
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.