

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

Made - - - - 14th December 2021

Coming into force - - at 4.00 a.m. on 15th December 2021

Laid before the Scottish Parliament at 9.30 a.m. on 15th December 2021

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(a) 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(b) 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—

“(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.

(a) 2008 asp. 5.

(b) 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.

- (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.

MICHAEL MATHESON
A member of the Scottish Government

St Andrew’s House,
Edinburgh
14th December 2021

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.

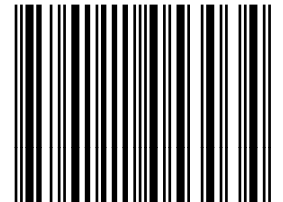
© Crown copyright 2022

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, the Queen’s Printer for Scotland.

£4.90

<http://www.legislation.gov.uk/id/ssi/2021/470>

ISBN 978-0-11-105303-4



9 780111 053034