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COVID-19 Committee

Subordinate legislation considered by the Covid-19 Committee at its meeting on 3 December 2020



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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.



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Mark Ruskell
Scottish Green Party



Beatrice Wishart
Scottish Liberal
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Introduction

1. This report sets out the Covid-19 Committee's consideration of Scottish Statutory Instruments ('SSIs') at its meeting on 3 December 2020. 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 7 December 2020 on the [Committee's webpages](#).
2. The Committee also took evidence from the Cabinet Secretary for the Constitution, Europe and External Affairs on SSIs within the scope of this report at its meeting on 26 November 2020 and 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. 3) Regulations 2020 (SSI 2020/389)

3. The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 3) Regulations 2020 (SSI 2020/389) were laid on 20 November.
4. The [policy note](#) states that—
 - ” “These Regulations amend the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020. The Regulations modify some of the restrictions and requirements in some levels and set out changes to the level that applies to 11 areas of Scotland, all other areas remain in the same level.”
5. The Delegated Powers and Law Reform ('DPLR') Committee considered SSI 2020/389 at its meeting on [1 December 2020](#). The DPLR Committee had no points to raise, but stated in its report that—
 - ” During its consideration of the instrument, the Committee noted the significance of these regulations and the issues they raise and anticipated further discussions would take place in the COVID-19 Committee.
6. At the Covid-19 Committee's meeting on 3 December 2020, the Cabinet Secretary for the Constitution, Europe and External Affairs, Michael Russell MSP, moved Motion [S5M-23533](#) in his name— That the COVID-19 Committee recommends that the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 3) Regulations 2020 (SSI 2020/389) be approved.

7. The motion was agreed to (by division: For 8, Against 1, Abstentions 0).

8. The Covid-19 Committee agreed Motion S5M-23533.

The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 4) Regulations 2020 (SSI 2020/392)

9. The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 4) Regulations 2020 (SSI 2020/392) were laid on 24 November.
10. The [policy note](#) states that—
 - ” “These Regulations set out changes to the level that applies to one area of Scotland, all other areas remain in the same level.”
11. The Delegated Powers and Law Reform ('DPLR') Committee considered SSI 2020/392 at its meeting on [1 December 2020](#) and had no points to raise.
12. At the Covid-19 Committee's meeting on 3 December 2020, the Cabinet Secretary for the Constitution, Europe and External Affairs, Michael Russell MSP, moved Motion [S5M-23468](#) in his name— That the COVID-19 Committee recommends that the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 4) Regulations 2020 (SSI 2020/392) be approved.
13. The motion was agreed to without division.
14. The Covid-19 Committee agreed Motion S5M-23468.

