
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 169

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

PART 1

General

Citation and commencement

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020.

(2) These Regulations come into force on 8 June 2020.

Commencement Information

II Reg. 1 in force at 8.6.2020, see reg. 1(2)

Interpretation

2.—(1) In these Regulations—

[^{F1}“acute risk country or territory” means a country or territory, or part of a country or territory, specified in schedule A2]

“child” means a person under the age of [^{F2}18],

“common travel area” has the meaning given in section 1(3) of the Immigration Act 1971 ^{M1},

“constable” has the meaning given by section 99(1) of the Police and Fire Reform (Scotland) Act 2012 ^{M2},

“coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2),

[^{F3}“coronavirus disease” means COVID-19 (the official designation of the disease which can be caused by coronavirus),

[^{F4}“eligible vaccinated arrival” means a person described in regulation 2A,]

“exempt country or territory” means a country or territory [^{F5}, or part of a country or territory,] specified in schedule A1 and “non-exempt country or territory” means any other country or territory [^{F6}, or part of a country or territory,] outside the common travel area,]

“immigration officer” means a person appointed by the Secretary of State as an immigration officer under paragraph 1 of schedule 2 of the Immigration Act 1971 ^{M3},

“information offence” means an offence under regulation 5(1) or (2) or an offence under regulation 9(4) where the person is believed to have intentionally obstructed an immigration officer carrying out a function in relation to Part 2,

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[^{F7}“managed self-isolation package” has the meaning given in regulation 6A(6),]

“passenger information” means the information specified in schedule 1, ^{F8}...

“Passenger Locator Form” means the electronic form published by the Secretary of State for the provision of passenger information ^{M4}.

[^{F9}“port” means any port (including a seaport, airport or heliport),]

[^{F10}“qualifying test” means a test that is a qualifying test for the purposes of regulation 5A,]

[^{F11}“relevant service” means a commercial transport service carrying passengers travelling to Scotland from outside the common travel area,]

[^{F12}“specified competition” means a competition listed in [^{F13}schedule 3A].]

(2) For the purposes of these Regulations, an [^{F14}person] has responsibility for a child if the [^{F14}person] has—

- (a) custody or charge of the child for the time being, or
- (b) parental responsibilities or parental rights in relation to the child (see sections 1(3) and 2(4) of the Children (Scotland) Act 1995) ^{M5}.

[^{F15}(3) For the purposes of these Regulations a person (“P”) is not treated as departing from or transiting through a country or territory [^{F16}, or part of a country or territory, if, at all times whilst in that country, territory or part thereof]—

- (a) P remains on a conveyance on which no other person is permitted to be taken on board, or
- (b) P is kept separated from passengers who did not arrive on the same conveyance as P, and no such passengers are permitted to be taken on board the conveyance on which P leaves that [^{F17}country, territory or part thereof].]

Textual Amendments

- F1** Words in reg. 2 inserted (9.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/5\)](#), regs. 1(2), **2(2)** (with reg. 3)
- F2** Word in reg. 2 substituted (15.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(Pre-Departure Testing and Operator Liability\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/20\)](#), regs. 1(2), **3(2)(a)** (with reg. 4)
- F3** Words in reg. 2(1) inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(2)(a)** (with reg. 3)
- F4** Words in reg. 2 inserted (19.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Miscellaneous Amendments\) \(Scotland\) \(No. 5\) Regulations 2021 \(S.S.I. 2021/264\)](#), regs. 1, **3(a)** (with reg. 13(1))
- F5** Words in reg. 2(1) inserted (12.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 14\) Regulations 2020 \(S.S.I. 2020/280\)](#), regs. 1, **2(2)(a)(i)** (with reg. 3)
- F6** Words in reg. 2(1) inserted (12.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 14\) Regulations 2020 \(S.S.I. 2020/280\)](#), regs. 1, **2(2)(a)(ii)** (with reg. 3)
- F7** Words in reg. 2 inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **4(a)** (with reg. 17)
- F8** Word in reg. 2(1) omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(2)(b)** (with reg. 3)

- F9** Words in reg. 2 inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Managed Accommodation and Testing\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/74\)](#), regs. 1(2), **4(b)** (with reg. 17)
- F10** Words in reg. 2 inserted (15.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(Pre-Departure Testing and Operator Liability\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/20\)](#), regs. 1(2), **3(2)(b)** (with reg. 4)
- F11** Words in reg. 2 inserted (19.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Miscellaneous Amendments\) \(Scotland\) \(No. 5\) Regulations 2021 \(S.S.I. 2021/264\)](#), regs. 1, **3(b)** (with reg. 13(1))
- F12** Words in reg. 2(1) inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(2)(c)** (with reg. 3)
- F13** Words in reg. 2 substituted (5.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 13\) Regulations 2020 \(S.S.I. 2020/274\)](#), regs. 1, **2(2)** (with reg. 3)
- F14** Word in reg. 2(2) substituted (27.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 8\) Regulations 2021 \(S.S.I. 2021/179\)](#), regs. 1, **3** (with reg. 12)
- F15** Reg. 2(3) inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(2)(d)** (with reg. 3)
- F16** Words in reg. 2(3) substituted (12.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 14\) Regulations 2020 \(S.S.I. 2020/280\)](#), regs. 1, **2(2)(b)(i)** (with reg. 3)
- F17** Words in reg. 2(3)(b) substituted (12.9.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 14\) Regulations 2020 \(S.S.I. 2020/280\)](#), regs. 1, **2(2)(b)(ii)** (with reg. 3)

Commencement Information

- I2** Reg. 2 in force at 8.6.2020, see reg. 1(2)

Marginal Citations

- M1** [1971 c.77](#). Section 1(3) provides that the United Kingdom, the Channel Islands, the Isle of Man, and the Republic of Ireland are collectively referred to in that Act as “the common travel area”.
- M2** [2012 asp 8](#).
- M3** [1971 c.77](#). Paragraph 1 was amended by paragraph 3 of schedule 3 of the [Health Protection Agency Act 2004 \(c.17\)](#), and by [S.I. 1993/1813](#).
- M4** The Passenger Locator Form is available on www.gov.uk. No hard copy version is available but, where a person arrives at a place staffed by Immigration Officers, they will be provided with the ability to complete the form electronically on their arrival in Scotland if not completed in advance; assistance will be available for completion of the electronic form if required.
- M5** [1995 c.36](#). Section 1 was amended by paragraph 48 of schedule 6(2) of the [Human Fertilisation and Embryology Act 2008 \(c.22\)](#). Section 2 was amended by paragraph 49 of schedule 6(2) of the Human Fertilisation and Embryology Act 2008.

[F18] Eligible vaccinated arrivals

- 2A.—**(1) A person (“P”) is an eligible vaccinated arrival if P—
- (a) has, at any time in the period beginning with the 10th day before the date of their arrival in Scotland, departed from or transited through a non-exempt country or territory which is not an acute risk country or territory, and
 - (b) meets any of the descriptions in paragraphs (2) to (6).

F19(1A)

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(2) P—

(a) has completed a course of doses of an authorised vaccine with the final dose having been received before the start of the period beginning with the 14th day before the date of P's arrival in Scotland,

(b) received that course of doses in the United Kingdom [^{F20}or a relevant country],

[if the course of doses was received in the United States of America, is ordinarily resident
^{F21}(ba) in the United States of America,]

(c) is able to provide proof, if requested to do so by an immigration officer or the operator of the relevant service on which P travels to Scotland, of fulfilment of the requirement in sub-paragraph (a) [^{F22}through—

(i) letter of certification issued by NHS Scotland, or equivalent certification issued, in paper or electronic form, by NHS England, NHS Wales or the Department of Health in Northern Ireland, including through the NHS COVID pass,

(ii) the EU Digital COVID certificate, or

(iii) the Centers for Disease Control and Prevention vaccination card], ^{F23}...

[is able to provide proof if [^{F25}requested] by an immigration officer or the operator of
^{F24}(ca) the relevant service on which P travels to Scotland of meeting the requirement in sub-paragraph (ba), and]

(d) has declared on P's Passenger Locator Form that P has completed a course of doses of an authorised vaccine.

(3) P—

(a) has participated, or is participating, in a clinical trial of a vaccine for vaccination against coronavirus carried out in accordance with the requirements of the Medicines for Human Use (Clinical Trials) Regulations 2004,

(b) is able to provide proof of such participation [^{F26}if requested to do so by an immigration officer or the operator of the relevant service on which P travels to Scotland], and

(c) has declared on P's Passenger Locator Form that P has participated, or is participating, in such a trial.

[
^{F27}(3A) P—

(a) has participated or is participating in a clinical trial regulated in the United States of America by the Food and Drugs Administration of a vaccine for vaccination against coronavirus,

(b) is able [^{F28}, if requested to do so by an immigration officer or the operator of the relevant service on which P travels to Scotland,] to provide proof of such participation through the Centers for Disease Control and Prevention vaccination card,

(c) has declared on the Passenger Locator Form that P has completed a course of doses of an authorised vaccine, and

(d) is ordinarily resident in the United States of America and is able to provide proof of that residence [^{F29}if requested to do so by an immigration officer or the operator of the relevant service on which P travels to Scotland].]

(4) P is—

(a) under the age of 18 on arrival in Scotland, and

(b) ordinarily resident in the United Kingdom [^{F30}or a relevant country].

- (5) P—
- (a) has completed a course of doses of a vaccine under the United Kingdom vaccine roll-out overseas, with the final dose having been received before the start of the period beginning with the 14th day before the date of P’s arrival in Scotland,
 - (b) is able to provide proof, if requested to do so by an immigration officer or the operator of the relevant service on which P travels to Scotland, of fulfilment of the requirement in sub-paragraph (a), and
 - (c) has declared on P’s Passenger Locator Form that P has completed a course of doses of a vaccine as described in sub-paragraph (a).
- (6) P is—
- (a) a dependant of a person described in any of paragraphs (a) to (c) of the definition of “United Kingdom vaccine roll-out overseas” in paragraph (10), and
 - (b) under the age of 18 on arrival in Scotland.
- (7) For the purposes of paragraphs (2) and (5), P has completed a course of doses if P has received the complete course of doses specified—
- (a) in the summary of product characteristics approved as part of the marketing authorisation for the authorised vaccine, or
 - (b) in the instructions for usage approved as part of the authorisation by the licensing authority on a temporary basis under regulation 174 (supply in response to spread of pathogenic agents etc.) of the Human Medicines Regulations 2012 for the authorised vaccine.
- (8) For the purposes of paragraph (5), where P has received a dose of an authorised vaccine in the United Kingdom and a dose of a vaccine under the United Kingdom vaccine roll-out overseas, P is deemed to have completed a course of doses of a vaccine under the United Kingdom vaccine roll-out overseas.
- (9) For the purposes of this regulation, a child is to be treated as making a declaration on a Passenger Locator Form, and possessing any evidence required, if that declaration is made, and that evidence possessed, by a person who is travelling with, and has responsibility for, that child.
- (10) In this regulation—
- [^{F31}“authorised vaccine” means a medicinal product for vaccination against coronavirus authorised—
- (a) in relation to doses received in the United Kingdom—
 - (i) for supply in the United Kingdom in accordance with a marketing authorisation, or
 - (ii) by the licensing authority on a temporary basis under regulation 174 of the Human Medicines Regulations 2012,
 - (b) in relation to doses received in a relevant country, for supply in that country following evaluation by the relevant regulator for that country,]
- “clinical trial” has the meaning given in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004,
- “Crown servant” has the meaning given in section 12(1)(a) to (e) of the Official Secrets Act 1989,
- “government contractor” has the meaning given in section 12(2) of the Official Secrets Act 1989,
- “the licensing authority” has the meaning given in regulation 6(2) (the licensing authority and the Ministers) of the Human Medicines Regulations 2012,
- [^{F32}“marketing authorisation”—

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- (a) in relation to a vaccine authorised for supply in the United Kingdom or in a member State, has the meaning given in [F33regulation 8(1) (general interpretation)] of the Human Medicines Regulations 2012,
- (b) in relation to a vaccine authorised for supply in a relevant country other than a member State, means a marketing authorisation granted by the relevant regulator for the country,]
- “medicinal product” has the meaning given in regulation 2 (medicinal products) of the Human Medicines Regulations 2012,
- “NHS COVID pass” means the COVID-19 records on the NHS smartphone app developed and operated by the Secretary of State, through NHS.uk,
- “NHS England” means the health service continued under section 1(1) of the National Health Service Act 2006,
- “NHS Scotland” means the health service continued under section 1(1) of the National Health Service (Scotland) Act 1978,
- “NHS Wales” means the health service continued under section 1(1) of the National Health Service (Wales) Act 2006,
- [F34“relevant country” means a country listed in the first column of the table in paragraph (11),
- “relevant regulator”, in relation to a relevant country, means the regulator identified in the corresponding row of the second column of the table in paragraph (11), and a reference to a regulator in that table is a reference to the regulatory authority of that name designated as a Stringent Regulatory Authority by the World Health Organization pursuant to the operation of the COVAX Facility^{F35},]
- “United Kingdom vaccine roll-out overseas” means the administration of vaccine against coronavirus to—
- (a) Crown servants, government contractors or other personnel posted or based overseas and their dependants under the scheme known as the Foreign, Commonwealth and Development Office staff COVID-19 vaccination programme,
- (b) residents of the British overseas territories, the Channel Islands and the Isle of Man as part of a programme agreed in the overseas territory, any of the Channel Islands or the Isle of Man with the United Kingdom government, or
- (c) military or civilian personnel, government contractors and their dependants at a military posting overseas, including the British overseas territories, the Channel Islands and the Isle of Man, under the vaccination scheme provided or approved by the UK Defence Medical Services.

[^{F36}(11) The table referred to in the definitions of “relevant country” and “relevant regulator” follows—

Relevant country	Relevant regulator
a member State	European Medicines Agency
Andorra	European Medicines Agency
Iceland	European Medicines Agency
Liechtenstein	European Medicines Agency
Monaco	European Medicines Agency
Norway	European Medicines Agency

San Marino	European Medicines Agency
Switzerland	Swissmedic
the United States of America	United States Food and Drug Administration
Vatican City State	European Medicines Agency]]

Textual Amendments

- F18** Reg. 2A inserted (19.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Miscellaneous Amendments\) \(Scotland\) \(No. 5\) Regulations 2021 \(S.S.I. 2021/264\)](#), regs. 1, **4** (with reg. 13(1))
- F19** Reg. 2A(1A) omitted (8.8.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Miscellaneous Amendments\) \(Scotland\) \(No. 7\) Regulations 2021 \(S.S.I. 2021/278\)](#), regs. 1(2), **3(a)** (with reg. 11(1))
- F20** Words in reg. 2A(2)(b) inserted (2.8.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 15\) Regulations 2021 \(S.S.I. 2021/275\)](#), regs. 1(3), **3(a)(i)** (with reg. 5(2))
- F21** Reg. 2A(2)(ba) inserted (2.8.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 15\) Regulations 2021 \(S.S.I. 2021/275\)](#), regs. 1(3), **3(a)(ii)** (with reg. 5(2))
- F22** Words in reg. 2A(2)(c) substituted (2.8.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 15\) Regulations 2021 \(S.S.I. 2021/275\)](#), regs. 1(3), **3(a)(iii)** (with reg. 5(2))
- F23** Word in reg. 2A(2)(c) omitted (2.8.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 15\) Regulations 2021 \(S.S.I. 2021/275\)](#), regs. 1(3), **3(a)(iv)** (with reg. 5(2))
- F24** Reg. 2A(2)(ca) inserted (2.8.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 15\) Regulations 2021 \(S.S.I. 2021/275\)](#), regs. 1(3), **3(a)(v)** (with reg. 5(2))
- F25** Word in reg. 2A(2)(ca) substituted (8.8.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Miscellaneous Amendments\) \(Scotland\) \(No. 7\) Regulations 2021 \(S.S.I. 2021/278\)](#), regs. 1(2), **3(b)** (with reg. 11(1))
- F26** Words in reg. 2A(3)(b) inserted (8.8.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Miscellaneous Amendments\) \(Scotland\) \(No. 7\) Regulations 2021 \(S.S.I. 2021/278\)](#), regs. 1(2), **3(c)** (with reg. 11(1))
- F27** Reg. 2A(3A) inserted (2.8.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 15\) Regulations 2021 \(S.S.I. 2021/275\)](#), regs. 1(3), **3(b)** (with reg. 5(2))
- F28** Words in reg. 2A(3A)(b) inserted (8.8.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Miscellaneous Amendments\) \(Scotland\) \(No. 7\) Regulations 2021 \(S.S.I. 2021/278\)](#), regs. 1(2), **3(d)(i)** (with reg. 11(1))
- F29** Words in reg. 2A(3A)(d) inserted (8.8.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Miscellaneous Amendments\) \(Scotland\) \(No. 7\) Regulations 2021 \(S.S.I. 2021/278\)](#), regs. 1(2), **3(d)(ii)** (with reg. 11(1))
- F30** Words in reg. 2A(4)(b) inserted (2.8.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 15\) Regulations 2021 \(S.S.I. 2021/275\)](#), regs. 1(3), **3(c)** (with reg. 5(2))
- F31** Words in reg. 2A(10) substituted (2.8.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 15\) Regulations 2021 \(S.S.I. 2021/275\)](#), regs. 1(3), **3(d)(i)** (with reg. 5(2))

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- F32** Words in reg. 2A(10) substituted (2.8.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 15\) Regulations 2021 \(S.S.I. 2021/275\)](#), regs. 1(3), **3(d)(ii)** (with reg. 5(2))
- F33** Words in reg. 2A(10) substituted (8.8.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Miscellaneous Amendments\) \(Scotland\) \(No. 7\) Regulations 2021 \(S.S.I. 2021/278\)](#), regs. 1(2), **3(e)** (with reg. 11(1))
- F34** Words in reg. 2A(10) inserted (2.8.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 15\) Regulations 2021 \(S.S.I. 2021/275\)](#), regs. 1(3), **3(d)(iii)** (with reg. 5(2))
- F35** A list of the national regulatory authorities designated as Stringent Regulatory Authorities has been published by the World Health Organization and is available online at https://extranet.who.int/pqweb/sites/default/files/documents/Product-Eligibility_COVAX-Facility_Dec2020_0.pdf.
- F36** Reg. 2A(11) inserted (2.8.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 15\) Regulations 2021 \(S.S.I. 2021/275\)](#), regs. 1(3), **3(e)** (with reg. 5(2))

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