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The Presiding Officer  
c/o The Chamber Desk  
Room G10  
Scottish Parliament  
Edinburgh  
EH99 1SP

Your ref:  
Our ref:  
21<sup>st</sup> February 2020

Dear Presiding Officer

### **The Public Health etc. (Scotland) Act 2008 (Notifiable Diseases and Notifiable Organisms) Amendment Regulations 2020**

The Public Health etc. (Scotland) Act 2008 (Notifiable Diseases and Notifiable Organisms) Amendment Regulations 2020, SSI 2020/51 was made by the Scottish Ministers under section 12(2) of the Public Health etc. (Scotland) Act 2008 on 20<sup>th</sup> February 2020. It is being laid before the Scottish Parliament today, 21<sup>st</sup> February 2020 and comes into force on 22<sup>nd</sup> February 2020.

Section 28(2) of the Interpretation and Legislative Reform (Scotland) Act 2010 sets out that a negative SSI must be laid before the Scottish Parliament at least 28 days before the instrument comes into force. On this occasion, this has not been complied with and to meet the requirements of section 31(3) that Act, this letter explains why.

The instrument comes into force the day after it is laid, in breach of the 28 day rule, in the interest of public health so that the health service in Scotland can quickly respond if the new strain of coronavirus disease 2019 (COVID-19) is confirmed as being in the UK.

The amending instrument amends Part 1 and 2 of schedule 1 of the Public Health etc. (Scotland) Act 2008 to add coronavirus disease 2019 (COVID-19) to the list of notifiable diseases and to add severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) to the list of notifiable organisms.

We are bringing these provisions forward now to ensure that health professionals and diagnostic laboratories have clarity in their duty to report incidences of the disease and/or organism.

The notification duties will mean that information is provided to a health board so that the health board can consider using their other powers under the 2008 Act such as applying for a short term detention order etc.

Yours sincerely,

Roderick S. Duncan  
Policy Manager

