2020 ^{M2}, and all other powers enabling them to do so.

Marginal Citations

M1 2020 asp 7.
M2 2020 asp 10.

Citation and commencement **S**

1. These Regulations may be cited as the Coronavirus (Scotland) Acts (Early Expiry and Suspension of Provisions) Regulations 2021 and come into force on 29 March 2021.

Commencement Information

I1 Reg. 1 in force at 29.3.2021, see **reg. 1**

Expiry of provisions of the Coronavirus (Scotland) Act 2020 **S**

2. 30 March 2021 is specified as the day on which the following provisions of the Coronavirus (Scotland) Act 2020 expire—

- (a) paragraph 2(2) of schedule 3 (period for which child assessment order has effect),
- (b) schedule 7—
 - (i) paragraphs 15 to 18 (land registration: period of effect of advance notice),
 - (ii) paragraphs 20 to 22 (Anatomy Act 1984: extension of periods),

Changes to legislation: There are currently no known outstanding effects for the The Coronavirus (Scotland) Acts (Early Expiry and Suspension of Provisions) Regulations 2021. (See end of Document for details)

(iii) paragraphs 32 and 33 (muirburn) ^{M3}.

Commencement Information

I2 Reg. 2 in force at 29.3.2021, see **reg. 1**

Marginal Citations

M3 Paragraphs 32 and 33 of schedule 7 of the Coronavirus (Scotland) Act 2020 were suspended by S.S.I. 2020/260.

Expiry of provisions of the Coronavirus (Scotland) (No. 2) Act 2020 **S**

3. 30 March 2021 is specified as the day on which the following provisions of the Coronavirus (Scotland) (No. 2) Act 2020 expire—

- (a) paragraph 7 of schedule 2 (fixed penalty notices under the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020),
- (b) schedule 4—
 - (i) paragraph 13 (low emission zones),
 - (ii) paragraph 15 (traffic regulation).

Commencement Information

I3 Reg. 3 in force at 29.3.2021, see **reg. 1**

Suspension of provision of the Coronavirus (Scotland) (No. 2) Act 2020 **S**

^{F14}.

Textual Amendments

F1 Reg. 4 revoked (30.9.2021 at the end of the day) by Coronavirus (Extension and Expiry) (Scotland) Act 2021 (asp 19), **ss. 8(12), 11(1)**

Saving provision **S**

5. Despite regulation 2(b)(i), paragraph 15 of schedule 7 of the Coronavirus (Scotland) Act 2020, so far as it provides as to the meaning of a reference in paragraph 19 of that schedule to “the 2012 Act”, continues in effect until paragraph 19 ceases to have effect.

Commencement Information

I4 Reg. 5 in force at 29.3.2021, see **reg. 1**

St Andrew's House,
Edinburgh

MICHAEL RUSSELL
A member of the Scottish Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations expire certain provisions of the Coronavirus (Scotland) Act 2020 (the “first Act”) and the Coronavirus (Scotland) (No. 2) Act 2020 (the “second Act”). They also suspend a provision of the second Act.

These Regulations expire the following provisions—

paragraph 2(2) of schedule 3 of the first Act which modifies the period in relation to which a child assessment order has effect under the Children's Hearings (Scotland) Act 2011,

paragraphs 15 to 18 of schedule 7 of the first Act which extend the period of effect of advance notices while the Land Register and Register of Sasines are not fully open. The Keeper of the Registers of Scotland has announced that she will declare the registers fully open for the making or recording of entries on 1 March 2021,

paragraphs 20 to 22 of schedule 7 of the first Act which modify the Anatomy Act 1984 to extend the periods for which a body or parts of a body can be retained for the purpose of anatomical examination and enable such bodies or parts of bodies to be retained after examinations are concluded,

paragraphs 32 and 33 of schedule 7 of the first Act which modify section 23 of the Hill Farming Act 1946, to suspend the muirburn season. The operation of paragraphs 32 and 33 was suspended by the Coronavirus (Scotland) Act 2020 (Suspension: Muirburn) Regulations 2020 (S.S.I. 2020/260),

paragraph 7 of schedule 2 of the second Act which amended regulation 9 of the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020 (S.S.I. 2020/103) to raise (from 16 to 18 years) the age at which a person could be issued a fixed penalty notice under those Regulations. Those Regulations were revoked on 14 September 2020 by the Health Protection (Coronavirus) (Restrictions and Requirements) (Scotland) Regulations 2020 (S.S.I. 2020/279),

paragraph 13 of schedule 4 of the second Act which requires a report to be laid before the Scottish Parliament on the progress being made towards the introduction of low emission zones under Part 2 of the Transport (Scotland) Act 2019. That report was laid on 1 December 2020,

paragraph 15 of schedule 4 of the second Act which modifies section 15 of the Road Traffic Regulation Act 1984 to permit orders made under section 14 of that Act in relation to footpaths, bridleways, cycle tracks or byways to remain in force for up to 18 months and to be extended beyond that period by the Scottish Ministers.

Regulation 4 suspends the operation of paragraph 24 of schedule 1 of the second Act which places a duty on the Scottish Ministers, in conjunction with the Registrar General for Scotland, to take such steps as considered necessary to ensure the continued availability of the solemnisation of marriages and registration of civil partnerships. It also requires the Scottish Ministers to report periodically on the steps taken to comply with that duty and on the number of marriages solemnised and civil partnerships registered during each reporting period.

Regulation 5 saves the effect of paragraph 15 of schedule 7 of the first Act for the purposes of the definition of the 2012 Act in relation to paragraph 19 of schedule 7.

An impact assessment has not been produced for this instrument.

Changes to legislation:

There are currently no known outstanding effects for the The Coronavirus (Scotland) Acts (Early Expiry and Suspension of Provisions) Regulations 2021.