
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 169

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

PART 3

Requirement for travellers to stay in specified premises

6.—(1) This regulation applies where a person (“P”)—

- (a) arrives in Scotland from outside the common travel area, or
- (b) arrives in Scotland from elsewhere within the common travel area, and has within the preceding 14 days been outside the common travel area.

(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 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.

(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 as the place they intend to stay in for the duration of the period specified in paragraph (2) 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 regulation 7(1)(c)(i)), 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(1), or

(1) 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

- (c) where P is a person described in paragraph 9(1) of schedule 10 of the Immigration Act 2016⁽²⁾ (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 paragraph 38 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 paragraph 38 of schedule 2).
- (6) P may not leave, or be outside of, the premises where they are staying in accordance with paragraph (2) in reliance on any reasonable excuse described in regulation 8(4) or (5) of the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020 (offences and penalties) except to the extent that such excuse falls within the reasons specified in regulation 10(4)⁽³⁾.
- (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⁽⁴⁾ (powers relating to potentially infectious persons) or by virtue of an order made under Part 4 of the Public Health etc. (Scotland) Act 2008⁽⁵⁾.

Persons not required to comply with regulation 6

7. The following persons are not required to comply with the requirements in regulation 6—
- (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 at a port in Scotland in order to travel immediately onwards to—
 - (i) another part of the United Kingdom, or
 - (ii) elsewhere outside of the United Kingdom,
 - (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, any person described in paragraph 38 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, or
 - (d) any person described in any other paragraph of schedule 2.

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.

(2) 2016 c.19.

(3) 2020/103, as amended by S.S.I. 2020/106, S.S.I. 2020/126 and S.S.I. 2020/164.

(4) 2020 c.7.

(5) 2008 asp 5.