
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 169

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

PART 4

Enforcement of Part 3

Enforcement of requirement in regulation 6(2)

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

- (a) direct P to return to the place where P is staying in accordance with regulation 6(2),
- (b) remove P to the place where P is staying in accordance with regulation 6(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) 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), 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), 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).

(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.