

**CVDR/S6/22/9/4**

## **COVID-19 Recovery Committee**

**9th Meeting, 2022 (Session 6), Thursday 17  
March 2022**

### **Ministerial statement on COVID-19; and Subordinate legislation**

#### **Introduction**

1. At this meeting, the Deputy First Minister and Cabinet Secretary for COVID Recovery, will give evidence under agenda item 2.

2. The Committee will take evidence under this agenda item on the policy announcements arising from the latest Ministerial statement on COVID-19 on 15 March 2022. The Committee will also take evidence on four instruments under this agenda item. Two of these instruments relate to the Coronavirus (Scotland) Acts—

- The Coronavirus (Scotland) Acts (Amendment of Expiry Dates) Regulations 2022 [draft]
- The Coronavirus (Scotland) Acts (Early Expiry of Provisions) Regulations 2022 (SSI 2022/64)

3. The Committee will also take evidence on two other instruments that are subject to the made affirmative procedure under agenda item 2—

- The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 3) Regulations 2022 (SSI 2022/53)
- The Health Protection (Coronavirus) (Requirements) (Scotland) Amendment (No. 5) Regulations 2022 (SSI 2022/74)

4. The Committee will then take motions on instruments requiring approval under agenda item 3 that have been considered at this meeting and the meeting on 24 February 2022.

5. The Committee will be invited to agree whether it has recommendations to make in respect of the Coronavirus (Scotland) Acts (Early Expiry of Provisions) Regulations 2022 (SSI 2022/64) under agenda item 4.

## Agenda item 2: Ministerial statement on COVID-19; and Subordinate legislation

### Ministerial statement on COVID-19: Tuesday 15 March 2022

6. The Scottish Government delivers a statement to Parliament setting out its latest actions for responding to COVID-19 in a three-weekly cycle. The main public health measures being used to respond to COVID-19 are contained within the [principal health protection regulations](#) and the [principal international travel regulations](#). The Committee takes evidence from Scottish Ministers on any policy announcements arising from the statement and any changes to the regulations.
7. The next statement will take place on 15 March 2022. Members will take evidence on any policy announcements arising from this statement under agenda item 2.

### SPICe COVID-19 Update

8. The Scottish Parliament Information Centre ('SPICe') produces a briefing entitled 'SPICe COVID-19 Update' (see **Paper 6**). This provides Members with links to the latest guidance and supporting information published by the Scottish Government, in addition to a selection of websites with information on wider health and social and economic indicators in Scotland.

## Subordinate legislation

### *Overview*

9. The Deputy First Minister and Cabinet Secretary for COVID Recovery wrote to the Committee to explain that the Scottish Government proposes to extend provisions within the Coronavirus Act 2020, the Coronavirus (Scotland) Act 2020 and the Coronavirus (Scotland) (No.2) Act 2020 on a temporary basis until September 2022. The letter is attached at **Annexe A**. SPICe has also produced an explainer of the regulations, which is attached at **Annexe B**.

### *Expiry of the Coronavirus (Scotland) Acts*

#### *Policy Background: The Coronavirus (Scotland) Acts (Amendment of Expiry Dates) Regulations 2022 [draft]*

10. On 23 February 2022, the Scottish Government laid [The Coronavirus \(Scotland\) Acts \(Amendment of Expiry Dates\) Regulations 2022 \[draft\]](#). This instrument is subject to the 'affirmative' procedure. This means that the lead

committee would ordinarily have 40 days to scrutinise and report on the instrument. These regulations require parliamentary approval to come into force on 30 March 2022.

11. According to the draft [policy note](#), the purpose of the instrument is as follows—

“Part 1 of the each of the Acts can only be extended in their entirety and not on a provision by provision basis. This is done through regulations made following the agreement of the Parliament, and anything that should not be extended is therefore required to be expired through separate regulations.

The Scottish Government has taken the decision that, subject to the agreement of Parliament, Part 1 of each of the Acts should be extended to the end of 30 September 2022 and has laid these Regulations to amend the expiry dates accordingly. However, extension under these Regulations will not apply to all provisions currently in the Acts as some provisions have already been expired, while a separate instrument has been made and laid to expire early certain further provisions on 30 March 2022 – the Coronavirus (Scotland) Acts (Early Expiry of Provisions) Regulations 2022.

As required by section 12(6) of the First Scottish Act and section 9(6) of the Second Scottish Act, a separate [Statement of Reasons](#) has been prepared by the Scottish Government and laid with these Regulations, to set out reasons for making these Regulations.

The reporting requirement under section 15 of the First Scottish Act and section 12 of the Second Scottish Act will continue to require reporting whilst provisions in Part 1 of each of the Acts are in force. It is also important to note that, throughout the proposed six-month extension period, if provisions are deemed to be no longer necessary during that time, they can be suspended or expired early. A suspended provision could subsequently be revived if this was considered necessary. Therefore, proposing that Part 1 of each of the Acts be extended at this time does not mean that all provisions covered by the extension must remain in place until the end of 30 September 2022. As it has done throughout the life of the Acts so far, the Scottish Government will keep the continued necessity of these provisions under review.”

12. The draft policy note to these draft regulations states that—

“No impact assessments have been completed for this instrument. However, as part of the assessment of the continued necessity of the provisions beyond the end of 31 March 2022, assessment of the rights and equality impacts of extension has been undertaken.

A range of Impact Assessments were undertaken for the First Scottish Act, Second Scottish Act, Extension and Expiry Act and the recently introduced Recovery and Reform Bill.

The Scottish Government’s justification for why each individual provision in these Regulations continues to be needed beyond the end of 31 March 2022

is set out in the Statement of Reasons. The Scottish Government has assessed the potential impacts of extension and, in many cases, previous findings remain valid and no additional impacts are expected in the proposed extension of the provisions. Further information has been provided, where relevant and/or helpful, in the Statement of Reasons”.

13. The Delegated Powers and Law Reform (‘DPLR’) Committee considered these draft regulations at its meeting on 1 March 2022 and it had [no points to raise](#).

*Policy Background: The Coronavirus (Scotland) Acts (Early Expiry of Provisions) Regulations 2022 (SSI 2022/64)*

14. On 23 February 2022, the Scottish Government laid [SSI 2022/64](#) and the regulations will come into force on 29 March 2022. As the regulations are subject to the negative procedure, they will come into force unless a motion to annul is lodged and agreed by Parliament by 19 April 2022. A motion to annul these regulations has not been laid.

15. According to the [policy note](#), the purpose of the instrument is as follows—

“To expire early certain provisions in the Coronavirus (Scotland) Act 2020 and the Coronavirus (Scotland) (No.2) Act 2020 on 30 March 2022. Part 1 of each of the Acts expires at the end of 31 March 2022. The Scottish Ministers have laid a draft of the Coronavirus (Scotland) Acts (Amendment of Expiry Dates) Regulations 2022 seeking to amend each expiry date to the end of 30 September 2022. This would have the effect that Part 1 of each of the Acts, other than the provisions that have been expired, would then expire at the end of 30 September 2022.”

16. The policy note further explains that—

“No impact assessments have been completed for this instrument. However, as part of the assessment of the continued necessity of certain provisions beyond the end of 31 March 8 Code of practice for commercial property relationships following the COVID-19 pandemic - GOV.UK ([www.gov.uk](http://www.gov.uk)) 2022, assessment of the rights and equality impacts of expiring these provisions has been undertaken.

A range of Impact Assessments were undertaken for the First Scottish Act, Second Scottish Act, Extension and Expiry Act and the recently introduced Recovery and Reform Bill.

The Scottish Government has assessed the potential impacts of expiring these provisions and has determined that no detrimental effects on rights or equality are anticipated. The extended notice period provisions were put in place to protect public health by keeping people safe in their home, for as long as possible. Expiry of the extended notice period provisions will see a return to the original protections offered by the Private Residential Tenancy, which were already considered amongst the strongest in the UK.”

17. The DPLR Committee considered SSI 2022/64 at its meeting on 1 March 2022 and it had [no points to raise](#).

### *Policy Background: SSI 2022/53*

18. On 10 February 2022, the Scottish Government laid the [SSI 2022/53](#) regulations and they came into force on 11, 16 and 28 February 2022. The regulations are subject to the made affirmative procedure and must receive parliamentary approval by 18 March 2022 to remain in force beyond this date.

19. According to the [policy note](#), the purpose of the instrument is as follows—

“This instrument amends the Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Regulations 2021.

It removes provisions which were introduced for persons attending or facilitating the international climate summit known as “COP26” and the COP26 World Leaders Summit.

It expands and amends the lists of “relevant countries” and “approved third countries or territories” for the purposes of the eligible vaccinated arrival policy.

It updates the categories of arrivals who benefit from sectoral exemption status. It removes schedule 6 (specified competitions) in line with the removal of the exemptions for elite sportspersons. It removes all testing requirements for eligible vaccinated arrivals and removes the requirement for arrivals that are not eligible vaccinated to take a day 8 test and self-isolate.

It amends the passenger information requirements so that operators need only provide information pre-departure and on-board the relevant service. It also updates the information which must be provided. Minor amendments are made to the operator liability offences. Minor changes are also made to the information to be provided by passengers on their Passenger Locator Form (“PLF”).”

20. An [Equality Impact Assessment](#) and a [Business and Regulatory Impact Assessment](#) were published alongside the regulations.

21. The DPLR Committee considered SSI 2022/53 at its meeting on 22 February 2022 and it had [no points to raise](#).

### *Policy Background: SSI 2022/74*

22. On 24 February 2022, the Scottish Government laid the [SSI 2022/74](#) regulations and they came into force on 28 February 2022. The regulations are subject to the made affirmative procedure and must receive parliamentary approval by 23 March 2022 to remain in force beyond this date.

23. According to the [policy note](#), the purpose of the instrument is as follows—

“These Regulations remove from the Principal Regulations the provisions in relation to the COVID-19 vaccine certification scheme. These Regulations remove the requirement for certain premises to operate a system for checking that persons on, or seeking to enter, their premises are fully vaccinated against coronavirus, have received appropriate test results, or are otherwise exempt from that requirement.

These Regulations also remove the requirement for certain premises to prepare a compliance plan to describe how their systems will operate and describe the other measures that they have in place to prevent or minimise the spread of coronavirus. They also remove supplemental provisions in relation to licensing for certain premises.

Removing the Covid-19 Vaccination Certification Scheme is part of our ongoing review of the baseline measures as we move into the next phase of pandemic response.”

24. The policy note states that “Impact assessments are not considered to be required for these Regulations”.

25. The DPLR Committee considered SSI 2022/74 at its meeting on 1 March 2022 and it had [no points to raise](#).

## **Agenda item 3: Subordinate legislation**

*Instruments on which the Committee took evidence on 24 February 2022*

*Coronavirus Act 2020 (Alteration of Expiry Date) (Scotland) Regulations 2022 (SSI 2022/40)*

26. The Committee took evidence on this instrument at its meeting on [24 February 2022](#). The consideration of the motion was deferred to this meeting to allow the DPLR Committee to report on the instrument. The DPLR Committee reported on the instrument on [4 March 2022](#) and determined that it did not need to draw the Parliament's attention to the instrument. The DPLR Committee has provided additional comments for the COVID-19 Recovery Committee's consideration in its report. The Committee will consider Motion S6M-03075 on the instrument under this agenda item.

*The Health Protection (Coronavirus, Restrictions) (Directions by Local Authorities) (Scotland) Amendment Regulations 2022*

27. The Committee took evidence on this instrument at its meeting on [24 February 2022](#). The consideration of the motion was deferred to this meeting to allow the DPLR Committee to report on the instrument. The DPLR Committee reported on the instrument on [4 March 2022](#) and determined that it did not need to draw the Parliament's attention to the instrument. The DPLR Committee has provided

additional comments for the COVID-19 Recovery Committee’s consideration in its report. The Committee will consider Motion S6M-03169 on the instrument under this agenda item.

### *Motions for consideration*

28. Under agenda item 3, the Deputy First Minister and Cabinet Secretary for Covid Recovery will be invited to move the following motions—

- [S6M-03075](#)—That the COVID-19 Recovery Committee recommends that the Coronavirus Act 2020 (Alteration of Expiry Date) (Scotland) Regulations 2022 (SSI 2022/40) be approved.
- [S6M-03169](#)—That the COVID-19 Recovery Committee recommends that the Health Protection (Coronavirus, Restrictions) (Directions by Local Authorities) (Scotland) Amendment Regulations 2022 [draft] be approved.
- [S6M-03349](#)—That the COVID-19 Recovery Committee recommends that the Coronavirus (Scotland) Acts (Amendment of Expiry Dates) Regulations 2022 [draft] be approved.
- [S6M-03202](#)—That the COVID-19 Recovery Committee recommends that the Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 3) Regulations 2022 (SSI 2022/53) be approved.
- [S6M-03354](#)—That the COVID-19 Recovery Committee recommends that the Health Protection (Coronavirus) (Requirements) (Scotland) Amendment (No. 5) Regulations 2022 (SSI 2022/74) be approved.

## **Agenda item 4: Subordinate legislation**

29. Under agenda item 4, the Committee will be invited to consider whether it has any recommendations to make in respect of the following instrument, which is subject to the negative procedure—

- The Coronavirus (Scotland) Acts (Early Expiry of Provisions) Regulations 2022 (SSI 2022/64)

## **Next steps**

30. The Committee will publish a report setting out its consideration of the motions under agenda item 3 in due course.

**Committee Clerks**  
**March 2022**

## **ANNEXE A**

### **Letter to the Convener from the Deputy First Minister and Cabinet Secretary for COVID Recovery – 3 February 2022**

#### **CORONAVIRUS ACT 2020, CORONAVIRUS (SCOTLAND) ACT 2020 AND CORONAVIRUS (SCOTLAND) (NO.2) ACT 2020 – TEMPORARY EXTENSION OF PROVISIONS**

I am writing to inform you of the Scottish Ministers' proposals to extend provisions within the Coronavirus Act 2020 ("the UK Act"), the Coronavirus (Scotland) Act 2020 ("the First Scottish Act") and the Coronavirus (Scotland) (No.2) Act 2020 ("the Second Scottish Act") on a temporary basis until September 2022, which would otherwise expire next month.

The purpose of these Acts was to enable the response to, and manage the effects of, the COVID-19 pandemic. The Acts contain temporary measures to either amend existing legislation or to introduce new powers and provisions designed to mitigate the impacts of COVID-19. The UK and Scottish Acts were intended to respond to the COVID-19 pandemic, and are therefore time limited.

The UK Act came into force in March 2020, with the majority of its provisions subject to a two year sunset provision, which means that they automatically expire at the end of 24 March 2022. The UK Act also includes powers to make regulations to bring forward the expiry date of provisions of that Act or delay the expiry of provisions by periods of up to six months at a time.

The Coronavirus (Extension and Expiry) (Scotland) Act 2021 amended the First and Second Scottish Acts to extend Part 1 of each of these Acts until 31 March 2022, with the potential for further extension by secondary legislation to 30 September 2022. The Extension and Expiry Act also expired certain provisions within the Scottish Acts which were no longer needed.

The Scottish Ministers consider that it remains necessary and proportionate to retain a number of powers within the Scottish and UK Acts for a further temporary basis due to the ongoing nature of the pandemic, and the need to mitigate the impact of COVID-19, including the Omicron variant and any other new variant. This includes provisions that feature in the Coronavirus (Recovery and Reform) (Scotland) Bill ("the Recovery and Reform Bill"), which was introduced to Parliament on 25 January 2022.

#### **UK Coronavirus Act amendment of expiry**

The Scottish Ministers will be making and laying the Coronavirus Act 2020 (Alteration of Expiry Date) (Scotland) Regulations 2022 before Parliament on 3 February, which will alter the expiry date of the following provisions of the UK Act from 24 March to 24 September 2022.

- section 18(2) and Part 2 of schedule 13 (registration of deaths and still-births)

- section 36 (vaccination and immunisation)
- section 37(2) and Part 2 of schedule 16 (except paragraphs 8 and 9) (temporary closure of educational institutions and childcare premises);
- section 38(2) and Part 2 of schedule 17 (temporary continuity – education, training and childcare)
- section 49 and schedule 19 (health protection regulations) .

All of the provisions listed above form the basis of provisions in the Recovery and Reform Bill. It is the Scottish Government's intention that the Bill provisions, if approved by Parliament, will be in force before the new expiry date of the provisions of the UK Act, so that the power to delay the expiry date will only be used on this one occasion.

Details on the rationale for amending the expiry date for these provisions is provided in the Policy Note that accompanies the regulations and which is available on [legislation.gov.uk](http://legislation.gov.uk).

This instrument is subject to the made affirmative procedure. The provisions in the Act (section 95) only allow this procedure to be used and not the use of the draft affirmative procedure. However, to enable more time for parliamentary scrutiny, the regulations will follow the timescales for the draft affirmative procedure, allowing 40 days for approval before the instrument comes into force on 24 March 2022. The 40-day period for approval of the instrument will expire before the instrument comes into force.

## **Scottish Acts**

Preparations are being made for an extension SSI to be laid in draft in February 2022 to extend Part 1 of each of the two Scottish Coronavirus Acts to 30 September 2022.

The Scottish Ministers have determined that all of the provisions within the Scottish Acts which feature in the Recovery and Reform Bill should be extended in this way. In addition, there are certain provisions currently in force which the Scottish Ministers also plan to extend for a further temporary period but do not feature in the Recovery and Reform Bill. In addition, as the Scottish Acts can only be extended as a whole, work is also progressing in parallel on regulations to expire provisions within the Scottish Acts that Ministers consider are no longer needed.

The Scottish Acts provide that the parliamentary procedure for the extension SSI is affirmative, while the procedure for the expiry SSI is negative. The Scottish Government will follow the timetabling model of previous extension/expiry milestones, which balances Parliamentary scrutiny time with the time needed to ensure that the proposed extension/expiry of provisions will be appropriate at 31 March 2022. As an illustration of the Government's commitment to to expiring or suspending temporary provisions that are no longer necessary I refer the Committee to [Annex A of the Policy Memorandum for the Recovery and Reform Bill](#) which lists a number of provisions already expired, and to which the additional expiry proposals mentioned above would add to. The review of, and continuing requirement for, the provisions within the UK and Scottish Acts is also undertaken through the bimonthly reports undertaken for the Scottish Parliament, with the next due for publication on 11 February.

I am copying this letter to the Presiding Officer, the Conveners of the Delegated Powers and Law Reform Committee and the Health, Social Care and Sport Committee and to the Scottish Parliament Information Centre.

**JOHN SWINNEY**

C.c. Presiding Officer

C.c. Convener, Delegated Powers and Law Reform Committee

C.c. Convener, Health, Social Care and Sport Committee

## ANNEXE B

**SPICe**

**The Information Centre**  
An t-Ionad Fiosrachaidh

# Regulations Explainer

This note sets out how the most recent regulations laid by the Scottish Government fit in to the wider picture of covid legislation.

## Background

Firstly, it should be said that there are perhaps three main sources of Covid legislation:

1. **The (UK) Coronavirus Act** - Schedule 19 gave Scottish Ministers the broad ranging powers to impose restrictions or requirements on “persons, things or premises” for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection or contamination in Scotland. In practice this has included restricting the operation of retail and hospitality businesses, restricting public gatherings, requiring the use of face coverings, and limiting travel between parts of the country. It has also included allowing Scottish local authorities to give directions relating to specified premises, events and public outdoor places in its area.
2. **The Scottish Coronavirus Acts** (the original two Acts, and the subsequent extension and expiry Act) - the Scottish Acts included a range of powers often related to the running of public services, for example covering courts, prisoners, freedom of information, bankruptcy, tenancies, mental health, social care and so forth.
3. Finally **a range of other legislation** has been used, including the Public Health etc (Scotland) Act 2008, which has provided the basis for international travel restrictions.

And as [this BBC news article](#) (from December 2021) points out, not all measures have been underpinned by legislation. Some involved advice and guidance from the government.

## A brief timeline of ‘lockdown’ regulations

The UK Coronavirus Act 2020, with the powers it gives to Ministers in schedule 19 to restrict “persons, things or premises” has therefore been the basis for most of the “lockdown” measures during the course of the pandemic. This Act received Royal Assent and came into force, subject to certain exceptions, on 25 March 2020. From

this the Scottish Government made regulations to implement physical distancing and impose restrictions on gatherings, events and operation of business activity.

As the severity of the pandemic has changed, different regulations have been brought in at different times. For example:

- From **14 September 2020** the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020 were replaced by the Health Protection (Coronavirus) (Restrictions and Requirements) (Scotland) Regulations 2020.
- From **9 October 2020** those Regulations were suspended and replaced by the Health Protection (Coronavirus) (Restrictions and Requirements) (Additional Temporary Measures) (Scotland) Regulations 2020.
- A new levels-based approach was introduced on **2 November 2020**, when the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 (“the Local Levels Regulations”) came into force and revoked the previous regulations.
- On **9 August 2021** the Health Protection (Coronavirus) (Requirements) (Scotland) Regulations 2021 came into force and revoked the Local Levels Regulations. Those Regulations have been amended a number of times, including on **27 January 2022**, when they were amended by the Health Protection (Coronavirus) (Requirements) (Scotland) Amendment (No. 3) Regulations 2022.
- [On 3 February 2022 the Coronavirus Act 2020 \(Alteration of Expiry Date\) \(Scotland\) Regulations 2022](#) (S.S.I. 2022/40) was laid, to extend the expiry date of certain provisions of the UK Act, including schedule 19 (health protection regulations), to 24 September 2022. Among other things, this will mean the power to make health protection regulations is available to Scottish Ministers after the majority of the UK Act expires on 24 March 2022.

The [Policy Note of that SSI](#) explains that by the time the provisions expire on 24 September 2022, “it is the Scottish Government’s intention that the subject-matter of these provisions will be included in permanent Scottish legislation through the Coronavirus (Recovery and Reform) (Scotland) Bill, subject to the Scottish Parliament’s approval of that Bill.”

The instrument has been laid subject to made affirmative procedure. However, the Policy Note also says that “to enable more time for parliamentary scrutiny, this instrument will follow the timescales for the draft affirmative procedure, allowing 40 days for approval before the instrument comes into force on 24 March 2022. The 40-day period for approval of the instrument will expire before the instrument comes into force”.

- On **27 February 2022**, the [Health Protection \(Coronavirus\) \(Requirements\) \(Scotland\) Amendment \(No. 4\) Regulations 2022](#) amended the expiry of the principal Requirements Regulations from 28 February 2022 to 24 September 2022. It would remain the case that Scottish Ministers would be required to review these 2021 Requirements Regulations at least every 21 days.

The Policy Note for the (No. 4) Regulations says that “following the lifting of the protective measures put in place to reduce transmission in response to the emergence of the Omicron variant of the SARS-CoV-2 virus the Principal Regulations contained a number of baseline measures” which are “considered necessary and proportionate” to remain in place including: face covering requirements; requirements in relation to the Covid-19 vaccine certification scheme; requirement to collect and share customer information; and requirement for businesses, service providers and places of worship to have regard to guidance.

- On **28 February 2022**, the [Health Protection \(Coronavirus\) \(Requirements\) \(Scotland\) Amendment \(No.5\) Regulations 2022 \(SSI 2022/74\)](#) came into force, which meant the removal of provisions relating to the COVID-19 vaccine certification scheme (and for certain premises to prepare a “compliance plan”).
- Due to come into force on **24 March 2022**, [the Health Protection \(Coronavirus, Restrictions\) \(Directions by Local Authorities\) \(Scotland\) Regulations 2022](#) amend the expiry date of the 2020 Directions by Local Authorities Regulations (SSI 2020/262) from 25 March 2022 to 24 September 2022. It would remain the case that Scottish Ministers would be required to review these 2020 Directions by Local Authorities Regulations at least every 42 days.

The Policy note for this SSI says that the regulations will mean local authorities retain the “powers to take direct measures where necessary and proportionate in relation to premises, events, and public outdoor spaces”.

If SSI 2022/40 is not approved, the power in schedule 19 will expire on 24 March 2022. This would mean it would not be possible to make further health protection regulations, either setting out requirements (whether increased or reduced from the current requirements) or permitting directions to local authorities, from after that date. Any regulations made under the power in schedule 19 would also fall on expiry of the power.

**Forthcoming:** It is possible that regulations will be laid to implement the [FM's announcement that legal restrictions are expected to end on 21 March](#), though no such regulations have so far been laid

## The Scottish Coronavirus Acts

Further regulations, under the Scottish Acts, will also be considered by the committee

- Due to come into force on **29 March 2022**: [Coronavirus \(Scotland\) Acts \(Early Expiry of Provisions\) Regulations 2022 \(SSI 2022/64\)](#)
  - Provides that certain sections of the Coronavirus (Scotland) Act 2020 and the Coronavirus (Scotland) (No. 2) Act 2020 expire on 30 March 2022 (concerning evictions from dwellings, local authority meetings, and relating to non-payment of rent and other sums in commercial leases)
  - Accordingly, these provisions will not be extended by virtue of the Coronavirus (Scotland) Acts (Amendment of Expiry Dates) Regulations

2022 (see below) as they are specifically expired prior to Part 1 of the Acts (as amended) being extended to 30 September 2022.

- Subject to negative procedure
  
- Due to come into force on **30 March 2022**: [Coronavirus \(Scotland\) Acts \(Amendment of Expiry Dates\) Regulations 2022 \(SSI 2022/Draft\)](#)
  - Amends the two Scottish Acts so that Part 1 of each Act (with the exception of provisions being expired early, as noted above) now expire at the end of 30 September 2022
  - These provisions include areas relating to: Evictions (discretionary grounds/pre-action requirements); Diligence/Bankruptcy; Courts and Tribunals/Justice system; Parole Board; Release of prisoners; Alcohol licensing and other licensing; Freedom of information; Duties in respect of reports and other documents (public bodies); Duration of planning permissions and other consents; Electronic delivery of copy of deed to Registers of Scotland and Registers kept by the Keeper of the Registers of Scotland; Student residential tenancy: termination by tenant; Social care staff support fund; Mental health: named person nomination; Care homes; Arrangements for the custody of persons detained at police stations; Proceeds of Crime; giving of notices by the Care Inspectorate; Restriction on giving grant to businesses connected to tax havens
  - Subject to the affirmative procedure

### **Simon Wakefield, SPICe Research**

11 March 2022

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