

PARLIAMENTARY BUREAU: APPROVAL OF SCOTTISH STATUTORY INSTRUMENTS AND A LAID DOCUMENT

MADE AFFIRMATIVE INSTRUMENTS

Health Protection (Coronavirus, Restrictions) (Directions by Local Authorities) (Scotland) Amendment Regulations 2021 (SSI 2021/329)

1. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Health Protection (Coronavirus, Restrictions) (Directions by Local Authorities) (Scotland) Amendment Regulations 2021 (SSI 2021/329) be approved.

Purpose

2. These Regulations extend the expiry date of The Health Protection (Coronavirus, Restrictions) (Directions by Local Authorities) (Scotland) Regulations 2020 (“the principal regulations”) to 25 March 2022.

Consideration by committee

3. Bureau members should note that the deadline for approving these regulations is Monday 8 November 2021. The COVID-19 Recovery Committee will consider the regulations at its meeting on Thursday 4 November and report straight after, in order for Parliament to consider the motion to approve the instrument later that afternoon to meet the deadline. The report will be made available to Members as soon as it is published and any issues raised flagged to Business Managers.

Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment Regulations 2021 (SSI 2021/328)

4. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment Regulations 2021 (SSI 2021/328) be approved.

Purpose

5. To amend the existing list of acute countries, territories and parts of countries or territories as per below.

- No additions
- Remove:
 - Bangladesh
 - Egypt
 - Kenya
 - Maldives

- Oman
- Pakistan
- Sri Lanka
- Turkey

6. The amendments made by this instrument apply only in relation to persons arriving in Scotland at or after 4:00 am on 22 September 2021.

Consideration by committee

7. At its meeting on 28 October 2021, the COVID-19 Recovery Committee agreed to recommend that the regulations be approved. The Committee report was published on 28 October 2021.

Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 2) Regulations 2021 (SSI 2021/343)

8. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 2) Regulations 2021 (SSI 2021/343) be approved.

Purpose

9. To allow for electronic certification issued by NHS Scotland to be used as proof of COVID vaccination status for the purpose of international travel. This will enable use of the use of the NHS Scotland COVID Status App. This instrument also corrects an error in those regulations relating to the exemption applicable to members of aircraft crew where they have travelled to the United Kingdom in the course of their work or are otherwise required to travel to the United Kingdom for work purposes.

Consideration by committee

10. At its meeting on 28 October 2021, the COVID-19 Recovery Committee agreed to recommend that the regulations be approved. The Committee report was published on 28 October 2021.

Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 3) Regulations 2021 (SSI 2021/350)

11. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 3) Regulations 2021 (SSI 2021/350) be approved.

Purpose

12. To revise the travel system by removing green and amber lists. The level of restriction that applies to non-red arrivals will be determined by the individual's vaccination status.

13. The instrument also expands the list of countries from where a person vaccinated with an authorised vaccine may be an eligible vaccinated arrival and how they may provide proof of this. Changes are made to the passenger information requirements to fit with these changes and also to the associated operator liability provisions including information they need to provide to passengers. Changes are also made to the testing and isolation requirements. Amendments are made in relation to passengers on cruise ships to ensure the system works operationally.

14. Further, this instrument amends the sectoral exemptions, introduces new exemptions and updates the list of specified competitions relating to elite sports events.

Consideration by committee

15. At its meeting on 28 October 2021, the COVID-19 Recovery Committee agreed to recommend that the regulations be approved. The Committee report was published on 28 October 2021.

Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 4) Regulations 2021 (SSI 2021/357)

16. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 4) Regulations 2021 (SSI 2021/357) be approved.

Purpose

17. To update the countries included in the red list for the purposes of testing and isolation requirements. This instrument also expands the list of countries from where a person vaccinated with an authorised vaccine may be an eligible vaccinated arrival and the proof needed for this. It provides also for those vaccinated with approved vaccines administered on behalf of the United Nations.

18. This instrument provides for the manner in which the International Travel Regulations apply in relation to participants at the “Conference of the Parties” relating to climate change and the World Leaders Summit in November 2021. It also allows the EU Digital Covid Certificate to be used as evidence of negative test status. This allows passengers to use this as a way to demonstrate test status where this is required.

Consideration by committee

19. At its meeting on 28 October 2021, the COVID-19 Recovery Committee agreed to recommend that the regulations be approved. The Committee report was published on 28 October 2021.

AFFIRMATIVE INSTRUMENTS

Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021 (Form and Content of Waiver etc.) Regulations 2021 (SSI 2021/draft)

20. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021 (Form and Content of Waiver etc.) Regulations 2021 (SSI 2021/draft) be approved.

Purpose

21. To set out the form and content of the waiver that applicants must sign if they want to accept an offer of a redress payment under the redress scheme created by the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021. The Regulations also set out information that is to be provided to applicants in relation to waiver.

Consideration by committee

22. At its meeting on 27 October 2021, the Education, Children and Young People Committee agreed to recommend that the regulations be approved. The Committee report will be published on 29 October 2021.

Redress for Survivors (Historical Child Abuse in Care) (Exceptions to Eligibility) (Scotland) Regulations 2021 (SSI 2021/draft)

23. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Redress for Survivors (Historical Child Abuse in Care) (Exceptions to Eligibility) (Scotland) Regulations 2021 (SSI 2021/draft) be approved.

Purpose

24. To provide that an application for redress cannot be made to the extent that it relates to abuse that occurred when a person was resident in a relevant care setting for the purpose of short-term respite or holiday care, under arrangements made by their parent or guardian and another person.

Consideration by committee

25. At its meeting on 27 October 2021, the Education, Children and Young People Committee agreed to recommend that the regulations be approved. The Committee report will be published on 29 October 2021.

Disability Assistance for Children and Young People (Scotland) Amendment Regulations 2021 (SSI 2021/draft)

26. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Disability Assistance for Children and Young People (Scotland) Amendment Regulations 2021 (SSI 2021/draft) be approved.

Purpose

27. To set out the rules and eligibility criteria for Child Disability Payment (CDP), a form of assistance to support children and young people who have a physical or mental disability, or who have a terminal illness. This new form of social security assistance will replace Disability Living Allowance for children (DLAC) in Scotland. This instrument also includes provision to transfer of responsibility for delivering disability benefits for children and young people under the age of 18 who receive DLAC in Scotland from the Department for Work and Pensions (DWP) on behalf of Scottish Ministers to Social Security Scotland; changing the disability benefits for these children and young people from DLAC to CDP.

Consideration by committee

28. At its meeting on 28 October 2021, the Social Justice and Social Security Committee agreed to recommend that the regulations be approved. The Committee report will be published on 29 October 2021.

Winter Heating Assistance for Children and Young People (Scotland) Amendment Regulations 2021 (SSI 2021/draft)

29. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Winter Heating Assistance for Children and Young People (Scotland) Amendment Regulations 2021 (SSI 2021/draft) be approved.

Purpose

30. To extend eligibility for Child Winter Heating Assistance (CWhA) to young people who are entitled to be paid the enhanced rate of the daily living component of Personal Independence Payment (PIP) during the qualifying week (beginning with the third Monday in September of each year). The eligibility criteria are also amended with retrospective effect. The instrument also extends eligibility for CWhA to those in receipt of the highest rate of the care component of Disability Living Allowance or the enhanced rate of PIP and undergoing period of inpatient hospitalisation and care home stay.

Consideration by committee

31. At its meeting on 28 October 2021, the Social Justice and Social Security Committee agreed to recommend that the regulations be approved. The Committee report will be published on 29 October 2021.

Decision

32. **Business Managers are invited note that the above motions will be lodged.**

33. **Business Managers should reserve their position if their party intends to speak against or oppose the motions.**

**Parliamentary Business Team
October 2021**