
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 322

**The Health Protection (Coronavirus) (International Travel
and Operator Liability) (Scotland) Regulations 2021**

PART 7

Parts 2 to 6: enforcement

Part 5 (managed isolation): offences and penalties

31.—(1) It is an offence for a person to contravene a requirement in—

- (a) regulation 20(1) (requirement to enter at designated port),
- (b) regulation 20(3) (requirement to possess managed isolation package),
- (c) regulation 21(1) (requirement to travel to and remain in managed accommodation), or
- (d) regulation 21(5) (requirement in relation to a child).

(2) It is a defence to a charge of committing an offence under paragraph (1)(a), (b) or (d) to show that the person, in the circumstances, had a reasonable excuse.

(3) It is a defence to a charge of committing an offence under paragraph (1)(c) for a person (“P”) to show that they are outside of the place where they are staying in accordance with regulation 21(1) for one of the following reasons—

- (a) to travel, in order to leave the common travel area, provided that P does so directly, (except where regulation 16(1)(a)(i) 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 P’s household,
 - (ii) a close family member, or
 - (iii) if no-one within heads (i) or (ii) is attending, a friend,
- (d) on compassionate grounds, for reasons relating to the end of a person’s life,
- (e) for exercise,
- (f) with permission from a person authorised by the Scottish Ministers to grant permission,
- (g) 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, illness or to escape risk of harm,

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

(4) A person may only leave or be outside of the place where they are staying in reliance on the grounds mentioned in paragraph (3)(c), (d) or (e)—

(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 the attendance at the funeral.

(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.