

CVDR/S6/22/13/2

COVID-19 Recovery Committee

13th Meeting, 2022 (Session 6), Thursday
28 April 2022

COVID-19 Update; the Coronavirus Acts: Two-Monthly Reports to the Scottish Parliament; and Subordinate legislation

Introduction

1. At this meeting, the Deputy First Minister and Cabinet Secretary for COVID Recovery, will give evidence under agenda item 3.
2. The Committee will take evidence under this agenda item on—
 - [Coronavirus Acts: Twelfth report to Scottish Parliament published on 13 April 2022;](#)
 - [Coronavirus \(Scotland\) \(No.2\) Act 2020: Eleventh report on the Scottish Ministers' responses to requests for information under the Freedom of Information \(Scotland\) Act 2002 published on 8 April 2022.](#)
3. The Committee will also take evidence on the following instrument under agenda item 3—
 - The Health Protection (Coronavirus) (Requirements) (Scotland) Amendment (No. 6) Regulations 2022 (SSI 2022/123)
4. The Committee will then take the motion on the instrument requiring approval under agenda item 4.

Agenda item 3: COVID-19 update; the Coronavirus Acts: Two-Monthly Reports to the Scottish Parliament; and Subordinate legislation

SPICe COVID-19 Update

5. The Scottish Parliament Information Centre ('SPICe') produces a briefing entitled 'SPICe COVID-19 Update' (see **Paper 4**). This provides Members with links to the latest guidance and supporting information published by the Scottish Government, in addition to a selection of websites with information on wider health and social and economic indicators in Scotland. SPICe have also produced an updated version of the [COVID vaccinations blog](#) and [Timeline of Coronavirus \(COVID-19\) in Scotland blog](#).

Two-Monthly Reports to the Scottish Parliament

6. As required by section 15 of the Coronavirus (Scotland) Act 2020 and section 12 of the Coronavirus (Scotland) (No.2) Act 2020 Act, this latest two-monthly report (the Twelfth Two-Monthly Report to the Scottish Parliament) sets out the status and operation of the legislation necessary to respond to the COVID-19 pandemic. It was published on 13 April 2022 and covers the period from 1 February 2022 to 31 March 2022. The report can be accessed on the Scottish Government's [website](#).

7. Chapter 5, pages 6-7 provides a brief summary of extension and expiry of the Coronavirus Acts and the Scottish Government's plans regarding these provisions.

8. The Coronavirus (Scotland) (No.2) Act 2020 provides that Scottish Ministers must report to the Scottish Parliament on certain aspects of their responses to requests for information under FOISA. The Eleventh Freedom of Information Report was published on 8 April 2022 and covers the period from 27 January 2022 to 26 March 2022. The report can be accessed on the Scottish Government's [website](#).

Subordinate legislation

Overview

9. The item of subordinate legislation listed on the agenda is subject to the 'made affirmative' procedure. Ordinarily this means that the regulations can come into force immediately and without any parliamentary scrutiny. The regulations can only remain in force for 28 days from the date they were made into law (excluding any period during which the Parliament is dissolved or in recess for more than 4 days). To continue in force for longer than 28 days, parliamentary approval is required and must be granted within the first 28 days of the instruments being made. The

Delegated Powers and Law Reform (DPLR) Committee and COVID-19 Recovery Committee will report on the instrument, before the whole Parliament considers the motion to approve it.

Policy Background: (SSI 2022/123)

10. On 31 March 2022, the Scottish Government laid [SSI 2022/123](#) and the regulations came into force on 4 April 2022. As outlined above, the regulations are subject to the made affirmative procedure, however they must receive parliamentary approval by 13 May 2022 to allow them to remain in force.

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

“These Regulations remove from the Principal Regulations the provisions in relation to the requirement for persons who enter or remain indoors within a place of worship to wear a face covering. The requirement is removed in respect of any indoor public place which is used as a place of worship. These Regulations also remove the requirement for those at a marriage ceremony, civil partnership registration, funeral or commemorative event related to the end of a person’s life to wear a face covering for the duration of the event. The requirement is removed in respect of such ceremonies and events in all indoor places.

Removing these legal requirements is part of our ongoing review of the baseline measures as we move into the next phase of pandemic response.”

12. An [Equality Impact Assessment](#) has been provided to accompany these regulations.

13. The DPLR Committee considered SSI 2022/123 at its meeting on 19 April 2022 and it had [no points to raise](#).

Agenda item 4: Subordinate legislation

14. Under agenda item 4, the Deputy First Minister and Cabinet Secretary for Covid Recovery will be invited to move the following motion—

- [S6M-03976](#)— That the COVID-19 Recovery Committee recommends that the Health Protection (Coronavirus) (Requirements) (Scotland) Amendment (No. 6) Regulations 2022 (SSI 2022/123) be approved.

Next steps

15. The Committee will publish a report setting out its consideration of the motion under agenda item 4 in due course.

Committee Clerks
April 2022