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SCOTTISH STATUTORY INSTRUMENTS

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**2021 No. 470**

**PUBLIC HEALTH**

**The Public Health (Coronavirus) (International  
Travel and Operator Liability) (Scotland)  
Amendment (No. 13) Regulations 2021**

*Approved by the Scottish Parliament*

<i>Made</i>	- - - -	<i>14th December 2021</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>at 9.30 a.m. on 15th December 2021</i>
<i>Coming into force</i>	- -	<i>at 4.00 a.m. on 15th December 2021</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 94(1)(b)(i) and 122(2) of the Public Health etc. (Scotland) Act 2008(1) and all other powers enabling them to do so.

In accordance with section 122(6) of that Act, the Scottish Ministers consider that these Regulations need to be made urgently, without a draft having been laid before, and approved by resolution of, the Scottish Parliament.

**Citation and commencement**

1. These Regulations may be cited as the Public Health (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 13) Regulations 2021 and come into force at 4.00 a.m. on 15 December 2021.

**Amendment of the Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Regulations 2021**

2. The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Regulations 2021(2) are amended in accordance with regulations 3 to 5.

**Amendment of regulation 26 – requirement to stay in specified premises**

3. In regulation 26 (requirement to stay in specified premises)—  
(a) after paragraph (2A) insert—

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(1) 2008 asp. 5.

(2) S.S.I. 2021/322. Amending instruments are S.S.I. 2021/328, 2021/343, 2021/350, 2021/357, 2021/359, 2021/382, 2021/425, 2021/440, 2021/441, 2021/443, 2021/454 and 2021/455.

“(2B) Where paragraph (2C) applies, P is not required to remain in the specified premises after the time at which A receives the result of A’s day 2 test.

(2C) This paragraph applies where—

- (a) P is an eligible vaccinated arrival,
  - (b) P is under the age of 11,
  - (c) P has travelled to Scotland with an adult (“A”) who has responsibility for P,
  - (d) A undertakes a day 2 test which generates a negative result.”,
- (b) in paragraph (3) after “paragraph (2A)” insert “, (2B)”.

**Amendment of regulation 27 – part 6: persons not required to comply**

4. After regulation 27(1)(c) (part 6: persons not required to comply) insert—

- “(ca) a person who—
- (i) is an eligible vaccinated arrival,
  - (ii) is under the age of 11,
  - (iii) travels to Scotland without any adult who has responsibility for them.”.

**Amendment to schedule 1 – red list countries**

5. In schedule 1 (red list countries) omit—

- (a) “Angola”,
- (b) “Botswana”,
- (c) “Eswatini”,
- (d) “Lesotho”,
- (e) “Malawi”,
- (f) “Mozambique”,
- (g) “Namibia”,
- (h) “Nigeria”,
- (i) “South Africa”,
- (j) “Zambia”,
- (k) “Zimbabwe”.

**Saving**

6. The amendments made by these Regulations do not apply in relation to any person who arrived in Scotland before 4.00 a.m. on 15 December 2021, and the Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Regulations 2021 continue to apply to such persons as if the amendments made by these Regulations had not been made.

St Andrew’s House,  
Edinburgh  
14th December 2021

*MICHAEL MATHESON*  
A member of the Scottish Government

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## EXPLANATORY NOTE

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

These Regulations amend the Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Regulations 2021 (“the International Travel Regulations”).

Regulation 3 amends regulation 26 of the International Travel Regulations to allow a child under the age of 11 who is an eligible vaccinated arrival and has arrived in Scotland accompanied by an adult who has responsibility for them, to leave the specified premises in which they are required to stay by regulation 26(2), if that adult’s day 2 test generates a negative result.

Regulation 4 amends regulation 27 of the International Travel Regulations to provide that a child who is under the age of 11, who is an eligible vaccinated arrival and who arrives in Scotland unaccompanied by an adult is not required to comply with Part 6.

Regulation 5 amends schedule 1 of the International Travel Regulation to remove Angola, Botswana, Eswatini, Lesotho, Malawi, Mozambique, Namibia, Nigeria, South Africa, Zambia and Zimbabwe from the list of “red list countries”.

Regulation 6 makes savings provision to the effect that a person arriving in Scotland before these Regulations come into effect must comply with the International Travel Regulations as they had effect at the time of the person’s arrival in Scotland. The amendments made by these Regulations apply only in relation to persons arriving in Scotland at or after 4.00 a.m. on 15 December 2021.

An impact assessment is being prepared and will be published online at [legislation.gov.uk](https://legislation.gov.uk).