

**2020 No. 404**

**PUBLIC HEALTH**

**The Health Protection (Coronavirus) (International Travel)  
(Scotland) Amendment (No. 24) Regulations 2020**

*Approved by the Scottish Parliament*

*Made - - - - 26th November 2020*

*Coming into force - -at 4.00 a.m. on 28th November 2020*

*Laid before the Scottish Parliament 30th November 2020*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008(a), and all other powers enabling them to do so.

In accordance with section 122(6) of that Act, the Scottish Ministers consider that these Regulations need to be made urgently, without a draft having been laid before, and approved by resolution of, the Scottish Parliament.

**Citation and commencement**

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 24) Regulations 2020.

(2) These Regulations come into force at 4.00 a.m. on 28 November 2020.

**Amendment of the Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020**

2.—(1) The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020(b) are amended as follows.

(2) In regulation 3—

(a) in paragraph (4), omit “Subject to paragraph (7)”,

(b) omit paragraph (7).

(3) In regulation 6 (requirement for travellers or others to stay in specified premises)—

(a) in the title, omit “or others”,

(b) in paragraph (1), for “Paragraph (2) applies”, substitute “This regulation applies”,

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(a) 2008 asp 5.

(b) S.S.I. 2020/169, as amended by S.S.I. 2020/171, S.S.I. 2020/184, S.S.I. 2020/209, S.S.I. 2020/221, S.S.I. 2020/224, S.S.I. 2020/229, S.S.I. 2020/233, S.S.I. 2020/235, S.S.I. 2020/242, S.S.I. 2020/252, S.S.I. 2020/263, S.S.I. 2020/271, S.S.I. 2020/274, S.S.I. 2020/280, S.S.I. 2020/288, S.S.I. 2020/301, S.S.I. 2020/307, S.S.I. 2020/326, S.S.I. 2020/330, S.S.I. 2020/343, S.S.I. 2020/354, S.S.I. 2020/358, S.S.I. 2020/378 and S.I. 2020/942.

- (c) omit paragraph (1A),
  - (d) omit paragraph (2A).
- (4) In regulation 7 (persons not required to comply with regulation 6)—
- (a) in paragraph (1), omit “Subject to paragraph (2)”,
  - (b) omit paragraph (2).
- (5) In regulation 9(1)(a) (offences and penalties – Parts 3 and 4), omit “or 6(2A)”.
- (6) In Part 1 of schedule A1 (countries, territories, or parts of countries or territories)—
- (a) after “Antigua and Barbuda” insert “Aruba”,
  - (b) after “Barbados” insert “Bhutan” and “Bonaire, Sint Eustatius and Saba”,
  - (c) omit “Estonia”,
  - (d) after “Iceland” insert “Israel and Jerusalem”(a),
  - (e) after “Japan” insert “Kiribati”,
  - (f) omit “Latvia”,
  - (g) after “Mauritius” insert “Micronesia”, “Mongolia” and “Namibia”,
  - (h) after “New Zealand” insert “Northern Mariana Islands”,
  - (i) after “Qatar” insert “Rwanda”,
  - (j) after “Saint Vincent and the Grenadines” insert “Samoa”,
  - (k) after “Singapore” insert “Solomon Islands”,
  - (l) after “South Korea” insert “Sri Lanka”,
  - (m) after “Thailand” insert “Timor-Leste”, “Tonga” and “Uruguay”,
  - (n) after “The United Arab Emirates” insert “The United States Virgin Islands” and “Vanuatu”.
- (7) In Part 2 of schedule 2 (persons not required to comply with regulation 6)—
- (a) for paragraphs 14 and 14A substitute—
    - “14.—(1) Any person who the relevant Department has certified as meeting the description in head (a), (b) or (c)—
    - (a) a Crown servant or government contractor who is required to undertake essential policing or essential government work in the United Kingdom within the period during which they would, but for this paragraph, have had to stay in specified premises in accordance with regulation 6,
    - (b) a person returning from conducting essential state business outside of the United Kingdom,
    - (c) a person returning to the United Kingdom where this is necessary to facilitate the functioning of a diplomatic mission or consular post of Her Majesty or of a military or other official posting on behalf of Her Majesty.
  - (2) For the purposes of sub-paragraph (1)—
    - “consular post” means any consulate-general, consulate, vice-consulate or consular agency,
    - “Crown servant” has the meaning given in section 12(1)(a) to (e) of the Official Secrets Act 1989,
    - “essential government work” means work which has been designated as such by the relevant Department, and includes, in particular, work related to national security, the work of the National Crime Agency in pursuance of its statutory functions, and work

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(a) Information about the status of Jerusalem is available on the website of the British Consulate General in Jerusalem which is available at <https://www.gov.uk/world/organisations/british-consulate-general-jerusalem>.

related to immigration, the coronavirus disease or any other crisis response, but does not include work of the description in paragraph 2 of Part 1 of this schedule,

“essential policing” means policing which has been designated as such on behalf of the relevant chief officer or chief constable,

“essential state business” means activity which has been designated as essential to the United Kingdom or Her Majesty’s Government by the relevant Department, and includes, in particular, bilateral or multilateral discussions with another state or international organisation and visits to another state on behalf of the United Kingdom or Her Majesty’s Government,

“government contractor” has the meaning given in section 12(2) of the Official Secrets Act 1989.

**14A.**—(1) A person returning from undertaking essential or emergency work outside of the United Kingdom, which has been certified by the relevant Department as necessary to facilitate essential government work or essential state business.

(2) For the purposes of sub-paragraph (1) “essential government work” and “essential state business” have the same meaning as in paragraph 14.”,

- (b) in paragraph 36(a)(i), omit “(including such work relating to maintenance and repair of submarine cables connecting the United Kingdom with other countries)”,
- (c) after paragraph 36, insert—

**“36A.** A person—

- (a) who is engaged in the installation, maintenance or repair of subsea fibre optic telecommunications infrastructure,
- (b) whose role directly supports the installation, maintenance or repair of subsea fibre optic telecommunications infrastructure,

where they have travelled to the United Kingdom in the course of their work.”.

- (8) In schedule 3 A (specified competitions), after paragraph 25 insert—

**“26.** Professional Darts Corporation - Unibet Premier League”.

## **Revocation**

**3.** The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 22) Regulations 2020(a) are revoked.

## **Saving**

**4.** The amendments and revocation made by these Regulations do not apply in relation to any person who arrived in Scotland during the period beginning at 12.01 a.m. on 8 June 2020 and ending immediately prior to the coming into force of these Regulations, and the Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020 continue to apply to such persons as if the amendments and revocation made by these Regulations had not been made.

*HUMZA YOUSAF*

A member of the Scottish Government

St Andrew’s House,  
Edinburgh  
26th November 2020

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(a) S.S.I. 2020/358.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020 (“the International Travel Regulations”).

They remove Estonia and Latvia from the list of exempt countries, territories and parts of countries or territories in Part 1 of schedule A1 of the International Travel Regulations. This means that persons arriving in Scotland at or after the time these Regulations come into force are no longer exempt from the movement restriction in regulation 6 of the International Travel Regulations if, during the 14 days preceding their arrival, they have departed from or transited through Estonia or Latvia. These removals from the list in schedule A1 will not affect passengers who arrive in Scotland before 4.00 a.m. on 28 November 2020.

These Regulations add Aruba, Bhutan, Bonaire, Sint Eustatius and Saba, Israel and Jerusalem, Kiribati, Micronesia, Mongolia, Namibia, Northern Mariana Islands, Rwanda, Samoa, Solomon Islands, Sri Lanka, Timor-Leste, Tonga, Uruguay, the US Virgin Islands, and Vanuatu to the list of exempt countries, territories and parts of countries or territories in Part 1 of schedule A1 of the International Travel Regulations.

Persons arriving in Scotland from these countries, territories, or parts of countries or territories, at or after the time these Regulations come into force will be exempt from the movement restriction in regulation 6 of the International Travel Regulations.

The Regulations amend the International Travel Regulations to remove the provisions which were made in respect of travellers arriving from Denmark by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 22) Regulations 2020 (S.S.I. 2020/358).

The Regulations also make amendments to schedule 2 of the International Travel Regulations to—

- a) amend the exemption for ‘Crown Servants and government contractors’ to make clear that individuals conducting state business overseas are exempt, when certified as such by a government department, whether or not they are ‘Crown Servants or government contractors’ as currently defined,
- b) amend the exemption for Crown Servants or government contractors to include staff and dependants where necessary to facilitate the proper functioning of a diplomatic mission,
- c) amend the exemption relating to subsea telecommunication systems to include non-urgent installation.

These Regulations also amend the list of specified competitions in schedule 3A of the International Travel Regulations.

An impact assessment has not been produced for this instrument.

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