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COVID-19 Committee

Subordinate legislation considered by the Covid-19 Committee at its meeting on 28 January 2021



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COVID-19 Committee

Remit: To consider and report on the Scottish Government's response to COVID-19 including the operation of powers under the Coronavirus (Scotland) Act, the Coronavirus Act and any other legislation in relation to the response to COVID-19 and any secondary legislation arising from the Coronavirus (Scotland) Act and any other legislation in relation to the response to COVID-19.



Covid.Committee@parliament.scot

Committee Membership

**Convener**

Donald Cameron
Scottish Conservative
and Unionist Party

**Deputy Convener**

Monica Lennon
Scottish Labour

**Willie Coffey**

Scottish National Party

**Maurice Corry**

Scottish Conservative
and Unionist Party

**Annabelle Ewing**

Scottish National Party

**John Mason**

Scottish National Party

**Stuart McMillan**

Scottish National Party

**Mark Ruskell**

Scottish Green Party

**Beatrice Wishart**

Scottish Liberal
Democrats

Introduction

1. This report sets out the Covid-19 Committee's consideration of Scottish Statutory Instruments ('SSIs') at its meeting on 28 January 2021. The minutes of the meeting have been published on the [Committee's webpages](#). The Official Report of the meeting will be published by 6pm on 29 January 2021 on the [Committee's webpages](#).
2. At its meeting on 14 January 2021, the Committee took evidence from the Cabinet Secretary for the Constitution, Europe and External Affairs on SSI 2021/17, in its draft form. The [Official Report](#) and [minutes](#) of that meeting have been published on the [Committee's webpages](#).

The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 12) Regulations 2021 (SSI 2021/17)

3. The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 12) Regulations 2021 (SSI 2021/17) were laid on 14 January 2021. The instrument was made in exercise of the power conferred by paragraph 1(1) of schedule 19 of the Coronavirus Act 2020. The instrument is subject to made affirmative procedure by virtue of paragraph 6(3) of schedule 19 of the Act.
4. The [policy note](#) states that—

” “These Regulations amend the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 to prohibit evictions from taking place in Level 3 or 4 areas. These Regulations also require the closure of child contact centres, with the exception of child contact centres which are provided by local authorities. An exception is also made for all contact centres to be allowed to open for the purpose of handovers of a child to a person with whom they do not or will not live, and their return from a handover to a person with whom they do or will live. The Regulations allow premises which are required to close to the public to open, if it is for the purposes of providing a venue for vaccination. These Regulations adjust the restrictions surrounding click and collect services. They also prohibit the consumption of alcohol in outdoor public places and do not allow customers to enter food takeaway outlets in Level 4 areas. These Regulations tighten the existing stay at home requirement to ensure non-essential activities are not undertaken when leaving the home for permitted activities and restrict the ability to carry out work or services for the upkeep, maintenance or functioning of other people’s homes to essential work only in Level 4 areas. Finally, these Regulations make minor amendments to correct inaccuracies in the principal Regulations.”
5. The Delegated Powers and Law Reform ('DPLR') Committee considered SSI 2021/17 at its [meeting](#) on 26 January 2021 and had no points to raise.
6. At the Covid-19 Committee's meeting on 28 January 2021, the Cabinet Secretary for the Constitution, Europe and External Affairs, Michael Russell MSP, moved [Motion S5M-23888](#) in his name—That the COVID-19 Committee recommends that the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 12) Regulations 2021 (SSI 2021/17) be approved.
7. The motion was agreed to.
8. The Covid-19 Committee agreed Motion S5M-23888.

The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 13) Regulations 2021 (SSI 2021/25)

9. The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 13) Regulations 2021 (SSI 2021/25) were laid on 19 January 2021. The instrument was made in exercise of the power conferred by paragraph 1(1) of schedule 19 of the Coronavirus Act 2020. The instrument is subject to made affirmative procedure by virtue of paragraph 6(3) of schedule 19 of the Act.
10. The [policy note](#) states that—

”These Regulations amend the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 to set out changes to the level that applies to the Isle of Barra and the Isle of Vatersay to Level 4, whilst all other areas remain in the same levels.”
11. The Delegated Powers and Law Reform ('DPLR') Committee considered SSI 2021/25 at its [meeting](#) on 26 January 2021 and had no points to raise.
12. At the Covid-19 Committee's meeting on 28 January 2021, the Cabinet Secretary for the Constitution, Europe and External Affairs, Michael Russell MSP, moved [Motion S5M-23915](#) in his name—That the COVID-19 Committee recommends that the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 13) Regulations 2021 (SSI 2021/25) be approved.
13. The motion was agreed to.

The Covid-19 Committee agreed Motion S5M-23915.

