

EXPLANATORY NOTES

CORONAVIRUS (SCOTLAND) ACT 2020

INTRODUCTION

PURPOSE

DETAIL ABOUT PROVISIONS

Advancement of equality and non-discrimination

Ancillary provision

Suspension, revival and expiry of the provisions of the Act

Reporting

Schedule 1 – eviction for dwelling-houses

Private residential tenancies: eviction grounds to be discretionary

Private residential tenancies: extension of notice periods

Assured tenancies: eviction grounds to be discretionary

Assured tenancies: extension of notice periods

Tenancies under the Rent (Scotland) Act 1984: eviction grounds to be discretionary

Tenancies under the Rent (Scotland) Act 1984: extension of notice periods

Scottish secure tenancies: extension of notice periods

Power to modify notice periods

Consequential modifications in relation to prescribed forms

Errors in notices

Schedule 2 - temporary extension of moratoriums on diligence

Schedule 3 - Children and vulnerable adults

PART 1 - CHILDREN

Requirements as to members of children's hearings

Child assessment and child protection orders

Maximum period for which a compulsory supervision order has effect

Maximum period for which interim compulsory supervision order or interim variation of compulsory supervision order has effect

Period within which children's hearing must be heard in certain cases

Children in secure accommodation

Modification of certain time limits for making and determination of appeals etc.

Attendance at children's hearings etc.

Authentication of children's hearings documents

Looked after children

PART 2 – VULNERABLE ADULTS

Care of adults with incapacity

Schedule 4 – Justice

PART 1 - COURTS AND TRIBUNALS: CONDUCT OF BUSINESS BY ELECTRONIC MEANS

Electronic signatures and transmission of documents

Suspension of requirements for physical attendance

Attendance by electronic means

Further provision about attendance by electronic means

Publication of directions and guidance

Interpretation of Part

PART 2 - FISCAL FINES

Fixed penalty: conditional offer by procurator fiscal

PART 3 - CASES BEGINNING WITH AN APPEARANCE FROM CUSTODY

Ability to take case in any sheriff court

PART 4 – EXTENSION OF TIME LIMITS

Criminal proceedings: extension of time limits

PART 5 – EVIDENCE

Exceptions to the rule that hearsay evidence is inadmissible

PART 6 – COMMUNITY ORDERS

Community payback orders: extension of unpaid work or other activity requirements

Community payback orders: time limit for completion of unpaid work or other activity

Community orders: postponement

Community orders: variation

PART 7 – PAROLE BOARD

Chairing of the Parole Board

Modifications of Parole Board Rules

PART 8 – RELEASE OF PRISONERS

Early release of prisoners

Regulations under paragraph 19: procedure and expiry

PART 9 - LEGAL AID

Assessment of claims for interim payment of fees and outlays

Recovery of overpayment of interim fees or outlays paid to firms

Payment of interim fees for civil legal aid to counsel

Schedule 5 – Alcohol licensing

Requirement to hold a hearing

Premises licences

Personal licence holders

Licensing Boards etc.

Modifications of duties of Licensing Standards Officers

Notification by the chief constable

Interpretation

Modification of the Licensing (Procedure) (Scotland) Regulations 2007

Schedule 6 – Functioning of public bodies

PART 1 - LICENSING OTHER THAN ALCOHOL LICENSING

PART 2 - FREEDOM OF INFORMATION

These notes relate to the Coronavirus (Scotland) Act 2020 (asp 7)

PART 3 - DUTIES IN RESPECT OF REPORTS AND OTHER DOCUMENTS

Power to postpone publication and laying of reports

Power to publish or make available documents for inspection electronically

Resumption of duties in relation to reports and documents

PART 4 – LOCAL AUTHORITY MEETINGS

PART 5 – DUTIES UNDER THE PUBLIC FINANCE AND ACCOUNTABILITY (SCOTLAND) ACT 2000

Schedule 7 - Other measures in response to coronavirus

Social security

Irritancy clauses in commercial leases

Duration of planning permission

Land registration

Electronic delivery of copy of deed to Registers of Scotland

Period of Effect of Advance Notices

Anatomy Act 1984

Scrutiny of subordinate legislation in urgent cases

Business improvement districts

Muirburn

PARLIAMENTARY HISTORY