

## POLICY NOTE

### THE HEALTH PROTECTION (CORONAVIRUS) (INTERNATIONAL TRAVEL) (SCOTLAND) AMENDMENT (NO. 25) REGULATIONS 2020

#### SSI 2020/474

The above instrument was made in exercise of the powers conferred by sections 94(1)(b)(i) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008 (“the 2008 Act”). Section 122(5) of the 2008 Act states that regulations under section 94(1) are subject to the affirmative procedure. However, section 122(6) provides that the affirmative procedure will not apply if the Scottish Ministers consider that the regulations need to be made urgently. In such situations, section 122(7) applies.

#### Summary Box

This instrument makes further amendments to the Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020 (SSI 2020/169, “the principal Regulations”), which impose requirements on international travellers, to reduce the public health risks posed by the spread of coronavirus (severe acute respiratory syndrome coronavirus 2, or SARS-CoV-2) in Scotland which causes the coronavirus disease (COVID-19). This instrument amends the principal Regulations to extend the requirement to stay in particular premises to members of the household of a person who has arrived in Scotland having departed from or transited through South Africa, and it removes specific exemptions that apply to particular categories of person from those who have arrived from South Africa.

#### Background

1. The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020 (SSI 2020/169) (“the principal Regulations”) were: made on 7 June; came into force on 8 June 2020; and were laid in the Scottish Parliament on 8 June 2020.
2. Amendments were made to the principal Regulations: by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment Regulations 2020 (SSI 2020/171); by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 2) Regulations 2020 (SSI 2020/184); by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 3) Regulations 2020 (SSI 2020/209); by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 4) Regulations 2020 (SSI 2020/221); by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 5) Regulations 2020 (SSI 2020/224); by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 6) Regulations 2020 (SSI 2020/229); by the by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 7) Regulations 2020 (SSI 2020/233); by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 8) Regulations 2020 (SSI 2020/235); by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 9) Regulations 2020 (SSI 2020/242); by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 10) Regulations 2020 (SSI 2020/252); by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 11) Regulations 2020 (SSI 2020/263); by the Health Protection (Coronavirus) (International Travel) (Scotland)

Amendment (No. 12) Regulations 2020 (SSI 2020/271); by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 13) Regulations 2020 (SSI 2020/274); by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 14) Regulations 2020 (SSI 2020/280); by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 15) Regulations 2020 (SSI 2020/288); by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 16) Regulations 2020 (SSI 2020/301); by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 17) Regulations 2020 (SSI 2020/307); by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 18) Regulations 2020 (SSI 2020/326); by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 19) Regulations 2020 (SSI 2020/330), the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 20) Regulations 2020 (SSI 2020/343), the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 21) Regulations 2020 (SSI 2020/354), Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 22) Regulations 2020 (SSI 2020/358), Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 23) Regulations 2020 (SSI 2020/378) and the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 24) Regulations 2020 (SSI 2020/404), the Health Protection (Coronavirus) (International Travel and Public Health Information) (Scotland) Regulations 2020 (SSI 2020/431) and the Health Protection (Coronavirus) (International Travel and Public Health Information) (Scotland) (No. 2) Regulations 2020 (SSI 2020/444).

3. This instrument makes further amendments to the principal Regulations in response to a developing situation in South Africa regarding the detection of a new strain of the virus with increased transmissibility between humans.

### **Policy Objectives**

4. The amendments made to the principal Regulations by this instrument remove specific exemptions from the requirements to complete the Passenger Locator Form and to remain in specified premises from persons who have arrived in Scotland having departed from, or transited through, South Africa. The instrument also amends regulation 6 of the principal Regulations to extend the requirement to stay in specified premises – where it applies to an individual who has arrived from South Africa – to members of that individual’s household.

### **Consultation**

5. These regulations have been developed at pace in response to a rapidly developing situation in South Africa. This has meant limited consultation with external stakeholders in Scotland, but there has been ongoing discussion and dialogue by Scottish Government with Police Scotland, Public Health Scotland and key airports.

### **Impact Assessments**

6. No impact assessments have been undertaken.