

Coronavirus Acts: eleventh report to Scottish Parliament

Laying number: SG/2022/6

February 2022



Scottish Government
Riaghaltas na h-Alba
gov.scot

Executive Summary

Overview

This is the eleventh two-monthly report on the Coronavirus Acts, in which the Scottish Government sets out the status and operation of the legislation necessary to respond to the coronavirus (COVID-19) pandemic. This report is the latest in our regular reporting on coronavirus-related legislation to ensure that the Scottish Parliament has oversight of the legislation, allowing it to hold the Scottish Ministers to account for their use of the powers available to them, and is important as part of our commitment to transparency.

Continued importance of the Coronavirus Acts

COVID-19 is first and foremost a public health crisis, and the measures to combat it have been necessary to save lives and livelihoods. The measures introduced by the Scottish Coronavirus Acts were largely intended to ensure that public services could continue to discharge their duties effectively whilst adhering to public health restrictions in an effort to limit the spread of the virus.

As this report is published, Scotland is turning the corner on the Omicron wave and there is light at the end of the tunnel. However, we remain in a very challenging situation and continue to assess the data carefully to ensure we have the right measures in place to suppress the extent and the impact of coronavirus on our communities. The [COVID Recovery Strategy](#) sets out our vision for recovery and the actions we will take to create a better, fairer and greener Scotland that will guide us through the period ahead, and we will soon be publishing the updated COVID-19 Strategic Framework which will set out our evolving approach to managing the pandemic. We intend that this version should engage with broad questions of our longer-term resilience to deal with future developments – including our response to the likely emergence of further variants and how we build resilience into the economy and into public services as COVID-19 moves beyond the acute phase.

As we move forward in our handling of COVID-19, the measures we take to protect the public will continue to be reviewed to ensure they are appropriate, and we are committed to doing this transparently. Parts of both the UK and Scottish Coronavirus Acts are due to expire in March 2022, and details on this are included in section 5 of this report. We continue to be committed to only retaining legislative provisions where they are necessary and appropriate.

Ministers' review of the eleventh report – statement by Ministers on necessity and status of provisions

This eleventh coronavirus report covers the period from 1 December to 31 January 2022. Scottish Ministers have undertaken a review of the provisions of Part 1 of the Coronavirus (Scotland) Act 2020 (“the first Scottish Act”) and the Coronavirus (Scotland) (No.2) Act 2020 (“the second Scottish Act”), and the provisions of the Coronavirus Act 2020 (“the UK Act”) for which the Scottish Parliament gave legislative consent, in order to consider whether the provisions remain necessary. Ministers are satisfied that the status of those provisions at the end of this reporting

period is appropriate, and will continue to keep this under review going forward as we hopefully continue to move towards the resolution of COVID-19.

Scottish Ministers have also undertaken a review of the Scottish Statutory Instruments (SSIs) to which section 14 of the second Scottish Act applies. Ministers are satisfied that the status of those SSIs at the end of the reporting period is appropriate

Next steps

I welcome this opportunity to continue to update the Scottish Parliament on the operation of the Coronavirus Acts and continue to stand ready to engage with the Parliament in its scrutiny of this eleventh report.

John Swinney MSP

Deputy First Minister and Cabinet Secretary for Covid Recovery

Executive Summary

Contents

1. [Introduction](#)
2. [Our approach to reporting](#)
3. [UK Government reporting and engagement](#)
4. [Further reporting](#)
5. [Extension and expiry of the Coronavirus Acts](#)
6. [Status update](#)
7. [Supplementary information](#)
 - 7.1 [First Scottish Act](#)
 - 7.1.1 [Section 2 and schedule 1 – Eviction from dwelling houses](#)
 - 7.1.2 [Section 5 and schedule 4, Part 4 – Extension of time limits](#)
 - 7.1.3 [Section 5 and schedule 4, Part 8 – Release of prisoners](#)
 - 7.2 [Second Scottish Act](#)
 - 7.2.1 [Section 2 and schedule 1, Part 1 – Student residential tenancy: termination by tenant](#)
 - 7.2.2 [Section 2 and schedule 1, Part 2 – Tenancies: pre-action requirements for order for possession or eviction order on ground of rent arrears](#)
 - 7.2.3 [Section 2 and schedule 1, Part 7 – Care Homes](#)
 - 7.2.4 [Section 3 and schedule 2, Part 1 – Criminal justice – Expiry of undertaking under section 25\(2\)\(a\) of the Criminal Justice \(Scotland\) Act 2016](#)
 - 7.3 [UK Act](#)
 - 7.3.1 [Section 10 and schedule 9 – Temporary modification of mental health legislation](#)
 - 7.3.2 [Section 49 and schedule 19 – Health Protection Regulations: Scotland](#)
8. [Reporting on coronavirus-related Scottish Statutory Instruments](#)

1. Introduction

- 1.1. As required by section 15 of the first Scottish Act (Coronavirus (Scotland) Act 2020), and section 12 of the second Scottish Act (Coronavirus (Scotland) (No.2) Act 2020), this report includes information on the operation of the provisions of Part 1 of each of those Acts. It also includes an update on the status of those provisions, and confirmation that Scottish Ministers are satisfied that the status of those provisions is appropriate.
- 1.2. The report also covers the reporting requirements relating to Scottish Statutory Instruments (SSIs) made by Scottish Ministers where the main purpose relates to coronavirus, excluding those made by Scottish Ministers under the first or second Scottish Act or UK Act (Coronavirus Act 2020).
- 1.3. The UK Act does not set out an equivalent statutory requirement for reporting by the Scottish Government or other Devolved Administrations. However, as with the approach taken to reports in the previous parliamentary session, the Scottish Government has included information on the provisions in the UK Act for which the Scottish Parliament gave legislative consent.

2. Scottish Government approach to reporting

- 2.1. In continuing to review and develop the Government's approach to reporting, it has been recognised that some measures in the legislation may have greater impact than others on individuals or groups (people with one or more of the protected characteristics listed in the Equality Act 2010), or more generally on equality and human rights. In assessing the equality impact of the measures the Scottish Government has considered the measures in light of the requirements of the Public Sector Equality Duty (PSED) as set out in section 149 of the Equality Act 2010, the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between people who share a protected characteristic and those who do not, and foster good relations between people who share a protected characteristic and those who do not. Public authorities are required to regularly publish equality information under [the Scottish specific duties](#) (including a new set of equality outcomes, pay gap information and equal pay statements). The Scottish Government last reported in March 2021¹.
- 2.2. We have in this reporting period continued to reflect on the views and publications of key stakeholders with an interest in the areas of human rights, children's rights and equality impacts. The Scottish Government consideration of views includes those of the British Institute of Human Rights, the Scottish Human Rights Commission and the Children and Young People's Commissioner Scotland.
- 2.3. The approach to reporting on these impacts will be kept under review in line with legislation and in response to the views of the Scottish Parliament.

¹ [Equality outcomes and mainstreaming: report 2021](#)

3. UK Government reporting and engagement

- 3.1. The UK Act has a sunset provision (section 89) in terms of which it expires on 24 March 2022, two years after the day it was passed, subject to certain exceptions which are set out in the legislation.
- 3.2. Review of the status, operation and continuing necessity of devolved provisions in the UK Act is part of the Scottish Government's two-monthly reporting to the Scottish Parliament, which provides the Parliament with an opportunity to scrutinise the judgements which have been made in the operation, and assessment of the continued necessity of those provisions.
- 3.3. The Scottish Government continues to engage and work with the UK Government and the other Devolved Administrations on the implementation and operation of the UK Act and to help ensure respective reporting arrangements operate successfully and appropriately alongside each other, to support robust and effective scrutiny of the legislation.

4. Further reporting

4.1 Coronavirus-related SSIs

Section 14 of the second Scottish Act requires Scottish Ministers to report on SSIs made by Scottish Ministers where the main purpose relates to coronavirus. This provision does not apply to SSIs made by Scottish Ministers under the first or second Scottish Acts or the UK Act. Information on SSIs, to which section 14 of the second Scottish Act applies, is included at [section 8](#) of this report. In this report information has been included on a total of 139 SSIs – 10 of which are new to this reporting period – which are in scope for reporting under section 14 of the second Scottish Act.

4.2 Information about domestic abuse

Section 15A of the first Scottish Act and section 13 of the second Scottish Act require Scottish Ministers to take account of any information about the nature and number of incidents of domestic abuse occurring during the reporting period to which the review relates, given to them, or published by the Scottish Police Authority, or the Chief Constable of the Police Service of Scotland. Further, Scottish Ministers are required to explain in the report on that review, prepared under section 15 of the first Scottish Act and section 12 of the second Scottish Act, how the information was taken into account. The legislation does not require this information to be taken into account in the review of the powers under the UK Act, however we have made a decision to do so in order to ensure consistency in our approach and ensure the fullest possible consideration is given to this information.

In terms of our requirements under the legislation, consideration has been given to the provisions in the Scottish and UK Acts where domestic abuse may be deemed relevant. Where information on the nature and number of incidents of domestic abuse may be deemed of relevance to a provision, this has been considered as part of the assessment of whether the provision remains necessary.

The information used to support the review was published on 21 December 2021, as part of the Scottish Government Justice Analytical Services data report on how the coronavirus pandemic has affected the justice system. The data from Police Scotland highlights that looking cumulatively across April to November 2021, domestic abuse incidents were 4% lower than the equivalent period in 2020 and 2% higher than the equivalent period in 2019 (42,491 incidents recorded in April – November 2021, 44,154 incidents in April – November 2020, and (41,708 incidents in April – November 2019). The proportion of April 2021 to November 2021 incidents that include the recording of at least one crime or offence was 42.5%, which is lower than for the equivalent period in 2020-21 of 43.3%.

Separate figures on crimes recorded under the Domestic Abuse (Scotland) Act 2018 are available from the Recorded Crime in Scotland monthly Official Statistics. There were 170 such crimes recorded by the police in November 2021, this is 16% higher than November 2020 (146 crimes) and 21% higher than November 2019 (140 crimes).

For the purposes of this reporting period, the information on the nature and number of incidents of domestic abuse has not impacted on the outcome of the assessment of whether the provisions remain necessary.

4.3 Additional reporting requirements

Schedule 4, paragraph 12 of the second Scottish Act requires the Scottish Ministers to lay a report before Parliament on their responses to requests for information under the Freedom of Information (Scotland) Act 2002. The tenth ‘Coronavirus (Scotland) (No.2) Act 2020: report on the Scottish Ministers’ responses to requests for information under the Freedom of Information (Scotland) Act 2002’² was laid in Parliament and published on 9 February 2022.

Section 6(1) of the Coronavirus (Extension and Expiry) (Scotland) Act 2021 requires Scottish Ministers to include in this report:

- 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,
- The number of notices of proceedings issued to tenants in social housing as a result of rent arrears in the period,
- The total value of rent arrears in the social housing sector accumulated during the period, and
- The number of eviction orders because of rent arrears issued by the First-tier Tribunal for Scotland during the period

This reporting is covered in [section 7.1.1](#).

5 Extension and expiry of the Coronavirus Acts

² [Coronavirus \(Scotland\) \(No.2\) Act 2020: tenth report on the Scottish Ministers’ responses to requests for information under the Freedom of Information \(Scotland\) Act 2002](#)

- 5.1. Part 1 of both Scottish Acts are due to expire at the end of 31 March 2022. We have the power by SSI to extend Part 1 of each of the Scottish Acts to the end of 30 September 2022 as well as the power to expire provisions by SSI that are no longer considered necessary. We continue to be committed to only retaining legislative provisions where they are necessary and proportionate. Further details regarding the SSI proposals for extension and expiry of the Scottish Acts will be confirmed shortly.
- 5.2 Many provisions of the UK Coronavirus Act are due to expire on 24 March 2022 by virtue of the sunset clause in section 89 of that Act. We have a power to amend the expiry date of the provisions subject to the sunset clause. An SSI was made and laid in Parliament on 3 February 2022 to amend the expiry date of the following provisions of the UK Act to 24 September 2022
- section 18(2) and Part 2 of schedule 13 (registration of deaths and still-births);
 - section 36 (vaccination and immunisation: Scotland);
 - 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 directions etc: education, training and childcare);
 - section 49 (and schedule 19 (health protection regulations: Scotland).
- 5.3 The other provisions in the UK Act that are due to expire on 24 March 2022 are likely to expire on that date but the position will be kept under review and further regulations will be made if it is considered that other provisions should be retained for a further temporary period.
- 5.4 The Scottish Government introduced the Coronavirus (Recovery and Reform) (Scotland) Bill (“the Bill”) to Parliament on 25 January 2022. A number of the provisions contained within the Bill originate from the UK Act and the Scottish Acts.
- 5.5 The Bill supports the Scottish Government’s [Covid Recovery Strategy ‘For a fairer future’](#), published on 5 October 2021 with a vision to address inequalities made worse by Covid, progressing towards a wellbeing economy, and accelerating inclusive, person-centred public services.
- 5.6 As part of learning lessons from the Covid pandemic, the purpose of the Bill is to help build resilience against future public health threats. The Bill will also embed reforms in Scotland’s public services and justice system that, though necessitated by the pandemic, have delivered improvements for service users and improved efficiency. Furthermore, the Bill will continue certain temporary justice system provisions on a longer extension basis as a response to the impact of Covid on Scotland’s justice system.

6 Status update

- 6.1. Table One below provides detail on the status and operation of the provisions under Part 1 of the first and second Scottish Acts, and the provisions of the UK Act for which the Scottish Parliament gave legislative consent.

- 6.2. This includes information on the provisions which have been expired or suspended.
- 6.3. Where it is indicated in Table One that provisions have been expired as they are 'spent' provisions, this may mean that the provisions make amendments to other legislation and therefore the provisions themselves no longer need to remain in force. The operation of section 15(2) (d) of the Interpretation and Legislative Reform (Scotland) Act 2010 means that the expiry of these provisions does not affect the amendments they have made to other legislation. The effect of the expiry is simply to remove the 'spent' provisions in each of the Scottish Acts. Other provisions have been described as 'spent' as they no longer have any practical effect as their purpose has now been served.
- 6.4 As outlined above, this approach to reporting will ensure that the Parliament is given as much information as is available across all of the provisions in the relevant legislation, but with a particular emphasis on those provisions which have been identified as being likely to have the most significant impacts or interest. Where supplementary information has been provided, this is indicated within the 'operation of the provision in the reporting period' column within Table One, and further information is provided at [section seven](#). For descriptions of the provisions, please refer to the [ninth report](#).

Table One – Status and operation of provisions

(Provisions in rows marked in grey have been expired. For descriptions of the provisions, please refer to the [ninth report](#))

Ref.	Act	Provision	Operation of the provision in reporting period ten (ending 31 January 2022)	Status at the end of reporting period ten (31 January 2022) and details of any change of status since last reporting period
1.	First Scottish Act	Section 2 and schedule 1 – Eviction from dwelling-houses	In operation Supplementary information provided – see section 7.1.1 for further information	Commenced and still in force No change to status since last reporting period
2.	First Scottish Act	Section 3 and schedule 2 – Temporary extension of moratoria on diligence	In operation Extended period of moratorium is available for individuals to apply.	Commenced and still in force Section 3, schedule 2, paragraphs 1 and 4 (6 month moratorium period) still in force. Section 3, schedule 2, paragraphs 2 and 3 (moratorium on diligence: multiple applications) expired at the end of 30 September 2021 as part of the Coronavirus (Extension and Expiry) (Scotland) Act 2021.
3.	First Scottish Act	Section 4 and schedule 3 – Children and vulnerable adults – Part 1 – Children	Not in operation Children’s Hearings have reverted back to pre-pandemic legislation. Additional Rules of Procedure commenced on 26 July 2021 which allows for Children’s Hearings to take place virtually if required to do so.	Expired Paragraph 2(2) ³ expired on 30 March 2021 and paragraph 6 on 29 September 2020. ⁴ As part of the Coronavirus (Extension and Expiry) (Scotland) Act 2021, all remaining provisions of Schedule 3, Part 1 expired at the

³ [The Coronavirus \(Scotland\) Acts \(Early Expiry and Suspension of Provisions\) Regulations 2021](#)

⁴ [The Coronavirus \(Scotland\) Acts \(Early Expiry of Provisions\) Regulations 2020](#)

				end of 30 September 2021, subject to transitional and saving provisions. ⁵
4.	First Scottish Act	Section 4 and schedule 3 – Children and vulnerable adults – Part 2 – Vulnerable adults	Not in operation Paragraph 11(1) expired on 29 September 2020 ⁶ and the rest of Paragraph 11 was suspended as from 30 September 2020 ⁷ .	Expired All remaining provisions expired as part of the Coronavirus (Extension and Expiry) (Scotland) Act 2021 at the end of 30 September 2021.
5.	First Scottish Act	Section 5 and schedule 4, Part 1 – Courts and tribunals: conduct of business by electronic means	In operation These provisions continue to support key elements of the Justice Recovery programme enabling Court and tribunal business to continue and to address the backlog built up due to the pandemic, for example minimising the number of paper documents in circulation and the number of people required to attend buildings. The introduction of an additional 16 trial courts from 6 September has also seen a marked improvement in criminal throughput with a total of 24,152 cases concluded in all criminal courts in Q2 2021/22 – an increase of 48% from the previous quarter.	Commenced and still in force No change to status since last reporting period
6.	First Scottish Act	Section 5 and schedule 4, Part 2 – Fiscal fines	In operation The provision enables a wider range of summary cases to be dealt with by fiscal fine	Commenced and still in force No change to status since last reporting period

⁵ [The Coronavirus \(Extension and Expiry\) \(Scotland\) Act 2021](#)

⁶ [The Coronavirus \(Scotland\) Acts \(Early Expiry of Provisions\) Regulations 2020](#)

⁷ [The Coronavirus \(Scotland\) Act 2020 \(Suspension: Adults with Incapacity\) Regulations 2020](#)

			<p>and, thereby, mitigate the impact of coronavirus on the justice system.</p> <p>In the period since 7 April 2020 up until 31 December 2021, 23,030 people or approximately 25% of individuals who received a first marking action for a Direct Measure were offered a fiscal fine. Over the same time period, 662 people or 3% of individuals offered a fiscal fine have been issued a fine amount above the previous scale maximum of £300.</p>	
7.	First Scottish Act	Section 5 and schedule 4, Part 3 - Cases beginning with an appearance from custody	<p>In operation The provision, which enables custody proceedings to be heard in any sheriff court in Scotland by a sheriff of any sheriffdom, no matter where the alleged offence took place, creates the necessary flexibility to ensure the continued safe and effective operation of custody courts during the coronavirus outbreak and allows the court to deal with guilty pleas and move them out of the court system, and in doing so, minimise the number of cases that have to be transferred to local court.</p> <p>For as long as court business is affected by coronavirus and/or public health measures remain in place these provisions will continue to be required, which allow for a smaller number of police centralised custody suites and enable custody courts to be</p>	<p>Commenced and still in force No change to status since last reporting period</p>

			conducted in a way that minimises unnecessary travel and congregation of people.	
8.	First Scottish Act	Section 5 and schedule 4, Part 4 - Extension of time limits	In operation See section 7.1.2	Commenced and still in force No change to status since last reporting period
9.	First Scottish Act	Section 5 and schedule 4, Part 5 - Evidence	Not in operation	Expired As part of the Coronavirus (Extension and Expiry) (Scotland) Act 2021, this provision expired at the end of 30 September 2021 subject to saving provision in the Coronavirus (Extension and Expiry) (Scotland) Act 2021 (Evidence) (Saving Provision) Regulations 2021.
10.	First Scottish Act	Section 5 and schedule 4, Part 6 - Community orders	In operation The power to vary community payback orders remains available but has not been used since the Community Order (Coronavirus) Scotland Regulations 2021 came into force in March. Unpaid work and other activity requirements continue to be extend to at least 12 months. Other provisions are now expired.	Commenced and still in force Paragraphs 13 and 15. The application of the regulation making power in paragraph 15 was restricted as part of the Coronavirus (Extension and Expiry) (Scotland) Act 2021 at the end of 30 September 2021. The regulation making power can no longer be used in relation to drug treatment and testing orders made under s.227U of the Criminal Procedure (Scotland) Act 1995. Expired As part of the Coronavirus (Extension and Expiry) (Scotland) Act 2021 paragraphs 12 and 14 expired at the end of 30 September 2021.

11.	First Scottish Act	Section 5 and schedule 4, Part 7 - Parole Board	<p>In operation The provisions at paragraph 17 require to remain in place to allow the Chairperson of the Parole Board to delegate his functions should he become incapacitated for Covid or other reasons.</p> <p>The provisions at paragraph 18 are still required to allow the entire proceedings of a parole hearing to be held by live link.</p>	<p>Commenced – majority still in force Provisions at paragraphs 18(2), 18(4) and 18(5) were expired on 14 June 2021 as they were considered no longer necessary.</p>
12.	First Scottish Act	Section 5 and schedule 4, Part 8 - Release of prisoners	<p>Not in operation The provisions have not been used in the reporting period. See section 7.1.3 for additional information.</p>	<p>Commenced and still in force No change to status since last reporting period</p>
13.	First Scottish Act	Section 5 and schedule 4, Part 9 - Legal Aid	<p>In operation Many providers of legal aid services continue to experience disruption to cash flow and the provisions will support access to payment prior to a case concluding.</p> <p>As we emerge from the public health crisis, maintaining a legal aid sector will be crucial to the recovery of the justice system and the resolution of problems associated with the pandemic and resulting economic shock. To support this position these provisions require to remain in place.</p>	<p>Commenced and still in force No change to status since last reporting period</p>
14.	First Scottish Act	Section 6 and schedule 5 – Alcohol licensing and	<p>In operation Licensing authorities continue to make use of the provisions. For example, holding virtual licence hearings/meetings to progress day to day licensing business due to the</p>	<p>Commenced – majority still in force Section 2(1) of the Coronavirus (Extension and Expiry) (Scotland) Act 2021 provides that one licensing provision contained in the Coronavirus (Scotland) Act 2020 expired at</p>

		section 7 and schedule 6, Part 1 – Licensing other than alcohol licensing	<p>coronavirus outbreak and physical distancing requirements.</p> <p>The provisions require to remain in place to enable the licensing regime to function effectively and to ensure, as far as practicable, people do not lose licenses through no fault of their own.</p>	<p>the end of 30 September 2021. Namely, Paragraph 4 of schedule 5, sub-paragraph (5)(d) (alcohol licensing etc.) which allows for Licensing Board meetings to be held in private for a reason relating to coronavirus.</p> <p>All other provisions remain in force.</p>
15.	First Scottish Act	Section 7 and schedule 6, Part 2 – Freedom of Information (FOI)	<p>In operation Section 7, schedule 6, part 2, paragraph 6 – The provisions of paragraph 6 allowing the Commissioner to take account of the impact of coronavirus expired at the end of 30 September 2021. However, provisions of the Coronavirus (Extension and Expiry) (Scotland) Act 2021 continue the provision in effect in relation to any request made under FOISA on or before 30 September 2021.</p> <p>In operation Section 7, schedule 6, part 2, paragraph 7.</p>	<p>Commenced and still in force Paragraph 7</p> <p>Expired Paragraph 6</p>
16.	First Scottish Act	Section 7 and schedule 6, Part 3 - Duties in respect of reports and other documents	<p>In operation These are generic provisions that apply to reporting and publication requirements across the public sector. The suspension of physical publication requirements is in use, since it is not certain that physical access to documents can be provided in all circumstances while the potential for re-imposition of restrictions remains and while there is a continuing encouragement for</p>	<p>Commenced and still in force No change to status since last reporting period</p>

			<p>people to work from home where possible and appropriate.</p> <p>The power to postpone reporting should only be used as necessary to enable public authorities to focus on the coronavirus response. Given the aim of reducing undue burdens, it would be disproportionate to request authorities to report on the individual uses of these powers, however the provision continues to be necessary for the reasons set out above.</p>	
17.	First Scottish Act	Section 7 and schedule 6, Part 4 - Local Authority meetings	<p>In operation</p> <p>This provision provides local authorities with the flexibility to only provide hard copies or extracts of a document requested by a member of the public in their offices if it is reasonably practicable to do so and is now no longer compulsory.</p>	<p>Commenced and still in force</p> <p>Paragraphs 11(b), 12 and 14</p> <p>Expired</p> <p>Paragraph 13 expired as part of the Coronavirus (Extension and Expiry) (Scotland) Act 2021 at the end of 30 September 2021.</p>
18.	First Scottish Act	Section 7 and schedule 6, and Part 5 – Duties under the Public Finance and Accountability (Scotland) Act 2000	<p>Not in operation</p>	<p>Expired</p> <p>As part of the Coronavirus (Extension and Expiry) (Scotland) Act 2021, these provisions expired at the end of 30 September 2021.</p>
19.	First Scottish Act	Section 8 and schedule 7, paragraphs 1(b)	<p>Not in operation</p>	<p>Expired</p>

		and 5 – Social security		<p>Paragraphs 1(a), 2,3 and 4 are expired⁸ as they are spent provisions.</p> <p>Paragraphs 1(b) and 5 expired at the end of 30 September 2021 by the Coronavirus (Extension and Expiry) (Scotland) Act 2021.</p>
20.	First Scottish Act	Section 8 and schedule 7, paragraphs 6 and 7 – Irritancy clauses in commercial leases: non-payment of rent or other sums due	<p>In operation</p> <p>As a preventative measure it is not possible to quantify how effective it has been. However, anecdotally it has been working well in conjunction with the Code of Practice for the Commercial Property Sector, which has also been extended to at least 22 March 2022, to prevent evictions for non-payment of rent. Rather landlords and tenants are continuing to arrive at mutually beneficial agreements on lease restructuring, rental deferments, holidays and reductions. There is accordingly little evidence of evictions taking place although this has always been possible under the Scottish Act.</p>	<p>Commenced and still in force</p> <p>No change to status since last reporting period</p>
21.	First Scottish Act	Section 8 and schedule 7, paragraphs 8 to 10 – Duration of planning permission	<p>In operation</p> <p>It would be disproportionate to request authorities or applicants to report on the individual uses of these powers. Whilst some restrictions remain in place, this means that further delays can be expected and it may take some time to deal with the backlog of developments.</p>	<p>Commenced and still in force</p> <p>The emergency and extended periods, as amended by The Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2021 under powers conferred by these provisions mean that the "emergency period" will expire on 31 March 2022 with the "extended period" expiring on 30 September 2022.</p>

⁸ [The Coronavirus \(Scotland\) Acts \(Early Expiry of Provisions\) Regulations 2020](#)

			The Scottish Government will continue to liaise with stakeholders as part of the ongoing review of the operation and continued necessity of these provisions.	No change to status since last reporting period.
22.	First Scottish Act	Section 8 and schedule 7, paragraphs 11 to 19 – Land Registration	<p>In operation The portal for the submission of digital applications continues to operate successfully. The Keeper of the Registers of Scotland will continue to update Parliament on its operation via the Economy and Fair Work Committee.</p> <p>Expired The advance notice provisions (paras 15 to 19) were fully expired by 30 June 2021.</p>	<p>Commenced and still in force Paragraphs 11 to 14</p> <p>Expired Paragraphs 15 to 19 No change to status since last reporting period</p>
23.	First Scottish Act	Section 8 and schedule 7, paragraphs 20 to 22 – Anatomy Act	<p>Not in operation As cremations have generally been able to proceed without issue, albeit with further advanced planning, this provision was expired on 30 March 2021 by SSI 2021/93⁹.</p>	<p>Expired No change to status since last reporting period.</p>
24.	First Scottish Act	Section 8 and schedule 7, paragraphs 23 to 30 – Scrutiny of subordinate legislation in urgent cases	<p>Not in operation</p>	<p>Expired As part of the Coronavirus (Extension and Expiry) (Scotland) Act 2021, the provision expired at the end of 30 September 2021.</p>
25.	First Scottish Act	Section 8 and schedule 7, paragraph 31 –	<p>Not in operation</p>	<p>Expired</p>

⁹ [The Coronavirus \(Scotland\) Acts \(Early Expiry and Suspension of Provisions\) Regulations 2021](#)

		Business Improvement Districts	Regulations ¹⁰ came into force and expired the provision on 30 June 2021.	These provisions were expired on 30 June 2021 by the Coronavirus (Scotland) Act 2020 (Early Expiry of Provisions) Regulations 2021
26.	First Scottish Act	Section 8 and schedule 7, paragraphs 32 and 33 – Muirburn	Not in operation The provision was expired on 30 March 2021 by SSI 2021/93 ¹¹	Expired No change to status since last reporting period
27.	Second Scottish Act	Section 2 and schedule 1, Part 1 – Student residential tenancy: termination by tenant	In operation The Coronavirus (Extension and Expiry) (Scotland) Act 2021 extended the provisions in relation to student tenancies in halls of residence and Purpose Built Student Accommodation (PBSA) set out in the Coronavirus (Scotland) (No.2) Act 2020. From 1 October 2021 the notice period that must be given by students, in order to terminate their tenancy in halls of residence and PBSA, is 28 days. Students can only exercise these notice to leave periods for reasons relating to COVID-19 and for so long as the Coronavirus (Scotland) (No 2) Act 2020 remains in force. See section 7.2.1 for additional information.	Commenced and still in force No change to status since last reporting period
28.	Second Scottish Act	Section 2 and schedule 1, Part 2 –	In operation The provisions were in force during the reporting period. The Rent Arrears Pre-	Commenced and still in force No change to status since last reporting period

¹⁰ [The Coronavirus \(Scotland\) Act 2020 \(Early Expiry of Provisions\) Regulations 2021](#)

¹¹ [The Coronavirus \(Scotland\) Acts \(Early Expiry and Suspension of Provisions\) Regulations 2021](#)

		Tenancies: pre-action requirements for order for possession or eviction order on ground of rent arrears	Action Requirements (Coronavirus) (Scotland) Regulations 2020 (SSI 2020/304) came into force on 30 September 2020. See section 7.2.2 for additional information.	
29.	Second Scottish Act	Section 2 and schedule 1, Part 3 – Coronavirus Carer’s Allowance Supplement	Not in operation	Expired As part of the Coronavirus (Extension and Expiry) (Scotland) Act 2021, the provision expired at the end of 30 September 2021.
30.	Second Scottish Act	Section 2 and schedule 1, Part 4 – Social Care Staff Support Fund	In operation The Social Care Staff Support Fund (Coronavirus) (Scotland) Regulations 2020 established the Fund and remain in force. No amending regulations have been made during this reporting period. Paragraph 7 makes provision to require the Scottish Ministers to establish a Social Care Staff Support Fund as soon as is practicable when the second Scottish Act came into force. The provisions set out what the fund is to be used for and require the Scottish Ministers to make further provision by regulations about the establishment, maintenance and administration of the fund.	Commenced and still in force No change to status since last reporting period

31.	Second Scottish Act	Section 2 and schedule 1, Part 5 – Bankruptcy	Partially in operation As set out in the ninth report to Parliament, some of the provisions have been made permanent through The Bankruptcy (Miscellaneous Amendments) (Scotland) Regulations 2021 which commenced on 29 March 2021 . The provisions for increased minimum debt level for creditor petition bankruptcy remains in operation along with those that enable electronic service of documents and virtual meetings in bankruptcy procedures.	Commenced and still in force Paragraphs 8, 10 and 12 of Part 5 of Schedule 1 Expired Paragraphs 9, 11, 13 and 14 of Part 5 of Schedule 1
32.	Second Scottish Act	Section 2 and schedule 1, Part 6 – Mental health: named person nomination	In operation These provisions retain all the safeguards for the patient and are being applied to minimise any delay in the operation of the Mental Health Tribunal Scotland which is responsible for determining certain detentions. In addition this change ensures that people can continue to be treated and cared for in a way which respects their rights and allows services to be delivered effectively.	Commenced and still in force No change to status since last reporting period
33.	Second Scottish Act	Section 2 and schedule 1, Part 7 – Care Homes	Not in operation See section 7.2.3	Commenced and still in force No change to status since last reporting period
34.	Second Scottish Act	Section 2 and schedule 1, Part 8 –	Not in operation These powers have not been used in the reporting period. Neither a health body nor a Local Authority has acquired a care home,	Commenced and still in force No change to status since last reporting period

		Powers to purchase care home services and care at home providers	nor has a Local Authority acquired a care at home service, under these voluntary purchase powers. Consequently, Scottish Ministers have not required to direct a health body to seek voluntarily acquisition of a care home under these powers.	
35.	Second Scottish Act	Section 2 and schedule 1, Part 9 – Care homes: further provisions	Not in operation These provisions were suspended at the end of 30 September 2021 and have not been used over this reporting period - section 3 Coronavirus (Extension and Expiry) (Scotland) Act 2021.	Suspended Suspended at the end of 30 September 2021 by the Coronavirus (Extension and Expiry) (Scotland) Act 2021
36.	Second Scottish Act	Section 2 and schedule 1, Part 10 – Marriage and civil partnership	Not in operation This provision was suspended on 30 March 2021 by SSI 2021/93 ¹² .	Expired As part of the Coronavirus (Extension and Expiry) (Scotland) Act 2021 these provisions expired at the end of 30 September 2021
37.	Second Scottish Act	Section 3 and schedule 2, Part 1 – Criminal justice - Criminal proceedings: extension of time limits	In operation Delays in progressing criminal cases as a result of the impact of coronavirus on the court system (in particular, jury trials) continued to remain a significant issue in this period and this provision ensured that there was no need to hold further hearings to re-adourn cases on a case-by-case basis when time limits on individual adjournments were reached, placing further pressure on the courts at a time when their capacity is limited.	Commenced and still in force No change to status since last reporting period

¹² [The Coronavirus \(Scotland\) Acts \(Early Expiry and Suspension of Provisions\) Regulations 2021](#)

38.	Second Scottish Act	Section 3 and schedule 2 and Part 1 Criminal justice - Arrangements for the custody of persons detained at police stations	In operation These provisions continue to be necessary to support the operation of vital custody hubs across Scotland. There are currently fourteen sites where Prisoner Custody Officers are facilitating the movement of detained persons for their remote appearance for court. Police Scotland, the Scottish Courts and Tribunal Service and Scottish Prison Service are actively considering how these provisions can further extend the use of new custody hubs to reduce the physical appearance of people within the court estate.	Commenced and still in force No change to status since last reporting period
39.	Second Scottish Act	Section 3 and schedule 2, Part 1 Criminal justice - Expiry of undertaking under section 25(2)(a) of the Criminal Justice (Scotland) Act 2016	In operation See section 7.2.4.	Commenced and still in force No change to status since last reporting period
40.	Second Scottish Act	Section 3 and schedule 2, Part 1 –	Not in operation The Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020	Expired as a spent provision No change to status since last reporting period

		Criminal Justice – Fixed Penalty Notices under the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020	have been revoked. Regulations ¹³ in place since then provide that a police officer ¹⁴ can only issue a Fixed Penalty Notice where the officer believes that the person is aged 18 or over. This provision is therefore no longer necessary and was expired on 30 March 2021 by SSI 2021/93 ¹⁵ .	
41.	Second Scottish Act	Section 3 and schedule 2, Part 2 – Proceeds of Crime	In operation Crown Office & Procurator Fiscal Service (COPFS) is still facing external challenges in relation to court timetabling as the court recovery continues with confiscation cases being adjourned for longer periods due to court timetabling issues. This disruption to usual court business is expected to continue despite the relaxation in Covid restrictions. These provisions will help to ensure that the confiscation process is not frustrated due to these delays. The provisions also ensure that individuals are not treated unfairly or disproportionately throughout this period if they have been unable to pay a confiscation order for reasons related to coronavirus.	Commenced and still in force No change to status since last reporting period

¹³ [The Health Protection \(Coronavirus\) \(Requirements\) \(Scotland\) Regulations 2021](#)

¹⁴ Under the Regulations, the power to issue a Fixed Penalty Notice is, in some circumstances, also exercisable by a person designated by a local authority (see regulation 15).

¹⁵ [The Coronavirus \(Scotland\) Acts \(Early Expiry and Suspension of Provisions\) Regulations 2021](#)

42.	Second Scottish Act	Section 3 and schedule 2, Part 3 – Intimation, etc. of documents	In operation These provisions continue to support the disruption to usual court access for members of the public. General public access to court and tribunal buildings continues to remain restricted and public counters remain closed. These provisions help to ensure that documents can continue to be made publically available, as required or permitted by statute. There are no alternatives which would prevent users of the justice system from adhering to rules for physical distancing and minimising contact when attending court buildings.	Commenced and still in force No change to status since last reporting period
43.	Second Scottish Act	Section 4 and schedule 3, Part 1 – Reports, etc. under the Climate Change (Scotland) Act 2009	Not in operation	Expired as a spent provision No change to status since last reporting period
44.	Second Scottish Act	Section 4 and schedule 3, Part 2 – Accounts of registered social landlords	Not in operation	Expired as a spent provision No change to status since last reporting period
45.	Second Scottish Act	Section 4 and schedule 3, Part 3 –	Not in operation	Expired as a spent provision No change to status since last reporting period

		Accounts under the Public Finance and Accountability (Scotland) Act 2000		
46.	Second Scottish Act	Section 4 and schedule 3, Part 4 – Housing (Scotland) Act 1987: statement under section 33B	Not in operation	Expired as a spent provision No change to status since last reporting period
47.	Second Scottish Act	Section 5 and schedule 4, Part 1 – UEFA European Championship	Not in operation	Expired as a spent provision No change to status since last reporting period
48.	Second Scottish Act	Section 5 and schedule 4, Part 2 – Listed buildings and conservation areas: consents	In operation It would be unduly burdensome to request authorities or applicants to report on the individual uses of these powers. Whilst construction sites are permitted to remain open, it may take some time to deal with the backlog of developments. The Scottish Government will continue to liaise with stakeholders as part of the ongoing review of the operation and continued necessity of these provisions.	Commenced and still in force The emergency and extended periods, as amended by The Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2021 under powers conferred by these provisions mean that the "emergency period" will now expire on 31 March 2022 with the "extended period" expiring on 30 September 2022. No change to status since last reporting period.

49.	Second Scottish Act	Section 5 and schedule 4, Part 3 – Registers kept by the Keeper of the Registers of Scotland	In operation The portal for the submission of digital applications providing access to the Register of Inhibitions and Register of Judgments is operating successfully. The Keeper of the Registers of Scotland will continue to update Parliament on its operation via the Economy and Fair Work Committee.	Commenced and still in force No change to status since last reporting period
50.	Second Scottish Act	Section 5 and schedule 4, Part 4 – Care services: giving of notices by the Care Inspectorate	In operation Care Inspectorate staff continue to have limited access to premises for printing and postal services. The Care Inspectorate offices also remain closed to the public and are therefore unable to receive postal correspondence. This has meant that electronic communication has become more vital. The Care Inspectorate have indicated a preference to continue to serve notices electronically and on the wider list of persons provided through the provisions. As of 9 November 2021 this power has been used by the Care Inspectorate in relation to 4,079 matters for the issuing of notices relating to registration, variation of conditions of registration and enforcement action.	Commenced and still in force No change to status since last reporting period
51.	Second Scottish Act	Section 5 and schedule 4, Part 5 –	Not in operation	Expired as a spent provision No change to status since last reporting period

		Land and Buildings Transaction Tax: additional amount		
52.	Second Scottish Act	Section 5 and schedule 4, Part 6 – Non-Domestic Rates relief	Not in operation	Expired as a spent provision No change to status since last reporting period
53.	Second Scottish Act	Section 5 and schedule 4, Part 7 – Execution of documents, etc.	In operation Personal attendance by solicitors, advocates and notaries public to execute documents and administer oaths in person etc. remains difficult as a result of physical distancing, and the continuing default position for home-working for most office-based workers in Scotland. To support this position these provisions require to remain in place.	Commenced and still in force No change to status since last reporting period
54.	Second Scottish Act	Section 5 and schedule 4, Part 8 – Freedom of information	In operation Paragraph 12 remained in operation. Scottish Ministers laid their tenth report on their handling of requests under FOISA, before the Parliament on 9 February – covering the period 27 November 2021 to 26 January 2022. ¹⁶	Commenced and still in force No change to status since last reporting period

¹⁶ [Coronavirus \(Scotland\) \(No.2\) Act 2020: tenth report on the Scottish Ministers' responses to requests for information under the Freedom of Information \(Scotland\) Act 2002 – gov.scot \(www.gov.scot\)](#)

55.	Second Scottish Act	Section 5 and schedule 4, Part 9 – Low emission zones	Not in operation Spent provision expired on 30 March 2021 by SSI 2021/93 ¹⁷	Expired No change to status since last reporting period
56.	Second Scottish Act	Section 5 and schedule 4, Part 10 – Council Tax: exempt dwellings	In operation	Commenced and still in force. No change to status since last reporting period
57.	Second Scottish Act	Section 5 and schedule 4, Part 11 – Traffic Regulation	Not in operation Provision expired on 30 March 2021 by SSI 2021/93 ¹⁸	Expired No change to status since last reporting period
58.	Second Scottish Act	Section 5 and schedule 4, Part 12 - Restriction on giving grant to businesses connected to tax havens	In operation. Applicants must meet conditions in relation to tax havens (as defined by the EU list of non-cooperative jurisdictions) to be eligible recipients of grant funding from Ministers or any public body.	Commenced and still in force. No change to status since last reporting period
59.	UK Act	Section 2 – Emergency registration of nurses and other healthcare professionals	In operation The provision has continued to operate in the same way as the previous operating period.	Commenced and still in force No change to status since last reporting period

¹⁷ [The Coronavirus \(Scotland\) Acts \(Early Expiry and Suspension of Provisions\) Regulations 2021](#)

¹⁸ [The Coronavirus \(Scotland\) Acts \(Early Expiry and Suspension of Provisions\) Regulations 2021](#)

60.	UK Act	Section 4 and schedule 3 – Emergency arrangements concerning medical practitioners: Scotland	In operation The use of the powers is largely an administrative process and it is for Health Boards to decide whether GPs can perform whilst their application is pending. As such there is no central oversight of the use of the powers in the reporting period.	Commenced and still in force No change to status since last reporting period
61.	UK Act	Section 7 and schedule 6 - Temporary registration of social workers: Scotland	In operation The temporary register is still in place with over 200 registrants available to be deployed to frontline services. Details have been shared with Local Authorities in order that they can access registrants should they need to recruit additional social workers. An increase in demand for all social work services still remains with employers using the register for recruitment therefore the temporary social work register continues to be necessary.	Commenced and still in force No change to status since last reporting period
62.	UK Act	Section 10 and schedule 9 - Temporary modification of mental health legislation	Not in operation See Section 7.3.1.	Not yet commenced No change to status since last reporting period
63.	UK Act	Section 12 – Indemnity for health services activity: Scotland	The Scottish Ministers issued a direction ¹⁹ on 7 April 2020 under existing powers (the NHS (Scotland) Act 1978) to Health Boards	Commenced and still in force No change to status since last reporting period

¹⁹ [Scottish Ministers' indemnity cover direction](#)

			<p>to indemnify staff engaged in the coronavirus response.</p> <p>As directions were made under existing powers in the first reporting period, the provisions around indemnity arrangements under section 12 of the UK Act have not had to be used by Health Boards in this reporting period. Professional negligence claims relating to coronavirus treatment received during the pandemic may still be under investigation or otherwise pending.</p>	
64.	UK Act	<p>Section 16 – Duty of Local Authority to assess needs: Scotland, and section 17 – section 16: further provision</p>	<p>Not in operation</p>	<p>Suspended for children’s services Section 16 was suspended as from 30 September 2021 by the Coronavirus Act 2020 (Suspension: Children and Young Persons Social Care) (Scotland) Regulations 2021 (SSI 2021/315)</p> <p>Suspended for adult services. Section 16 was suspended in respect of adult services from 30 November 2020 by the Coronavirus Act 2020 (Suspension: Adult Social Care) (Scotland) Regulations 2020 (SSI 2020 377)</p>
65.	UK Act	<p>Section 18 and schedule 13 - Registration of deaths and still-births etc.</p>	<p>In operation</p> <p>The provisions have continued to operate successfully in this reporting period, facilitating remote registration of deaths and still-births to the same standard of accuracy as in-person registration but without unnecessary exposure to coronavirus, and given the efficiency of the process, to enable</p>	<p>Commenced and still in force</p> <p>No change to status since last reporting period</p>

			Local Authorities to better address other remaining registration priorities such as birth and marriage/civil partnership.	
66.	UK Act	Section 20 and schedule 14 – Review of Medical Certificate of Cause of Death and cremation: Scotland	<p>Not in operation Part 1 Use of the power that was in operation for part of the first reporting period was revoked by direction^[1] on 11 May 2020.</p> <p>Rather than full suspension, Ministers can choose to reduce the percentage of random reviews to be undertaken, as a temporary measure. This is by agreement and does not require legislative change. Parliament are notified via a letter to the Health and Sport Committee.</p> <p>Not in operation Part 2 Use of the powers that were in operation from 8 April 2020 to 22 July 2021 were revoked by determination on 22 July 2021.</p>	<p>Commenced and still in force No change to status since last reporting period</p>
67.	UK Act	Section 22 - Appointment of temporary Judicial Commissioners	Not in operation	<p>Suspended Section 22 was suspended from 21 April 2021 by the Coronavirus Act 2020 (Suspension: Temporary Judicial Commissioners, Urgent Warrants, and Disposal of Bodies) Regulations 2021.</p>
68.	UK Act	Section 23 –	Not in operation	Expired

^[1] [Coronavirus Act 2020 \(C.7\): direction under paragraph 2\(4\) of Schedule 14](#)

		Time limits in relation to urgent warrants under Investigatory Powers Act		Expired by The Coronavirus Act 2020 (Early Expiry) (No. 2) Regulations 2021 (legislation.gov.uk) , with effect from 9 Dec 2021.
69.	UK Act	Sections 25 to 29 and schedule 15 – Food supply	Not in operation These provisions were expired in July 2021, having never been brought into force.	Expired Expired by The Coronavirus Act 2020 (Early Expiry) Regulations 2021 which came into force on 16 July 2021.
70.	UK Act	Sections 34 and 35 – Temporary disapplication of disclosure offences: Scotland and Power to reclassify certain disclosure requests: Scotland	In operation Powers not used during reporting period	Commenced and still in force No change to status since last reporting period
71.	UK Act	Section 36 – Vaccination and immunisation: Scotland	In operation In the first reporting period (on 7 April 2020), Scottish Ministers made directions ²⁰ under section 2(5) of the National Health Service (Scotland) Act 1978, to support vaccination delivery by GP practices where they are affected by coronavirus. The provisions have continued to be in operation in this	Commenced and still in force No change to status since last reporting period

²⁰ [Provision of Routine Vaccinations and Immunisations \(Coronavirus Outbreak\) \(Scotland\) Directions 2020](#)

			reporting period. The Scottish Ministers have since directed Health Boards to take responsibility for delivering the Influenza and COVID immunisation programmes.	
72.	UK Act	Section 37 and schedule 16, Part 2 and section 38 and schedule 17, Part 2 – Temporary closure of educational institutions and childcare premises, and temporary continuity: education, training and childcare	<p>In operation</p> <p>The powers under section 37 and Part 2 of schedule 16 have not been used in the reporting period.</p> <p>The powers under section 38 and Part 2 of schedule 17 have not been used in the reporting period.</p> <p>To date, the powers under section 38 and Part 2 of schedule 17 have only been exercised in relation to local authority run schools and registered childcare settings but not in relation to other educational establishments such as FE/HE institutions or independent schools. Nevertheless, it is considered appropriate for the powers to remain in force in full. It may become necessary to issue educational continuity directions given the uncertain progress of the current pandemic. These powers would only be used where absolutely necessary and the Scottish Government continues to work closely with the education sector to mitigate any impacts arising from the pandemic.</p>	<p>Commenced and still in force</p> <p>No change to status since last reporting period</p>
73.	UK Act	Section 46 –	In operation	Commenced and still in force

		NHS pension schemes: suspension of restrictions on return to work: Scotland	These provisions are providing valuable additional capacity to the NHS by allowing skilled and experienced retired NHS staff to return to work, thus supporting the NHS which continues to be under significant pressure.	No change to status since last reporting period.
74.	UK Act	Section 49 and schedule 19 – Health Protection Regulations: Scotland	In operation See section 7.3.2 for additional information.	Commenced and still in force No change to status since last reporting period.
75.	UK Act	Section 51 and schedule 21, Part 3 – Powers relating to potentially infectious persons	A declaration of a serious and imminent threat to public health ²¹ was made on 25 March 2020 under schedule 21, and a further clarificatory declaration ²² was made on 30 March 2020. Although the schedule 21 powers have been “switched on” via this declaration made by the Scottish Ministers, they have not been used in the reporting period. The views and agreement of the Chief Medical Officer were formally sought and secured prior to the issuing of the declaration to switch on the schedule 21 powers, and continue to be sought as the Scottish Ministers keep the statutory declaration under review.	Commenced and still in force No change to status since last reporting period.

²¹ [Coronavirus \(COVID-19\): Declaration of a serious and imminent threat to public health - gov.scot \(www.gov.scot\)](#)

²² [Coronavirus \(COVID-19\): Declaration of a serious and imminent threat to public health \(supplementary\) - gov.scot \(www.gov.scot\)](#)

76.	UK Act	Section 52 and schedule 22, Part 3 – Powers to issue directions relating to events, gatherings and premises	Not in operation The powers have been expired.	Expired Section 52 and Parts 1 (so far as it applies to Scotland) and 3 of Schedule 22 were expired on 12 December by The Coronavirus Act 2020 (Early Expiry of Provisions) (Scotland) Regulations 2021 .
77.	UK Act	Section 58 and schedule 28 – Powers in relation to transportation, storage and disposal of dead bodies etc.	Suspended The powers have not been used in the reporting period.	Suspended Parts 2 and 3 were suspended by The Coronavirus Act 2020 (Suspension: Disposal of Bodies) (Scotland) Regulations 2021 which came into force on 9 July 2021. Parts 1, 4 and 5 were suspended by The Coronavirus Act 2020 (Suspension: Disposal of Bodies) (Scotland) (No. 2) Regulations 2021 which came into force on 12 December 2021.
78.	UK Act	Sections 69 and 70 - Postponement of elections: Scotland	Section 69 – not in operation The provision would only have been relevant if a vacancy for a Scottish Parliament constituency seat occurred during the period of the provision being in force. Section 70 – not in operation In the eighth reporting period the provision was not in operation. The provision was used a total of 20 times to postpone 13 by-elections during it being in force.	Spent The provisions have no effect after 6 May 2021 (date of the Scottish Parliament election), but remain on the statute book. Primary legislation is required to repeal them.

79.	UK Act	<p>Section 75 – Financial assistance for industry (disapplication of limit under section 8 of the Industrial Development Act 1982)</p>	<p>In operation This provision has elements of both reserved and devolved competence. As set out within section 75(3) of the UK Act, there are alternative reporting requirements in place for this provision, however these only relate to designated assistance provided by the Secretary of State. It does not cover assistance provided by the Scottish Ministers or Welsh Ministers. The Scottish Government continues to consider how devolved elements of this provision might aid industry in ever changing circumstances, including as part of Covid recovery. Ministers consider it appropriate that provision which might provide a source of support should not be prematurely expired. It is therefore proportionate and appropriate that this provision remains commenced and still in force, although not operational in this period</p>	<p>Commenced and still in force No change to status since last reporting period</p>
-----	--------	---	---	---

7. Supplementary information

First Scottish Act

7.1.1 Section 2 and schedule 1 – Eviction from dwelling houses

Reporting on the status of eviction provisions and 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

7.1.1.1. Section 6(1) of the Coronavirus (Extension and Expiry) (Scotland) Act 2021 (“the 2021 Act”) requires the Scottish Ministers to report on: the number of notices of proceedings issued to tenants in social housing as a result of rent arrears; the value of rent arrears in social housing; and the number of evictions orders issued by the First-tier Tribunal for Scotland because of rent arrears.

7.1.1.2. Paragraph 1(2) of schedule 1 makes provision for all private rented sector eviction cases going before the First-tier Tribunal (Housing and Property Chamber) to be considered on a discretionary basis. As of 31 October 2021, the First-tier Tribunal (Housing and Property Chamber) confirmed that it had received 737 applications that fall within the scope of the emergency provisions.

7.1.1.3. An analysis of the decisions made by the First-tier Tribunal (Housing and Property Chamber) shows that between 8 July 2020 and 23 December 2021 there have been a total of **230 eviction orders issued** relating to private residential tenancies (PRTs) where rent arrears were cited.

7.1.1.4. Latest available Coronavirus dashboard information published by the Scottish Housing Regulator²³ shows that the total value of rent arrears in the social sector increased substantially from £150.0m to £165.0m in the four months between the end of April 2020 and the end of August 2020, an increase of £15.0m (10.0%). The value of arrears subsequently stabilised across most months since then, and then decreased in March 2021 to stand at £160.7m as at end March 2021. Following this the value of arrears dropped further by £3.3m (2.0%) to £157.5m as at end June 2021, but has since risen again to £166.2m based on latest available figures to end September 2021.

7.1.1.5. The dashboard information also shows that the number of notices of proceedings for recovery of possession issued by social landlords for rent arrears increased each month from June 2020, rising from 246 in June 2020 up to 1,514 in November 2020. After this the numbers decreased to 699 in January 2021, 875 in February 2021 and 934 in March 2021, following which there have been 3,641 notices issued in the quarter April to June 2021 (an average level of 1,214 per month) and then 4,417 notices issues in the latest quarter July to September 2021 (an average level of 1,473 per month). The number of court actions initiated for eviction increased from 30 in June 2020 up to 102 in September 2020, after which the number fell to 63 in March 2021.

²³ [Covid-19 dashboards | Scottish Housing Regulator](#)

Following this there have been 296 actions initiated in the quarter April to June 2021 (an average of 99 per month), and then 469 actions (an average of 156 per month) in the latest quarter July to September 2021, levels which are significantly lower when compared to average monthly figures for previous years.

- 7.1.1.6. Paragraph 8 of schedule 1 provides a power for Scottish Ministers, exercisable by the negative procedure, to modify the length of any period of notice specified to apply during the relevant period. In exercising this power, the Scottish Ministers cannot specify a notice period which is longer than six months. In light of the substantial impact anti-social behaviour can have on individuals and communities, Ministers exercised these powers to ensure that where landlords have clear evidence of anti-social or criminal behaviour, which cannot be resolved by other means, then they are able to take the necessary action to end the tenancy. It should be noted that Ministers can exercise their power under paragraph 8 at any time during the lifetime of the specific provisions in the emergency legislation.
- 7.1.1.7. The provisions which extend notice periods to - in effect - halt any eviction action under the existing legislation including the [Private Housing \(Tenancies\) \(Scotland\) Act 2016](#) and the [Housing \(Scotland\) Act 2001](#), for up to six months, have been used in the reporting period. This applies to both the social and private rented housing sectors in order to ensure that the position is absolutely clear for all landlords in Scotland.
- 7.1.1.8. To further support renters facing eviction during the ongoing pandemic, regulations banning the enforcement of eviction orders in the private and social rented sectors came into force on 11 December 2020. The evictions ban was subsequently added to the Local Levels Regulations from 22 January 2021 and applied to areas subject to Levels 3 or 4 restrictions. On 5 March 2021, the Local levels Regulations (including the evictions ban in levels 3 and 4) were extended until 30 September 2021. The Local Levels Regulations (including the evictions ban) were revoked on 9 August 2021 by the Health Protection (Coronavirus) (Requirements) (Scotland) Regulations 2021. Accordingly, there is no current ban on the enforcement of evictions in Scotland.
- 7.1.1.9. Social and private landlords have also reaffirmed their commitment to supporting tenants facing difficulties during the pandemic²⁴.
- 7.1.1.10. Additional reporting requirements under section 6(1) of the 2021 Act require details of the measures in place to protect tenants from eviction and any plans for further measures. In relation to the additional measures in place to protect tenants, the Scottish Government has funded councils with £10 million to provide grants to tenants who have fallen behind on their rent as a result of the pandemic and are at risk of eviction. This is in addition to the £10 million loan funding made available to tenants and the £5 million loan funding made available to landlords. A number of local authorities have made

²⁴ [Protecting tenants during pandemic - gov.scot](#)

payments from the fund to support tenants in arrears. Others are in the process of assessing enquires about and referrals to the fund. All local authorities have been asked to provide monitoring reports on the operation of the grant fund to 31 December 2021. The results of this will be available for the next update to Parliament.

- 7.1.1.11. Additional background on the factors to determine the use and continued necessity of the provisions can be found in the [Ninth Report](#).

7.1.2 Section 5 and schedule 4, Part 4 – Extension of time limits

7.1.2.1. At this time, a significant backlog of cases continues to exist and the Scottish Government considers the extended time limits continue to be necessary. Information from the Crown Office and Procurator Fiscal Service (COPFS) indicates that, as of November 2021, there are currently 786 potential sheriff and jury cases and 530 potential High Court cases which are older than the pre-pandemic time limits, with many more that are close to those limits which would mean that a large amount of resource would require to be diverted to make applications to extend time limits on a case-by-case basis if the time limit extension provisions were not in force, which would in turn impact on the ability of prosecutors and courts to address the backlog of cases.

7.1.2.2. To tackle backlogs built up while necessary public health restrictions have been in place, the Scottish Government has committed to investing £50 million this year to the Justice Recover, Renew, and Transform (RRT) programme. This will drive further reform, including greater use of digital tools and improved support for victims and witnesses.

7.1.2.3. A number of measures have been put in place to mitigate the impact of the COVID pandemic – with most civil work being dealt with on-line or virtually and the establishment of innovations such as remote jury centres in cinemas for the most serious criminal trials. Using the additional funding, the Scottish Courts and Tribunals Service (SCTS) announced additional sixteen court capacity, which forms a significant part of our Recovery programme and which has been made possible by continued collaboration across the whole justice system. The High Court will sit in Airdrie, Dundee, Inverness and Stirling, with the Sheriff Solemn courts sitting in Dumfries and Dunfermline. All trial courts will be linked to remote jury centres. The ten additional Sheriff Summary courts will be provided at varying locations across Scotland, based on the level of cases and safe court capacity, with at least one additional court in each of the six sheriffdoms in Scotland.

7.1.3 Section 5 and schedule 4, Part 8 – Release of prisoners

7.1.3.1. These provisions were utilised to conduct a limited release of prisoners in May 2020 as detailed in the Release of Prisoners (Coronavirus) (Scotland) Regulations 2020 (SSI 2020/138).

7.1.3.2. The Scottish Government will continue to engage with the Scottish Prison Service (SPS) in relation to the potential future use of these powers, as one aspect of wider ongoing discussions of the impact of coronavirus on the prison system, and the safe management of the prison population. New variants of Covid have continued to have significant impact on the operation of the prison system, whether in response to any cases of infection amongst prisoners or prison officers and other SPS staff, the ongoing changes to the operation of the prison estate required to mitigate and prevent the potential spread of infection, and the changing effects of public health instructions on the operation of the prison estate.

7.1.3.3. While SPS continue to make strenuous efforts to limit and mitigate any risk, there remains a real concern that future Covid developments could still create circumstances that would make it necessary for Ministers to instruct a prisoner early release action, in order to reduce the strain on prison capacity and workforce (in the absence of other powers to give effect to release in this way). As required by the legislation, Ministers would need to be satisfied that the exercise of the powers is necessary and proportionate to the circumstances faced, with action being taken to maintain the effective operation of the prison system, and to protect the health and wellbeing of prisoners and prison staff. The scale and scope of any future application of the power would have to be considered in response to the circumstances at that time, before being set out in regulations, which would be subject to parliamentary scrutiny. Should it become necessary to implement an early release process in order to maintain security and good order, or the health, safety or welfare of prison staff and prisoners, the Scottish Government will work closely with justice partners, public and third sector services, and victims groups, in order to plan and deliver the necessary activities.

Second Scottish Act

7.2.1 Section 2 and schedule 1, Part 1 – Student residential tenancy: termination by tenant

7.2.1.1. The levels system of restrictions has been revoked and revised guidance published for universities, colleges and community learning and development providers²⁵. The guidance reflects an understanding that the virus is unpredictable and significant risks remain and therefore, the provisions of the Act remain necessary at the moment.

7.2.1.2. The 28 day notice period has given students looking to find suitable accommodation in the current academic year reassurance that, should restrictions continue or more restrictive measures be re-introduced, either locally or nationally, that prevent students from taking up their accommodation as planned, they will not be held liable to pay for accommodation they are not able to use.

²⁵ [Coronavirus \(COVID-19\): universities, colleges and community learning and development providers - gov.scot](https://www.gov.scot/Topics/education/learninganddevelopment/coronavirus)

7.2.1.3. The 28 day notice period has also been reported as creating financial loss for suppliers of dedicated student accommodation, and consideration is being given as to whether the provisions should continue beyond the end of the current academic year.

7.2.2 Section 2 and schedule 1, Part 2 – Tenancies: pre-action requirements for order for possession or eviction order on ground of rent arrears

7.2.2.1. The provisions provide Scottish Ministers with the power to specify pre-action requirements for private landlords seeking to end a private tenancy due to rent arrears, where those arrears relate to the period during which paragraph 4 of schedule 1 of the second Scottish Act is in force. The First-tier Tribunal for Scotland (Housing and Property Chamber) must take account of the extent to which a landlord has complied with the pre-action requirements when deciding whether it is reasonable to grant an order for repossession.

7.2.2.2. Schedule 1 of the first Scottish Act makes all grounds for repossession in the private rented sector discretionary, including for rent arrears. This temporarily changed the original position whereby the First-tier Tribunal for Scotland (Housing and Property Chamber) must grant a repossession order if the level of arrears is in accordance with the criteria laid out in the relevant legislation. This change ensures that the Tribunal considers the reasonableness of making a repossession order during the coronavirus outbreak.

7.2.2.3. The introduction of regulations under the provision temporarily set pre-action requirements that will apply where all or part of the rent arrears have originated in the period during which paragraph 4 of schedule 1 of the second Scottish Act is in force. The extent to which a landlord has complied with these requirements must be taken into account by the First-tier Tribunal for Scotland (Housing and Property Chamber) when deciding whether it is reasonable to grant a repossession order.

7.2.2.4. The introduction of regulations formalises the steps landlords should take in relation to working with private sector tenants to manage arrears prior to seeking repossession during the coronavirus pandemic.

7.2.2.5. The Scottish Government has assessed the potential impact of these provisions on human rights, children's rights and equalities and considers the introduction of pre-action requirements will have a positive impact across those with protected characteristics including women and disabled people who may have been impacted by the consequences of coronavirus. The Scottish Government also considers these measures support the right to adequate housing under the International Covenant on Economic, Social and Cultural Rights by ensuring appropriate safeguards are in place to prevent unnecessary eviction.

7.2.2.6. The provisions were in force during the reporting period. [The Rent Arrears Pre-Action Requirements \(Coronavirus\) \(Scotland\) Regulations 2020](#) (SSI 2020/304) came into force on 30 September 2020.

7.2.3 Section 2 and schedule 1, Part 7 – Care Homes

7.2.3.1. Although these powers have been commenced and are available, they have not been used in this reporting period. Health Boards have not required to exercise their power of a direction over care homes using this legislation. Consequently, Health Boards have not had to use the corresponding power under section 63B of the Public Services Reform (Scotland) Act 2010 to act when said direction has not been complied with.

7.2.3.2. The Scottish Ministers have not required to make an application to the courts for an Emergency Intervention Order in relation to a care home under these powers. The Care Inspectorate updates Ministers of any care home providers about which they have serious concerns and provide regular updates to them to enable emergency action to be taken quickly if required.

7.2.3.3. No further regulations have been made under powers in section 65B during this Eleventh reporting period.

7.2.3.4. Whilst the effect of the pandemic has abated to some extent due to the relatively less serious effects of the Omicron variant and the fact that a large proportion of the population has been vaccinated and received boosters, the pandemic is still current – 7500 new cases were recorded on 1 February 2022, and 30 deaths were recorded on that date where the person had coronavirus. The effect of vaccination is not permanent. We continue to see significant outbreaks in care homes: as at 12 January, 287 (27%) adult care homes had a current case of suspected COVID-19. This is higher than when consideration was previously being given to the extension of the powers (in February 2021 there were 140 (13%) adult care homes with a COVID-19 outbreak). Furthermore, there is evidence that outbreaks in care homes have been more extensive. This has led to care homes often requiring considerable mutual aid and support from NHS and Local Authority partners. It's not only the nature of the resident population that makes them susceptible to coronavirus (age frailty underlying medical conditions), but also the fact that they all live together in close proximity with shared staff and regular visitors. There is a greater risk of the virus spreading in care homes.

7.2.3.5. It is against that background that it is considered that these powers should remain in place for at least the next six months as they provide important assurance to those who depend on care services, their families, and the staff that deliver care, that swift action and additional oversight and support is available in the rare circumstances that it may be required. Neither a health board nor Ministers would be entitled to exercise the powers except where to do so is necessary and proportionate.

7.2.4 Section 3 and schedule 2, Part 1 – Criminal justice – Expiry of undertaking under section 25(2)(a) of the Criminal Justice (Scotland) Act 2016

- 7.2.4.1. This provision provides the court with the power to prevent the expiry of an undertaking and any conditions attached to it by changing the time the person is due to appear at court.
- 7.2.4.2. By preventing the expiry of undertakings in this way, the measure has allowed the Crown Office and Procurator Fiscal Service (COPFS) to review the previously extended undertaking timescales, so dates may revert back to within 28 days of liberation, and 14 days for domestic abuse cases.
- 7.2.4.3. Retaining this provision will ensure the court continues to have the power to prevent the expiry of an undertaking and any conditions attached to it. If a person fails to appear at court as required by the terms of their undertaking, the court considers that the failure to appear is attributable to a reason relating to coronavirus and it is not appropriate to grant a warrant for the person's arrest.
- 7.2.4.4. This enables the preservation of protective conditions of undertaking that may otherwise be lost where a person fails to attend court due to coronavirus and is a key measure to preserve public and victim safety during the coronavirus outbreak, particularly in sensitive cases of domestic abuse

UK Act

7.3.1 Section 10 and schedule 9 – Temporary modification of mental health legislation

- 7.3.1.1. Throughout the pandemic, we have engaged with key stakeholders through the Scottish Government's Short Life Mental Health Legislation Commencement Consideration Group to monitor and review the need to commence the temporary provisions on an ongoing basis. The group agreed that the data and evidence of impact on services and workforce is paramount when considering whether there is a need to commence the legislation. We know that there has been an increased level of demand on mental health services both in terms of support services for those with poor mental wellbeing, but also on psychiatric services from people with more severe mental ill health. Therefore, we feel that it remains necessary to retain these provisions at present to provide additional flexibility given the current climate.

7.3.2 Section 49 and schedule 19 – Health Protection Regulations: Scotland

- 7.3.2.1. Section 49 and schedule 19 commenced on Royal Assent and came into force on 25 March 2020. The provisions give the Scottish Ministers power to make regulations for the purpose of preventing, protecting against, controlling

or providing a public health response to the incidence or spread of infection or contamination with coronavirus in Scotland. These powers have been used to make regulations to provide for restrictions on movement and activities during the pandemic. The regulations made using these powers in this Eleventh reporting period are as follows:

- 2 December 2021: [The Health Protection \(Coronavirus\) \(Requirements\) \(Scotland\) Amendment \(No. 4\) Regulations 2021 \(SSI 2021/453\)](#) were made. These Regulations amend the Health Protection (Coronavirus) (Requirements) (Scotland) Regulations 2021 (the 'Requirements Regulations') to provide that a negative test for Covid-19 is an alternative to vaccination for the purposes of permitted attendance at certain premises.
- 16 December 2021: [The Health Protection \(Coronavirus\) \(Requirements\) \(Scotland\) Amendment \(No. 5\) Regulations 2021 \(SSI 2021/475\)](#) were made. These Regulations amend the Requirements Regulations to expand the existing requirement in regulation 4 on people who are responsible for a place of worship, carrying on a business or providing a service to have regard to guidance issued by the Scottish Ministers about measures to minimise risk of exposure to coronavirus. The new provision also requires such people to take such of those measures as are reasonably practicable to minimise the incidence and spread of coronavirus on their premises. The Regulations also extend the distance from 1 metre to 2 metres where an exemption from wearing a face covering applies in certain indoor settings. This includes in the workplace; when leading an act of worship; rehearsing or performing; or in certain parts of a marriage ceremony.
- 23 December 2021: [The Health Protection \(Coronavirus\) \(Requirements\) \(Scotland\) Amendment \(No. 6\) Regulations 2021 \(SSI 2021/496\)](#) were made. These Regulations amend the Requirements Regulations to introduce a requirement to take measures to ensure, so far as reasonably practicable, that a distance of 1 metre is maintained between people in or waiting to enter hospitality and leisure premises and that only as many people are admitted to the premises as would allow the 1 metre distance to be maintained. The Regulations also introduce a requirement for table service in premises where alcohol is sold for consumption on the premises, and that the customer must remain seated whilst consuming food and drink on the premises. The Regulations also introduce capacity limits for live events held indoors and outdoors - 100 people at indoor standing events, 200 people at indoor seated events and 500 people at outdoor events (whether seated or standing).
- 23 December 2021: [The Health Protection \(Coronavirus\) \(Requirements\) \(Scotland\) Amendment \(No. 7\) Regulations 2021 \(SSI 2021/497\)](#) were made. These Regulations amend the Requirements Regulations to close nightclubs, dance halls or discotheque premises, subject to exceptions, from 5.00 a.m. on 27 December 2021. It would remain open to these businesses to operate the premises with distancing and table service, rather than as a nightclub, dance hall or discotheque.
- 24 December 2021: [The Health Protection \(Coronavirus\) \(Requirements\) \(Scotland\) Amendment \(No. 8\) Regulations 2021 \(SSI 2021/498\)](#) were made. These Regulations amend the Requirements Regulations to allow nightclubs to adjust their operations so as to not operate as a nightclub for the purpose of remaining open in line with these regulations, without being in breach of any

licensing arrangements.

- 13 January 2022: [The Health Protection \(Coronavirus\) \(Requirements\) \(Scotland\) Amendment Regulations 2022 \(SSI 2022/6\)](#) were made. These Regulations amend the Requirements Regulations to remove the legal requirement for one metre physical distancing in the Requirements Regulations at outdoor event venues, outdoor exhibitions and outdoor spaces in sports stadia. The Regulations also amend definitions in the Requirements Regulations in relation to the certification requirements. The Regulations also remove the requirement in the Requirements Regulations that a person must not organise an outdoor event of more than 500 people.
- 20 January 2022: [The Health Protection \(Coronavirus\) \(Requirements\) \(Scotland\) Amendment \(No.2\) Regulations 2022 \(SSI 2022/13\)](#) were made. These Regulations amend the Requirements Regulations to remove the capacity limits for live events held indoors and the definition of a live event. The Regulations also remove the requirement to take measures to ensure, so far as reasonably practicable, that a distance of 1 metre is maintained between people on or waiting to enter hospitality and leisure premises and that only enough people are admitted to the premises to allow the 1 metre distance to be maintained. The Regulations also remove the requirement for table service in premises where alcohol is sold for consumption on the premises, and that the customer must remain seated whilst consuming food and drink on the premises. The Regulations also remove the requirement for the closure of nightclubs to members of the public and amend the definition of 'late night premises' in the Requirements Regulations in relation to the certification requirements.

Associated guidance on regulations made under schedule 19 has been regularly updated – see here for the current guidance on the Requirements Regulations - [Coronavirus \(COVID-19\): guidance - gov.scot \(www.gov.scot\)](#).

- 7.3.2.2. Regulations under schedule 19 must be reviewed at least every 21 days to ensure that the measures they impose continue to be necessary and proportionate. In between these formal reviews, the individual measures are kept under continuous review. Changes arising from any review are set out to the Scottish Parliament in plenary and considered by the Parliament's COVID-19 Committee.
- 7.3.2.3. Changes to regulations under schedule 19 are assessed through the Four Harms approach, which draws on evidence and analysis to assess both current and future direct and indirect health impacts and the social and economic impacts of the pandemic and of proposed regulations. Underpinning this is Scotland's [Strategic Framework](#) which describes our latest approach to managing the pandemic. It was last updated on 16 November 2021.
- 7.3.2.4. In addition, the [Modelling the Epidemic](#) series provides outputs from modelling of the spread and level of the epidemic by Scottish Government, as well as results by modelling groups feeding into the SAGE consensus. These help ensure a robust, peer-tested and up to date picture informs decisions.

- 7.3.2.5. Public Health Scotland (“PHS”) also publish a [COVID-19 weekly statistical report](#). This presents key information on the rollout of the vaccine, volumes of tests and data on Covid transmissions, prevalence of the new variant and case numbers, plus links to a range of research resources and tools.
- 7.3.2.6. [Four Harms](#): Throughout the pandemic, decisions about restrictions and requirements have been taken on the basis of public health and clinical advice, and an assessment against the four harms caused by the virus. These decisions require judgement to be applied to the facts and considerations relevant at the time they are made. Decisions take in clinical advice from the National Incident Management Team and Scottish Government clinical leads – around the Harm 1 direct health impacts from COVID. Directors of Public Health monitor data on a daily and weekly basis and SG officials update the suite of indicators weekly. The National Incident Management Team considers this information alongside local data and analysis in providing public health advice.
- 7.3.2.7. This is brought together with evidence and the assessment of impact on the other Harms caused by the virus – including the indirect health harms, the social harms and harms to the economy. Wider considerations are also taken into account such as the prevalence of infection elsewhere, or of the characteristics of new variants – which might suggest differential impacts.
- 7.3.1.1. Measures imposed by regulations must be necessary and proportionate. Whilst statutory measures aim to deal with a significant threat to public health, throughout the development of the regulations and guidance, the Scottish Government has always had regard to the need to protect human rights, equality considerations, the impact on business and the particular needs of island communities as part of the policy development process. Appropriate impact assessments are carried out as part of this process and are reported to the Scottish Parliament. They can be found on www.legislation.gov.uk under the appropriate instrument.

8. Coronavirus-related Scottish Statutory Instruments

8.1 Section 14 of the second Scottish Act requires Scottish Ministers to report on all SSIs made by Scottish Ministers where the primary purposes relate to coronavirus. This does not apply to SSIs made by Scottish Ministers under the first or second Scottish Acts or the UK Act, as SSIs made under these Acts are already being reported on. Information on SSIs, to which section 14 of the second Scottish Act applies, is included in **Table Five below**.

Table Five – SSIs to which section 14 of the second Scottish Act applies

(SSIs in rows marked in grey have been expired. For a brief description of the SSI please refer to [the ninth report](#))

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
1.	The National Health Service (Charges to Overseas Visitors) (Scotland) Amendment Regulations 2020 SSI 2020/17	Sections 98 and 105 of the National Health Service (Scotland) Act 1978	Negative	30 January 2020	Open-ended	In force
2.	The Public Health etc. (Scotland) Act 2008 (Notifiable Disease and Notifiable Organisms) Amendment Regulations 2020 SSI 2020/51	Section 12(2) of the Public Health etc. (Scotland) Act 2008	Negative	22 February 2020	Open-ended	In force
3.	The Non-Domestic Rates (Coronavirus	Section 153 of the Local	Negative	1 April 2020	31 March 2021	Expired

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
	Reliefs) (Scotland) Regulations 2020 SSI 2020/101	Government etc. (Scotland) Act 1994				Replaced by SSI 2021/151 for 2021-22
4.	The Council Tax Reduction (Scotland) (Amendment) (No.3) (Coronavirus) Regulations 2020 SSI 2020/108	Sections 80 and 113(1) and paragraph 1 of schedule 2 of the Local Government Finance Act 1992	Negative	6 April 2020	4 April 2021	Expired
5.	The Carer's Allowance (Coronavirus) (Breaks in Care)(Scotland) Regulations 2020 SSI 2020/117	Sections 70(8) and 175(1) and (3) of the Social Security Contributions and Benefits Act 1992	Negative	3 April 2020	Initially 8 months from 3 April 2020 The application of regulation 2, which provides for the relaxation of the rules on breaks in care, was extended to	Partially in force Regulation 2, which provides for the relaxation of the rules on breaks in care, expired on 31 August 2021. Regulation 4 remains in force, as amended by SSI/2021/140 for the purpose of providing for a continued disregard of breaks in care which occurred for coronavirus related reasons during the period up to 31 August 2021.

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
					<p>12 May 2021 at 23:59 by SSI 2020/350.</p> <p>The application was further extended, to 31 August 2021, by SSI 2021/140 – see related table entries.</p> <p>It has now been expired.</p> <p>Regulation 4 remains in force.</p>	
6.	The Single Use Carrier Bag Charge (Scotland) Amendment Regulations 2020 SSI 2020/118	Sections 88 and 96(2) of the Climate Change (Scotland) Act 2009	Affirmative	2 April 2020	Had effect until 00:01 on 3 October 2021	Not in force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
7.	The Prisoner and Young Offenders Institutions (Scotland) Amendment Rules 2020 SSI 2020/122	Section 39 of the Prisons (Scotland) Act 1989	Negative	7 April 2020	30 September 2021	Partially in force See entry for SSI 2020/264 and SSI 2021/80
8.	The Electricity Works (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 SSI 2020/123	Section 2(2) of the European Communities Act 1972, sections 36(8), 36C(2), 60(2) and (3) and paragraph 1(3) of schedule 8 of the Electricity Act 1989	Negative	24 April 2020	Ending on the date on which Part 1 of the first Scottish Act expires	In force
9.	The Town and Country Planning (Miscellaneous Temporary Modifications)(Coronavirus) (Scotland) Regulations 2020 SSI 2020/124	Section 2(2) of the European Communities Act 1972, sections 35B(5), 40, 43A(10) and	Negative	24 April 2020	Suspension of requirement for: i) environmental impact assessment reports to be	In force Suspension of the requirement for Local Review Body meetings to be held in public expired after 30 September 2021 (SSI 2021/292). Other suspensions remain in force.

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
		(11) and 275 of the Town and Country Planning (Scotland) Act 1997			<p>available at a physical location ends on the date on which Part 1 of the first Scottish Act expires;</p> <p>ii) a public event in pre-application consultation expires at end 31 March 2022; and</p> <p>iii) local review body meetings to be held in public expires at end of 30 September 2021</p>	

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
					Regulation 2 allows applications to be made up to 6 months after this point, where pre-application consultation (PAC) was carried out in accordance with the temporary emergency requirements rather than the re-instated PAC requirements .	
10.	The Education (Miscellaneous Amendments)(Coronavirus) (Scotland) Regulations 2020 SSI 2020/128	Sections 28A(5) and 28D(3) of the Education (Scotland) Act 1980 and	Negative	23 April 2020	Open-ended	In force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
		section 22 of, and paragraphs 4(3) and 6(6) of schedule 2 of the Education (Additional Support for Learning) (Scotland) Act 2004				
11.	The Town and Country Planning (General Permitted Development) (Scotland) (Coronavirus) Amendment Order 2020 SSI 2020/129	Sections 30, 31 and 275 of the Town and Country Planning (Scotland) Act 1997	Negative	24 April 2020	31 December 2021	Expired
12.	The Children and Young People (Scotland) Act 2014 (Modification) (No.2) Revocation Order 2020 SSI 2020/136	Section 48(2) of the Children and Young People (Scotland) Act 2014	Affirmative	30 April 2020	Open-ended	In force but no longer of any effect The Children and Young People (Scotland) Act 2014 (Modification) Order 2021 increased the mandatory amount of early learning and childcare from 600 hours to 1140 hours each year.

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
13.	The Homeless Persons (Unsuitable Accommodation)(Scotland) Amendment Order 2020 SSI 2020/139	Section 29(3) and (4) of the Housing (Scotland) Act 1987	Negative	6 May 2020	Open-ended except for Article 3 which expired on 30/09/2020 Only temporary exceptions expired repealed by the Homeless Persons (Unsuitable Accommodation) (Scotland) (Modification and Revocation) (Coronavirus) Order 2021 (SSI 2021/10). Permanent amendments	Partially in force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
					of 2020/139 remain in place.	
14.	The Education (Deemed Decisions) (Coronavirus) (Scotland) Amendment Regulations 2020 SSI 2020/149	Sections 28D(3)(b) and 28H(5)(b) of the Education (Scotland) Act 1980	Negative	15 May 2020	Open-ended	In force
15.	The Adults with Incapacity (Ethics Committee) (Coronavirus) (Scotland) Amendment Regulations 2020 SSI 2020/151	Section 51(6) of the Adults with Incapacity (Scotland) Act 2000	Negative	21 May 2020	Open-ended	In force
16.	The Marine Works & Marine Licensing (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 SSI 2020/157	Section 2(2) of the European Communities Act 1972, sections 23(3)(d), (4) and (5), 24(2) and 165(1) of the Marine	Negative	20 May 2020	Ending on the date on which Part 1 of the first Scottish Act expires	In force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
		(Scotland) Act 2010				
17.	The Police Act 1997 and Protection of Vulnerable Groups (Scotland) Act 2007 (Fees) (Coronavirus) Regulations 2020 SSI 2020/163	Sections 112(1)(b), 113A(1)(b), 113B(1)(b), 114(1)(b) and 116(1)(b) of the Police Act 1997 and sections 70(1) and (2) of the Protection of Vulnerable Groups (Scotland) Act 2007	Negative	26 June 2020	25/03/2022 The period for which this SSI has effect was extended to 25 March 2021 by the Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007 (Fees) (Coronavirus) (Amendment) Regulations 2020 (SSI 2020/376). That period has been further	In force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
					amended to 25 March 2022 by The Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007 (Fees) (Coronavirus) Amendment Regulations 2021 (SSI 2021/71).	
18.	The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020 SSI 2020/169	Section 94(1)(b)(i) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	8 June 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidating SSI 2021/322. Not in force subject to regulation 52(2) of that SSI (transitional provisions).
19.	The Health Protection (Coronavirus) (Public Health Information for Travellers to	Section 94(1)(b)(i) of the Public Health etc.	Made Affirmative	8 June 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
	Scotland) (Scotland) Regulations 2020 SSI 2020/170	(Scotland) Act 2008				
20.	The Health Protection (Coronavirus)(International Travel) (Scotland) Amendment Regulations 2020 SSI 2020/171	Section 94(1)(b)(i) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	8 June 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
21.	The Land Reform (Scotland) Act 2016 (Supplementary Provision) (Coronavirus) Regulations 2020 SSI 2020/174	Section 127(1) of the Land Reform (Scotland) Act 2016	Affirmative	12 June 2020	Six month extension - expires 12 December 2020	No longer in force
22.	The Prisons and Young Offenders Institutions (Coronavirus) (Scotland) Amendment Rules 2020 SSI 2020/175	Section 39 of the Prisons (Scotland) Act 1989	Negative	15 June 2020	Open-ended	In force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
23.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No.2) Regulations 2020 SSI 2020/184	Section 94(1)(b)(i) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	20 June 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
24.	The Local Government Finance (Coronavirus) (Scotland) Amendment Order 2020 SSI 2020/187	Paragraph 1 of schedule 12 of the Local Government Finance Act 1992	Affirmative	25 June 2020	31 March 2021	No longer in force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
25.	The Legal Aid and Advice and Assistance (Miscellaneous Amendments) (Coronavirus) (Scotland) Regulations 2020 SSI 2020/191	Sections 9, 12(3), 33(2), (3) and (3A), and 36(1), (2)(a) and (g) of the Legal Aid (Scotland) Act 1986	Affirmative	For the purpose of regulation 1(2) 1 July 2020 For the purpose of regulation 1(3) 5 August 2020	For the duration of the emergency period, defined as the period beginning on 01/07/2020 and ending on the date on which Part 9 of schedule 4 of the Coronavirus (Scotland) Act 2020 expires in accordance with section 12 of that Act	In force
26.	The Registration of Independent Schools (Prescribed Persons)(Coronavirus) (Scotland)	Sections 98A(6) and 133(2D)(b) of the Education (Scotland) Act 1980	Affirmative	4 July 2020	Open-ended	In force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
	Amendment Regulations 2020 SSI 2020/205					
27.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No.3) Regulations 2020 SSI 2020/209	Section 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	10 July 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
28.	The Land and Buildings Transaction Tax (Tax Rates and Tax Bands) (Scotland) Amendment (No.2) (Coronavirus) Order 2020 SSI 2020/215	Section 24(1) of the Land and Buildings Transaction Tax (Scotland) Act 2013	Made Affirmative	15 July 2020	Applied to transactions with an effective date from the date of commencement up to the and including 31 March 2021	Expired Order ceased to have effect for transactions with an effective date after 31 March 2021.
29.	Health Protection (Coronavirus) (International Travel) (Scotland)	Section 94(1)(b)(i) and 122(2)(b) of the Public Health etc.	Made affirmative	23 July 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
	Amendment (No. 4) Regulations 2020 SSI 2020/221	(Scotland) Act 2008				
30.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 5) Regulations 2020 SSI 2020/224	Section 94 of the Public Health etc. (Scotland) Act 2008	Made Affirmative	26 July 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
31.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 6) Regulations 2020 SSI 2020/229	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	28 July 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
32.	The Non-Domestic Rates (Coronavirus Reliefs) (Scotland) Amendment Regulations 2020 SSI 2020/230	Section 153 of the Local Government etc. (Scotland) Act 1994	Negative	5 September 2020	31 March 2021	Expired on 31 March 2021 Replaced by SSI 2021/151 for 2021-22
33.	The Health Protection (Coronavirus) (International Travel) (Scotland)	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc.	Made affirmative	31 July 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
	Amendment (No.7) Regulations 2020 SSI 2020/233	(Scotland) Act 2008				
34.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 8) Regulations 2020 SSI 2020/235	Section 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	8 August 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
35.	The Representation of the People (Absent Voting at Local Government Elections) (Amendment) (Coronavirus) (Scotland) Regulations 2020 SSI 2020/240	Sections 33 and 61(2) of the Local Electoral Administration and Registration Services (Scotland) Act 2006	Negative	23 September 2020	2 years from commencement with duty to review after one year (September 2021)	In force
36.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No.9) Regulations 2020 SSI 2020/242	Section 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	15 August 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
37.	The Direct Payments to Farmers (Controls) (Coronavirus) (Scotland) Regulations 2020 SSI 2020/244	Article 62 of Regulation 1306/2013	Negative	30 September 2020	Scheme Year 2020 (1 January to 31 December)	In force
38.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No.10) Regulations 2020 SSI 2020/252	Section 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	22 August 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
39.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 11) Regulations 2020 SSI 2020/263	Section 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	29 August 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
40.	The Prisons and Young Offenders Institutions (Coronavirus) (Scotland) Amendment (No 2) Rules 2020 SSI 2020/264	Section 39 of the Prisons (Scotland) Act 1989	Negative	29 September 2020	31 March 2021	Superseded SSI 2021/80 extended the rules from 31 March 2021 to 30 September 2021. SSI 2021/289 further extended their application to 31 March 2022.

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
41.	The Homeless Persons (Unsuitable Accommodation) (Scotland) Amendment (Coronavirus) Order 2020 SSI 2020/268	Section 29(3) and (4) of the Housing (Scotland) Act 1987	Negative	30 September 2020	31 January 2021	Expired Repealed by the Homeless Persons (Unsuitable Accommodation) (Scotland) (Modification and Revocation) (Coronavirus) Order 2021 (SSI 2021/10).
42.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 12) Regulations 2020 SSI 2020/271	Section 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	3 September 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
43.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 13) Regulations 2020 SSI 2020/274	Section 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	5 September 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
44.	The Valuation Timetable (Disposal of Appeals and Complaints) (Coronavirus) (Scotland)	Sections 13(1) and 42(1) of the Valuation and Rating	Laid no procedure	29 September 2020	Open-ended	In force This is in force and will remain so until superseded by a reform to various changes to NDR and the appeals system for and in advance of the next revaluation - or a policy decision to extend the date(s) further before

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
	Amendment Order 2020 SSI 2020/277	(Scotland) Act 1956				then. It makes the last date for the disposal by a valuation appeal committee of a valuation roll appeal or complaint lodged with it 31 December in the fourth year following the year of revaluation, instead of 31 December in the third year following a year of revaluation, unless another rule provides for a later disposal date.
45.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 14) Regulations 2020 SSI 2020/280	Section 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	12 September 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
46.	The Corporate Insolvency and Governance Act 2020 (Meetings of Scottish Charitable Incorporated Organisations) (Coronavirus) Regulations 2020 SSI 2020/284	Corporate Insolvency and Governance Act 2020, schedule 14, paragraph 2(2)(b)	Made affirmative	30 September 2020	30 December 2020	Not in force Superseded by SSI 2020/421
47.	The Representation of the People (Register Publication	Sections 13(1)(a) and 201(1) and	Affirmative	17 September 2020	1 February 2021	Expired

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
	Date)(Coronavirus)(Scotland) Regulations 2020 SSI 2020/287	(3) of the Representation of the People Act 1983				Only relates to the 2020 register and extended the publication date of that register to 1 February 2021.
48.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 15) Regulations 2020 SSI 2020/288	Section 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	19 September 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
49.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 16) Regulations 2020 SSI 2020/301	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	26 September 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
50.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 17) Regulations 2020 SSI 2020/307	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	3 October 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
51.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 18) Regulations 2020 SSI 2020/326	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	17 October 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
52.	The Health Protection (Coronavirus, Public Health Information for Passengers Travelling to Scotland) (Amendment) Regulations 2020 SSI 2020/328	Sections 94(1)(b)(i) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	30 October 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
53.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 19) Regulations 2020 SSI 2020/330	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	24 October 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
54.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 20) Regulations 2020 SSI 2020/343	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	31 October 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
55.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 21) Regulations 2020 SSI 2020/354	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	The removal of Denmark came into force on 6 November 2020 Removal of Germany and Sweden came into force on 7 November 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
56.	The Health Protection (Coronavirus) (International Travel)	Section 94(1)(b)(i) and 122(2)(b)	Made Affirmative	7 November 2020	12 months from 8 June 2020	No longer in force Revoked by SSI 2020/404.

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
	(Scotland) Amendment (No. 22) Regulations 2020 SSI 2020/358	of the Public Health etc. (Scotland) Act 2008				
57.	The Town and Country Planning (General Permitted Development) (Coronavirus) (Scotland) Amendment (No. 2) Order 2020 SSI 2020/366	Sections 30, 31 and 275 of the Town and Country Planning (Scotland) Act 1997	Negative	30 December 2020	1 July 2021	Expired
58.	The Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007 (Fees) (Coronavirus) (Amendment) Regulations 2020 SSI 2020/376	Sections 112(1)(b), 113A(1)(b), 113B(1)(b), 114(1)(b) and 116(1)(b) of the Police Act 1997 and sections 70(1) and (2) of the Protection of Vulnerable Groups	Negative	26 December 2020	25 March 2022	In force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
		(Scotland) Act 2007				
59.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 23) Regulations 2020 SSI 2020/378	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	14 November 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
60.	The Carer's Allowance (Coronavirus) (Breaks in Care) (Scotland) Amendment Regulations 2020 SSI 2020/350	Sections 70(8) and 175(1) and (3) of the Social Security Contributions and Benefits Act 1992	Negative	3 December 2020	The application of Regulation 2 was extended, to 31 August 2021, by SSI 2021/140 and has now been expired. Regulation 4 remains in force.	In force but no longer of any practical effect, as it was superseded by SSI 2021/140. See entry for SSI 2021/140.
61.	The Health Protection (Coronavirus) (International Travel)	Sections 94(1)(b)(i) and 122(2)(b)	Made affirmative	28 November 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
	(Scotland) Amendment (No. 24) Regulations 2020 SSI 2020/404	of the Public Health etc. (Scotland) Act 2008				subject to regulation 52(2) in that SSI (transitional provisions).
62.	The Valuation (Postponement of Revaluation) (Coronavirus) (Scotland) Order 2020 SSI 2020/418	Sections 35 and 37 of the Local Government (Scotland) Act 1975	Made Affirmative	18 January 2021		In force
63.	The Homeless Persons (Unsuitable Accommodation) (Scotland) Amendment (Coronavirus) (No.2) Order 2020 SSI 2020/419	Section 29(3) and (4) of the Housing (Scotland) Act 1987	Negative	31 January 2021	Open ended	In force
64.	The Corporate Insolvency and Governance Act 2020 (Meetings of Scottish Charitable Incorporated Organisations) (Coronavirus) (No.2) Regulations 2020	Corporate Insolvency and Governance Act 2020, schedule 14, para 2(2)(b)	Made Affirmative	30 December 2020	30 March 2021	In force but no longer of any effect

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
	SSI 2020/421					
65.	The Health Protection (Coronavirus) (International Travel and Public Health Information) (Scotland) Regulations 2020 SSI 2020/431	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	11 December 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
66.	The Health Protection (Coronavirus) (International Travel and Public Health Information) (Scotland) (No. 2) Regulations 2020 SSI 2020/444	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	18 December 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
67.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 25) Regulations 2020 SSI 2020/474	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	23 December 2020	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
68.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment Regulations 2021 SSI 2021/5	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	8 January 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
69.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No.2) Regulations 2021 SSI 2021/6	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	10 January 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
70.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No.3) Regulations 2021 SSI 2021/7	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	11 January 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
71.	The Homeless Persons (Unsuitable Accommodation) (Scotland) Amendment (Coronavirus) Order 2021	Section 29(3) and (4) of the Housing (Scotland) Act 1987	Negative	31 January 2021	30 September 2021	Article 2 expired at the end of 30 June 2021.

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
	SSI 2021/10					
72.	The Council Tax Reduction (Scotland) (Amendment) (Coronavirus) Regulations 2021 SSI 2021/12	Sections 80 and 113(1) and paragraph 1 of schedule 2 of the Local Government Finance Act 1992	Negative	25 February 2021	On-going	In force This SSI amended the CTR scheme so that it fully disregards the one-off payment of £500 to NHS and social care workers. It is a permanent change and so will remain in force for the foreseeable future.
73.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No.4) Regulations 2021 SSI 2021/19	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	14 January 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
74.	The Health Protection (Coronavirus, Pre-Departure Testing and Operator Liability) (Scotland) Regulations 2021 SSI 2021/20	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	14 January 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
75.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No.5) Regulations 2021 SSI 2021/21	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	15 January 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
76.	The Health Protection (Coronavirus) (International Travel, Public Health Information and Pre-Departure Testing) (Scotland) Amendment Regulations 2021 SSI 2021/34	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	21 January 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
77.	The Town and Country Planning (General Permitted Development) (Coronavirus) (Scotland) Amendment Order 2021 SSI 2021/29	Sections 30, 31 and 275 of the Town and Country Planning (Scotland) Act 1997	Negative	8 February 2021	31 December 2021 for local authority and health bodies/ 18 months from date development started on Crown land	In force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
78.	The Education (Miscellaneous Amendments) (Coronavirus) (Scotland) Regulations 2021 SSI 2021/31	Sections 28A(5), 28D(3), 28H(5), 56A, 56B and 56D of the Education (Scotland) Act 1980 and section 22 and paragraphs 4(3) and 6(6) of schedule 2 of the Education (Additional Support for Learning) (Scotland) Act 2004	Negative	27 February 2021	Open-ended	In force
79.	The Single Use Carrier Bags Charge (Coronavirus) (Scotland) Amendment Regulations 2021 SSI 2021/53	Sections 88 and 96(2) of the Climate Change (Scotland) Act 2009	Affirmative	29 January 2021	Had effect until 00:01 on 31 May 2021	Not in force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
80.	The Health Protection (Coronavirus) (International Travel, Prohibition on Travel from the United Arab Emirates) (Scotland) Amendment Regulations 2021 SSI 2021/52	Sections 94(1)(b) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	29 January 2021	Until 20 September 2021 No period specified in respect of ban on flights from UAE.	Provisions prohibiting flights from UAE revoked by SSI 2021/181. Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
81.	The Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007 (Fees) (Coronavirus) Amendment Regulations 2021 SSI 2021/71	Sections 112(1)(b), 113A(1)(b), 113B(1)(b), 114(1)(b) and 116(1)(b) of the Police Act 1997 and sections 70(1) and (2) of the Protection of Vulnerable Groups (Scotland) Act 2007	Negative	25 March 2021	One year	In force
82.	The Local Authority (Capital Finance and Accounting)	Section 165 of the Local Government	Affirmative	Part 1 5 March 2021	Repayment holiday only available for	In force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
	(Scotland) (Coronavirus) Amendment Regulations 2021 (legislation.gov.uk) SSI 2021/119	etc. (Scotland) Act 1994		Part 2 1 April 2022	the financial years 2020- 21 and 2021- 22.	The SSI provides a local authority with the ability to defer a loans fund payment. This part will expire at the end of 31 March 2022. The SSI also makes a permanent change to The Local Authority (Capital Finance and Accounting) (Scotland) Regulations 2016 from 1 April 2022 and these provision will remain in force.
83.	The Rural Support (Controls) (Coronavirus) (Scotland) Regulations 2021 SSI 2021/72	Article 75(3) of Regulation (EU) No. 1306/2013 as incorporated into UK domestic law in terms of the Direct Payments to Farmers (Legislative Continuity) Act 2020 (c.2)	Made Affirmative	31 March 2021	The derogation will only apply for the claim years 2020 and 2021 for certain designated schemes.	In force
84.	The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and	Sections 94(1)(b) and 122(2)(b) of the Public Health etc.	Made Affirmative	15 February 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
	Testing) (Scotland) Regulations 2021 SSI 2021/74	(Scotland) Act 2008 and Coronavirus Act 2020 schedule 19 para 1(1).				
85.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 6) Regulations 2021 SSI 2021/81	Sections 94(1)(b) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	18 February 2021	20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
86.	The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing etc.) (Scotland) Amendment Regulations 2021 SSI 2021/107	Sections 94(1)(b) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	26 February 2021 except for regulation 8(b) which came into force on 25 February 2021	20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
87.	The Health Protection (Coronavirus) (International Travel) (Scotland)	Sections 94(1)(b) and 122(2)(b) of the Public Health etc.	Made Affirmative	27 February 2021	20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
	Amendment (No. 7) Regulations 2021 SSI 2021/111	(Scotland) Act 2008				
88.	The Council Tax Reduction (Scotland) Amendment (No. 3) (Coronavirus) Regulations 2021 SSI 2021/137	Sections 80 and 113(1) and paragraph 1 of schedule 2 of the Local Government Finance Act 1992	Negative	5 April 2021	Ongoing	In force In force, and will remain so for the foreseeable future. The Regulations provide that a one-off £500 payment that is to be made to persons eligible for working tax credits is to be disregarded, for the purposes of council tax reduction, in calculating a person's capital.)
89.	The Carer's Allowance (Coronavirus) (Breaks in Care) (Scotland) Amendment Regulations 2021 SSI 2021/140	Sections 70(8) and 175(1) and (3) of the Social Security Contributions and Benefits Act 1992	Negative	12 May 2021	The application of Regulation 2 was extended, to 31 August 2021, by SSI 2021/140 and has now been expired. Regulation 4 remains in force.	In force See entry for SSI 2020/117. Regulation 4 remains in force, for the purpose of providing for a continued disregard of breaks in care which occurred for coronavirus related reasons during the period up to 31 August

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
90.	The Valuation (Postponement of Revaluation) (Coronavirus) (Scotland) Order 2020 SSI 2020/418	Sections 13(1) and 42(2) of the Valuation and Rating (Scotland) Act 1956, and 35(2), 35(3) and 37(3) of the Local Government (Scotland) Act 1975	Affirmative	5 December 2020	Open-ended	In force
91.	The Non-Domestic Rates (Coronavirus Reliefs) (Scotland) Regulations 2021 SSI 2021/151	Section 153 of the Local Government etc. (Scotland) Act 1994	Negative	1 April 2021	31 March 2022	In force Provides for 100% RHLA relief for 2021-22
92.	The Prisons and Young Offenders Institutions (Coronavirus) (Scotland) Amendment Rules 2021 SSI 2021/80	Section 39 of the Prisons (Scotland) Act 1989.	Negative	31 March 2021	31 March 2022	In force This SSI extended some of the rules in SSI 2020/122 from 31 March 2021 to 30 September 2021. SSI 2021/289 further extended the applicability of certain rules contained in SSI 2020/122 until 31 March 2022.

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
93.	The Health Protection (Coronavirus) (International Travel etc.) (Scotland) Amendment Regulations 2021 SSI 2021/158	Sections 94(1)(b) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	20 March 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
94.	The Zoonoses Amendment (Coronavirus) (Scotland) Order 2021 SSI No. 2021/83	Sections 1, 7(1), 8(1), 17(1), 23, 29 and 87(2) of the Animal Health Act 1981	No Procedure	22 February 2021	Ongoing	In force
95.	The Scottish Parliament (Elections etc.) Amendment (Coronavirus) Order 2021 SSI 2021/164	Sections 12(1) and 113(2), (4) and (5) of the Scotland Act 1998	Affirmative	24 March 2021	Until 9 December 2022.	In force
96.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 8) Regulations 2021 SSI 2021/179	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	27 March 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
97.	The Health Protection (Coronavirus) (International Travel etc.) (Miscellaneous Amendments) (Scotland) Regulations 2021 SSI 2021/181	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	3 April 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
98.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 9) Regulations 2021 SSI 2021/191	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	23 April 2021. Regulation 5 came into force on 26 April 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
99.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 10) Regulations 2021 SSI 2021/204	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made affirmative	12 May 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
100	The Health Protection (Coronavirus) (International Travel etc.) (Miscellaneous	Sections 94(1)(b)(i) and 122(2)(b) of the Public	Made affirmative	17 May 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
	Amendments (Scotland) (No. 2) Regulations 2021 SSI 2021/208	Health etc. (Scotland) Act 2008				
101.	The Homeless Persons (Unsuitable Accommodation) (Scotland) (Modification and Revocation) (Coronavirus) Amendment Order 2021 SSI 2021/222	Section 29(3) and (4) of the Housing (Scotland) Act 1987	Negative	29 June 2021	Until 30 September 2021	Not in force. Expired at the end of 30 September 2021.
102.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 11) Regulations 2021 SSI 2021/212	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	25 May 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
103.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 12) Regulations 2021 SSI 2021/230	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	08 June 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
104.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 13) Regulations 2021 SSI 2021/237	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	14 June 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
105.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 14) Regulations 2021 SSI 2021/256	Sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008	Made Affirmative	5 July 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
106.	The Valuation Timetable (Coronavirus) (Scotland) Amendment Order 2021 2021/231	Sections 13(1) and 42(2) of the Valuation and Rating (Scotland) Act 1956	Laid no procedure	30 June 2021	31 December 2022	In force This is in force and will remain so until superseded by a reform to various changes to NDR and the appeals system for and in advance of the next revaluation - or a policy decision to extend the date(s) further before then. It makes the last date for the disposal by a valuation appeal committee of a valuation roll appeal or complaint lodged with it 31 December in the fourth year following the year of revaluation, instead of 31 December in the third year following a year of

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
						reevaluation, unless another rule provides for a later disposal date.
107.	The Health Protection (Coronavirus) (International Travel etc.) (Miscellaneous Amendments) (Scotland) (No. 3) Regulations 2021 2021/254	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i) and 122(2).	Made affirmative	30 June 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
108.	The Health protection (Coronavirus) (International Travel etc.) (Miscellaneous Amendments) (Scotland) (No. 4) Regulations 2021 2021/261	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i) and 122(2).	Made affirmative	8 July 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
109.	The Health Protection (Coronavirus) (International Travel etc.) (Miscellaneous Amendments) (Scotland) (No. 5) Regulations 2021 2021/264	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i) and 122(2).	Made affirmative	19 July 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
110.	The Health Protection (Coronavirus) (International Travel etc.) (Miscellaneous Amendments) (Scotland) (No. 6) Regulations 2021 2021/265	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i) and 122(2).	Made affirmative	19 July 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
111.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 15) Regulations 2021 2021/275	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i) and 122(2).	Made affirmative	2 August 2021	Until 20 September 2021.	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
112.	The Health Protection (Coronavirus) (International Travel etc.) (Miscellaneous Amendments) (Scotland) (No. 7) Regulations 2021 2021/278	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i) and 122(2).	Made affirmative	8 August 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
113.	The Prisons and Young Offenders Institutions (Coronavirus) (Scotland) Amendment (No. 2) Rules 2021 SSI 2021/289:	Section 39 Prison (Scotland) Act 1989	Negative	29 September 2021	31 March 2022	In force
114.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 16) Regulations 2021 2021/290	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i) and 122(2).	Made affirmative	30 August 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
115.	The Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2021 SSI 2021/292	Sections 32, 35A, 35B, 35C, 43A(10) and (11), 58(3D), 59(8D) and 275 of the Town and Country Planning	Negative	29 September 2021	Open-ended (but includes time limits on existing Coronavirus provisions)	In force SSI 2021/292 made various changes to other legislation on 29/09/2021: SSI. 2021/100, SSI. 2021/142, SSI. 2013/155, SSI. 2021/99, SSI. 2013/157 and (consequential to extension of provisions on duration of planning permission and listed building/ conservation area consent in the Coronavirus Acts) to the Town and Country Planning (Scotland) Act 1997 and the

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
		(Scotland) Act 1997(1), section 16(7) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997(2), section 12(9) of the Coronavirus (Scotland) Act 2020(3), section 9(9) of the Coronavirus (Scotland) (No. 2) Act 2020(4)				Planning (Listed Building and Conservation Areas)(Scotland) Act 1997. No changes to 2021/292 since 29 September 2021
116.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 17) Regulations 2021	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i) and 122(2).	Made affirmative	6 September 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
	2021/301					
117.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 18) Regulations 2021 2021/307	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i) and 122(2).	Made affirmative	13 September 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
118.	The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 19) Regulations 2021 2021/319	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i) and 122(2).	Made affirmative	15 September 2021	Until 20 September 2021	Revoked on 20 September 2021 by consolidation SSI 2021/322. Not in force subject to regulation 52(2) in that SSI (transitional provisions).
119.	The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Regulations 2021 2021/322	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i) and 122(2). Coronavirus Act 2020,	Made affirmative	20 September 2021	Until 16 May 2022	In force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
		paragraph 1(1) of schedule 19.				
120.	The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment Regulations 2021 2021/328	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i) and 122(2).	Made affirmative	22 September 2021	Until 16 May 2022	In force
121.	The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 2) Regulations 2021 2021/343	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i)	Made affirmative	30 September 2021	Until 16 May 2022	In force
122.	The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 3) Regulations 2021	Public Health etc. (Scotland) Act 2008 section 122(6) and (7)	Made Affirmative	4th October 2021	Until 16 May 2022	In force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
	2021/350					
123.	The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 4) Regulations 2021 2021/357	Public Health etc. (Scotland) Act 2008 section 122(6) and (7)	Made Affirmative	9 th October 2021	Until 16 May 2022	In force
124.	The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 5) Regulations 2021 2021/359	Public Health etc. (Scotland) Act 2008 section 122(6) and (7)	Made Affirmative	15 th October 2021	Until 16 May 2022	In force
125.	The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 6) Regulations 2021 2021/382	Public Health etc. (Scotland) Act 2008 section 122(6) and (7)	Made Affirmative	31 October 2021	Until 16 May 2022	In force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
126.	The Town and Country Planning (General Permitted Development) (Coronavirus) (Scotland) Amendment (No.2) Order 2021 2021/411	sections 30, 31 and 275 of the Town and Country Planning (Scotland) Act 1997(1) and sections 98 and 122(3) of the Planning and Compulsory Purchase Act 2004(2) and all other powers enabling them to do so.	Negative	30 December 2021	30 June 2022	In force
127.	The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 7) Regulations 2021 2021/425	Public Health etc. (Scotland) Act 2008 section 122(6) and (7)	Made Affirmative	22 November 2021	Until 15 December 2021	Not in force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
128.	The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 8) Regulations 2021 2021/440	Public Health etc. (Scotland) Act 2008 section 122(6) and (7)	Made Affirmative	26 November 2021	Until 16 May 2022	In force
129.	The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 9) Regulations 2021 2021/441	Public Health etc. (Scotland) Act 2008 section 122(6) and (7)	Made Affirmative	28 November 2021	Until 16 May 2022	In force
130.	The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 10) Regulations 2021 2021/443	Public Health etc. (Scotland) Act 2008 section 122(6) and (7)	Made Affirmative	30 November 2021	Until 16 May 2022	In force
131.	The Valuation and Rating (Coronavirus) (Scotland) Order 2021	sections 6 and 37(1) of the Local Government	Made Affirmative	1 December 2021		In force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
	2021/445	(Scotland) Act 1975(1)				
132.	The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 11) Regulations 2021 2021/454	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i) and 122(2)	Made Affirmative	6 December 2021	Until 16 May 2022	In force
133.	The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 12) Regulations 2021 2021/455	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i) and 122(2)	Made Affirmative	7 December 2021	Until 16 May 2022	In force
134.	The Education (Miscellaneous Amendments) (Coronavirus) (Scotland) (No. 2) Regulations 2021 2021/462	Sections 28A, 28D and 28H, Education (S) Act 1980; section 22 and paras 4 and 6 of sch 2 of Education	Negative	28 February 2022	Until 16 May 2022	In force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
		(Additional Support for Learning) (S) Act 2004				
135.	The Public Health (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 13) Regulations 2021 2021/470	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i) and 122(2)	Made Affirmative	15 December 2021	Until 16 May 2022	In force
136.	The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 13) Regulations 2021 2021/478	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i) and 122(2)	Made affirmative	17 December 2021	Until 16 May 2022	In force
137.	The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment Regulations 2022 2022/2	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i) and 122(2)	Made affirmative	7 January 2022	Until 16 May 2022	In force

Ref	SSI title and number	Power under which SSI was made	Parliamentary procedure to which SSI was subject	Date(s) of commencement	Period for which it has effect	Status at the end of the reporting period (31 January 2022)
138.	The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 2) Regulations 2022 2022/25	Public Health etc. (Scotland) Act 2008 s94 (1) (b) (i) and 122(2).	Made affirmative	29 January 2022	Until 16 May .fm s2022	In force
139.	The Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007 (Fees) (Coronavirus) Amendment Regulations 2022 2022/34	Sections 112(1)(b), 113A(1)(b), 113B(1)(b), 114(1)(b) and 116(1)(b) of the Police Act 1997 Section 70(1) and (2) of the Protection of Vulnerable Groups (Scotland) Act 2007	Negative	25 March 2022	Until 24 June 2022	Not in force



Scottish Government
Riaghaltas na h-Alba
gov.scot

© Crown copyright 2022

OGL

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3 or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.scot

Any enquiries regarding this publication should be sent to us at

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-80435-043-0 (web only)

Published by The Scottish Government, February 2022

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS1022418 (02/22)

W W W . g o v . s c o t