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*Status: Point in time view as at 20/03/2021.*

*Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)*

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SCOTTISH STATUTORY INSTRUMENTS

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**2020 No. 169**

**PUBLIC HEALTH**

**The Health Protection (Coronavirus)  
(International Travel) (Scotland) Regulations 2020**

<i>Made</i>	- - - -	<i>7th June 2020</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>at 9.00 a.m. on 8th June 2020</i>
<i>Coming into force</i>	- -	<i>8th June 2020</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 94(1)(b)(i) of the Public Health etc. (Scotland) Act 2008 <sup>M1</sup>, 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.

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**Marginal Citations**

**M1** 2008 asp 5.

**PART 1**

General

**Citation and commencement**

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020.

(2) These Regulations come into force on 8 June 2020.

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**Commencement Information**

**II** Reg. 1 in force at 8.6.2020, see reg. 1(2)

## Interpretation

### 2.—(1) In these Regulations—

[<sup>F1</sup>“acute risk country or territory” means a country or territory, or part of a country or territory, specified in schedule A2]

“child” means a person under the age of [<sup>F2</sup>18],

“common travel area” has the meaning given in section 1(3) of the Immigration Act 1971 <sup>M2</sup>,

“constable” has the meaning given by section 99(1) of the Police and Fire Reform (Scotland) Act 2012 <sup>M3</sup>,

“coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2),

[<sup>F3</sup>“coronavirus disease” means COVID-19 (the official designation of the disease which can be caused by coronavirus),

“exempt country or territory” means a country or territory [<sup>F4</sup>, or part of a country or territory,] specified in schedule A1 and “non-exempt country or territory” means any other country or territory [<sup>F5</sup>, or part of a country or territory,] outside the common travel area,]

“immigration officer” means a person appointed by the Secretary of State as an immigration officer under paragraph 1 of schedule 2 of the Immigration Act 1971 <sup>M4</sup>,

“information offence” means an offence under regulation 5(1) or (2) or an offence under regulation 9(4) where the person is believed to have intentionally obstructed an immigration officer carrying out a function in relation to Part 2,

[<sup>F6</sup>“managed self-isolation package” has the meaning given in regulation 6A(6),]

“passenger information” means the information specified in schedule 1, <sup>F7</sup>...

“Passenger Locator Form” means the electronic form published by the Secretary of State for the provision of passenger information <sup>M5</sup>.

[<sup>F8</sup>“port” means any port (including a seaport, airport or heliport),]

[<sup>F9</sup>“qualifying test” means a test that is a qualifying test for the purposes of regulation 5A,]

[<sup>F10</sup>“specified competition” means a competition listed in [<sup>F11</sup>schedule 3A].]

(2) For the purposes of these Regulations, an individual has responsibility for a child if the individual has—

- (a) custody or charge of the child for the time being, or
- (b) parental responsibilities or parental rights in relation to the child (see sections 1(3) and 2(4) of the Children (Scotland) Act 1995) <sup>M6</sup>.

[<sup>F12</sup>(3) For the purposes of these Regulations a person (“P”) is not treated as departing from or transiting through a country or territory [<sup>F13</sup>, or part of a country or territory, if, at all times whilst in that country, territory or part thereof]—

- (a) P remains on a conveyance on which no other person is permitted to be taken on board, or
- (b) P is kept separated from passengers who did not arrive on the same conveyance as P, and no such passengers are permitted to be taken on board the conveyance on which P leaves that [<sup>F14</sup>country, territory or part thereof].]

### Textual Amendments

- F1** Words in reg. 2 inserted (9.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/5\)](#), regs. 1(2), **2(2)** (with reg. 3)

- F2** Word in reg. 2 substituted (15.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(Pre-Departure Testing and Operator Liability\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/20\)](#), regs. 1(2), **3(2)(a)** (with reg. 4)
- F3** Words in reg. 2(1) inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(2)(a)** (with reg. 3)
- F4** Words in reg. 2(1) inserted (12.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 14\) Regulations 2020 \(S.S.I. 2020/280\)](#), regs. 1, **2(2)(a)(i)** (with reg. 3)
- F5** Words in reg. 2(1) inserted (12.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 14\) Regulations 2020 \(S.S.I. 2020/280\)](#), regs. 1, **2(2)(a)(ii)** (with reg. 3)
- F6** Words in reg. 2 inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **4(a)** (with reg. 17)
- F7** Word in reg. 2(1) omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(2)(b)** (with reg. 3)
- F8** Words in reg. 2 inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **4(b)** (with reg. 17)
- F9** Words in reg. 2 inserted (15.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(Pre-Departure Testing and Operator Liability\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/20\)](#), regs. 1(2), **3(2)(b)** (with reg. 4)
- F10** Words in reg. 2(1) inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(2)(c)** (with reg. 3)
- F11** Words in reg. 2 substituted (5.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 13\) Regulations 2020 \(S.S.I. 2020/274\)](#), regs. 1, **2(2)** (with reg. 3)
- F12** Reg. 2(3) inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(2)(d)** (with reg. 3)
- F13** Words in reg. 2(3) substituted (12.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 14\) Regulations 2020 \(S.S.I. 2020/280\)](#), regs. 1, **2(2)(b)(i)** (with reg. 3)
- F14** Words in reg. 2(3)(b) substituted (12.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 14\) Regulations 2020 \(S.S.I. 2020/280\)](#), regs. 1, **2(2)(b)(ii)** (with reg. 3)

### Commencement Information

- I2** Reg. 2 in force at 8.6.2020, see reg. 1(2)

### Marginal Citations

- M2** [1971 c.77](#). Section 1(3) provides that the United Kingdom, the Channel Islands, the Isle of Man, and the Republic of Ireland are collectively referred to in that Act as “the common travel area”.
- M3** [2012 asp 8](#).
- M4** [1971 c.77](#). Paragraph 1 was amended by paragraph 3 of schedule 3 of the [Health Protection Agency Act 2004 \(c.17\)](#), and by [S.I. 1993/1813](#).
- M5** The Passenger Locator Form is available on [www.gov.uk](http://www.gov.uk). No hard copy version is available but, where a person arrives at a place staffed by Immigration Officers, they will be provided with the ability to complete the form electronically on their arrival in Scotland if not completed in advance; assistance will be available for completion of the electronic form if required.

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**M6** 1995 c.36. Section 1 was amended by paragraph 48 of schedule 6(2) of the [Human Fertilisation and Embryology Act 2008 \(c.22\)](#). Section 2 was amended by paragraph 49 of schedule 6(2) of the Human Fertilisation and Embryology Act 2008.

## PART 2

### Requirement to provide information

- 3.—(1) This regulation applies where a person (“P”) arrives in Scotland—
- (a) from outside the common travel area, or
  - (b) from within the common travel area, if P has been outside the common travel area at any time in the period beginning with the [<sup>F15</sup>10th day] before P's arrival into Scotland.
- (2) P must provide to the Secretary of State—
- (a) P's passenger information, and
  - (b) where P is accompanied by any child for whom P has responsibility, passenger information pertaining to that child.
- (3) The requirement in paragraph (2) can be complied with—
- (a) by P prior to P's arrival into Scotland submitting electronically to the Secretary of State a Passenger Locator Form containing—
    - (i) P's passenger information, and
    - (ii) where P is accompanied by any child for whom P has responsibility, passenger information pertaining to that child,
  - (b) where P has arrived in Scotland from England, Wales or Northern Ireland by P prior to P's arrival into England, Wales or Northern Ireland having submitted electronically to the Secretary of State a Passenger Locator Form containing—
    - (i) P's passenger information, and
    - (ii) where P is accompanied by any child for whom P has responsibility, passenger information pertaining to that child, or
  - (c) by P as soon as reasonably practicable upon arriving in Scotland submitting electronically, using a facility provided by the Secretary of State for this purpose, a Passenger Locator Form, containing—
    - (i) P's passenger information, and
    - (ii) where P is accompanied by any child for whom P has responsibility, passenger information pertaining to that child.
- (4) [<sup>F16</sup>Subject to paragraph (7)] P is not required to comply with the requirement in paragraph (2) where P is—
- (a) a child and the child's passenger information has been provided under paragraph (3)(a)(ii), (b)(ii) or (c)(ii) by another person,
  - (b) a person described in described in [<sup>F17</sup>regulation 7(a)], <sup>F18</sup>...
  - (c) a person described in any of paragraphs 1 to 4 of schedule 2.
  - [<sup>F19</sup>(d) a person described in any of paragraphs 4A to 4F of schedule 2 who meets the condition in paragraph 4G of that schedule, or
  - (e) a person described in paragraph 13 of schedule 2.]

(5) A person who has provided passenger information in accordance with paragraph (3)(a) or (b) must provide evidence that they have done so if requested by an immigration officer.

(6) Nothing in this regulation requires P to provide passenger information if the information is not within P's knowledge or possession or under P's control.

[<sup>F20</sup>(7) Paragraphs (4)(c), (d) and (e) do not apply to a person who has departed from, or transited through, [<sup>F21</sup>an acute risk country or territory].]

#### Textual Amendments

- F15** Words in reg. 3(1)(b) substituted (14.12.2020) by [The Health Protection \(Coronavirus\) \(International Travel and Public Health Information\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/431\)](#), regs. 1(3), **3(2)**
- F16** Words in reg. 3(4) inserted (23.12.2020 at 6.00 p.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 25\) Regulations 2020 \(S.S.I. 2020/474\)](#), regs. 1(2), **2(2)(a)** (with reg. 3)
- F17** Words in reg. 3(4)(b) substituted (20.6.2020 at 1.00 p.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 2\) Regulations 2020 \(S.S.I. 2020/184\)](#), regs. 1(2), **2(2)**
- F18** Word in reg. 3(4)(b) omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(3)(a)** (with reg. 3)
- F19** Reg. 3(4)(d)(e) inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(3)(b)** (with reg. 3)
- F20** Reg. 3(7) inserted (23.12.2020 at 6.00 p.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 25\) Regulations 2020 \(S.S.I. 2020/474\)](#), regs. 1(2), **2(2)(b)** (with reg. 3)
- F21** Words in reg. 3(7) substituted (9.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/5\)](#), regs. 1(2), **2(3)** (with reg. 3)

#### Commencement Information

- I3** Reg. 3 in force at 8.6.2020, see reg. 1(2)

#### Requirement to update passenger information

4.—(1) Paragraph (2) applies where—

- (a) P is required to comply with the requirement in regulation 6(2), and
- (b) prior to the expiry of the period referred to in regulation 6(2)(a),
  - (i) the passenger information provided by P in accordance with regulation 3 is no longer accurate, or
  - (ii) passenger information relating to P or a child accompanying P comes within P's knowledge or possession or under P's control.

(2) P must, as soon as reasonably practicable, take all reasonable steps to provide the updated passenger information to the Secretary of State using the Passenger Locator Form.

(3) Nothing in this regulation requires P to provide passenger information if the information is not within P's knowledge or control.

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#### Commencement Information

**I4** Reg. 4 in force at 8.6.2020, see reg. 1(2)

#### Passenger information: offences and penalties

- 5.**—(1) A person who contravenes the requirement in regulation 3 or 4(2) commits an offence.
- (2) It is an offence for P to provide false or misleading information for the purposes of regulation 3 or 4, where P—
- (a) knows that the information is false or misleading, or
  - (b) is reckless as to whether the information is false or misleading.
- (3) It is a defence to a charge of committing an offence under paragraph (1) or (2) to show that the person, in the circumstances, had a reasonable excuse.
- (4) A person who commits an offence under this regulation is liable, on summary conviction, to a fine not exceeding level 5 on the standard scale.

#### Commencement Information

**I5** Reg. 5 in force at 8.6.2020, see reg. 1(2)

## [<sup>F22</sup>PART 2A

### Pre-Departure Testing [<sup>F23</sup>and testing following arrival in Scotland]

#### Textual Amendments

- F22** Pt. 2A inserted (15.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(Pre-Departure Testing and Operator Liability\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/20\)](#), regs. 1(2), **3(3)** (with reg. 4)
- F23** Words in Pt. 2A heading inserted (26.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), **3(a)** (with reg. 10)

#### Requirement to possess notification of negative test result

- 5A.**—(1) A person who arrives in Scotland having begun their journey outside the common travel area must possess on arrival valid notification of a negative result from a qualifying test taken by that person.
- (2) A person [<sup>F24</sup>described in paragraph (1)] who is travelling with a child aged 11 or over and for whom they have responsibility must, on their arrival in Scotland, possess valid notification of a negative result from a qualifying test taken by that child.
- (3) A person who possesses valid notification of a negative result from a qualifying test must produce that notification, physically or digitally, if requested to do so by a constable or an immigration officer.
- (4) The following are not required to comply with this regulation—
- (a) a person who is a child (without prejudice to paragraph (2)),

- (b) a person described in paragraph 2, 3, 4, 4B, 4C, 4D, 4E, 7, 12, or 30 of schedule 2,
  - (c) a person described in paragraph 4(1) of schedule 2A.
- (5) For the purposes of this regulation—
- (a) a test is a qualifying test if it complies with paragraph 1 of schedule 2A,
  - (b) a notification of a negative result is valid if it includes the information specified in paragraph 2 of schedule 2A.

#### Textual Amendments

- F24** Words in reg. 5A(2) inserted (22.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel, Public Health Information and Pre-Departure Testing\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/34\)](#), regs. 1(2), **2(2)** (with reg. 5(1))

#### Pre-Departure testing: offences and penalties

- 5B.**—(1) A person who contravenes a requirement in regulation 5A commits an offence.
- (2) It is a defence to a charge of committing an offence under paragraph (1) to show that the person, in the circumstances, had a reasonable excuse.
- (3) For the purposes of paragraph (2), reasonable excuses include, in particular where—
- (a) a person was medically unfit to provide a sample for a qualifying test and possessed a document, in English or accompanied by a certified English translation, signed by a medical practitioner entitled to practise in the country or territory in which that practitioner was based, to that effect,
  - (b) it was not reasonably practicable for a person to obtain a qualifying test due to a disability,
  - (c) a person required medical treatment with such urgency that obtaining a qualifying test was not reasonably practicable,
  - (d) a person contracted coronavirus and required emergency medical treatment,
  - (e) a person was accompanying, in order to provide support, whether medical or otherwise, a person described in sub-paragraph (c) or (d) where it was not reasonably practicable for the accompanying person to obtain a qualifying test,
  - (f) a person began their journey to Scotland in a country or territory in which a qualifying test was not available to the public, with or without payment, or in which it was not reasonably practicable for a person to obtain a qualifying test due to a lack of reasonable access to a qualifying test or testing facility and it was not reasonably practicable for them to obtain a qualifying test in their last point of departure if this was different to where they began their journey,
  - (g) the time it has taken a person to travel from the country or territory where they began their journey to the country or territory of their last point of departure prior to arriving in Scotland meant that it was not reasonably practicable for them to meet the requirement in paragraph 1(c) of Schedule 2A, and it was not reasonably practicable for them to obtain a qualifying test in their last point of departure.
- (4) A person does not commit an offence where they contravene a requirement in regulation 5A if they reasonably believed at the time of the contravention that the notification of a negative result was valid and from a qualifying test.
- (5) A person who commits an offence under this regulation is liable, on summary conviction, to a fine not exceeding level 5 on the standard scale.

**[F25] Testing following arrival in Scotland: general**

- 5C.**—(1) Regulations 5D to 5K apply to a person to whom—
- (a) regulation 6(2) (requirement to stay in specified premises) or 6B(2) (requirement to stay in managed accommodation) applies, or
  - (b) subject to regulation 5K (exclusion of certain diplomatic etc. personnel), the provisions mentioned in paragraph (a) do not apply only by virtue of any of the following provisions of schedule 2—
    - (i) paragraph 14(1)(c) (persons returning to facilitate diplomatic missions etc.),
    - (ii) paragraphs 18 to 28 (essential infrastructure etc. personnel),
    - (iii) paragraphs 31 to 34 (medical etc. personnel),
    - (iv) 35 to 36 (telecoms etc. personnel).
- (2) For the purposes of regulations 5D to 5J—
- (a) “day 2 test” means a test provided in a package with a day 8 test which complies with regulation 5F(7) and is undertaken in accordance with regulation 5F(2)(a),
  - (b) “day 8 test” means a test provided in a package with a day 2 test which complies with regulation 5F(7) and is undertaken in accordance with regulation 5F(2)(b),
  - (c) “testing package” means a booking for a day 2 test and a day 8 test,
  - (d) “test provider” means a public provider who provides a test in accordance with regulation 5F(7),
  - (e) “P” means a person to whom regulations 5D to 5J apply by virtue of paragraph 1,
  - (f) “relevant self-isolation provisions” means—
    - (i) in relation to those required to comply with regulation 6(2), regulation 6,
    - (ii) in relation to those required to comply with regulation 6B(2), regulation 6B.

**Textual Amendments**

**F25** Regs. 5C-5K inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), 5 (with reg. 17)

**Testing following arrival in Scotland: requirement to book and pay for tests**

- 5D.**—(1) Where P is an adult, P must on their arrival in Scotland possess a testing package—
- (a) for themselves, and
  - (b) for any child aged 11 or older with whom they are travelling and for whom they have responsibility.
- (2) Where P is an adult who arrives in Scotland without possessing a testing package required under paragraph (1), P must obtain such a testing package as soon as is practicable.
- (3) Where P is a child aged 11 or older and who is unaccompanied by an adult who has responsibility for P, an adult with responsibility for P must obtain a testing package as soon as is practicable after P arrives in Scotland.
- (4) A person who possesses a testing package must provide evidence of it if requested by an immigration officer.



### Textual Amendments

**F25** Regs. 5C-5K inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), 5 (with [reg. 17](#))

### Testing following arrival in Scotland: obligation to provide information

**5E.**—(1) Subject to paragraph (2), at the time the testing package is booked, P must notify the test provider that P is required to undertake [<sup>F26</sup>a day 2 test and a day 8 test] under these Regulations, and provide the test provider with—

- (a) their full name,
- (b) their sex,
- (c) their date of birth,
- (d) their NHS number (if known and applicable),
- (e) their ethnicity,
- (f) the date of their arrival in the United Kingdom,
- (g) their coach number, flight number or vessel name (as appropriate),
- (h) the date on which they last departed from or transited through a non-exempt country or territory,
- (i) the country or territory they were travelling from when they arrived in the United Kingdom, and any country or territory they transited through as part of that journey,
- (j) their email address,
- (k) their telephone number,
- (l) their passport number, or travel document reference number (as appropriate),
- (m) their home address, and—
  - (i) where P is a person to whom regulation 6(2) applies, the address or addresses of the specified premises in accordance with regulation 6 (if different from their home address), or
  - (ii) where P is a person to whom regulation 6B(2) applies, the address of the accommodation designated for the purposes of regulation 6A.

(2) Where P is a child, or a person with a disability who is unable for that reason to provide the notification and information set out or referred to in paragraph (1) to the test provider—

- (a) the notification and information set out or referred to in paragraph (1), other than the information set out in paragraph (1)(j) and (k), must be provided to the test provider on P's behalf by another person ("X"), and
- (b) either the information set out in paragraph (1)(j) and (k) must be provided by X to the test provider or, where appropriate, X must provide their own telephone number and email address to the test provider.

(3) At the time the testing package is booked the test provider must give a test reference number to P and, where appropriate, also give that test reference number to X.

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**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)

### Textual Amendments

- F25** Regs. 5C-5K inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **5** (with [reg. 17](#))
- F26** Words in [reg. 5E\(1\)](#) substituted (26.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), **3(b)** (with [reg. 10](#))

### Testing following arrival in Scotland: requirement to undertake tests

**5F.**—(1) P must undertake the tests specified in paragraph (2) in accordance with this regulation.

(2) The tests specified in this paragraph are—

- (a) a day 2 test undertaken no later than the end of the 2nd day after the day on which P arrived in Scotland,
- (b) a day 8 test undertaken no earlier than the end of the 7th day after the day on which P arrived in Scotland.

(3) Where P is a child, any person who has responsibility for P must, so far as reasonably practicable and subject to paragraph (4), ensure that P undertakes a day 2 test and a day 8 test.

[<sup>F27</sup>(4) Where a test undertaken by P (after this regulation applies) meets the requirements of paragraph (7) and generates a positive result, P is not required to undertake a subsequent day 2 test or day 8 test, as the case may be.]

(5) Where P does not undertake a test as required by this regulation by reason of a reasonable excuse (see regulation 5J(3)), P must, as soon as practicable after the matters giving rise to the reasonable excuse no longer pertain, undertake a replacement test complying with the requirements that apply to the test that was missed.

(6) Where a replacement test is undertaken instead of—

- (a) a day 2 test, P is to be treated as if they had undertaken a day 2 test in accordance with this regulation,
- (b) a day 8 test, P is to be treated as if they had undertaken a day 8 test in accordance with this regulation.

(7) The requirements of this regulation are that—

- (a) the test is provided by a public provider,
- (b) it is a semi-quantitative test for the detection of coronavirus which targets a minimum of two distinguishable SARS-CoV-2 genes other than the S gene and performance reference controls.

(8) In this regulation, “public provider” means a test provider who provides or administers a test under the National Health Service Act 2006, the National Health Services (Wales) Act 2006, the National Health Service (Scotland) Act 1978 or the Health and Personal Social Services (Northern Ireland) Order 1972.

### Textual Amendments

- F25** Regs. 5C-5K inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **5** (with [reg. 17](#))

**F27** Reg. 5F(4) substituted (20.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/158\)](#), regs. 1, **3(1)**

### Testing following arrival in Scotland: requirement to self-isolate on failure to undertake a test

**5G.**—(1) This regulation applies where—

(a) either—

(i) P fails to undertake a day 2 test, or

(ii) P’s day 2 test generates a negative or inconclusive result, and

(b) P fails to undertake a day 8 test.

(2) Where P is subject to the provisions of regulation 6(2), P must remain in the specified premises under regulation 6 until the end of the 14th day after the day on which they arrived in Scotland.

(3) Where P is subject to the provisions of regulation 6B(2), P must remain in the designated accommodation under regulation 6B until the end of the 14th day after the day on which they arrived in Scotland.

#### Textual Amendments

**F25** Regs. 5C-5K inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **5** (with [reg. 17](#))

### Testing following arrival in Scotland: consequences of test results

**5H.**—(1) Where a test undertaken by P in accordance with regulation 5F(1) or (3) generates a positive result—

(a) regulation 9(6)(a) or, as the case may be, regulation 9(7)(a) (leaving specified premises or designated accommodation to travel in order to leave Scotland [<sup>F28</sup>or the common travel area]) do not apply,

(b) P and, subject to paragraph (2), any person who is sharing specified premises or designated accommodation with P must continue to remain in the specified premises or designated accommodation as the case may be, in accordance with regulation 6 or 6B (as the case may be) until the end of the 10th day after the day P undertook the test.

(2) Where a person (“B”) <sup>F29</sup>... is sharing specified premises or designated accommodation with P, the requirement to remain in such premises or accommodation under paragraph (1)(b) does not apply to B where—

(a) the test referred to in sub-paragraph (1) is P’s day 8 test, and

(b) B undertook a day 2 test that generated a positive result.

[  
<sup>F30</sup>(2A) Where an earlier test undertaken by P (after this regulation applies) meets the requirements of regulation 5F(7) and generates a positive result, the requirement for P to remain in such premises or accommodation under paragraph (1)(b) only applies until the end of the 10th day after the day P undertook that earlier test.

(2B) Where an earlier test undertaken by B (after this regulation applies) meets the requirements of regulation 5F(7) and generates a positive result, the requirement for B to remain in such premises

*Status: Point in time view as at 20/03/2021.*

*Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)*

or accommodation under paragraph (1)(b) only applies until the end of the 10th day after the day B undertook that earlier test.]

(3) Where P's day 2 test and day 8 test both generate a negative result, P must remain in the specified premises or designated accommodation (as the case may be) in accordance with the relevant self-isolation provisions until the later of—

- (a) the date specified in regulation 6(2)(a) or regulation 6B(2)(a) (as the case may be), or
- (b) the day on which P receives the result of their day 8 test.

(4) Where a test undertaken by P generates an inconclusive result, P must remain in the specified premises or designated accommodation (as the case may be) in accordance with the relevant self-isolation provisions—

- (a) until the end of the 10th day after the day P undertook the test,
- (b) where P undertakes a test to which paragraph (6) applies and the test generates a negative result, the later of—
  - (i) the end of the period of 10 days beginning with the day after P's arrival in Scotland,
  - (ii) the day on which P receives the negative result, or
- (c) where P undertakes a test to which paragraph (6) applies and the test generates a positive result, until the end of the 10th day after the day P undertook the test.

(5) Where paragraph (4)(c) applies, P is not required to undertake a day 8 test in accordance with regulation 5F(1) or (3).

(6) This paragraph applies to—

- (a) a day 8 test,
- (b) a replacement test—
  - (i) complying with the requirements for a day 8 test specified other than the requirement that the test be administered or provided to P no earlier than the beginning of the 7th day after the day on which P arrived in Scotland,
  - (ii) undertaken in the circumstances specified in regulation 5F, and
  - (iii) undertaken during the period in paragraph (4)(a).

#### Textual Amendments

- F25** Regs. 5C-5K inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), 5 (with reg. 17)
- F28** Words in reg. 5H(1)(a) inserted (26.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), 3(c) (with reg. 10)
- F29** Word in reg. 5H(2) omitted (26.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), 3(d) (with reg. 10)
- F30** Reg. 5H(2A)(2B) inserted (20.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/158\)](#), regs. 1, 3(2)

#### Testing following arrival in Scotland: charge for day testing packages

**5I.—**(1) The Scottish Ministers or a person designated by the Scottish Ministers may impose a charge in respect of a testing package provided by a test provider in accordance with regulation 5F(7).

- (2) The Scottish Ministers—
- (a) must publish details of the charges in such manner as the Scottish Ministers consider appropriate,
  - (b) may recover any sum owed by a person pursuant to such a charge as a debt.

#### Textual Amendments

**F25** Regs. 5C-5K inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), 5 (with reg. 17)

#### Testing following arrival in Scotland: offences and penalties

- 5J.**—(1) It is an offence to contravene a requirement, without a reasonable excuse, in—
- (a) regulation 5D,
  - (b) regulation 5E(1) and (2),
  - (c) regulation 5F(1) [<sup>F31</sup>or (3)].
- (2) Reasonable excuses for contravening regulation 5D include, in particular, where—
- (a) it was not reasonably practicable for a person to book a test due to a disability,
  - (b) a person reasonably considered before arriving in Scotland that it would not be reasonably practicable for the person (or, as the case may be, the child for whom the person has responsibility) to provide a sample for a test in accordance with regulation 5F due to a disability,
  - (c) a person required medical treatment with such urgency that booking a test was not reasonably practicable,
  - (d) a person was accompanying, in order to provide support, whether medical or otherwise, a person described in paragraph (a) or (c) where it was not reasonably practicable for the accompanying person to book a test,
  - (e) a person began their journey to Scotland in a country or territory in which the person did not have reasonable access to the facilities or services required to book a test, with or without payment, and such facilities or services were not reasonably accessible in their last point of departure if this was different to where they began their journey.
- (3) Reasonable excuses for contravening regulation 5F(1) or (3) include, in particular, where—
- (a) it is not reasonably practicable for P to undertake a test due to a disability,
  - (b) P requires medical treatment with such urgency that undertaking a test is not reasonably practicable,
  - (c) a test is cancelled for reasons beyond P's control,
  - (d) P has left Scotland in accordance with [<sup>F32</sup>regulation 9(6)(a)], or left the common travel area in accordance with regulation 9(7)(a).
- (4) A person who commits an offence under paragraph (1) is liable, on summary conviction, to a fine not exceeding level 5 on the standard scale.

*Status: Point in time view as at 20/03/2021.*

*Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)*

### Textual Amendments

- F25** Regs. 5C-5K inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **5** (with reg. 17)
- F31** Words in reg. 5J(1)(c) inserted (26.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), **3(e)** (with reg. 10)
- F32** Words in reg. 5J(3)(d) substituted (26.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), **3(f)** (with reg. 10)

### Exclusion of certain diplomatic etc. personnel

- 5K.**—(1) Regulations 5D to 5J do not apply where P is—
- (a) a person described in paragraph 1(1)(a) to (h) or (k) of schedule 2 or a member of the family forming part of their household,
  - (b) a person described in paragraph 1(1)(i) or (j) of schedule 2 where the conditions in paragraph (2) are met,
  - (c) a member of the family forming part of the household of a person to whom sub-paragraph (b) applies, where—
    - (i) the conditions in paragraph (2) are met in relation to the person to whom sub-paragraph (b) applies,
    - (ii) the Foreign, Commonwealth and Development Office has been notified of P's arrival, and
    - (iii) the Foreign, Commonwealth and Development Office has confirmed that P is not required to comply with regulations 5D to 5J.
- (2) The conditions specified in this paragraph are that, prior to P's departure to the United Kingdom—
- (a) the relevant head of the mission, consular post, or office representing a foreign territory in the United Kingdom, or a Governor of a British overseas territory (as the case may be), or a person acting on their authority, confirms in writing to the Foreign, Commonwealth and Development Office that P is required to undertake work in the United Kingdom which is essential to the foreign territory represented by the mission or consular post, the foreign territory represented by the office or the British overseas territory, and
  - (b) the Foreign, Commonwealth and Development Office has then confirmed in writing to the person giving the confirmation referred to in sub-paragraph (a) that—
    - (i) it has received that confirmation, and
    - (ii) P is travelling to the United Kingdom to conduct official business with the United Kingdom and is not required to comply with regulations 5D to 5J.
- (3) Where a word or expression is defined for the purposes of schedule 2 and is used in this regulation, the same definition applies for the purposes of this regulation.]]

### Textual Amendments

**F25** Regs. 5C-5K inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), 5 (with reg. 17)

## PART 3

### Requirement for travellers<sup>F33</sup> ... to stay in specified premises

6.—(1) [<sup>F34</sup>Paragraph (2) applies] where a person (“P”)—

- (a) arrives in Scotland from [<sup>F35</sup>a non-exempt country or territory][<sup>F36</sup>which is not an acute risk country or territory, where P meets any of the descriptions in [<sup>F37</sup>regulation 7(1)(c) to (d)],<sup>F38</sup> ...
- (b) arrives in Scotland from elsewhere within the common travel area<sup>F39</sup> ... , and has within the preceding [<sup>F40</sup>10 days][<sup>F41</sup>departed from or transited through a non-exempt country or territory][<sup>F42</sup>which is not an acute risk country or territory][<sup>F43</sup>,<sup>F44</sup> ...
- (c) arrives in Scotland from—
  - (i) outside the common travel area, or
  - (ii) elsewhere within the common travel area where P has within the preceding 10 days departed from or transited through a non-exempt country or territory where P’s arrival in the United Kingdom has been arranged under a UK refugee resettlement scheme][<sup>F45</sup>, or
- (d) arrives in Scotland from—
  - (i) an acute risk country or territory or
  - (ii) elsewhere within the common travel area where P has within the preceding 10 days departed from or transited through an acute risk country or territory, where P meets the description in regulation 7A(3)(c).]

[<sup>F46</sup>(1ZA) Paragraph (2) also applies to a person who—

- (a) is not otherwise required to comply with that requirement (by virtue of regulation 6(1) or regulation 7), and
- (b) either—
  - (i) contravenes a requirement in regulation 5A(1), or
  - (ii) is a child in respect of whom the person responsible contravenes a requirement in regulation 5A(2).]

<sup>F47</sup>(1A) .....

(2) P must, on their arrival in Scotland, travel without undue delay to specified premises in Scotland and, except to the extent that a defence would be available under regulation 9(6), must not leave those premises until whichever is the [<sup>F48</sup>later] of—

- (a) the end of the [<sup>F49</sup>tenth day] after the day on which they [<sup>F50</sup>last departed from or transited through a non-exempt country or territory], or
- [<sup>F51</sup>(b) the end of the period specified in regulation 5G or, as the case may be, 5H.]

*Status: Point in time view as at 20/03/2021.*

*Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)*

[<sup>F52</sup>(2A) Where regulation 5H(2A) results in a shorter period than paragraph (2)(a), that shorter period applies.]

- (3) For the purposes of this regulation, the “specified premises” are—
  - (a) unless paragraph (b) or (c) applies—
    - (i) an address specified in P's Passenger Locator Form [<sup>F53</sup>in accordance with paragraph 2(a) of schedule 1,] as required by regulation 3, where P has completed a Passenger Locator Form,
    - (ii) an address specified as the place they intend to stay for the duration of the period specified in paragraph (2) where P has completed a form equivalent to a Passenger Locator Form pursuant to an enactment in England, Wales or Northern Ireland,
    - (iii) the premises at which they intend to stay for such part of the period specified in paragraph (2) as will apply while in Scotland where P is a person described in paragraph (1)(b) who has not completed a Passenger Locator Form or equivalent form as described in head (ii),
    - (iv) the premises at which they intend to stay for such part of the period specified in paragraph (2) as will apply while in Scotland, where P is a person described in paragraph 1 of schedule 2 (other than one described in [<sup>F54</sup>regulation 7(c)]), or
    - (v) where it is not possible for P to stay at a place in accordance with paragraph (i) to (iv), in accommodation facilitated by the Secretary of State for P for the purposes of paragraph (2),
  - (b) where P is an asylum seeker, in accommodation provided or arranged under section 4, 95 or 98 of the Immigration and Asylum Act 1999 <sup>M7</sup>, or
  - (c) where P is a person described in paragraph 9(1) of schedule 10 of the Immigration Act 2016 <sup>M8</sup> (powers of Secretary of State to enable person to meet bail conditions), in accommodation provided or arranged under that paragraph.
- (4) For the purposes of this regulation, where the specified premises are residential premises those premises include any garden, yard, passage, stair, garage, outhouse or other appurtenance of such premises.
- (5) Where P is a person described in [<sup>F55</sup>paragraph 37] of schedule 2, paragraph (3)(a)(i) applies with the modification that the address at which P intends to stay for the purposes of regulation 6(2) must be the named farm (within the meaning of [<sup>F55</sup>paragraph 37] of schedule 2).
- <sup>F56</sup>(6) .....
- (7) If P is a child, any person who has responsibility for the child must ensure, so far as reasonably practicable, that the child complies with this regulation.
- (8) Nothing in this regulation affects the operation of any requirement or restriction on P by virtue of schedule 21 of the Coronavirus Act 2020 <sup>M9</sup> (powers relating to potentially infectious persons) or by virtue of an order made under Part 4 of the Public Health etc. (Scotland) Act 2008 <sup>M10</sup>.

**Textual Amendments**

- F33** Words in reg. 6 heading omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **6(1)(a)** (with reg. 17)
- F34** Words in reg. 6(1) substituted (23.12.2020 at 6.00 p.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 25\) Regulations 2020 \(S.S.I. 2020/474\)](#), regs. 1(2), **2(3)(b)** (with reg. 3)



- F35** Words in reg. 6(1)(a) substituted (10.7.2020) by The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 3) Regulations 2020 (S.S.I. 2020/209), regs. 1, **2(4)(a)(i)** (with reg. 3)
- F36** Words in reg. 6(1)(a) inserted (15.2.2021 at 4.00 a.m.) by The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing) (Scotland) Regulations 2021 (S.S.I. 2021/74), regs. 1(2), **6(1)(b)** (with reg. 17)
- F37** Words in reg. 6(1)(a) substituted (26.2.2021 at 4.00 a.m.) by The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing etc.) (Scotland) Amendment Regulations 2021 (S.S.I. 2021/107), regs. 1(2), **4(a)** (with reg. 10)
- F38** Word in reg. 6(1)(a) omitted (26.2.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing etc.) (Scotland) Amendment Regulations 2021 (S.S.I. 2021/107), regs. 1(2), **4(b)** (with reg. 10)
- F39** Words in reg. 6(1)(b) omitted (15.2.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing) (Scotland) Regulations 2021 (S.S.I. 2021/74), regs. 1(2), **6(1)(c)** (with reg. 17)
- F40** Words in reg. 6(1)(b) substituted (14.12.2020) by The Health Protection (Coronavirus) (International Travel and Public Health Information) (Scotland) Regulations 2020 (S.S.I. 2020/431), regs. 1(3), **3(3)**
- F41** Words in reg. 6(1)(b) substituted (10.7.2020) by The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 3) Regulations 2020 (S.S.I. 2020/209), regs. 1, **2(4)(a)(ii)(bb)** (with reg. 3)
- F42** Words in reg. 6(1)(b) inserted (26.2.2021 at 4.00 a.m.) by The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing etc.) (Scotland) Amendment Regulations 2021 (S.S.I. 2021/107), regs. 1(2), **4(c)** (with reg. 10)
- F43** Reg. 6(1)(c) and word inserted (26.2.2021 at 4.00 a.m.) by The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing etc.) (Scotland) Amendment Regulations 2021 (S.S.I. 2021/107), regs. 1(2), **4(d)** (with reg. 10)
- F44** Word in reg. 6(1)(b) omitted (20.3.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus) (International Travel etc.) (Scotland) Amendment Regulations 2021 (S.S.I. 2021/158), regs. 1, **4(a)** (with reg. 12)
- F45** Reg. 6(1)(d) and word inserted (20.3.2021 at 4.00 a.m.) by The Health Protection (Coronavirus) (International Travel etc.) (Scotland) Amendment Regulations 2021 (S.S.I. 2021/158), regs. 1, **4(b)** (with reg. 12)
- F46** Reg. 6(1ZA) inserted (15.1.2021 at 4.00 a.m.) by The Health Protection (Coronavirus) (Pre-Departure Testing and Operator Liability) (Scotland) Regulations 2021 (S.S.I. 2021/20), regs. 1(2), **3(4)** (with reg. 4)
- F47** Reg. 6(1A) omitted (15.2.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing) (Scotland) Regulations 2021 (S.S.I. 2021/74), regs. 1(2), **6(1)(d)** (with reg. 17)
- F48** Word in reg. 6(2) substituted (15.2.2021 at 4.00 a.m.) by The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing) (Scotland) Regulations 2021 (S.S.I. 2021/74), regs. 1(2), **6(1)(e)(i)** (with reg. 17)
- F49** Words in reg. 6(2)(a) substituted (14.12.2020) by The Health Protection (Coronavirus) (International Travel and Public Health Information) (Scotland) Regulations 2020 (S.S.I. 2020/431), regs. 1(3), **3(4)** (with reg. 5(2)(3))
- F50** Words in reg. 6(2)(a) substituted (10.7.2020) by The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 3) Regulations 2020 (S.S.I. 2020/209), regs. 1, **2(4)(b)** (with reg. 3)
- F51** Reg. 6(2)(b) substituted (15.2.2021 at 4.00 a.m.) by The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing) (Scotland) Regulations 2021 (S.S.I. 2021/74), regs. 1(2), **6(1)(e)(ii)** (with reg. 17)
- F52** Reg. 6(2A) inserted (20.3.2021 at 4.00 a.m.) by The Health Protection (Coronavirus) (International Travel etc.) (Scotland) Amendment Regulations 2021 (S.S.I. 2021/158), regs. 1, **3(3)**

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)

- F53** Words in reg. 6(3)(a)(i) substituted (5.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 13\) Regulations 2020 \(S.S.I. 2020/274\)](#), regs. 1, **2(3)** (with reg. 3)
- F54** Words in reg. 6(3)(a)(iv) substituted (20.6.2020 at 1.00 p.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 2\) Regulations 2020 \(S.S.I. 2020/184\)](#), regs. 1(2), **2(3)(a)**
- F55** Words in reg. 6(5) substituted (20.6.2020 at 1.00 p.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 2\) Regulations 2020 \(S.S.I. 2020/184\)](#), regs. 1(2), **2(3)(b)**
- F56** Reg. 6(6) revoked (14.9.2020) by [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/279\)](#), reg. 1, **Sch. 2**

**Modifications etc. (not altering text)**

- C1** Reg. 6(2) restricted (20.6.2020 at 1.00 p.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 2\) Regulations 2020 \(S.S.I. 2020/184\)](#), regs. 1(2), **3(2)**

**Commencement Information**

- I6** Reg. 6 in force at 8.6.2020, see reg. 1(2)

**Marginal Citations**

- M7** [1999 c.33](#). Section 4 was amended by section 49 of the [Nationality, Immigration and Asylum Act 2002 \(c.41\)](#), by section 10(1) of the [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004 \(c. 19\)](#), by section 43(7) of the [Immigration, Asylum and Nationality Act 2006 \(c.13\)](#), and by paragraph 1 of schedule 11 of the [Immigration Act 2016 \(c.19\)](#). Section 95 was amended by section 50(1) of the [Nationality, Immigration and Asylum Act 2002](#) and by paragraph 29 of schedule 10 of the [Immigration Act 2016](#).
- M8** [2016 c.19](#).
- M9** [2020 c.7](#).
- M10** [2008 asp 5](#).

**[<sup>F57</sup> Requirement for certain travellers to possess managed self-isolation package**

**6A.—(1)** This regulation applies where a person (“P”) arrives in Scotland from—

- (a) outside the common travel area, [<sup>F58</sup>or]
- [<sup>F59</sup>(b) elsewhere within the common travel area where P has, at any time in the period beginning with the 10th day before the date of their arrival in Scotland, departed from or transited through an acute risk country or territory.]
- <sup>F60</sup>(c) .....

(2) P may only enter Scotland at one of the following ports—

- (a) Aberdeen Airport,
- (b) Edinburgh Airport,
- (c) Glasgow Airport,
- (d) any military airfield or port.

(3) Paragraph (2) does not apply to P where the aircraft on which P is travelling lands at an airport not mentioned in paragraph (2) for—

- (a) a reason relating to the safety or security of the aircraft, or any person aboard it,
- (b) any other emergency reason, or
- (c) the reason that military personnel disembark at an airport not mentioned in paragraph (2).

- (4) P must be in possession of a managed self-isolation package.
- (5) The requirement in paragraph (4) may be complied with by P obtaining a managed self-isolation package either before P’s arrival in Scotland or immediately upon P’s arrival in Scotland.
- (6) In this regulation, a “managed self-isolation package” means—
  - (a) a booking for a place in accommodation designated by the Scottish Ministers for the purposes of this regulation in relation to P’s port of arrival in Scotland,
  - (b) a booking for transport facilitated by the Scottish Ministers from P’s port of arrival in Scotland to the accommodation referred to in sub-paragraph (a), and
  - (c) a testing package within the meaning given in regulation 5C.
- (7) If P is a child, any person who has responsibility for P when P is travelling to Scotland must ensure, so far as is reasonably practicable, that P complies with paragraph (4).
- (8) The Scottish Ministers, or a person designated by the Scottish Ministers, may impose a charge for the managed self-isolation package and the Scottish Ministers—
  - (a) must publish details of such charges in such manner as they consider appropriate, and
  - (b) may recover any sum owed by P pursuant to such a charge as a debt.

**Textual Amendments**

- F57** Regs. 6A-6D inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **6(2)** (with reg. 17)
- F58** Word in reg. 6A(1)(a) inserted (26.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), **4(e)(i)** (with reg. 10)
- F59** Reg. 6A(1)(b) substituted (26.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), **4(e)(ii)** (with reg. 10)
- F60** Reg. 6A(1)(c) omitted (26.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), **4(e)(iii)** (with reg. 10)

**Requirement for certain travellers to stay in managed accommodation**

- 6B.**—(1) This regulation applies where a person (“P”) arrives in Scotland from—
- (a) outside the common travel area, [<sup>F61</sup>or]
  - [<sup>F62</sup>(b) elsewhere within the common travel area where P has, at any time in the period beginning with the 10th day before the date of their arrival in Scotland, departed from or transited through an acute risk country or territory.]
  - <sup>F63</sup>(c) .....
- (2) P must, on arrival in Scotland or, as the case may be, immediately after obtaining a managed self-isolation package, travel directly to the accommodation designated in the package using the means of transport designated in the package (where relevant) and, except to the extent that a defence would be available under regulation 9(7), P must not leave the place they are staying within that accommodation until whichever is the later of—
- (a) the end of the 10th day after the day on which P arrived in Scotland, or
  - (b) the end of the period specified in regulation 5G or, as the case may be, 5H.

[

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<sup>F64</sup>(2A) Where regulation 5H(2A) results in a shorter period than paragraph (2)(a), that shorter period applies.]

(3) The place referred to in paragraph (2) means—

- (a) the room in the designated accommodation where P is staying, including any balcony,
- (b) if connected to the room where P is staying, the room of any person with whom P travelled to Scotland.

(4) The place referred to in paragraph (3) does not include the communal areas within the accommodation except to the extent that P requires to move through any such area in order to access any part of the place where P is staying.

(5) Where P is a child, any person who has responsibility for P during the period P is required to comply with paragraph (2) must ensure, so far as is reasonably practicable, that P complies with the requirement in that paragraph.

(6) A person (“B”), may reside in the place where P is residing pursuant to this Regulation in order to provide assistance P reasonably requires by reason of—

- (a) P being a child, or
- (b) any disability of P’s,

and paragraph (2) applies to B as it applies to P for the same period that it applies to P.

#### Textual Amendments

- F57** Regs. 6A–6D inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **6(2)** (with reg. 17)
- F61** Word in reg. 6B(1)(a) inserted (26.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), **4(f)(i)** (with reg. 10)
- F62** Reg. 6B(1)(b) substituted (26.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), **4(f)(ii)** (with reg. 10)
- F63** Reg. 6B(1)(c) omitted (26.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), **4(f)(iii)** (with reg. 10)
- F64** Reg. 6B(2A) inserted (20.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/158\)](#), regs. 1, **3(4)**

#### Appeals

**6C.**—(1) While P is or would be required by regulation 6B(2) to stay in the accommodation designated in P’s managed self-isolation package, P may appeal to the sheriff or the summary sheriff against the requirement that P—

- (a) possess a managed self-isolation package, or
- (b) remain in the accommodation so designated.

(2) An appeal under paragraph (1) is to be made by way of summary application.

(3) The court must determine an appeal brought under paragraph (1) within 3 working days beginning with the day after the day on which the summary application was lodged with the court.

### Textual Amendments

**F57** Regs. 6A-6D inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **6(2)** (with [reg. 17](#))

### Modification of regulations 6A and 6B where P is a relevant person

**6D.**—(1) Where P is a relevant person, the reference in regulation 6A(6) to a managed self-isolation package is to be read as a reference to a self-isolation package containing such provisions as to accommodation, transport and testing as the Secretary of State or the Scottish Ministers consider appropriate, and regulations 6A and 6B are to be read accordingly.

(2) P is a relevant person if—

(a) P is—

- (i) a person requiring urgent medical assistance,
- (ii) a person on immigration bail,
- (iii) a person who has been detained by an immigration officer,
- (iv) a person who has been refused leave to enter the UK,
- (v) an illegal entrant,
- (vi) an asylum seeker,
- (vii) a person who is in police custody,
- (viii) a prisoner,
- (ix) a potential victim of human trafficking,
- (x) a person whose arrival in the United Kingdom has been arranged, for safeguarding or welfare reasons, by the Foreign, Commonwealth and Development Office,
- (xi) a person whom the Scottish Ministers consider requires exceptional arrangements to be made on compassionate grounds, and

(b) the Secretary of State has, or the Scottish Ministers have, confirmed in writing that P is a relevant person, and that confirmation has not been withdrawn.]

### Textual Amendments

**F57** Regs. 6A-6D inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **6(2)** (with [reg. 17](#))

### Persons not required to comply with regulation 6

7.—<sup>[F65(1)]</sup> <sup>[F66</sup>Subject to regulation 6(1ZA) <sup>F67</sup>...] the following persons are not required to comply with the <sup>[F68</sup>requirement in regulation 6(2)]—

(a) any person described in regulation 6(1)(b) who—

- (i) has arrived from England, and
- (ii) is in Scotland, temporarily, for a reason specified in regulation 9(6),

(b) any person who has arrived <sup>F69</sup>... in Scotland <sup>[F70</sup>from elsewhere within the common travel area] in order to travel immediately onwards to—

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- (i) another part of the United Kingdom, or
  - (ii) elsewhere outside of the United Kingdom,
  - <sup>F71</sup>(ba) . . . . .
  - (c) any person described in paragraph 1(1)(a) to (k) of schedule 2 who meets the conditions set out in paragraph 1(2) of that schedule, <sup>F72</sup> ... <sup>F73</sup> ...
  - <sup>F74</sup>(ca) any person described in paragraph 37 of schedule 2 where that person is required to work in fields or other property under the control of the farming enterprise, but only to the extent specified in that paragraph, <sup>F75</sup> ...]
  - <sup>F76</sup>(cba) . . . . .
  - <sup>F77</sup>(cb) any international elite sportsperson described in paragraph 38 of schedule 2 but only to the extent specified in paragraph 38(4)(a) or any international ancillary sportsperson described in paragraph 38 of that schedule but only to the extent specified in paragraph 38(4)(b),
  - <sup>F78</sup>(cc) . . . . . or]
  - (d) [<sup>F79</sup>subject to paragraph (2)] any person described in any other paragraph of schedule 2 [<sup>F80</sup>(including any person who is a domestic elite sportsperson [<sup>F81</sup>or a domestic ancillary sportsperson] within the meaning of paragraph 38 of that schedule)].
- <sup>F82</sup>(2) A person (“P”) described in any of the following paragraphs of schedule 2 is exempt from the requirement in regulation 6(2) when P is outside of the specified premises where P is staying in accordance with that regulation in order to travel directly to or from any place where P’s presence is required for the purposes of P’s work or activity (as the case may be), and when P is in attendance at that place—
- (a) 12,
  - (b) 17 to 25,
  - (c) 27 to 29 (except for paragraph 29(1)(b)),
  - (d) 31 to 36A.
- (3) Paragraph (2) does not apply to a person described in head (b) of paragraph 29(1) of schedule 2, but the requirements of that head apply to that person.]

**Textual Amendments**

**F65** Reg. 7 renumbered as reg. 7(1) (7.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 22\) Regulations 2020 \(S.S.I. 2020/358\)](#), regs. 1(2), 2(4)(a) (with reg. 3)

**F66** Words in reg. 7(1) substituted (15.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(Pre-Departure Testing and Operator Liability\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/20\)](#), regs. 1(2), **3(5)** (with reg. 4)

**F67** Words in reg. 7(1) omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **7(2)** (with reg. 17)

**F68** Words in reg. 7(1) substituted (23.12.2020 at 6.00 p.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 25\) Regulations 2020 \(S.S.I. 2020/474\)](#), regs. 1(2), **2(4)(b)** (with reg. 3)

**F69** Words in reg. 7(b) omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(5)(a)** (with reg. 3)

- F70** Words in reg. 7(1)(b) inserted (15.2.2021 at 4.00 a.m.) by The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing) (Scotland) Regulations 2021 (S.S.I. 2021/74), regs. 1(2), **7(3)** (with reg. 17)
- F71** Reg. 7(1)(ba) omitted (26.2.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing etc.) (Scotland) Amendment Regulations 2021 (S.S.I. 2021/107), regs. 1(2), **4(g)** (with reg. 10)
- F72** Words in reg. 7(c) omitted (20.6.2020 at 1.00 p.m.) by virtue of The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 2) Regulations 2020 (S.S.I. 2020/184), regs. 1(2), **2(4)(a)**
- F73** Word in reg. 7 omitted (20.6.2020 at 1.00 p.m.) by virtue of The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 2) Regulations 2020 (S.S.I. 2020/184), regs. 1(2), **2(4)(b)(i)**
- F74** Reg. 7(ca) inserted (20.6.2020 at 1.00 p.m.) by The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 2) Regulations 2020 (S.S.I. 2020/184), regs. 1(2), **2(4)(b)(ii)**
- F75** Word in reg. 7(ca) omitted (10.7.2020) by virtue of The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 3) Regulations 2020 (S.S.I. 2020/209), regs. 1, **2(5)(b)(i)** (with reg. 3)
- F76** Reg. 7(1)(cba) omitted (15.2.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing) (Scotland) Regulations 2021 (S.S.I. 2021/74), regs. 1(2), **7(5)** (with reg. 17)
- F77** Reg. 7(cb)(cc) inserted (10.7.2020) by The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 3) Regulations 2020 (S.S.I. 2020/209), regs. 1, **2(5)(b)(ii)** (with reg. 3)
- F78** Reg. 7(1)(cc) omitted (15.2.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing) (Scotland) Regulations 2021 (S.S.I. 2021/74), regs. 1(2), **7(5)** (with reg. 17)
- F79** Words in reg. 7(1)(d) inserted (15.2.2021 at 4.00 a.m.) by The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing) (Scotland) Regulations 2021 (S.S.I. 2021/74), regs. 1(2), **7(6)(a)** (with reg. 17)
- F80** Words in reg. 7(d) inserted (10.7.2020) by The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 3) Regulations 2020 (S.S.I. 2020/209), regs. 1, **2(5)(b)(iii)** (with reg. 3)
- F81** Words in reg. 7(1)(d) substituted (15.2.2021 at 4.00 a.m.) by The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing) (Scotland) Regulations 2021 (S.S.I. 2021/74), regs. 1(2), **7(6)(b)** (with reg. 17)
- F82** Reg. 7(2)(3) substituted for reg. 7(2) (15.2.2021 at 4.00 a.m.) by The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing) (Scotland) Regulations 2021 (S.S.I. 2021/74), regs. 1(2), **7(7)** (with reg. 17)

#### Commencement Information

- I7** Reg. 7 in force at 8.6.2020, see reg. 1(2)

#### <sup>F83</sup>Persons not required to comply with regulation 6A or 6B

**7A.—(1)** The persons mentioned in paragraphs (2) and (3) are not required to comply with regulation 6A or 6B.

(2) A person who, by virtue of regulation 6(1), is required to comply with regulation 6(2).

(3) A person who arrives in Scotland from outside the common travel area <sup>F84</sup>... and who, at any time in the period beginning with the 10th day before the date of their arrival in Scotland, departed from, or transited through, an acute risk country or territory [<sup>F85</sup>or who is described in regulation 6A(1)(b)], where that person is—

- (a) a person described in paragraph 1(1)(a) to (k) of schedule 2 and meets the conditions set out in paragraph 1(2) of that schedule,

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(b) described in any of paragraphs 2(1), 3(1), [F86 4B(1), 4C, 4D, 4E(1),] 14(1), 14A(1), 15, 16, or 17 of schedule 2.

[ a person described in paragraph 38(1) of schedule 2, where that person has—

- F87(c) (i) travelled to Scotland having departed from, or transited through, an acute risk country or territory in order to participate in an event specified in Part 2 of schedule 3A, or
- (ii) returned to Scotland having departed from, or transited through, an acute risk country or territory, where that person travelled to or transited through that acute risk country or territory in order to participate in an event specified in Part 2 of schedule 3A.]]

#### Textual Amendments

- F83** Reg. 7A inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **7(8)** (with reg. 17)
- F84** Words in reg. 7A(3) omitted (26.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), **4(h)(i)** (with reg. 10)
- F85** Words in reg. 7A(3) inserted (26.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), **4(h)(ii)** (with reg. 10)
- F86** Words in reg. 7A(3)(b) inserted (20.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/158\)](#), regs. 1, **5(a)** (with reg. 12)
- F87** Reg. 7A(3)(c) inserted (20.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/158\)](#), regs. 1, **5(b)** (with reg. 12)

## PART 4

### Enforcement of Part 3

#### Enforcement of requirement in [F88 regulation 6][F89 and 6B]

8.—(1) Where a constable has reasonable grounds for suspecting that a person (“P”) has contravened the requirement in regulation 6(2) [F90 or [F91 6B(2)]] the constable may—

- (a) direct P to return to the place where P is staying in accordance with regulation 6(2) [F90 or [F91 6B(2)]],
- (b) remove P to the place where P is staying in accordance with regulation 6(2) [F90 or [F91 6B(2)]], or
- (c) where it is not practicable or appropriate in the circumstances to take the action in subparagraph (a) or (b), remove P to a hotel or other accommodation facilitated by the Secretary of State.

(2) Paragraph (1)(b) and (c) do not apply where P is a person described in paragraph 1 of schedule 2.

(3) A constable exercising the power in paragraph (1) may use reasonable force, if necessary, in doing so.



(4) Where a child is outside of the place where they are staying in accordance with regulation 6(2) [F92 or [F93 6B(2)]] and is accompanied by an individual who has responsibility for the child (“A”)—

- (a) a constable may direct A to take the child to the place where the child is staying in accordance with regulation 6(2) [F92 or [F93 6B(2)]], and
- (b) A must, so far as reasonably practicable, ensure that the child complies with any direction or instruction given by a constable to the child.

(5) Where a constable has reasonable grounds for suspecting that a child has repeatedly contravened the requirement in regulation 6(2) [F94 or [F95 6B(2)]], the constable may direct any individual who has responsibility for the child to ensure, so far as reasonably practicable, that the child complies with that requirement.

(6) A constable may only exercise a power in paragraph (1), (4), or (5) if the constable considers that it is a necessary and proportionate means of ensuring compliance with the requirement in regulation 6(2) [F96 or [F97 6B(2)]].

(7) A constable exercising a power under paragraph (1), (4) or (5) may give to P or A any direction or instruction the constable considers necessary and proportionate.

[F98(8) Where P is a person who falls within regulation 6B(2), an authorised person may give a direction to P to ensure that P complies with the requirements of that regulation, including a direction—

- (a) that P remain in a particular area of a port to await transportation to P’s designated accommodation,
- (b) that P move to a particular place to board P’s designated transportation,
- (c) that P board P’s designated transportation to travel to P’s designated accommodation,
- (d) that P remain in, or return to, the place where P is required to stay in accordance with regulation 6B(2).

(9) For the purposes of paragraph (8), an “authorised person” means a person authorised by the Scottish Ministers for the purposes of this Regulation.]

#### Textual Amendments

- F88** Words in reg. 8 heading substituted (9.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/5\)](#), regs. 1(2), **2(6)(a)** (with reg. 3)
- F89** Words in reg. 8 heading inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **8(2)** (with reg. 17)
- F90** Words in reg. 8(1) inserted (9.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/5\)](#), regs. 1(2), **2(6)(b)** (with reg. 3)
- F91** Word in reg. 8(1) substituted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **8(3)** (with reg. 17)
- F92** Words in reg. 8(4) inserted (9.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/5\)](#), regs. 1(2), **2(6)(c)** (with reg. 3)
- F93** Word in reg. 8(4) substituted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **8(4)** (with reg. 17)

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- F94** Words in reg. 8(5) inserted (9.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/5\)](#), regs. 1(2), **2(6)(d)** (with reg. 3)
- F95** Word in reg. 8(5) substituted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **8(5)** (with reg. 17)
- F96** Words in reg. 8(6) inserted (9.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/5\)](#), regs. 1(2), **2(6)(e)** (with reg. 3)
- F97** Word in reg. 8(6) substituted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **8(5)** (with reg. 17)
- F98** Reg. 8(8)(9) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **8(6)** (with reg. 17)

#### Commencement Information

- I8** Reg. 8 in force at 8.6.2020, see reg. 1(2)

#### Offences and penalties - Parts 3 and 4

- 9.—(1) It is an offence to contravene a requirement in—
- (a) regulation 6(2) <sup>F99</sup>...
  - (b) regulation 6(7),
  - [<sup>F100</sup>(ba) regulation 6A(2),
  - (bb) regulation 6A(4),]
  - [<sup>F101</sup>(c) regulation 6B(2),
  - (d) regulation 6B(5).]
- (2) It is an offence to contravene a requirement in or imposed under regulation 8.
- (3) It is an offence for P to provide false or misleading information for the purposes of Part 3 or 4 where P—
- (a) knows that the information is false or misleading, or
  - (b) is reckless as to whether the information is false or misleading.
- (4) A person who deliberately obstructs any person carrying out a function under these Regulations commits an offence
- (5) It is a defence to a charge of committing an offence under paragraph (1)(b), (2) (3) or (4) to show that the person, in the circumstances, had a reasonable excuse.
- (6) It is a defence to a charge of committing an offence under paragraph (1)(a) for the person to show that they are outside of the place where they are staying in accordance with regulation 6(2) <sup>F102</sup> ... for one of the following reasons—
- (a) to travel in order to leave Scotland, provided that they do so directly [<sup>F103</sup>(except where regulation 5H(1)(a) applies in relation to P),]
  - (b) to obtain basic necessities, including food and medical supplies for those in the same household (including any pets or animals in the household),
  - [<sup>F104</sup>(c) to seek medical assistance, including to access any of the following services—

- (i) dental services, opticians, audiology services, chiropody services, chiropractors, osteopaths and other medical or health services, including services relating to mental health,
  - (ii) veterinary surgeons and pet shops,]
- (d) on compassionate grounds, to attend a funeral of—
  - (i) a member of the person's household,
  - (ii) a close family member, or
  - (iii) if no-one within sub-paragraphs (i) or (ii) is attending, a friend
- [<sup>F105</sup>(da) on compassionate grounds, for reasons related to the end of a person's life,]
- (e) to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings,
- (f) to access public services (including social services or victims' services) where—
  - (i) access to the service is critical to P's well-being, and
  - (ii) the service cannot be provided if P remains at the premises,
- (g) to avoid injury, illness or to escape a risk of harm, or
- (h) to move to a different place for the purposes of regulation 6(2) <sup>F102</sup>... where—
  - (i) a legal obligation requires P to change the premises at which P resides for the purposes of regulation 6(2), or
  - (ii) P is otherwise unable to remain at the premises at which P is residing for the purpose regulation 6(2).
- [<sup>F106</sup>(7) It is a defence to a charge of committing an offence under paragraph (1)(c) or (d) for the person to show that they are outside of the place where they are staying in accordance with regulation 6B(2) for one of the following reasons—
  - (a) to travel in order to leave the common travel area, provided that they do so directly [<sup>F107</sup>(except where regulation 5H(1)(a) applies in relation to P)],
  - (b) to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings,
  - (c) on compassionate grounds, to attend a funeral of—
    - (i) a member of the person's household,
    - (ii) a close family member, or
    - (iii) if no-one within sub-paragraphs (i) or (ii) is attending, a friend,
  - (e) on compassionate grounds, for reasons relating to the end of a person's life,
  - (f) for exercise,
  - (g) with permission from a person authorised by the Scottish Ministers to grant permission,
  - (h) in other exceptional circumstances, such as—
    - (i) to seek medical assistance where this is required urgently or on the advice of a registered medical practitioner including to access services from dentists, opticians, audiologists, chiropodists, chiropractors, osteopaths and other medical and health practitioners, including services relating to mental health,
    - (ii) to access critical public services including social services or services provided to victims (such as victims of crime),
    - (iii) to avoid injury or illness or to escape risk of harm,

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)

(iv) to access veterinary services where this is required urgently or on the advice of a veterinary surgeon.

(8) The person may only leave or be outside of the place where they are self-isolating in reliance on the grounds mentioned in paragraph (7)(c), (e) or (f)—

- (a) if P has been given prior permission by a person authorised by the Secretary of State or the Scottish Ministers for this purpose;
- (b) if P complies with any reasonable requirements imposed by the person so authorised in relation to the exercise, the visit to the person or attendance at the funeral.]

#### Textual Amendments

- F99** Words in reg. 9(1)(a) omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **9(2)** (with reg. 17)
- F100** Reg. 9(1)(ba)(bb) inserted (18.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 6\) Regulations 2021 \(S.S.I. 2021/81\)](#), regs. 1(2), **2(e)** (with reg. 3)
- F101** Reg. 9(1)(c)(d) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **9(3)** (with reg. 17)
- F102** Words in reg. 9(6) omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **9(4)(a)** (with reg. 17)
- F103** Words in reg. 9(6)(a) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **9(4)(b)** (with reg. 17)
- F104** Reg. 9(6)(c) substituted (12.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 14\) Regulations 2020 \(S.S.I. 2020/280\)](#), regs. 1, **2(3)** (with reg. 3)
- F105** Reg. 9(6)(da) inserted (12.12.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel and Public Health Information\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/431\)](#), regs. 1(2), **2(2)**
- F106** Reg. 9(7)(8) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **9(5)** (with reg. 17)
- F107** Words in reg. 9(7)(a) inserted (26.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), **5** (with reg. 10)

#### Commencement Information

- I9** Reg. 9 in force at 8.6.2020, see reg. 1(2)

#### Penalties for offences under regulation 9

**10.** A person who commits an offence under regulation 9 is liable, on summary conviction, to a fine not exceeding level 5 on the standard scale.

#### Commencement Information

- I10** Reg. 10 in force at 8.6.2020, see reg. 1(2)

## [<sup>F108</sup>PART 4A

### Fixed Penalty Notices]

#### Textual Amendments

**F108** Pt. 4A heading inserted (15.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(Pre-Departure Testing and Operator Liability\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/20\)](#), regs. 1(2), 3(6) (with reg. 4)

#### Fixed penalty notices

11.—(1) A constable may issue a fixed penalty notice to anyone that the constable has reasonable grounds to believe—

- (a) has committed an offence under these Regulations, and
- (b) is aged 18 or over.

(2) Subject to regulation 12(3) an immigration officer may issue a fixed penalty notice to anyone that the immigration officer has reasonable grounds to believe—

- [<sup>F109</sup>(a) has committed—
  - (i) an information offence,
  - (ii) an offence under regulation 5B(1) <sup>F110</sup>...
- [<sup>F111</sup>(ia) an offence under [<sup>F112</sup>regulation 5J(1)(a)],]
- [<sup>F113</sup>(iib) an offence under regulation 6A(2),
  - (iic) an offence under regulation 6A(4),]
  - (iii) an offence under regulation 9(4), and]
- (b) is aged 18 or over.

(3) A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty in accordance with these Regulations.

- (4) For the purposes of these Regulations—
  - (a) the form of a fixed penalty notice,
  - (b) the effect of a fixed penalty notice, and
  - (c) the procedure that applies to a fixed penalty notice,

are the same as those that apply to a fixed penalty notice given under section 129(1) of the Antisocial Behaviour etc. (Scotland) Act 2004 <sup>M11</sup>, as provided for in sections 129 to 134 of that Act, and section 226B and 226I of the Criminal Procedure (Scotland) Act 1995 <sup>M12</sup> subject to the modification in paragraph (5).

- (5) The modifications are—
  - (a) section 129(1) is to be disregarded,
  - (b) the definitions of “fixed penalty notice” in sections 129(2) and 134 are to be construed as a reference to a notice under paragraph (1),
  - (c) the definition of “prescribed area” in section 129(2) is to be disregarded,
  - (d) section 130(1), (2) and (3)(f) is to be disregarded,

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)

- (e) the references to “section 129” in section 131(1) and section 133(1) are to be construed as references to this regulation,
- (f) the reference in section 131(5) to “in accordance with this Part” is to be construed as a reference to these Regulations and the reference to “a sum equal to one and a half times” is to be disregarded,
- (g) the definition of “fixed penalty offence” in section 134 is to be construed as though it referred to an offence of the type referred to in paragraph (1)(a),
- (h) the reference to “by virtue of section 131(5) of the Antisocial Behaviour etc. (Scotland) Act 2004” in section 226B(5)(a)(ii) of the Criminal Procedure (Scotland) Act 1995 is to be construed as a reference to that section as modified by this paragraph, and
- (i) the reference to “a fixed penalty notice given under section 129 (fixed penalty notices) of the Antisocial Behaviour etc. (Scotland) Act 2004” is to be construed as a reference to that section as modified by this paragraph.

**Textual Amendments**

**F109** Reg. 11(2)(a) substituted (15.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(Pre-Departure Testing and Operator Liability\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/20\)](#), regs. 1(2), **3(7)** (with reg. 4)

**F110** Word in reg. 11(2)(a) omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **10(1)(a)** (with reg. 17)

**F111** Reg. 11(2)(a)(ia) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **10(1)(b)** (with reg. 17)

**F112** Words in reg. 11(2)(a)(ia) substituted (26.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), **6** (with reg. 10)

**F113** Reg. 11(2)(a)(ib)(ic) inserted (18.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 6\) Regulations 2021 \(S.S.I. 2021/81\)](#), regs. 1(2), **2(f)** (with reg. 3)

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**Commencement Information**

**I11** Reg. 11 in force at 8.6.2020, see reg. 1(2)

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**Marginal Citations**

**M11** [2004 asp 8](#). Sections 130, 131, 132 were amended by para 32(b) of schedule 1 of the [Criminal Proceedings etc. \(Reform\) \(Scotland\) Act 2007 \(asp 6\)](#). Section 132 was amended by para 32(c) of schedule 1 of the [Criminal Proceedings etc. \(Reform\) \(Scotland\) Act 2007 \(asp 6\)](#).

**M12** 1995 c. 46. Sections 226B and 226I were inserted by the [Criminal Proceedings etc. \(Reform\) \(Scotland\) Act 2007 asp 6](#) (Scottish Act) Pt 3 s.55. Sections 226B and 226I have been amended by none is relevant.

**Fixed penalty notices – penalty amounts**

**12.—(1)** The penalty payable in respect of a fixed penalty notice issued in respect of an information offence <sup>F114</sup>... is [<sup>F115</sup>£480].

- <sup>F116</sup>(2) .....
- <sup>F116</sup>(3) .....

(4) The penalty payable is £480 in respect of a fixed penalty notice issued in respect of an offence under—

[<sup>F117</sup>(za) regulation 5B(1),]

[<sup>F118</sup>(zai) regulation 5J(1),]

(a) regulation 9(1), <sup>F119</sup>...

[<sup>F120</sup>(b) regulation 9(2),

(c) regulation 9(3), or

(d) regulation 9(4) where the person is believed to have intentionally obstructed any person carrying out a function in relation to [<sup>F121</sup>Part 2A or] Part 4.]

#### Textual Amendments

**F114** Words in reg. 12(1) omitted (15.2.2021 at 4.00 a.m.) by virtue of *The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing) (Scotland) Regulations 2021* (S.S.I. 2021/74), regs. 1(2), **10(2)(a)(i)** (with reg. 17)

**F115** Sum in reg. 12(1) substituted (15.2.2021 at 4.00 a.m.) by *The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing) (Scotland) Regulations 2021* (S.S.I. 2021/74), regs. 1(2), **10(2)(a)(ii)** (with reg. 17)

**F116** Reg. 12(2)(3) omitted (15.2.2021 at 4.00 a.m.) by virtue of *The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing) (Scotland) Regulations 2021* (S.S.I. 2021/74), regs. 1(2), **10(2)(b)** (with reg. 17)

**F117** Reg. 12(4)(za) inserted (15.1.2021 at 4.00 a.m.) by *The Health Protection (Coronavirus) (Pre-Departure Testing and Operator Liability) (Scotland) Regulations 2021* (S.S.I. 2021/20), regs. 1(2), **3(8)(a)** (with reg. 4)

**F118** Reg. 12(4)(zai) inserted (15.2.2021 at 4.00 a.m.) by *The Health Protection (Coronavirus) (International Travel) (Managed Accommodation and Testing) (Scotland) Regulations 2021* (S.S.I. 2021/74), regs. 1(2), **10(2)(c)** (with reg. 17)

**F119** Word in reg. 12(4)(a) omitted (8.6.2020 at 7.00 p.m.) by virtue of *The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment Regulations 2020* (S.S.I. 2020/171), regs. 1(2), **2(2)(a)**

**F120** Reg. 12(4)(b)-(d) substituted for reg. 12(4)(b) (8.6.2020 at 7.00 p.m.) by *The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment Regulations 2020* (S.S.I. 2020/171), regs. 1(2), **2(2)(b)**

**F121** Words in reg. 12(4)(d) inserted (15.1.2021 at 4.00 a.m.) by *The Health Protection (Coronavirus) (Pre-Departure Testing and Operator Liability) (Scotland) Regulations 2021* (S.S.I. 2021/20), regs. 1(2), **3(8)(b)** (with reg. 4)

#### Commencement Information

**I12** Reg. 12 in force at 8.6.2020, see reg. 1(2)

## PART 5

### Information sharing

#### Power to use and disclose information

**13.—**(1) This regulation applies to a person in Scotland (“P”) who holds relevant information, including where P holds that information as a result of disclosure made in accordance with paragraph (4).

*Status: Point in time view as at 20/03/2021.*

*Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)*

- (2) For the purposes of this regulation, “relevant information” is—
- (a) information provided in accordance with regulation 3, <sup>F122</sup>...
  - (b) passenger information from elsewhere in the UK.
- [<sup>F123</sup>(c) where a person (“B”) is required to self-isolate under these Regulations—
- (i) the details of any such period of self-isolation (including the start and end dates of that period and the reason it was imposed);
  - (ii) a copy of any notice given to B which contains information about the requirement to self-isolate;
  - (iii) information generated where B books, or attempts to book, accommodation as part of a managed self-isolation package;
  - (iv) the details of any location in which B undertakes any period of managed self-isolation (including the name and address of the location);
  - (v) information relating to B obtained by P in the course of providing accommodation to B pursuant to a managed self-isolation package (including B’s room number, the personal details of any of B’s co-habitants, and the details of any absence of B, authorised or otherwise, from the place where B is self-isolating);
  - (vi) information relating to B obtained by P in the course of providing transport to a location at which B undertakes, or is due to undertake, any period of managed self-isolation;
  - (vii) information relating to B obtained by P in the course of providing any service in connection with a managed self-isolation package,
- (d) where B is required to obtain a testing package (within the meaning of regulation 5C) or undertake a post-arrival test under these Regulations—
- (i) information generated where B books, or attempts to book, a testing package;
  - (ii) a copy of any notice given to B which contains information about the requirement to book a testing package or to undertake a test;
  - (iii) the results of a test undertaken by B (whether or not that test was provided as part of a testing package);
  - (v) information obtained by P in the course of providing a test that falls within paragraph (iii) and is undertaken, or in the course of arranging for such a test to be undertaken, by B (including confirmation that the test was undertaken, details of when and where it was undertaken, any reasons for a test not being undertaken and the details of any replacement test to be undertaken),
- [<sup>F124</sup>(e)] information provided to an immigration officer pursuant to these Regulations, or
- [<sup>F125</sup>(f)] where a sample taken in respect of a day 2 test (within the meaning of regulation 5C) has been sequenced, the sorted BAM file relating to that sample containing all reads aligning to the SARS-CoV-2 reference genome with unaligned and human reads removed.]
- (3) P may only use the relevant information where it is necessary for the purpose of—
- (a) carrying out a function under these Regulations,
  - (b) preventing danger to public health as a result of the spread of infection or contamination with coronavirus,
  - (c) monitoring the spread of infection or contamination with coronavirus or the incidence of coronavirus disease,
  - (d) giving effect to any international agreement or arrangement relating to the spread of infection or contamination with coronavirus or the incidence of coronavirus disease, or



- (e) for a purpose connected with, or otherwise incidental to a purpose described in subparagraph (a) to (d).
- (4) Subject to paragraph (6), P may only disclose relevant information to another person (the “recipient”) where it is necessary for the recipient to have the information—
  - (a) for the purpose of carrying out a function of the recipient under—
    - (i) these Regulations, or
    - (ii) regulations made as respects England, Wales or Northern Ireland (as the case may be) that is equivalent to provision made under these Regulations,
  - (b) for the purpose of—
    - (i) preventing danger to public health as a result of the spread of infection or contamination with coronavirus,
    - (ii) monitoring the spread of infection or contamination with coronavirus or the incidence of coronavirus disease,
    - (iii) giving effect to any international agreement or arrangement relating to the spread of infection or contamination with coronavirus or the incidence of coronavirus disease, or
  - (c) a purpose connected with, or otherwise incidental to, a purpose described in paragraph (a) or (b).

[<sup>F126</sup>(4A) A constable or a person responsible for arranging or providing services (including security services) in respect of accommodation as part of a managed self-isolation package may, where necessary for the purpose of carrying out a function under these Regulations, request from B the following information—

- (a) confirmation that B possesses a testing package (within the meaning of regulation 5C) and the details of that testing package (including the time and date of the tests);
- (b) confirmation that B has undertaken any test in accordance with a testing package and, if not, an account of the reasons;
- (c) the result of any test B has undertaken in accordance with a testing package.]

(5) Subject to paragraph (7), disclosure which is authorised by this regulation does not breach an obligation of confidence owed by the person making the disclosure.

(6) Despite paragraphs (3), (4) and (5), this regulation does not limit the circumstances in which information may otherwise lawfully be disclosed under any other enactment or rule of law.

(7) Nothing in this regulation authorises the use or disclosure of personal data where doing so contravenes the data protection legislation.

(8) For the purposes of this regulation—

- (a) “data protection legislation” and “personal data” have the same meanings as in section 3 of the Data Protection Act 2018 <sup>MI3</sup>, and
- (b) “passenger information from elsewhere in the UK” means information provided to a person in accordance with provision in regulations made as respects England, Wales or Northern Ireland (as the case may be) that is equivalent to provision made under these Regulations.

#### Textual Amendments

**F122** Word in reg. 13(2) omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **11(a)** (with reg. 17)

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)

- F123** Reg. 13(2)(c)-(g) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **11(b)** (with reg. 17)
- F124** Reg. 13(2)(f) renumbered as reg. 13(2)(e) (26.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), **7(a)** (with reg. 10)
- F125** Reg. 13(2)(g) renumbered as reg. 13(2)(f) (26.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), **7(b)** (with reg. 10)
- F126** Reg. 13(4A) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **11(c)** (with reg. 17)

#### Commencement Information

- I13** Reg. 13 in force at 8.6.2020, see reg. 1(2)

#### Marginal Citations

- M13** 2018 c.12.

## PART 6

### Review and expiry of Regulations

#### Review of need for restrictions

14. The Scottish Ministers must review the need for the requirements imposed by these Regulations at least once every [<sup>F127</sup>28 days], with the first review being carried out by 29 June 2020.

#### Textual Amendments

- F127** Words in reg. 14 substituted (19.12.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel and Public Health Information\) \(Scotland\) \(No. 2\) Regulations 2020 \(S.S.I. 2020/444\)](#), regs. 1(2), **2(3)**

#### Commencement Information

- I14** Reg. 14 in force at 8.6.2020, see reg. 1(2)

#### Expiry of Regulations

15.—(1) These Regulations expire [<sup>F128</sup>on 20 September 2021].

(2) The expiry of these Regulations does not affect the validity of anything done pursuant to these Regulations before they expire.

#### Textual Amendments

- F128** Words in reg. 15(1) substituted (20.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/158\)](#), regs. 1, **6** (with reg. 12)

**Commencement Information**

**I15** Reg. 15 in force at 8.6.2020, see reg. 1(2)

St Andrew's House,  
Edinburgh

*JEANE FREEMAN*  
A member of the Scottish Government

**Status:** Point in time view as at 20/03/2021.**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)[<sup>F129</sup>SCHEDULE A1

Regulation 2(6)

**Textual Amendments****F129** Sch. A1 inserted (10.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), reg. 1, **sch. 1** (with reg. 3)

## PART 1

[<sup>F130</sup>Countries, territories, or parts of countries or territories]**Textual Amendments****F130** Sch. A1 Pt. 1 heading substituted (12.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 14\) Regulations 2020 \(S.S.I. 2020/280\)](#), regs. 1, **2(4)** (a) (with reg. 3)F131  
...**Textual Amendments****F131** Words in sch. A1 Pt. 1 omitted (18.1.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 5\) Regulations 2021 \(S.S.I. 2021/21\)](#), regs. 1(2), **2(2)** (with reg. 3)

## PART 2

United Kingdom Overseas Territories

F132  
...]**Textual Amendments****F132** Words in sch. A1 Pt. 2 omitted (18.1.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 5\) Regulations 2021 \(S.S.I. 2021/21\)](#), regs. 1(2), **2(2)** (with reg. 3)[<sup>F133</sup>SCHEDULE A2

Regulation 2

Acute risk countries, territories or parts thereof

**Textual Amendments****F133** Sch. A2 inserted (9.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/5\)](#), regs. 1(2), **2(9)** (with reg. 3)

Angola

[<sup>F134</sup>Argentina]

**Textual Amendments**

**F134** Word in sch. A2 inserted (15.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 4\) Regulations 2021 \(S.S.I. 2021/19\)](#), regs. 1(2), **2(4)(a)** (with reg. 3)

[<sup>F134</sup>Bolivia]

Botswana

[<sup>F135</sup>Brazil]

**Textual Amendments**

**F135** Words in sch. A2 inserted (15.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 4\) Regulations 2021 \(S.S.I. 2021/19\)](#), regs. 1(2), **2(4)(b)** (with reg. 3)

[<sup>F136</sup>Burundi]

**Textual Amendments**

**F136** Word in sch. A2 inserted (29.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel, Prohibition on Travel from the United Arab Emirates\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/52\)](#), regs. 1(2), **5(2)(a)** (with reg. 6(2))

[<sup>F135</sup>Cape Verde]

[<sup>F135</sup>Chile]

[<sup>F135</sup>Colombia]

[<sup>F137</sup>Democratic Republic of the Congo]

**Textual Amendments**

**F137** Words in sch. A2 inserted (22.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel, Public Health Information and Pre-Departure Testing\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/34\)](#), regs. 1(2), **2(4)(a)** (with reg. 5(1))

[<sup>F135</sup>Ecuador]

Eswatini

[<sup>F138</sup>Ethiopia]

**Textual Amendments**

**F138** Word in sch. A2 inserted (20.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/158\)](#), regs. 1, **7(a)** (with reg. 12)

F139 ...

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020*. (See end of Document for details)

**Textual Amendments**

**F139** Words in sch. A2 omitted (27.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 7\) Regulations 2021 \(S.S.I. 2021/111\)](#), regs. 1, 2 (with reg. 3)

[<sup>F140</sup>French Guiana]

**Textual Amendments**

**F140** Words in sch. A2 inserted (15.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 4\) Regulations 2021 \(S.S.I. 2021/19\)](#), regs. 1(2), 2(4)(c) (with reg. 3)

[<sup>F140</sup>Guyana]

Lesotho

Malawi

<sup>F141</sup> ...

**Textual Amendments**

**F141** Word in sch. A2 omitted (20.3.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/158\)](#), regs. 1, 7(b) (with reg. 12)

Mozambique

Namibia

[<sup>F142</sup>Oman]

**Textual Amendments**

**F142** Word in sch. A2 inserted (20.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/158\)](#), regs. 1, 7(c) (with reg. 12)

[<sup>F143</sup>Panama]

**Textual Amendments**

**F143** Word in sch. A2 inserted (15.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 4\) Regulations 2021 \(S.S.I. 2021/19\)](#), regs. 1(2), 2(4)(d) (with reg. 3)

[<sup>F143</sup>Paraguay]

[<sup>F143</sup>Peru]

<sup>F144</sup> ...

**Textual Amendments**

**F144** Word in sch. A2 omitted (20.3.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/158\)](#), regs. 1, **7(e)** (with reg. 12)

[<sup>F145</sup>Qatar]

**Textual Amendments**

**F145** Word in sch. A2 inserted (20.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/158\)](#), regs. 1, **7(d)** (with reg. 12)

[<sup>F146</sup>Rwanda]

**Textual Amendments**

**F146** Word in sch. A2 inserted (29.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel, Prohibition on Travel from the United Arab Emirates\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/52\)](#), regs. 1(2), **5(2)(b)** (with reg. 6(2))

Seychelles

[<sup>F147</sup>Somalia]

**Textual Amendments**

**F147** Word in sch. A2 inserted (20.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/158\)](#), regs. 1, **7(f)** (with reg. 12)

South Africa

[<sup>F148</sup>Suriname]

**Textual Amendments**

**F148** Word in sch. A2 inserted (15.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 4\) Regulations 2021 \(S.S.I. 2021/19\)](#), regs. 1(2), **2(4)(e)** (with reg. 3)

[<sup>F149</sup>Tanzania]

**Textual Amendments**

**F149** Word in sch. A2 inserted (22.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel, Public Health Information and Pre-Departure Testing\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/34\)](#), regs. 1(2), **2(4)(b)** (with reg. 5(1))

[<sup>F150</sup>The United Arab Emirates]

Status: Point in time view as at 20/03/2021.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)

**Textual Amendments**

**F150** Words in sch. A2 inserted (29.1.2021 at 4.00 a.m.) by **The Health Protection (Coronavirus) (International Travel, Prohibition on Travel from the United Arab Emirates) (Scotland) Amendment Regulations 2021 (S.S.I. 2021/52)**, regs. 1(2), **5(2)(c)** (with reg. 6(2))

[<sup>F148</sup>Uruguay]

[<sup>F148</sup>Venezuela]

Zambia

Zimbabwe]

SCHEDULE 1

Regulation 2(1)

Passenger information

1. Personal details of the passenger—

- (a) their full name,
- (b) their sex,
- (c) their date of birth,
- (d) their passport number, or travel document reference number (as appropriate), issue and expiry dates and issuing authority,
- (e) their telephone number (including national dialling code, country and city code, if applicable),
- (f) their home address, and
- (g) their email address.

**Commencement Information**

**I16** Sch. 1 para. 1 in force at 8.6.2020, see reg. 1(2)

2. Journey details of the passenger—

- [<sup>F151</sup>(a) the address where—
  - (i) in the case of a person who is required to comply with regulation 6(2) [<sup>F152</sup>or 6B(2)], they intend to stay in accordance with [<sup>F153</sup>those regulations], or
  - (ii) in the case of any other person, they intend to stay during the period of [<sup>F154</sup>10 days] beginning on the day after the date of their arrival in Scotland,]
- [<sup>F155</sup>(ba) in the case of a person who is required to comply with regulation 6B(2), the booking reference number for the managed self-isolation package booked by or on behalf of that person,]
- (b) the date, or planned date, as appropriate of their arrival at an address specified in subparagraph (a),
- (c) the operator they are travelling with or through which their booking was made,
- [<sup>F156</sup>(d) .....
- (e) the flight number, train number, or ticket number (as appropriate),



- [<sup>F157</sup>(ea) the seat number (including the coach number, where appropriate)]
- <sup>F158</sup>(f) .....
- (g) the location at which they will arrive in the United Kingdom,
- (h) the country [<sup>F159</sup>or territory] they are travelling from,
- [<sup>F160</sup>(hza) the part of that country or territory they are travelling from, if that part—
  - (i) is specified in schedule A1, or
  - (ii) is, where the country or territory itself is specified in that schedule, expressly excluded in relation to that country or territory,]
- [<sup>F161</sup>(ha) any other country or territory they have departed from or transited through in the period beginning with the [<sup>F162</sup>10th day] before the date of their arrival in Scotland and in any such case, the dates of departing from or transiting through any such country or territory,]
- [<sup>F163</sup>(hb) any part of that other country or territory which they have departed from or transited through during that period, including the dates of departure or transit, if that part—
  - (i) is specified in schedule A1, or
  - (ii) is, where the country or territory itself is specified in that schedule, expressly excluded in relation to that country or territory,]
- (i) the date and time, or planned date and time, as appropriate, of their arrival in the United Kingdom, and
- (j) whether they are connecting through the United Kingdom to a destination outside the United Kingdom and, if so—
  - (i) the location at which they will depart from in the United Kingdom,
  - (ii) their final destination country [<sup>F164</sup>or territory],
  - (iii) the operator they are travelling with or through which their booking was made for their onward journey,
  - (iv) the travel booking reference for their onward journey, and
  - (v) the flight number, train number, or ticket number (as appropriate) of their onward journey.

**Textual Amendments**

- F151** Sch. 1 para. 2(a) substituted (5.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 13\) Regulations 2020 \(S.S.I. 2020/274\)](#), regs. 1, **2(5)** (with reg. 3)
- F152** Words in sch. 1 para. 2(a)(i) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **12(a)(i)** (with reg. 17)
- F153** Words in sch. 1 para. 2(a)(i) substituted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **12(a)(ii)** (with reg. 17)
- F154** Words in sch. 1 para. 2(a)(ii) substituted (14.12.2020) by [The Health Protection \(Coronavirus\) \(International Travel and Public Health Information\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/431\)](#), regs. 1(3), **3(5)**
- F155** Sch. 1 para. 2(ba) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **12(b)** (with reg. 17)

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)

- F156** Sch. 1 para. 2(d) omitted (25.10.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 19\) Regulations 2020 \(S.S.I. 2020/330\)](#), regs. 1, **2(3)(a)** (with reg. 3)
- F157** Sch. 1 para. 2(ea) inserted (25.10.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 19\) Regulations 2020 \(S.S.I. 2020/330\)](#), regs. 1, **2(3)(b)** (with reg. 3)
- F158** Sch. 1 para. 2(f) omitted (22.1.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel, Public Health Information and Pre-Departure Testing\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/34\)](#), regs. 1(2), **2(5)** (with reg. 5(1))
- F159** Words in sch. 1 para. 2(h) inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(7)(b)** (with reg. 3)
- F160** Sch. 1 para. 2(hza) inserted (12.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 14\) Regulations 2020 \(S.S.I. 2020/280\)](#), regs. 1, **2(5)(a)** (with reg. 3)
- F161** Sch. 1 para. 2(ha) inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(7)(c)** (with reg. 3)
- F162** Words in sch. 1 para. 2(ha) substituted (14.12.2020) by [The Health Protection \(Coronavirus\) \(International Travel and Public Health Information\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/431\)](#), regs. 1(3), **3(6)**
- F163** Sch. 1 para. 2(hb) inserted (12.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 14\) Regulations 2020 \(S.S.I. 2020/280\)](#), regs. 1, **2(5)(b)** (with reg. 3)
- F164** Words in sch. 1 para. 2(j)(ii) inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(7)(b)** (with reg. 3)

**Commencement Information**

**I17** Sch. 1 para. 2 in force at 8.6.2020, see reg. 1(2)

<sup>F165</sup>3. ....

**Textual Amendments**

**F165** Sch. 1 para. 3 omitted (22.1.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel, Public Health Information and Pre-Departure Testing\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/34\)](#), regs. 1(2), **2(5)** (with reg. 5(1))

- 4. Where the passenger is travelling with a child for whom they have responsibility—
  - (a) the full name and date of birth of that child, and
  - (b) the relationship of the passenger to that child.

**Commencement Information**

**I18** Sch. 1 para. 4 in force at 8.6.2020, see reg. 1(2)

- [<sup>F166</sup>4A. Where regulation 5D requires a testing package to be booked—
  - (a) the name of the provider of the tests, and
  - (b) the reference number for the tests provided to them by the test provider in accordance with regulation 5C.]

**Textual Amendments**

**F166** Sch. 1 para. 4A inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **12(c)** (with reg. 17)

**F167** 5. ....

**Textual Amendments**

**F167** Sch. 1 para. 5 omitted (22.1.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel, Public Health Information and Pre-Departure Testing\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/34\)](#), regs. 1(2), **2(5)** (with reg. 5(1))

SCHEDULE 2

Regulation 3(4)

Persons not required to comply with regulation 3 [<sup>F168</sup>regulation 5A or regulations 5D to 6B]

**Textual Amendments**

**F168** Words in sch. 2 heading substituted (26.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(2), **8(a)** (with reg. 10)

**PART 1**

Persons not required to comply with regulation 3 or [<sup>F169</sup>6]

**Textual Amendments**

**F169** Word in sch. 2 Pt. 1 heading substituted (20.6.2020 at 1.00 p.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 2\) Regulations 2020 \(S.S.I. 2020/184\)](#), regs. 1(2), **2(5)(b)**

- 1.—(1) A person (“P”) who is—
- (a) a member of a diplomatic mission in the United Kingdom,
  - (b) a member of a consular post in the United Kingdom,
  - (c) an officer or servant of an international organisation,
  - (d) a person employed by an international organisation as an expert or on a mission,
  - (e) a representative to an international organisation,
  - (f) a representative at an international or United Kingdom conference who is granted privileges and immunities in the United Kingdom,
  - (g) a member of the official staff of a representative to an international organisation, or of a person falling within paragraph (f),

**Status:** Point in time view as at 20/03/2021.

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- (h) described in paragraph (a) or (b) who is passing through the United Kingdom to commence or continue their functions at a diplomatic mission or consular post in another country or territory, or to return to the country of their nationality,
  - (i) a representative of a foreign country or territory travelling to the United Kingdom to conduct official business with the United Kingdom,
  - (j) a representative of the government of a British overseas territory,
  - (k) a diplomatic courier or a consular courier, or
  - (l) a member of the family forming part of the household of a person falling within any of paragraphs (a) to (k) <sup>F170</sup>....
- (2) The conditions referred to in [<sup>F171</sup>regulation 7(c)] (persons who are not required to comply with regulation 6) are that—
- (a) the relevant head of the mission, consular post, international organisation, or conference, office representing a foreign territory in the United Kingdom or a Governor of a British overseas territory (as the case may be), or a person acting on their authority, confirms in writing to [<sup>F172</sup>the Foreign, Commonwealth and Development Office] that—
    - (i) P is required to undertake work which is essential to the functioning of the mission, consular post, international organisation, conference, or office, or to undertake work which is essential to the foreign country represented by the mission or consular post, the foreign territory represented by the office or the British overseas territory, and
    - (ii) that work cannot be undertaken whilst P is complying with regulation 6, and
  - (b) prior to P's arrival in the United Kingdom, [<sup>F173</sup>the Foreign, Commonwealth and Development Office]—
    - (i) has confirmed in writing to the person giving the confirmation referred to in paragraph (a) that it has received that confirmation, and
    - (ii) where P is a representative of a foreign country or territory, has then confirmed in writing to the person giving the confirmation referred to in paragraph (a) that P is travelling to the United Kingdom to conduct official business with the United Kingdom and is not required to comply with regulation 6.
- (3) For the purposes of this paragraph—
- “consular courier” means a person who has been provided by the State on behalf of which they are acting with an official document confirming their status as a consular courier in accordance with Article 35(5) of the Vienna Convention on Consular Relations of 1963 <sup>M14</sup>,
- “consular post” means any consulate-general, consulate, vice-consulate or consular agency,
- “diplomatic courier” means a person who has been provided by the State on behalf of which they are acting with an official document confirming their status as a diplomatic courier in accordance with Article 27(5) of the Vienna Convention on Diplomatic Relations of 1961,
- “international organisation” means an international organisation accorded privileges and immunities in the United Kingdom,
- “member of a consular post” means “consular officer”, “consular employee” and “member of the service staff” as defined in schedule 1 of the Consular Relations Act 1968 <sup>M15</sup>, and “head of consular post” has the meaning given in that schedule, and
- “member of a diplomatic mission” means “head of the mission”, “members of the diplomatic service”, “members of the administrative and technical staff” and “members of the service staff” as defined in schedule 1 of the Diplomatic Privileges Act 1964 <sup>M16</sup>.

(4) This paragraph is without prejudice to any immunity from jurisdiction or inviolability which is accorded to any person described in sub-paragraph (1) under the law of Scotland apart from these Regulations.

#### Textual Amendments

- F170** Words in sch. 2 para. 1(1) omitted (20.6.2020 at 1.00 p.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 2\) Regulations 2020 \(S.S.I. 2020/184\)](#), regs. 1(2), **2(5)(c)**
- F171** Words in sch. 2 para. 1(2) substituted (20.6.2020 at 1.00 p.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 2\) Regulations 2020 \(S.S.I. 2020/184\)](#), regs. 1(2), **2(5)(d)**
- F172** Words in sch. 2 para. 1(2)(a) substituted (30.9.2020) by [The Transfer of Functions \(Secretary of State for Foreign, Commonwealth and Development Affairs\) Order 2020 \(S.I. 2020/942\)](#), art. 1(2), **Sch. para. 34**
- F173** Words in sch. 2 para. 1(2)(b) substituted (30.9.2020) by [The Transfer of Functions \(Secretary of State for Foreign, Commonwealth and Development Affairs\) Order 2020 \(S.I. 2020/942\)](#), art. 1(2), **Sch. para. 34**

#### Commencement Information

- I19** Sch. 2 para. 1 in force at 8.6.2020, see reg. 1(2)

#### Marginal Citations

- M14** 24th April 1963, entered into force 19th March 1967.
- M15** 1968 c.18.
- M16** 1964 c.81.

- 2.—(1) A Crown servant or government contractor where they are—
- (a) required to undertake essential government work related to the United Kingdom border in the United Kingdom within [<sup>F174</sup>the period during which they would, but for this paragraph, have had to stay in specified premises in accordance with regulation 6], or
  - (b) undertaking essential government work related to the United Kingdom border outside of the United Kingdom but—
    - (i) are required to return to the United Kingdom temporarily,
    - (ii) will thereafter depart to undertake essential government work related to the United Kingdom border outside of the United Kingdom.
- (2) For the purposes of sub-paragraph (1) and paragraph 3—
- “Crown servant” has the meaning given in section 12(1)(a) to (e) of the Official Secrets Act 1989 <sup>M17</sup>,
- “essential government work” means work which has been designated as such by the relevant Department or employer, and
- “government contractor” has the meaning given in section 12(2) of the Official Secrets Act 1989.

#### Textual Amendments

- F174** Words in sch. 2 para. 2 substituted (22.8.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 10\) Regulations 2020 \(S.S.I. 2020/252\)](#), regs. 1, **2(3)(a)** (with reg. 3)

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020*. (See end of Document for details)

### Commencement Information

**I20** Sch. 2 para. 2 in force at 8.6.2020, see reg. 1(2)

### Marginal Citations

**M17** 1989 c.6. Section 12 was amended by paragraph 22 of schedule 10 of the [Reserve Forces Act 1996 \(c.14\)](#), by paragraph 30 of schedule 12 of the [Government of Wales Act 1998 \(c.38\)](#), by paragraph 26 of schedule 8 of the [Scotland Act 1998 \(c.46\)](#), by paragraph 9(3) of schedule 13 of the [Northern Ireland Act 1998 \(c.47\)](#), by paragraph 9 of schedule 6 of the [Police \(Northern Ireland\) Act 2000 \(c.32\)](#), by paragraph 6 of schedule 14 of the [Energy Act 2004 \(c.20\)](#), by paragraph 58 of schedule 4 of the Serious Organised Crime and Police Act 2005, by paragraph 34 of schedule 10, and paragraph 1 of schedule 12, of the [Government of Wales Act 2006 \(c.32\)](#), and by paragraph 36 of schedule 8 of the [Crime and Courts Act 2013 \(c.22\)](#).

**3.—(1)** A person who is a Crown servant, a government contractor, or a member of a visiting force, who—

(a) is required to undertake work necessary to the delivery of essential defence activities,<sup>F175</sup> ...

[<sup>F176</sup>(aa) has travelled from a point of origin within the common travel area or from an exempt country or territory on a vessel or aircraft operated by, or in support of, Her Majesty's armed forces or by, or in support of, a visiting force and that vessel or aircraft has not taken on any persons, docked in any port or landed in any non-exempt country or territory, or]

(b) has undertaken a continuous period of at least [<sup>F177</sup>10 days] immediately preceding their arrival aboard a vessel operated by or in support of Her Majesty's Naval Service [<sup>F178</sup>or by or in support of a visiting force] and that vessel has not taken on any persons or docked in any port outside of the common travel area for a period of at least [<sup>F177</sup>10 days] immediately preceding its arrival in the United Kingdom.

(2) For the purposes of sub-paragraph (1)—

“defence” has the meaning given in section 2(4) of the Official Secrets Act 1989, and

[<sup>F179</sup>“visiting force” means any body, contingent or detachment of the forces of a country, being a body, contingent or detachment for the time being present in the United Kingdom (including United Kingdom territorial waters), on the invitation of Her Majesty's Government in the United Kingdom.]

### Textual Amendments

**F175** Word in sch. 2 para. 3(1) omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(a)(i)** (with reg. 3)

**F176** Sch. 2 para. 3(1)(aa) inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(a)(ii)** (with reg. 3)

**F177** Words in sch. 2 para. 3(1)(b) substituted (14.12.2020) by [The Health Protection \(Coronavirus\) \(International Travel and Public Health Information\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/431\)](#), regs. 1(3), **3(7)**

**F178** Words in sch. 2 para. 3(1)(b) inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(a)(iii)** (with reg. 3)

**F179** Words in sch. 2 para. 3(2) substituted (25.10.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 19\) Regulations 2020 \(S.S.I. 2020/330\)](#), regs. 1, **2(4)(a)** (with reg. 3)

#### Commencement Information

**I21** Sch. 2 para. 3 in force at 8.6.2020, see reg. 1(2)

4. An official of a foreign Government, required to travel to the United Kingdom to undertake essential border security duties, or a contractor directly supporting these essential border security duties where—

- (a) they are in possession of a written notice signed by a senior member of their foreign Government confirming that they are required to undertake essential border security duties in the United Kingdom within [<sup>F180</sup>the period during which they would, but for this paragraph, have had to stay in specified premises in accordance with regulation 6] and that that work cannot be undertaken whilst the person is complying with regulation 6, or
- (b) their deployment is pursuant to a standing bilateral or multilateral agreement with Her Majesty's Government on the operation of the Border controls within the United Kingdom.

#### Textual Amendments

**F180** Words in sch. 2 para. 4 substituted (22.8.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 10\) Regulations 2020 \(S.S.I. 2020/252\)](#), regs. 1, **2(3)** (a) (with reg. 3)

#### Commencement Information

**I22** Sch. 2 para. 4 in force at 8.6.2020, see reg. 1(2)

[<sup>F181</sup>**4A.**—(1) A road passenger transport worker.

(2) For the purposes of this paragraph—

- (a) “road passenger transport worker” means—
  - (i) the driver of a public service vehicle, or
  - (ii) a person who is employed by the holder of a Community licence issued under Article 4 of Regulation (EC) No 1073/2009 of the European Parliament and of the Council, and who is acting in the course of their employment,
- (b) “driver” includes a person who is travelling in a vehicle as a relief driver, and
- (c) “public service vehicle” has the meaning given in section 1 of the Public Passenger Vehicles Act 1981.

#### Textual Amendments

**F181** Sch. 2 paras. 4A-4G inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(b)** (with reg. 3)

**4B.**—(1) Seamen and masters, as defined in section 313(1) of the Merchant Shipping Act 1995, where they have travelled to the United Kingdom in the course of their work or have been repatriated to the United Kingdom in accordance with the Maritime Labour Convention, 2006 or the Work in Fishing Convention, 2007.

(2) For the purposes of sub-paragraph (1) and paragraph 4C—

- (a) “the Maritime Labour Convention, 2006” means the Convention adopted on 23 February 2006 by the General Conference of the International Labour Organisation, and

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020*. (See end of Document for details)

- (b) “the Work in Fishing Convention, 2007” means the Convention adopted at Geneva on 14 June 2007 by the International Labour Organisation.

#### Textual Amendments

**F181** Sch. 2 paras. 4A-4G inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(b)** (with reg. 3)

**4C.** A pilot, as defined in paragraph 22(1) of schedule 3A of the Merchant Shipping Act 1995, where they have travelled to the United Kingdom in the course of their work or have been repatriated to the United Kingdom <sup>F182</sup>....

#### Textual Amendments

**F181** Sch. 2 paras. 4A-4G inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(b)** (with reg. 3)

**F182** Words in sch. 2 para. 4C omitted (15.1.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(Pre-Departure Testing and Operator Liability\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/20\)](#), regs. 1(2), **3(9)**

**4D.** An inspector, or a surveyor of ships, appointed under section 256 of the Merchant Shipping Act 1995 [<sup>F183</sup>, or by a government of a relevant British possession as defined in section 313(1) of that Act], where they have travelled to the United Kingdom in the course of their work.

#### Textual Amendments

**F181** Sch. 2 paras. 4A-4G inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(b)** (with reg. 3)

**F183** Words in sch. 2 para. 4D inserted (5.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 13\) Regulations 2020 \(S.S.I. 2020/274\)](#), regs. 1, **2(6)** (with reg. 3)

[<sup>F184</sup>**4E.**—(1) A member of aircraft crew where they have travelled to the United Kingdom in the course of their work or are otherwise required to travel to the United Kingdom for work purposes.

(2) For the purposes of this paragraph—

(a) “member of aircraft crew” means a person who—

- (i) acts as a pilot, flight navigator, flight engineer or flight radiotelephony operator of the aircraft,
- (ii) is carried on the flight deck and is appointed by the operator of the aircraft to give or to supervise the training, experience, practice and periodical tests required for the flight crew under article 114(2) of the Air Navigation Order 2016 or any provision of EU-OPS, or
- (iii) is carried on the flight for the purpose of performing duties to be assigned by the operator or the pilot in command of the aircraft in the interests of the safety of passengers or of the aircraft,

(b) travel for work purposes includes, in particular—

- (i) where the member of aircraft crew resides outside of the United Kingdom, travelling to the United Kingdom to work on an aircraft departing from the United Kingdom,



- (ii) travelling to attend work-related training in the United Kingdom,
- (iii) returning to the United Kingdom following work-related training outside of the United Kingdom,
- (c) “EU-OPS” has the meaning given in paragraph 1 of schedule 1 of the Air Navigation Order 2016.]

#### Textual Amendments

**F181** Sch. 2 paras. 4A-4G inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(b)** (with reg. 3)

**F184** Sch. 2 para. 4E substituted (22.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel, Public Health Information and Pre-Departure Testing\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/34\)](#), regs. 1(2), **2(6)** (with reg. 5(1))

**4F.**—(1) Any of the following who have travelled to the United Kingdom in the course of their work—

- (a) drivers and crews on shuttle services and on services for the carriage of passengers or goods by way of the tunnel system, and
  - (b) other workers carrying out essential roles for the safe or efficient operation of the tunnel system, shuttle services or services for the carriage of passengers or goods by way of the tunnel system, or relating to the security of the tunnel system or any such services.
- (2) For the purposes of sub-paragraph (1)—
- (a) “shuttle service” has the meaning given in section 1(9) of the Channel Tunnel Act 1987, and
  - (b) “tunnel system” has the meaning given in section 1(7) of that Act.

#### Textual Amendments

**F181** Sch. 2 paras. 4A-4G inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(b)** (with reg. 3)

**4G.**—(1) The condition mentioned in regulation 3(4)(d) is that the person has in the course of their work on the journey to Scotland travelled only—

- (a) on a conveyance which does not carry passengers,
  - (b) in an area of a conveyance which is not accessible to passengers, or
  - (c) in an area of a conveyance which is accessible to passengers in vehicles, where passengers remain within their vehicles while the person is present in that area of the conveyance.
- (2) For the purposes of this paragraph—
- “not accessible to passengers” means separated by a continuous physical barrier which passengers are not permitted to cross, and
- “passenger” does not include a person of the description in paragraph 4F(1)(b).]

#### Textual Amendments

**F181** Sch. 2 paras. 4A-4G inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(b)** (with reg. 3)

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)

## PART 2

### Persons not required to comply with regulation 6

<sup>F185</sup>5. ....

#### Textual Amendments

**F185** Sch. 2 para. 5 omitted (20.6.2020 at 1.00 p.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 2\) Regulations 2020 \(S.S.I. 2020/184\)](#), regs. 1(2), **2(5)(e)**

6. A transit passenger who is a person who, on arrival in the United Kingdom, passes through to another country or territory without entering the United Kingdom.

#### Commencement Information

**I23** Sch. 2 para. 6 in force at 8.6.2020, see reg. 1(2)

7.—(1) A road haulage worker <sup>F186</sup>...

(2) For the purposes of this paragraph—

“driver” includes a person who is travelling in a vehicle as a relief driver,

“goods vehicle” has the meaning given in section 192 of the Road Traffic Act 1988 <sup>M18</sup>,

“road haulage worker” means—

- (a) the driver of a goods vehicle that is being used in connection with the carriage of goods, other than goods for non-commercial personal use by the driver, or
- (b) a person who is employed by the holder of a Community licence issued under Article 4 of Regulation [\(EC\) No 1072/2009](#) of the European Parliament and of the Council [on common rules for access to the international road haulage market] <sup>M19</sup>, and who is acting in the course of their employment,

<sup>F187</sup> ...

<sup>F187</sup> ...

#### Textual Amendments

**F186** Words in sch. 2 para. 7(1) omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(c)(i)** (with reg. 3)

**F187** Words in sch. 2 para. 7(2) omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(c)(ii)** (with reg. 3)

#### Commencement Information

**I24** Sch. 2 para. 7 in force at 8.6.2020, see reg. 1(2)

#### Marginal Citations

**M18** 1988 c.52.

**M19** OJ No. L 300, 14.11.2009, p.72.

**F188** 8. ....

**Textual Amendments**

**F188** Sch. 2 para. 8 omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(d)** (with reg. 3)

**F189** 9. ....

**Textual Amendments**

**F189** Sch. 2 para. 9 omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(d)** (with reg. 3)

**F190** 10. ....

**Textual Amendments**

**F190** Sch. 2 para. 10 omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(d)** (with reg. 3)

**F191** 11. ....

**Textual Amendments**

**F191** Sch. 2 para. 11 omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(d)** (with reg. 3)

**12.** Civil aviation inspectors, as defined in Annex 9 to the Convention on International Civil Aviation signed at Chicago on 7 December 1944 <sup>M20</sup>, where they have travelled to the United Kingdom when engaged on inspection duties.

**Commencement Information**

**I25** Sch. 2 para. 12 in force at 8.6.2020, see reg. 1(2)

**Marginal Citations**

**M20** The latest edition of Annex 9, which is published by the International Civil Aviation Organization, is the 15th edition, which applied from 23rd February 2018 (ISBN 978-92-9258-301-9).

[<sup>F192</sup>**13.**—(1) Operational, rail maintenance, safety and security workers working on the tunnel system who have travelled to the United Kingdom in the course of their work.

(2) For the purposes of sub-paragraph (1) “tunnel system” has the meaning given in section 1(7) of the Channel Tunnel Act 1987.]

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020*. (See end of Document for details)

### Textual Amendments

**F192** Sch. 2 para. 13 substituted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(e)** (with reg. 3)

**[<sup>F193</sup>14.—(1)** Any person who [<sup>F194</sup>has been certified by the relevant Department or the Scottish Ministers] 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 [<sup>F195</sup>or the Scottish Ministers], and includes, in particular, work related to national security, the work of the National Crime Agency in pursuance of its statutory functions, and work 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.]

### Textual Amendments

**F193** Sch. 2 paras. 14, 14A substituted (28.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 24\) Regulations 2020 \(S.S.I. 2020/404\)](#), regs. 1(2), **2(7)(a)** (with reg. 4)

**F194** Words in sch. 2 para. 14(1) substituted (19.12.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel and Public Health Information\) \(Scotland\) \(No. 2\) Regulations 2020 \(S.S.I. 2020/444\)](#), regs. 1(2), **2(5)(a)**

**F195** Words in sch. 2 para. 14(2) inserted (19.12.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel and Public Health Information\) \(Scotland\) \(No. 2\) Regulations 2020 \(S.S.I. 2020/444\)](#), regs. 1(2), **2(5)(b)**

[<sup>F193</sup>14A.—(1) A person returning from undertaking essential or emergency work outside of the United Kingdom, which has been certified by the relevant Department [<sup>F196</sup>or the Scottish Ministers] 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.]

#### Textual Amendments

**F193** Sch. 2 paras. 14, 14A substituted (28.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 24\) Regulations 2020 \(S.S.I. 2020/404\)](#), regs. 1(2), 2(7)(a) (with reg. 4)

**F196** Words in sch. 2 para. 14A inserted (19.12.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel and Public Health Information\) \(Scotland\) \(No. 2\) Regulations 2020 \(S.S.I. 2020/444\)](#), regs. 1(2), 2(6)

15. A person designated by the relevant Ministers under section 5(3) of the Repatriation of Prisoners Act 1984 <sup>M21</sup>.

#### Commencement Information

**I26** Sch. 2 para. 15 in force at 8.6.2020, see reg. 1(2)

#### Marginal Citations

**M21** 1984 c.47.

16. A person responsible for escorting a person sought for extradition pursuant to a warrant issued under Part 3 of the Extradition Act 2003 <sup>M22</sup> or sought for extradition pursuant to any other extradition arrangements.

#### Commencement Information

**I27** Sch. 2 para. 16 in force at 8.6.2020, see reg. 1(2)

#### Marginal Citations

**M22** 2003 c.41.

17. A representative of any territory travelling to the United Kingdom in order to take into custody a person whose surrender has been [<sup>F197</sup>ordered] pursuant to any provision of the Extradition Act 2003.

#### Textual Amendments

**F197** Word in sch. 2 para. 17 substituted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), 13(a) (with reg. 17)

#### Commencement Information

**I28** Sch. 2 para. 17 in force at 8.6.2020, see reg. 1(2)

18.—(1) Workers engaged in essential or emergency works—

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020*. (See end of Document for details)

- (a) related to water supplies and sewerage services, and
  - (b) carried out by, for or on behalf of Scottish Water, or [<sup>F198</sup>a local authority or a relevant person], where they have travelled to the United Kingdom in the course of their work.
- (2) For the purposes of this paragraph—
- “essential or emergency works” includes—
- (a) inspections, maintenance, repairs, and asset replacement activities,
  - (b) monitoring, sampling and analysis of water supplies under the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017<sup>M23</sup> [<sup>F199</sup>, the Private Water Supplies (Scotland) Regulations 2006] or the Public Water Supplies (Scotland) Regulations 2014),<sup>F200</sup> ...
- [<sup>F201</sup>“relevant person” has the meaning given in—
- (a) regulation 3(1) of the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017, or
  - (b) regulation 4 of the Private Water Supplies (Scotland) Regulations 2006, and]
- “Scottish Water” means the body corporate established by section 20(1) of the Water Industry (Scotland) Act 2002<sup>M24</sup>.

#### Textual Amendments

- F198** Words in sch. 2 para. 18(1)(b) substituted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(g)(i)** (with reg. 3)
- F199** Words in sch. 2 para. 18(2) inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(g)(ii)(aa)** (with reg. 3)
- F200** Word in sch. 2 para. 18(2) omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(g)(ii)(bb)** (with reg. 3)
- F201** Words in sch. 2 para. 18(2) inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(g)(iii)** (with reg. 3)

#### Commencement Information

- I29** Sch. 2 para. 18 in force at 8.6.2020, see reg. 1(2)

#### Marginal Citations

- M23** S.S.I 2017/282.  
**M24** 2002 asp 3.

[<sup>F202</sup>**18A.**—(1) Workers engaged in essential or emergency works on behalf of a local authority relating to flood risk management, within the meaning of the Flood Risk Management (Scotland) Act 2009 or the Coast Protection Act 1949.]

#### Textual Amendments

- F202** Sch. 2 para. 18A inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(h)** (with reg. 3)

**19. Workers engaged in essential or emergency works—**

(a) related to—

- (i) a generating station,
- (ii) an electricity interconnector,
- (iii) a district heat network as defined in regulation 2 of the Heat Network (Metering and Billing) Regulations 2014 <sup>M25</sup>,
- (iv) communal heating as defined in regulation 2 of the Heat Network (Metering and Billing) Regulations 2014,
- (v) automated ballast cleaning and track re-laying systems on a network, or
- (vi) the commissioning, maintenance and repair of industrial machinery for use on a network, or

(b) carried out by or on behalf of—

- (i) the national system operator,
- (ii) a person holding a transmission licence,
- (iii) a person holding a distribution licence,
- (iv) a person holding a licence under section 7 and 7ZA of the Gas Act 1986 <sup>M26</sup>,
- (v) a LNG import or export facility as defined in section 48 of the Gas Act 1986 <sup>M27</sup>,
- (vi) a person holding a network licence under section 8 of the Railways Act 1993,

where they have travelled to the United Kingdom for the purposes of their work.

(2) For the purposes of this sub- paragraph (1)—

“distribution licence” means a licence granted under section 6(1)(c) of the Electricity Act 1989 <sup>M28</sup>,

“electricity interconnector”, “generating station” and “transmission system” have the meanings given in section 64(1) of the Electricity Act 1989 <sup>M29</sup>,

“essential or emergency works” includes commissioning, inspections, maintenance, repairs, and asset replacement activities,

“national system operator” means the person operating the national transmission system for Great Britain,

“network”, in sub-paragraph (1)(a)(v) and (vi), has the meaning given in section 83(1) of the Railways Act 1993 <sup>M30</sup>, and

“transmission licence” means a licence granted under section 6(1)(b) of the Electricity Act 1989.

**Commencement Information**

**I30** Sch. 2 para. 19 in force at 8.6.2020, see reg. 1(2)

**Marginal Citations**

**M25** [S.I. 2014/3120](#). There are no relevant amending instruments.

**M26** [1986 c.44](#). Section 7ZA was inserted by section 149(6) of the [Energy Act 2004 \(c.20\)](#).

**M27** The definition was inserted by [S.I. 2011/2704](#).

**M28** [1989 c.29](#).

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)

**M29** The definition of “electricity interconnector” was inserted by section 147(7) of the [Energy Act 2004 \(c.20\)](#). The definition of “transmission system” was substituted by paragraph 15 of schedule 19 of the 2004 Act.

**M30** [1993 c.43](#).

**20.**—(1) A person who is—

- (a) nuclear personnel, and who is essential to the safe and secure operations of a site in respect of which a nuclear site licence has been granted,
- (b) a nuclear emergency responder,
- (c) an agency inspector, or
- (d) a Euratom inspector, provided that they arrive in the United Kingdom before IP completion day, where the person has travelled to the United Kingdom in the course of their work.

(2) For the purposes of this paragraph—

“agency inspector” has the meaning given in section 1(1) of the Nuclear Safeguards Act 2000 <sup>M31</sup>,

“Euratom inspector” means an inspector sent to the United Kingdom by the Commission of the European Union in accordance with Articles 81 and 82 of the Euratom Treaty,

“nuclear emergency responder” means a person providing assistance to the United Kingdom in accordance with the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency done at Vienna on 26 September 1986, who has been duly notified to and accepted by the United Kingdom, where the United Kingdom has requested assistance under that Convention,

“nuclear personnel” means—

- (a) a worker who is employed to carry out work on or in relation to a site in respect of which a nuclear site licence has been granted,
- (b) an employee of the Nuclear Decommissioning Authority <sup>M32</sup>, and

“nuclear site licence” has the meaning given in section 1 of the Nuclear Installations Act 1965 <sup>M33</sup>.

#### Commencement Information

**I31** Sch. 2 para. 20 in force at 8.6.2020, see reg. 1(2)

#### Marginal Citations

**M31** [2000 c.5](#).

**M32** The Nuclear Decommissioning Authority was established by section 1 of the [Energy Act 2004 \(c.20\)](#).

**M33** [1965 c.57](#). Section 1 was substituted by paragraph 17 of schedule 2 of the [Energy Act 2013 \(c.32\)](#); by virtue of section 1(2), a licence described in section 1(1) is referred to as a “nuclear site licence”.

**21.** An Inspector from the Organisation for the Prohibition of Chemical Weapons, within the meaning given to “inspector” by section 24(e) of the Chemical Weapons Act 1996 <sup>M34</sup>, who has travelled to the United Kingdom for the purposes of an inspection.

#### Commencement Information

**I32** Sch. 2 para. 21 in force at 8.6.2020, see reg. 1(2)



#### Marginal Citations

M34 1996 c.6.

22.—(1) A person who is—

- (a) carrying out a critical function at a space site or spacecraft controller who is responsible for command and control of a launch vehicle or spacecraft for nominal operations, collision avoidance or anomalies,
- (b) employed by, or contracted to provide services to, a person who operates or maintains space situational awareness capabilities, where they have travelled to the United Kingdom in the course of their work.

(2) For the purposes of sub-paragraph (1)—

“space site” has the meaning given in paragraph 5(3) of schedule 4 of the Space Industry Act 2018<sup>M35</sup>,

“space situational awareness capabilities” means the sensors, systems and analytical services needed to provide time-sensitive warnings of space weather events, orbital collisions, orbital fragmentations or the re-entry of man-made objects from orbit,

“spacecraft” has the meaning given in section 2(6) of the Space Industry Act 2018, and

“spacecraft controller” means a person competent, authorised and responsible for maintaining safe and secure operation of spacecraft through monitoring the status of a spacecraft, issuing manoeuvre commands or controlling other aspects of the spacecraft that influence its behaviour including its motion in space.

#### Commencement Information

I33 Sch. 2 para. 22 in force at 8.6.2020, see reg. 1(2)

#### Marginal Citations

M35 2018 c.5.

23.—(1) A specialist aerospace engineer, or a specialist aerospace worker, where they have travelled to the United Kingdom in the course of their work.

(2) For the purposes of sub-paragraph (1)—

“specialist aerospace engineer” means a person who is employed or otherwise engaged to provide engineering services for the purpose of ensuring the continued operation of aviation activities (including but not limited to the provision of maintenance and repair services for production lines, aviation components, grounded aircraft and new aircraft), and

“specialist aerospace worker” means a person who is employed or otherwise engaged to provide services for the purpose of ensuring safety management and quality assurance as required by relevant standards, guidance and publications on aviation safety produced by the Civil Aviation Authority or the European Union Aviation Safety Agency<sup>M36</sup>.

#### Commencement Information

I34 Sch. 2 para. 23 in force at 8.6.2020, see reg. 1(2)

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)

### Marginal Citations

**M36** The Civil Aviation Authority was established under section 1(1) of the [Civil Aviation Act 1971 \(c.75\)](#). That Act was replaced by a consolidating statute, the [Civil Aviation Act 1982 \(c.16\)](#), [section 2\(1\)](#) of which provides for the continued existence of the Civil Aviation Authority. The European Union Aviation Safety Agency was established by Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91.

**24.—(1)** A person engaged in operational, maintenance or safety activities of a downstream oil facility that has a capacity in excess of 20,000 tonnes, where—

- (a) the downstream oil facility is engaged in a specified activity carried on in the United Kingdom in the course of a business, and contributes (directly or indirectly) to the supply of crude oil based fuels to consumers in the United Kingdom or persons carrying on business in the United Kingdom, and
  - (b) the activities are required to ensure continued safe operation of the facility, where they have travelled to the United Kingdom in the course of their work.
- (2) For the purposes of sub-paragraph (1)—
- (a) a facility has a capacity in excess of 20,000 tonnes at any time if it was used in the previous calendar year for the purposes of downstream oil sector activities in relation to more than that number of tonnes of oil, and
  - (b) “specified activities” are—
    - (i) storing oil,
    - (ii) handling oil,
    - (iii) the carriage of oil by sea or inland water,
    - (iv) conveying oil by pipes, and
    - (v) refining or otherwise processing oil.

### Commencement Information

**I35** Sch. 2 para. 24 in force at 8.6.2020, see reg. 1(2)

**25.—(1)** A worker <sup>F203</sup>... required <sup>F204</sup>to undertake or commence within <sup>F205</sup>the period during which they would, but for this paragraph, have had to stay in specified premises in accordance with regulation 6]]

- (a) activities on or in relation to <sup>F206</sup>an offshore installation],
- (b) activities on or in relation to upstream petroleum infrastructure,
- (c) critical safety work on <sup>F207</sup>an offshore installation or well being decommissioned or preserved pending demolition or reuse, or
- (d) activities for the provision of workers, goods, materials or equipment or other essential services required to support the safe operation of the activities referred to in paragraphs (a) to (c),

<sup>F208</sup>where they have travelled to the United Kingdom in the course of their work<sup>F209</sup>....

[<sup>F210</sup>(1A) A worker who has travelled to the United Kingdom immediately after undertaking any of the activities described in sub-paragraph (1)(a) to (d) where the worker has returned to the United Kingdom after departing from or transiting through another country or territory without entering that other country or territory.]

(2) For the purposes of sub-paragraph (1)—

“<sup>F211</sup>offshore installation” has the meaning given in section 44 of the Petroleum Act 1998 <sup>M37</sup>, “upstream petroleum infrastructure” has the meaning given in section 9H of that Act <sup>M38</sup>, and “<sup>F212</sup>well” has the meaning given in section 45A(10) of that Act <sup>M39</sup>.

[<sup>F213</sup>(3) For the purposes of the reference in sub-paragraph (1A) to activities described in sub-paragraph (1)(a) to (d), “offshore installation,” “upstream petroleum infrastructure” and “well” have the meanings given in sub-paragraph (2) with the following modifications—

- (a) for the definition of “offshore installation”, “relevant waters” in section 44(4) of the Petroleum Act 1998 is to be read as including a reference to the exclusive economic zones of Denmark and the Faroe Islands, Germany, Iceland, the Netherlands and Norway,
- (b) for the definition of “upstream petroleum infrastructure”, section 9H(2) of that Act is to be read as including petroleum which exists in its natural condition in strata within the exclusive economic zones of Denmark and the Faroe Islands, Germany, Iceland, the Netherlands and Norway,
- (c) the definition of “well” in section 45A(10) of that Act includes a well situated in the exclusive economic zones of Denmark and the Faroe Islands, Germany, Iceland, the Netherlands and Norway.

(4) For the purposes of sub-paragraph (3), references to the “exclusive economic zone” of a country are to the exclusive economic zone of that country established in accordance with international law, or, if such a zone has not been established, such area adjacent to the territorial sea of that country and extending not more than 200 nautical miles from the baselines from which the breadth of that sea is measured as may have been determined by the country in question in accordance with international law.]

#### Textual Amendments

- F203** Words in sch. 2 para. 25(1) omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(i)(aa)** (with reg. 3)
- F204** Words in sch. 2 para. 25(1) substituted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(i)(bb)** (with reg. 3)
- F205** Words in sch. 2 para. 25 substituted (22.8.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 10\) Regulations 2020 \(S.S.I. 2020/252\)](#), regs. 1, **2(4)(a)** (with reg. 3)
- F206** Words in sch. 2 para. 25(1)(a) substituted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(i)(ii)** (with reg. 3)
- F207** Words in sch. 2 para. 25(1)(c) substituted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(i)(iii)** (with reg. 3)
- F208** Words in sch. 2 para. 25(1) inserted (25.10.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 19\) Regulations 2020 \(S.S.I. 2020/330\)](#), regs. 1, **2(4)(b)** (with reg. 3)

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)

- F209** Words in sch. 2 para. 25(1) omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(i)(iv)** (with reg. 3)
- F210** Sch. 2 para. 25(1A) inserted (25.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(3), **8(b)(i)** (with reg. 10)
- F211** Words in sch. 2 para. 25(2) substituted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(i)(v)(aa)** (with reg. 3)
- F212** Word in sch. 2 para. 25(2) substituted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(i)(v)(bb)** (with reg. 3)
- F213** Sch. 2 para. 25(3)(4) inserted (25.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/107\)](#), regs. 1(3), **8(b)(ii)** (with reg. 10)

#### Commencement Information

- I36** Sch. 2 para. 25 in force at 8.6.2020, see reg. 1(2)

#### Marginal Citations

- M37** [1998 c.17](#). Section 44 was amended by paragraph 11 of schedule 1 of the [Energy Act 2008 \(c.32\)](#).
- M38** Section 9H was substituted by section 74(2) of the [Energy Act 2016 \(c.20\)](#).
- M39** Section 46A was inserted by section 75(1) of the [Energy Act 2008 \(c.32\)](#).

**26.** A postal operator, as defined in section 27(3) of the Postal Services Act 2011<sup>M40</sup>, where they have travelled to the United Kingdom in the course of their work.

#### Commencement Information

- I37** Sch. 2 para. 26 in force at 8.6.2020, see reg. 1(2)

#### Marginal Citations

- M40** [2011 c.5](#).

**27.** A worker with specialist technical skills, where those specialist technical skills are required for essential or emergency works or services (including commissioning, maintenance, and repairs and safety checks) to ensure the continued production, supply, movement, manufacture, storage or preservation of goods, where they have travelled to the United Kingdom in the course of their work.

#### Commencement Information

- I38** Sch. 2 para. 27 in force at 8.6.2020, see reg. 1(2)

**28.** A worker with specialist technical skills, where those specialist technical skills are required for essential or emergency works (including [<sup>F214</sup>construction, commissioning, installation,] maintenance, repairs and safety checks) or to fulfil contractual obligations or warranty specifications in, or in connection with, waste management facilities used for the management, sorting, treatment, recovery, or disposal of waste (including energy from waste), where they have travelled to the United Kingdom in the course of their work.

### Textual Amendments

**F214** Words in sch. 2 para. 28 substituted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(j)** (with reg. 3)

### Commencement Information

**I39** Sch. 2 para. 28 in force at 8.6.2020, see reg. 1(2)

## 29.—(1) Any of the following—

- (a) a person (“P”) who—
  - (i) before travelling to the United Kingdom has made arrangements with a provider in the United Kingdom to receive healthcare (or, where P is a child, on whose behalf such arrangements have been made),
  - (ii) is in possession of written confirmation of the arrangements from the provider,
  - (iii) has travelled to the United Kingdom to receive that healthcare, and
  - (iv) is attending a place to receive that healthcare <sup>F215</sup> ... ,
- (b) a person who—
  - (i) is accompanying P for the purpose of providing necessary care or support to P in the circumstances referred to in sub-paragraph (1)(a)(iv), or
  - (ii) is travelling, for the purpose of so accompanying P, directly between the place where they are staying in accordance with regulation 6(2) and either of the places referred to in sub-paragraph (1)(a)(iv), where that person has travelled to the United Kingdom for that purpose and is in possession of the confirmation referred to in sub-paragraph (1)(a)(ii) or a copy of it,
- (c) an accompanying child who is accompanying P or, where P is a child, is accompanying a person referred to in sub-paragraph (1)(b),
- (d) a live donor who is attending a place for the purpose referred to in the definition of “live donor” <sup>F216</sup> ... .

## (2) For the purposes of this paragraph—

“accompanying child”, in relation to P, means a child who has arrived in the United Kingdom with P and for whom P has responsibility, or where P is a child, a child who has arrived in the United Kingdom with the person referred to in sub-paragraph (1)(b) and for whom that person has responsibility,

“healthcare” means all forms of healthcare provided for individuals, whether relating to mental or physical health, including healthcare in connection with giving birth,

“live donor” means a person who—

- (a) has travelled to the United Kingdom for the purpose of donation of material which consists of or includes their human cells pursuant to arrangements made with a provider in the United Kingdom before travelling to the United Kingdom and which are to be used by the provider for the purpose of providing healthcare, and
  - (b) is in possession of written confirmation of the arrangements from the provider, and
- “provider” means a provider of healthcare.

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020*. (See end of Document for details)

#### Textual Amendments

**F215** Words in sch. 2 para. 29(1)(a)(iv) omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **13(b)** (with reg. 17)

**F216** Words in sch. 2 para. 29(1)(d) omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **13(c)** (with reg. 17)

#### Commencement Information

**I40** Sch. 2 para. 29 in force at 8.6.2020, see reg. 1(2)

**30.**—<sup>F217</sup>(1) A person who has travelled to the United Kingdom for the purpose of transporting material which consists of, or includes, human cells or blood and which is to be used for the provision of healthcare by a healthcare provider.]

(2) For the purposes of sub-paragraph (1)—

- (a) “blood” includes blood components, and
- (b) “healthcare” has the meaning given in paragraph 29(2).

#### Textual Amendments

**F217** Sch. 2 para. 30(1) substituted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(k)** (with reg. 3)

#### Commencement Information

**I41** Sch. 2 para. 30 in force at 8.6.2020, see reg. 1(2)

**31.** A person who is an “inspector” within the meaning given in regulation 8(1) of the Human Medicines Regulations 2012 who has travelled to the United Kingdom to undertake activities in relation to their role as such a person.

#### Commencement Information

**I42** Sch. 2 para. 31 in force at 8.6.2020, see reg. 1(2)

**32.**—(1) A person who—

(a) has travelled to the United Kingdom to—

- (i) conduct a clinical trial within the meaning of “conducting a clinical trial” in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004,
- (ii) undertake such activities as are necessary or expedient to prepare for the conduct of a clinical trial, or
- (iii) carry out any necessary compliance activity in relation to a clinical trial that cannot be conducted remotely,

(b) is a “qualified person” within the meaning of regulation 43 of those Regulations, where they have travelled to the United Kingdom in order to undertake activities in relation to their role as such a person, or

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020*. (See end of Document for details)

(c) is a “sponsor” within the meaning given in regulation 2(1) of those Regulations, or carries out the functions or duties of a sponsor, of a clinical trial and has travelled to the United Kingdom to undertake activities in relation to a clinical trial.

(2) For the purposes of sub-paragraph (1), “clinical trial” has the meaning given in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004.

**Commencement Information**

**I43** Sch. 2 para. 32 in force at 8.6.2020, see reg. 1(2)

**33.** A person who has travelled to the United Kingdom to conduct a “clinical investigation” within the meaning of the Medical Devices Regulations 2002, or to undertake such activities as are necessary or expedient to prepare for the conduct of a clinical investigation or carry out any other necessary compliance activity in relation to a clinical investigation that cannot be conducted remotely.

**Commencement Information**

**I44** Sch. 2 para. 33 in force at 8.6.2020, see reg. 1(2)

**34.** A person who is—

(a) a “qualified person” within the meaning of regulation 41(2) of the Human Medicines Regulations 2012,

(b) a “responsible person” within the meaning of regulation 45(1) of those Regulations. <sup>F218</sup> ...

<sup>F219</sup>(c) .....

**Textual Amendments**

**F218** Word in sch. 2 para. 34(b) omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **13(d)** (with reg. 17)

**F219** Sch. 2 para. 34(c) omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **13(e)** (with reg. 17)

**Commencement Information**

**I45** Sch. 2 para. 34 in force at 8.6.2020, see reg. 1(2)

**35.—(1)** A person who has travelled to the United Kingdom for the purposes of their work in essential infrastructure industries including—

(a) a person involved in essential maintenance and repair of data infrastructure required to reduce and resolve outages, or in the provision of goods and services to support these activities, and

(b) an [<sup>F220</sup>information technology or telecommunications professional] (including information technology consultant, quality analyst, software tester, systems tester, and telecommunications planner), whose expertise is required to—

(i) provide an essential or emergency response to threats and incidents relating to the security of any network and information system, and

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)

(ii) ensure the continued operation of any network and information system.

(2) For the purposes of sub-paragraph (1), “network and information” system has the meaning in regulation 1(2) of the Network and Information Systems Regulations 2018 <sup>M41</sup>.

#### Textual Amendments

**F220** Words in sch. 2 para. 35(1)(b) substituted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(l)** (with [reg. 3](#))

#### Commencement Information

**I46** Sch. 2 para. 35 in force at 8.6.2020, see [reg. 1\(2\)](#)

#### Marginal Citations

**M41** [S.I. 2018/506](#).

**36.** A person who is engaged in urgent or essential work—

(a) that is necessary for the continued operation of—

(i) electronic communications networks and services as defined in section 32 of the Communications Act 2003<sup>M42F221</sup> ..., or

(ii) the BBC's broadcasting transmission network and services,

(b) in associated supply chain companies that maintain the confidentiality, integrity, and availability of the electronic communications networks and services and the BBC transmission network and services,

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

#### Textual Amendments

**F221** Words in sch. 2 para. 36(a)(i) omitted (28.11.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 24\) Regulations 2020 \(S.S.I. 2020/404\)](#), regs. 1(2), **2(7)(b)** (with [reg. 4](#))

#### Commencement Information

**I47** Sch. 2 para. 36 in force at 8.6.2020, see [reg. 1\(2\)](#)

#### Marginal Citations

**M42** [2003 c.21](#). The definition of “electronic communications network” was amended by [S.I. 2011/1210](#).

<sup>F222</sup>**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.]



### Textual Amendments

**F222** Sch. 2 para. 36A inserted (28.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 24\) Regulations 2020 \(S.S.I. 2020/404\)](#), regs. 1(2), **2(7)(c)** (with reg. 4)

**37.**—(1) A person who has an offer of employment for seasonal work to carry out specified activities in edible horticulture on a named farm or farming land, but only to the extent specified in sub-paragraph (3).

(2) For the purposes of sub-paragraph (1)—

“seasonal work” is employment which fluctuates or is restricted due to the season or time of the year,

“edible horticulture” means growing—

- (a) protected vegetables grown in glasshouse systems,
- (b) field vegetables grown outdoors, including vegetables, herbs, leafy salads and potatoes,
- (c) soft fruit grown outdoors or under cover,
- (d) trees that bear fruit,
- (e) vines and bines,
- (f) mushrooms,

“specified activities” means—

- (a) crop maintenance,
- (b) crop harvesting,
- (c) tunnel construction and dismantling,
- (d) irrigation installation and maintaining,
- (e) crop husbandry,
- (f) packing and processing of crops on employers premises,
- (g) preparing and dismantling growing areas and media,
- (h) general primary production work in edible horticulture,
- (i) activities relating to supervising teams of horticulture workers.

(3) A person described in sub-paragraph (1) is required to comply with regulation 6(2) as modified by regulation 6(5).

### Commencement Information

**I48** Sch. 2 para. 37 in force at 8.6.2020, see reg. 1(2)

<sup>[F223]</sup>**38.**—(1) A domestic elite sportsperson, an international elite sportsperson, a domestic ancillary sportsperson <sup>[F224]</sup>or an international ancillary sportsperson].

(2) For the purposes of this paragraph—

“domestic ancillary sportsperson” means an individual essential to—

- (a) the running of an elite sports event including—
  - (i) operational staff essential to the running of that elite sports event, and

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- (ii) event officials and referees, or
  - (b) the support of a domestic elite sportsperson including—
    - (i) sports team medical, logistical, technical and administration staff,
    - (ii) individual sportsperson medical and technical support staff,
    - (iii) horse grooms and trainers,
    - (iv) motorsport mechanics and technical staff, and
    - (v) the parent or carer of an elite sportsperson under the age of 18,
- [<sup>F225</sup>“domestic elite sportsperson” means—
- (a) an individual who—
    - (i) derives a living from competing in a sport,
    - (ii) is a senior representative nominated by a relevant sporting body,
    - (iii) is a member of the senior training squad for a relevant sporting body, or
    - (iv) is aged 16 or above and on an elite development pathway,
  - (b) is in Scotland, after departing from, or transiting through, a non-exempt country or territory, and
  - (c) either—
    - (i) has departed from or transited through the non-exempt country or territory in order to participate in an elite sporting event, or to participate in training for an elite sporting event in which the participants compete to qualify for the right to represent Great Britain and Northern Ireland at the Tokyo or Beijing Olympic or Paralympic Games, and has returned to Scotland with the intention of continuing activities as a sportsperson, or
    - (ii) is a United Kingdom sportsperson who is not habitually resident in the United Kingdom and has travelled to Scotland in order to participate in training for, or to compete in, an elite sports event.]

“elite sports event” means a specified competition or other sporting event in which the participants compete—

- (a) to derive a living, or
- (b) to qualify for the right to represent—
  - (i) Great Britain and Northern Ireland at the Tokyo or Beijing Olympic or Paralympic Games, or
  - (ii) England, Wales, Scotland, Northern Ireland, Gibraltar, Guernsey, Jersey or the Isle of Man at the Commonwealth Games to be held in Birmingham in those sports which are not part of the Tokyo Olympic and Paralympic Games programme,

“international ancillary sportsperson” means an individual essential to—

- (a) the running of a specified competition including—
  - (i) operational staff essential to the running of that specified competition,
  - (ii) competition officials and referees, and
  - (iii) broadcast staff and journalists covering that specified competition, or
- (b) the support of an international elite sportsperson, including—
  - (i) sports team medical, logistical, technical and administration staff,
  - (ii) individual sportsperson medical and technical support staff,

- (iii) horse grooms and trainers,
- (iv) motorsport mechanics and technical staff, and
- (v) the parent or carer of an international elite sportsperson under the age of 18,

“international elite sportsperson” means an individual who travels to Scotland in order to participate in a specified competition after departing from or transiting through a non-exempt country or territory at any time in the period beginning with the [<sup>F226</sup>10th day] before their arrival in Scotland and who—

- (a) derives a living from competing in a sport,
- (b) is a senior representative nominated by a relevant sporting body,
- (c) is a member of the senior training squad for a relevant sporting body, or
- (d) is aged 16 or above and on an elite development pathway, <sup>F227</sup>...

<sup>F228</sup>... and

“specified competition” means a competition listed in [<sup>F229</sup>schedule 3A].

(3) For the purposes of <sup>F230</sup>... paragraph (2)—

- (a) “elite development pathway” means a development pathway established by the national governing body of a sport to prepare sportspersons—
  - (i) so that they may derive a living from competing in that sport, or
  - (ii) to compete at that sport at the Tokyo or Beijing Olympic or Paralympic Games, or, if that sport is not part of the Tokyo Olympic and Paralympic Games programme, in the Commonwealth Games to be held in Birmingham,
- (b) “relevant sporting body” in relation to a sportsperson means the national governing body of a sport which may nominate sportspersons to represent—
  - (i) that sportsperson’s nation at the Tokyo or Beijing Olympic or Paralympic Games, or
  - (ii) that sportsperson’s nation at the Commonwealth Games to be held in Birmingham in those sports which are not part of the Tokyo Olympic and Paralympic Games programme, and
- (c) “senior representative” in relation to a sportsperson means an individual who is considered by a relevant sporting body to be a candidate to qualify to compete on behalf of—
  - (i) that sportsperson’s nation at the Tokyo or Beijing Olympic or Paralympic Games, or
  - (ii) that sportsperson’s nation at the Commonwealth Games to be held in Birmingham in those sports which are not part of the Tokyo Olympic and Paralympic Games programme.

(4) Where P is—

- (a) an international elite sportsperson, P is exempt from the requirement in regulation 6(2) if outside of the place where they are staying in accordance with regulation 6(2) to travel directly to or from, or attend the location of the specified competition or training for the specified competition, or travelling between different locations where the specified competition or training for the specified competition is taking place,
- (b) an international ancillary sportsperson, P is exempt from the requirement in regulation 6(2) if outside of the place where they are staying in accordance with regulation 6(2) to directly travel to or from, or attend the location of the specified competition or training for the specified competition, or travelling between different locations where the specified competition or training for the specified competition is taking place.

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)

(5) Any person (P) who is an international elite sportsperson or an international ancillary sportsperson must on request provide to an immigration officer written evidence from a United Kingdom or Scottish sport national governing body of P’s status as an international elite sportsperson or international ancillary sportsperson attending a specified competition, as the case may be.]

**Textual Amendments**

- F223** Sch. 2 paras. 38, 39 inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(8)(m)** (with reg. 3)
- F224** Words in sch. 2 para. 38(1) substituted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **13(f)** (with reg. 17)
- F225** Words in sch. 2 para. 38(2) substituted (20.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/158\)](#), regs. 1, **8** (with reg. 12)
- F226** Words in sch. 2 para. 38(2) substituted (14.12.2020) by [The Health Protection \(Coronavirus\) \(International Travel and Public Health Information\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/431\)](#), regs. 1(3), **3(8)**
- F227** Word in sch. 2 para. 38(2) omitted (18.10.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 18\) Regulations 2020 \(S.S.I. 2020/326\)](#), regs. 1, **2(4)(b)(ii)** (with reg. 3)
- F228** Words in sch. 2 para. 38(2) omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **13(g)** (with reg. 17)
- F229** Words in sch. 2 para. 38(2) substituted (12.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 14\) Regulations 2020 \(S.S.I. 2020/280\)](#), regs. 1, **2(6)** (with reg. 3)
- F230** Words in sch. 2 para. 38(3) omitted (18.10.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 18\) Regulations 2020 \(S.S.I. 2020/326\)](#), regs. 1, **2(4)(c)** (with reg. 3)

<sup>F231</sup>**38A.** .....

**Textual Amendments**

- F231** Sch. 2 para. 38A omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **13(i)** (with reg. 17)

<sup>F232</sup>**39.** .....

**Textual Amendments**

- F232** Sch. 2 para. 39 omitted (18.1.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 5\) Regulations 2021 \(S.S.I. 2021/21\)](#), regs. 1(2), **2(3)** (with reg. 3)

<sup>F233</sup>**40.** .....

**Textual Amendments**

**F233** Sch. 2 para. 40 omitted (18.1.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 5\) Regulations 2021 \(S.S.I. 2021/21\)](#), regs. 1(2), **2(3)** (with reg. 3)

<sup>F234</sup>**41.** . . . . .

**Textual Amendments**

**F234** Sch. 2 para. 41 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **13(j)** (with reg. 17)

<sup>F235</sup>**42.** . . . . .

**Textual Amendments**

**F235** Sch. 2 para. 42 omitted (18.1.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 5\) Regulations 2021 \(S.S.I. 2021/21\)](#), regs. 1(2), **2(3)** (with reg. 3)

<sup>F236</sup>SCHEDULE 2A

Regulation 5A

Testing before arrival in Scotland

**Textual Amendments**

**F236** Sch. 2A inserted (15.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(Pre-Departure Testing and Operator Liability\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/20\)](#), regs. 1(2), **3(10)** (with reg. 4)

1. A test complies with this paragraph if—
  - (a) it is a test for the detection of coronavirus undertaken using a device which the manufacturer states has—
    - (i) a sensitivity of at least 80%,
    - (ii) a specificity of at least 97%, and
    - (iii) a limit of detection of less than or equal to 100,000 SARS-CoV-2 copies per millilitre,
  - (b) it is not a test provided or administered under the National Health Service (Scotland) Act 1978, the National Health Service Act 2006, the National Health Services (Wales) Act 2006, or the Health and Personal Social Services (Northern Ireland) Order 1972, and
  - (c) the test sample is taken from the person no more than 3 days before—
    - (i) in the case of that person travelling to Scotland on a commercial transport service, the service’s scheduled time of departure, or

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)

(ii) in any other case, the actual time of departure of the vessel or aircraft on which that person is travelling to Scotland.

2. Notification of a negative test result must include, in English, French or Spanish, the following information—

- (a) the name of the person from whom the sample was taken,
- (b) that person's date of birth or age,
- (c) the negative result of the test,
- (d) the date the test sample was collected or received by the test provider,
- (e) the name of the test provider and information sufficient to contact that provider,
- (f) the name of the device that was used for the test.

3. In this schedule,

“device” means an in vitro diagnostic medical device within the meaning given in regulation 2(1) of the Medical Devices Regulations 2002,

“sensitivity”, in relation to a device, means how often the device correctly generates a positive result, and

“specificity”, in relation to a device, means how often the device correctly generates a negative result.

4.—(1) The persons referred to in regulation 5A(4)(c) (and not required to comply with that regulation) are—

- (a) a person (“P”) described in—
  - (i) paragraph 14(1)(b) of schedule 2 where, prior to P's departure to the United Kingdom, the relevant Department or the Scottish Ministers have certified that they meet this description and are not required to comply with regulation 5A, or
  - (ii) paragraph 14A of schedule 2 where, prior to P's departure to the United Kingdom, the relevant Department or the Scottish Ministers have also certified that they are not required to comply with regulation 5A,
- (b) a Crown servant or government contractor (“C”) who is required to undertake essential policing or essential government work in the United Kingdom or is returning from conducting such work outside the United Kingdom where, prior to C's departure to the United Kingdom, the relevant Department or the Scottish Ministers have certified that they meet this description and are not required to comply with regulation 5A,
- (c) a representative (“R”) of a foreign country or territory, or of the government of a British overseas territory, travelling to the United Kingdom to conduct official business with the United Kingdom where, prior to R's departure to the United Kingdom—
  - (i) the relevant head of the mission, consular post, or office representing a foreign territory in the United Kingdom, or a Governor of a British overseas territory (as the case may be), or a person acting on their authority, confirms in writing to the Foreign, Commonwealth and Development Office that R is required to undertake work which is essential to the foreign country represented by the mission or consular post, the foreign territory represented by the office or the British overseas territory, and
  - (ii) the Foreign, Commonwealth and Development Office has then confirmed in writing to the person giving the notification in sub-head (i) that—
    - (aa) it has received that confirmation, and

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- (bb) R is travelling to the United Kingdom to conduct official business with the United Kingdom and is not required to comply with the requirements of regulation 5A,
  - (d) a worker with specialist technical skills, where those specialist technical skills are required for emergency works or services (including commissioning, maintenance, and repairs and safety checks) to ensure the continued production, supply, movement, manufacture, storage or preservation of goods or services, where they have travelled to the United Kingdom in the course of their work or otherwise to commence or resume their work.
- (2) In sub-paragraph (1)—
- “consular post” has the meaning given in paragraph 1(3) of schedule 2, and
  - “Crown servant”, “essential government work”, “essential policing” and “government contractor” have the meanings given in paragraph 14(2) of schedule 2.]

F237 SCHEDULE 3

Regulation 2(9)

**Textual Amendments**

F237 Sch. 3A substituted for sch. 3 (5.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 13\) Regulations 2020 \(S.S.I. 2020/274\)](#), reg. 1, [sch.](#) (with reg. 3)

[F237 SCHEDULE 3A

Specified Competitions

[F238 Part 1]

**Textual Amendments**

F238 Sch. 3A paras. 1-27 renumbered as sch. 3A Pt. 1 paras. 1-27 (20.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/158\)](#), regs. 1, [9\(a\)](#) (with reg. 12)

1. UEFA Champions League and Europa League fixtures.
2. International Football fixtures.
3. Test Cricket matches.
- F239 4. ....

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)

**Textual Amendments**

**F239** Sch. 3A para. 4 omitted (1.11.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 20\) Regulations 2020 \(S.S.I. 2020/343\)](#), regs. 1, **2(3)** (with reg. 3)

**F240** **5.** . . . . .

**Textual Amendments**

**F240** Sch. 3A para. 5 omitted (3.10.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 17\) Regulations 2020 \(S.S.I. 2020/307\)](#), regs. 1, **2(3)(a)** (with reg. 3)

**F241** **6.** . . . . .

**Textual Amendments**

**F241** Sch. 3A para. 6 omitted (3.10.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 17\) Regulations 2020 \(S.S.I. 2020/307\)](#), regs. 1, **2(3)(a)** (with reg. 3)

**F242** **7.** . . . . .

**Textual Amendments**

**F242** Sch. 3A para. 7 omitted (1.11.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 20\) Regulations 2020 \(S.S.I. 2020/343\)](#), regs. 1, **2(3)** (with reg. 3)

**F243** **8.** . . . . .

**Textual Amendments**

**F243** Sch. 3A para. 8 omitted (1.11.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 20\) Regulations 2020 \(S.S.I. 2020/343\)](#), regs. 1, **2(3)** (with reg. 3)

**F244** **9.** . . . . .

**Textual Amendments**

**F244** Sch. 3A para. 9 omitted (3.10.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 17\) Regulations 2020 \(S.S.I. 2020/307\)](#), regs. 1, **2(3)(a)** (with reg. 3)

**[<sup>F245</sup>10.** Rugby Union international fixtures]



**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)

**Textual Amendments**

**F245** Sch. 3A para. 10 substituted (3.10.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 17\) Regulations 2020 \(S.S.I. 2020/307\)](#), regs. 1, **2(3)(b)** (with reg. 3)

- 11. Scottish Rugby Union international fixtures.
- 12. Guinness PRO14 and Challenge Cup Rugby Union fixtures.
- 13. European Professional Club Rugby fixtures.
- 14. Olympic, Paralympic and Commonwealth Games qualification events.

<sup>F246</sup>**15.** .....

**Textual Amendments**

**F246** Sch. 3A para. 15 omitted (1.11.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 20\) Regulations 2020 \(S.S.I. 2020/343\)](#), regs. 1, **2(3)** (with reg. 3)

<sup>F247</sup>**16.** .....

**Textual Amendments**

**F247** Sch. 3A para. 16 omitted (1.11.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 20\) Regulations 2020 \(S.S.I. 2020/343\)](#), regs. 1, **2(3)** (with reg. 3)

- 17. Professional Darts Corporation – Players’ Championship.

<sup>F248</sup>**18.** .....

**Textual Amendments**

**F248** Sch. 3A para. 18 omitted (1.11.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 20\) Regulations 2020 \(S.S.I. 2020/343\)](#), regs. 1, **2(3)** (with reg. 3)

<sup>F249</sup>**19.** .....

**Textual Amendments**

**F249** Sch. 3A para. 19 omitted (1.11.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 20\) Regulations 2020 \(S.S.I. 2020/343\)](#), regs. 1, **2(3)** (with reg. 3)

- 20. Professional Darts Corporation – World Youth Championship.
- 21. ATP Tour Tennis.
- 22. Scottish Horseracing meetings.

**Status:** Point in time view as at 20/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. (See end of Document for details)

[  
F250] **23.** World Snooker Tour – Scottish Open.

**Textual Amendments**

**F250** Sch. 3A paras. 23-25 inserted (3.10.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 17\) Regulations 2020 \(S.S.I. 2020/307\)](#), regs. 1, **2(3)** (c) (with reg. 3)

F251] **24.** .....

**Textual Amendments**

**F250** Sch. 3A paras. 23-25 inserted (3.10.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 17\) Regulations 2020 \(S.S.I. 2020/307\)](#), regs. 1, **2(3)** (c) (with reg. 3)

**F251** Sch. 3A para. 24 omitted (1.11.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 20\) Regulations 2020 \(S.S.I. 2020/343\)](#), regs. 1, **2(3)** (with reg. 3)

**25.** European Grand Slam Curling.]

**Textual Amendments**

**F250** Sch. 3A paras. 23-25 inserted (3.10.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 17\) Regulations 2020 \(S.S.I. 2020/307\)](#), regs. 1, **2(3)** (c) (with reg. 3)

[  
F252] **26.** Professional Darts Corporation - Unibet Premier League]

**Textual Amendments**

**F252** Sch. 3A para. 26 inserted (28.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 24\) Regulations 2020 \(S.S.I. 2020/404\)](#), regs. 1(2), **2(8)** (with reg. 4)

[  
F253] **27.** UEFA Youth League fixtures.]

**Textual Amendments**

**F253** Sch. 3A para. 27 inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **14** (with reg. 17)

## [<sup>F254</sup>Part 2

### Textual Amendments

**F254** Sch. 3A Pt. 2 inserted (20.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/158\)](#), regs. 1, **9(b)** (with reg. 12)

**28.** UEFA European Championship fixtures.]]

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### EXPLANATORY NOTE

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

For the purpose of preventing the spread of infection or contamination with coronavirus, these Regulations impose requirements on people arriving in Scotland who have been outside the common travel area (that is, the open borders area comprising the United Kingdom, the Republic of Ireland, the Isle of Man, and the Channel Islands) in the 14 days prior to their arrival.

Regulation 3 requires people to provide (where applicable) information listed in schedule 1 on a Passenger Locator Form (“passenger information”) before or on arrival in Scotland.

Regulation 4(2) obliges people to keep their passenger information up-to-date until the end of the fourteenth day after the day on which they arrived in Scotland from outwith the common travel area.

Regulation 5 sets out that it is an offence to fail to provide passenger information in accordance with regulation 3 or to fail to keep it up-to-date in accordance with regulation 4(2). A person who commits such an offence is liable, on summary conviction, to a fine not exceeding level 5 on the standard scale.

Regulation 6(2) requires a person to travel without undue delay on their arrival to Scotland to specified premises and stay there until whichever is the earlier of (a) the end of the fourteenth day after the day on which they arrived in the common travel area, or (b) their departure from Scotland. Regulation 6(7) provides that a person with responsibility for a child (as defined in regulation 2) must ensure, so far as reasonably practicable, that the child complies with the requirement to stay at the specified premises. A person is permitted to leave the specified premises where one of the reasons in regulation 9(6) applies.

Regulation 7 lists the persons exempt from the requirement in regulation 6.

Regulation 8 provides police officers with powers to direct or remove persons to a place where they are required to stay, if they suspect that the person is in breach of a requirement in regulation 6(2).

Regulations 9 to 11 make provision for offences, penalties and fixed penalty notices under these Regulations.

Regulation 13 sets out when passenger information can be disclosed and used in Scotland.

The necessity and proportionality of these Regulations must be reviewed at least once every 21 days (regulation 14) and they will expire 12 months beginning with the day on which they come into force (regulation 15).

**Status:**

Point in time view as at 20/03/2021.

**Changes to legislation:**

There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020.