

2021 No. 52

PUBLIC HEALTH

**The Health Protection (Coronavirus) (International Travel,
Prohibition on Travel from the United Arab Emirates) (Scotland)
Amendment Regulations 2021**

Approved by the Scottish Parliament

Made - - - - 28th January 2021

Coming into force - - at 4.00 a.m. on 29th January 2021

Laid before the Scottish Parliament at 9.00 a.m. on 29th January 2021

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 94(1)(b) 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, Prohibition on Travel from the United Arab Emirates) (Scotland) Amendment Regulations 2021.

(2) These Regulations come into force at 4.00 a.m. on 29 January 2021.

Interpretation

2. In these Regulations—

“operator” means—

- (a) in relation to a commercially operated aircraft, the person who has management of the aircraft when it lands in Scotland,
- (b) in relation to any other aircraft, the individual in control of the aircraft when it lands in Scotland,

“passenger” means a person carried in an aircraft other than a member of the crew.

Prohibition on the arrival of aircraft travelling directly from the United Arab Emirates

3.—(1) Subject to paragraph (2), this regulation applies to an aircraft whose last point of departure was the United Arab Emirates (“a relevant aircraft”).

(2) This regulation does not apply to—

- (a) a commercially operated aircraft carrying no passengers,
- (b) an aircraft operated by or in support of Her Majesty’s Government in the United Kingdom.

(3) An operator must not cause or permit a relevant aircraft to land in Scotland unless landing in Scotland is reasonably necessary to secure the safety of the aircraft or the health and safety of any person aboard it.

Offences and penalties

4.—(1) An operator who fails to comply with regulation 3 commits an offence when the aircraft arrives in Scotland.

(2) An operator who commits an offence under paragraph (1) is liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum,
- (b) on conviction on indictment, to a fine.

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

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

(2) In schedule A2 (acute risk countries, territories or parts thereof)—

- (a) after “Brazil” insert “Burundi”,
- (b) after “Portugal” insert “Rwanda”,
- (c) after “Tanzania” insert “The United Arab Emirates”.

Savings

6.—(1) The amendments made by regulations 2 to 4 do not apply in relation to any flight of an aircraft which arrives in Scotland before 1.00 p.m. on 29 January 2021.

(2) The amendments made by regulation 5 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 made by regulation 5 had not been made.

MICHAEL MATHESON
A member of the Scottish Government

St Andrew’s House,
Edinburgh
28th January 2021

(a) 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, S.S.I. 2020/404, S.S.I. 2020/431, S.S.I. 2020/444, S.S.I. 2020/474, S.S.I. 2021/5, S.S.I. 2021/6, S.S.I. 2021/7, S.S.I. 2021/19, S.S.I. 2021/20, S.S.I. 2021/21, S.S.I. 2021/34 and S.I. 2020/942.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulations 2 to 4 of these Regulations prohibit the arrival in Scotland of aircraft travelling directly from the United Arab Emirates, but not commercially operated aircraft carrying no passengers, or aircraft operated by or in support of Her Majesty's Government in the United Kingdom.

Regulation 5(2) amends the Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020 ("the International Travel Regulations"). This adds Burundi, Rwanda and the United Arab Emirates to the list of acute risk countries and territories in schedule A2 of the International Travel Regulations.

The effect of regulation 5(2) is that as of 4.00 a.m. on 29 January 2021, travellers arriving in Scotland having departed from or transited through any of these countries or territories will be subject to the additional measures applying to arrivals from acute risk countries. This means that arriving travellers and all members of their household are subject to the movement restriction in regulation 6 of the International Travel Regulations, and exemptions in respect of both the movement restriction and the requirement to complete the Passenger Locator Form do not apply.

An impact assessment has not been produced for this instrument.

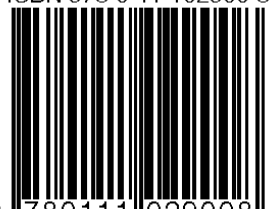
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