

PARLIAMENTARY BUREAU: APPROVAL OF SCOTTISH STATUTORY INSTRUMENTS

MADE AFFIRMATIVE INSTRUMENTS

Health Protection (Coronavirus) (Requirements) (Scotland) Amendment (No.2) Regulations 2022 (SSI 2022/13)

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) (Requirements) (Scotland) Amendment (No.2) Regulations 2022 (SSI 2022/13) be approved.

Purpose

2. To amend the Health Protection (Coronavirus) (Requirements) (Scotland) Regulations 2021 (“the Principal 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.

3. 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 Principal Regulations in relation to the certification requirements.

Consideration by committee

4. At its meeting on 3 February 2022, the COVID-19 Recovery Committee agreed to recommend that the regulations be approved. The Committee report was published on 3 February 2022.

Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 2) Regulations 2022 (SSI 2022/25)

5. 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 2022 (SSI 2022/25) be approved.

Purpose

6. To add the DNA (Dynamic New Athletics) event which is an indoor athletics event due to take place on 5 February 2022 at Emirates Arena, Glasgow to the list of

specified competitions in Part 1 of Schedule 6. The policy objective is to allow international sportspeople and ancillary staff coming to Scotland to compete in this event to be eligible for the elite sportsperson exemption.

Consideration by committee

7. At its meeting on 3 February 2022, the COVID-19 Recovery Committee agreed to recommend that the regulations be approved. The Committee report was published on 3 February 2022.

Health Protection (Coronavirus) (Requirements) (Scotland) Amendment (No. 3) Regulations 2022 (SSI 2022/29)

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) (Requirements) (Scotland) Amendment (No. 3) Regulations 2022 (SSI 2022/29) be approved.

Purpose

9. These Regulations amend the Health Protection (Coronavirus) (Requirements) (Scotland) Regulations 2021 (“the Principal Regulations”) to:

- change the requirement for the distance to be maintained between persons who are not wearing face coverings from at least two metres to at least one metre in certain circumstances where they are either separated by a partition or the specified distance.
- Amend the requirement that a face covering must be worn in any indoor communal area in a workplace, where there is no partition, or where people are not otherwise separated by a specified minimum distance, to change the specified minimum distance between persons who are not required to wear a face covering from at least two metres to at least one metre.
- Exempt a person travelling on a ferry from wearing a face covering where a distance of at least one metre is maintained from other persons, as opposed to at least two metres as previously.

Consideration by committee

10. At its meeting on 3 February 2022, the COVID-19 Recovery Committee agreed to recommend that the regulations be approved. The Committee report was published on 3 February 2022.

AFFIRMATIVE INSTRUMENTS

[Registers of Scotland \(Digital Registration, etc.\) Regulations 2022 \(SSI 2021/Draft\)](#)

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 Registers of Scotland (Digital Registration, etc.) Regulations 2022 (SSI 2021/Draft) be approved.

Purpose

12. To make provision alongside the Coronavirus (Scotland) Acts to allow applications to the property registers to be submitted electronically (as electronic copies of paper documents), by making digital submission the default method of submission for these Land Register and Register of Sasines applications, subject to exceptions.

13. They also enable the registration of full electronic documents in the Register of Deeds and Probative Writs in the Books of Council and Session, and make technical amendments to the Electronic Documents (Scotland) Regulations 2014 in relation to annexations to and authentication of electronic documents.

Consideration by committee

14. At its meeting on 26 January 2022, the Economy and Fair Work Committee agreed to recommend that the regulations be approved. The Committee report was published on 27 January 2022.

[Disability Assistance for Working Age People \(Scotland\) Regulations 2022 \(SSI 2021/Draft\)](#)

15. 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 Working Age People (Scotland) Regulations 2022 (SSI 2021/Draft) be approved.

Purpose

16. This instrument sets out the rules and eligibility criteria for Adult Disability Payment (ADP), a form of assistance to provide support to disabled individuals between the ages of 16 and (subject to some exceptions) state pension age to mitigate the additional costs of living with a disability or health condition. This new form of social security assistance will replace Personal Independence Payment (PIP) in Scotland.

17. This instrument also includes provision to transfer individuals who live in Scotland and receive PIP (which has been administered by the Department for Work and Pensions (DWP) on behalf of Scottish Ministers), to instead receive ADP, to be administered by Social Security Scotland on behalf of the Scottish Ministers. It also includes provisions for individuals who wish to move from Child Disability Payment (CDP) onto ADP, and provisions for those who move from Scotland to reside in other parts of the UK, or to Scotland. It further provides for when Short-term Assistance is to be given to those who have been in receipt of ADP.

Consideration by committee

18. At its meeting on 27 January 2022, the Social Justice and Social Security Committee agreed to recommend that the regulations be approved, following evidence

received from a number of interested bodies and the Cabinet Secretary. The Committee [report was published on 27 January 2022](#).

[Social Security Information-sharing \(Scotland\) Amendment Regulations 2022 \(SSI 2021/Draft\)](#)

19. 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 Social Security Information-sharing (Scotland) Amendment Regulations 2022 (SSI 2021/Draft) be approved.

Purpose

20. The instrument ('the Amendment Regulations') will amend the Social Security Information-sharing (Scotland) Regulations 2021('the 2021 Regulations') to provide additional legal gateways for information sharing that are necessary for the upcoming launch of Scottish Adult Disability Payment in 2022. The new legal gateways will ensure Scottish individuals who are entitled to Adult Disability Payment will be able to continue to access the full range of other benefits and welfare services that those on the UK equivalent benefit (Personal Independence Payment) would have access to by virtue of their disability benefit award.

21. This includes adding a new prescribed function that allows local authorities to request social security information to enable them to accurately assess an individual's income, which is necessary for determining how much the individual should contribute towards the cost of local authority-funded social care services provided to that individual. The instrument will also add integration authorities as a prescribed person with whom social security information may be shared, allowing for information sharing to continue in situations where a prescribed local authority function has been delegated by a local authority to an integration authority.

Consideration by committee

22. At its meeting on 27 January 2022, the Social Justice and Social Security Committee agreed to recommend that the regulations be approved. The Committee report was published on 27 January 2022.

Decision

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

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

**Parliamentary Business Team
February 2022**