



J Grove
request-809747-5cace4de@whatdotheyknow.com

Our Reference: 202100256861

19 December 2021

Dear J Grove,

Further to my letter of 06 December 2021, I have now completed my review of your request under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request for review

You asked:

"I want the Scottish Government to confirm that the definition of being "fully vaccinated" is that described in The Health Protection (Coronavirus)(Requirements)(Scotland) Amendment (No. 2) Regulations 2021 7E (Interpretation of regulations 7A to 7D) and ONLY the Health Protection (Coronavirus) (Requirements) (Scotland) Amendment (No. 2) Regulations 2021 7E (Interpretation of regulations 7A to 7D). I want the Scottish Government to confirm that the information on being "fully vaccinated" on the Test & Protect and NHS Inform websites is now out of date since the "booster doses" were authorised by the MHRA."

Response to your request

I have been asked to look at your request afresh, to decide whether the original response should be confirmed, with or without modification, as appropriate, or that a fresh decision should be substituted.

I have concluded that the original decision should be confirmed without modifications. However, I understand that in your request you have asked for confirmation of the definition of "fully vaccinated" and clarification on the guidance. Therefore, I have included further information below.

The definition of fully vaccinated is defined within [the Health Protection \(Coronavirus\)\(Requirements\)](#)

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[\(Scotland\) Amendment \(No.2\) Regulations 2021](#). I have included an extract of the relevant information below:

At Regulation 7E(1) of the Requirements Regulations, "fully vaccinated" means that a person has completed a course of doses of an authorised vaccine with the final dose having been received before the start of the period beginning with the 14th day before the date on which they seek to enter the late night premises or relevant event.

Regulation 7E(2) of the Requirements Regulations provides as follows:

"(2) For the purposes of paragraph (1)—

(a) a person ("P") has completed a course of doses if P has received the complete course of doses specified—

(i) in the summary of product characteristics approved as part of the marketing authorisation for the authorised vaccine, or

(ii) in the instructions for usage approved as part of the authorisation by the licensing authority on a temporary basis under regulation 174 (supply in response to spread of pathogenic agents etc.) of the Human Medicines Regulations 2012⁽³⁾ for the authorised vaccine,

(b) where a person ("P") has received a dose of one authorised vaccine and a dose of a different authorised vaccine, P is deemed to have completed a course of doses of an authorised vaccine."

The guidance on [NHS Inform](#) is accurate as the individual who has received two doses of an approved vaccine can request a copy of their Covid Status Certificate and use this to access venues that are included in the certification scheme. The requirement of a booster vaccination is currently not a requirement to enter venues, however, this will remain under consideration.

The [Coronavirus \(COVID-19\): Test and Protect guidance](#) provides the definition of fully vaccinated that is considered for self-isolation requirements. This confirms that "Fully vaccinated means having received both vaccine doses, with at least two weeks passing since the second dose".

If you are unhappy with the outcome of this review you have the right to appeal to the Scottish Information Commissioner about our decision within 6 months of receiving this letter. Information on how to make an appeal, along with an application form, is available on the Commissioner's website [here](#).

You can also contact the commissioner:

The Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS

E-mail: enquiries@itspublicknowledge.info

Telephone: 01334 464610

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Should you then wish to appeal against the Commissioner's decision, there is a right of appeal to the Court of Session on a point of law only.

Yours sincerely

Ross Grant
RSOC : Correspondence Team

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