

# Coronavirus (Extension and Expiry) (Scotland) Bill

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## Marshalled List of Amendments selected for Stage 3

Amendments marked \* are new (including manuscript amendments) or have been altered.

### Section 2

#### Graham Simpson

- 1 In section 2, page 2, line 3, at end insert—  
<( ) In paragraph 4 of schedule 5 (alcohol licensing: licensing boards etc.), sub-paragraph (5)(d).>

#### John Swinney

- 2 In section 2, page 2, leave out lines 22 and 23

### After section 2

#### John Swinney

- 3 After section 2, insert—  
<**Suspension of provisions**
  - (1) The operation of paragraphs 22 and 23 (care homes: inspections and reporting on coronavirus deaths) of schedule 1 of the Coronavirus (Scotland) (No.2) Act 2020 is suspended at the end of 30 September 2021.
  - (2) For the purpose of section 8(1)(b) and (2) of the Coronavirus (Scotland) (No.2) Act 2020, the suspension by virtue of subsection (1) is to be treated as if it were by virtue of section 8(1)(a) of that Act.>

#### Jackie Baillie

- 4 After section 2, insert—  
<**Notice of changes to coronavirus related measures**
  - (1) The Scottish Ministers must, at least 24 hours before the proposed change would come into effect, lay before the Scottish Parliament a statement notifying it of any proposal to change a measure put in place by them to respond to the effect of the spread or incidence of coronavirus under—
    - (a) the Coronavirus (Scotland) Act 2020, or
    - (b) the Coronavirus (Scotland) (No.2) Act 2020.
  - (2) Subsection (1) does not apply if the Scottish Ministers consider that there are reasons of urgency which mean that it is not possible to comply with the requirement imposed by that subsection.

- (3) Where the Scottish Ministers rely on subsection (2), they must as soon as possible lay before the Scottish Parliament a statement explaining the circumstances.
- (4) In this section, “coronavirus” has the meaning given by section 1 of the Coronavirus (Scotland) Act 2020.>

**John Swinney**

5 After section 2, insert—

**<Report on certain matters relating to Act**

- (1) The Scottish Ministers must no later than one month after the day of Royal Assent lay before the Scottish Parliament a report of—
  - 5 (a) progress being made towards marriage ceremonies and civil partnership registrations and associated celebratory events being able to be held without restrictions arising from the spread or incidence of coronavirus,
  - (b) their view of the effect of this Act on—
    - 10 (i) the measures in place to help businesses to deal with the effects of disruption attributable to coronavirus,
    - (ii) social security support available for carers,
    - (iii) support available to persons who are required to self-isolate for a reason relating to coronavirus, and
    - (iv) social care services, and
  - 15 (c) the use of fiscal fines (that is, conditional offers of fixed penalties under section 302 of the Criminal Procedure (Scotland) Act 1995) during the period beginning on 7 April 2020 and ending on the day of Royal Assent.
- (2) The report must in particular include—
  - 20 (a) information on the restrictions remaining in place as respects the holding of marriage ceremonies and civil partnership registrations and associated celebratory events,
  - (b) information on the measures in place to help businesses deal with the effect of disruption attributable to coronavirus and any plans for further measures the Scottish Ministers propose to put in place to help businesses,
  - 25 (c) information on the social security support to help carers put in place for a reason related to coronavirus and any plans for further social security support to help carers the Scottish Ministers propose to put in place for such a reason,
  - (d) information on the support available to persons who are required to self-isolate for a reason relating to coronavirus and any plans for further support for such persons the Scottish Ministers propose to put in place,
  - 30 (e) information on the measures in place to restore social care services to their level as at 1 March 2020 and any plans for further measures the Scottish Ministers propose to put in place to secure this, and
  - (f) information on—
    - 35 (i) the numbers of fiscal fines issued for each level on the scale during the period mentioned in subsection (1)(c), and

- (ii) the numbers of fiscal fines issued for each level of the scale in the period ending on 6 April 2020 which is of the same length as the period mentioned in subsection (1)(c).

(3) In this section—

- 40 “carer” has the meaning given by section 1 of the Carers (Scotland) Act 2016,  
“coronavirus” has the meaning given by section 1 of the Coronavirus (Scotland) Act 2020,  
“the scale” means the scale in the schedule of the Criminal Procedure (Scotland) Act 1995 Fixed Penalty Order 2008 (S.S.I. 2008/108) (as it had effect at the time).>

**Pauline McNeill**

**5A** As an amendment to amendment 5, line 10, at end insert—

<( ) live music and live music venues,>

**Pauline McNeill**

**5B** As an amendment to amendment 5, line 23, at end insert—

<( ) information on the permissibility of live music in both indoor and outdoor venues and the impact of limitations on indoor household gatherings,>

**John Swinney**

**6** After section 2, insert—

**<Reporting on status of eviction provisions**

- (1) Each report required by section 15(1) of the Coronavirus (Scotland) Act 2020 must also include information on the operation during the period to which the report relates of schedule 1 of that Act, including in particular—
  - (a) the measures in place to protect tenants from eviction and any plans for further measures the Scottish Ministers propose to put in place to protect tenants from eviction,
  - (b) the number of notices of proceedings issued to tenants in social housing as a result of rent arrears in the period,
  - (c) the total value of rent arrears in the social housing sector accumulated during the period, and
  - (d) the number of eviction orders because of rent arrears issued by the First-tier Tribunal for Scotland during the period.
- (2) But subsection (1) does not require a report to include information on the operation of a provision if the provision has been expired before the period to which the report relates.>

**Pauline McNeill**

**7** After section 2, insert—

**<Duty to report on effect of Act on live music**

- (1) The Scottish Ministers must prepare and publish a report on the effect that the extension and expiry of provisions by this Act is likely to have on live music and live music venues.

- (2) The report under this section must include, in particular, information on—
  - (a) the permissibility of live music in both indoor and outdoor venues,
  - (b) the impact of limitations on indoor household gatherings.
- (3) The report under this section must be laid before the Scottish Parliament no later than one month after the date of Royal Assent.>

### **Section 3**

#### **John Swinney**

**8** In section 3, page 2, line 35, at end insert—

<(2A) In section 12 of the Coronavirus (Scotland) Act 2020, subsections (7) and (8) are repealed.>

#### **John Swinney**

**9** In section 3, page 3, line 1, at end insert—

<(3A) In schedule 6 of the Coronavirus (Scotland) Act 2020, paragraph 11(a) (local authority meetings: introductory) is repealed.>

#### **John Swinney**

**10** In section 3, page 3, line 3, at end insert—

<(4A) In section 9 of the Coronavirus (Scotland) (No.2) Act 2020, subsections (7) and (8) are repealed.>

### **After section 5**

#### **Paul Sweeney**

**11** After section 5, insert—

##### **<Report on expiry: business support**

- (1) The Scottish Ministers must lay before the Parliament, as soon as reasonably practicable, and within 2 months of Royal Assent, a report on the implications for business support of the extension or expiry of provisions in this Act.
- (2) This report must include, in particular, consideration of—
  - (a) any further support businesses require, and
  - (b) any limitations that should be placed on providing further support.
- (3) In considering any limitations under subsection (2)(b), the Scottish Ministers must consult—
  - (a) businesses in receipt of support on improving trade union recognition in their workplace,
  - (b) private bus companies and local authorities on regional franchising as a condition of support.>

#### **Pam Duncan-Glancy**

**12** After section 5, insert—

**<Duty to report on effect of Act on social security support for carers**

- (1) The Scottish Ministers must prepare and publish a report on the effect that the expiry of provisions by this Act is likely to have on the social security support available for carers and families with disabled children in them.
- (2) The report must set out in particular—
  - (a) whether the Scottish Ministers consider that, for a reason relating to the effect of coronavirus—
    - (i) further measures are required to support carers,
    - (ii) provision should be made for an amount equivalent to, or greater than, the carer’s allowance supplement paid under section 81(4A) of the Social Security (Scotland) Act 2018 for the period 1 April 2020 to 30 September 2020 to be paid for subsequent periods,
    - (iii) provision should be made for a supplement of £5 per week to be made to the Scottish child payment, paid under the Scottish Child Payment Regulations 2020, where the payment is made in respect of a dependant child who has a disability,
  - (b) where the Scottish Ministers do not propose to make the provision mentioned in sub-paragraph (ii) or (iii) of subsection (2)(a), their reasons.
- (3) The report under this section must be laid before the Scottish Parliament no later than one month after the date of Royal Assent.
- (4) In this section, “coronavirus” has the meaning given by section 1 of the Coronavirus (Scotland) Act 2020.>

**Pam Duncan-Glancy**

**13** After section 5, insert—

**<Duty to report on effect of Act on support for self-isolating persons**

- (1) The Scottish Ministers must prepare and publish a report on the effect that the extension and expiry of provisions by this Act is likely to have on the support available to a person who is required, for a reason relating to coronavirus, to self-isolate.
- (2) The report under this section must be laid before the Scottish Parliament no later than one month after the date of Royal Assent.
- (3) In this section, “coronavirus” has the meaning given by section 1 of the Coronavirus (Scotland) Act 2020.>

**Pam Duncan-Glancy**

**14** After section 5, insert—

**<Duty to report on effect of Act on social care services**

- (1) The Scottish Ministers must prepare and publish a report on the effect that the extension and expiry of provisions by this Act is likely to have on social care services.
- (2) The report must set out in particular whether the Scottish Ministers consider that further measures are required to ensure the early restoration of the availability of social care support packages and respite services to at least the level available prior to 1 March 2020.

- (3) The report under this section must be laid before the Scottish Parliament no later than one month after the date of Royal Assent.>

## **Section 6**

### **John Swinney**

- 15** In section 6, page 3, line 33, after <(1),> insert <(2A),>

### **John Swinney**

- 16** In section 6, page 3, line 33, after <(3),> insert <(3A),>

### **John Swinney**

- 17** In section 6, page 3, line 33, after <(3),> insert <(4A),>

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