

POLICY NOTE

THE HEALTH PROTECTION (CORONAVIRUS) (INTERNATIONAL TRAVEL) (SCOTLAND) AMENDMENT (NO. 16) REGULATIONS 2021

SSI 2021/290

The above instrument was made in exercise of the powers conferred by sections 94(1)(b)(i) and 122(2) 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. Section 122(7) sets out that “emergency regulations” must be laid before the Scottish Parliament and cease to have effect on the expiry of the period of 28 days beginning with the date on which the regulations were made unless, before the expiry of that period, the emergency regulations have been approved by a resolution of the Parliament.

Summary Box

These Regulations amend the Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020 (“the International Travel Regulations”).

Regulation 3 amends the list of exempt countries, territories and parts of countries or territories in schedule A1 of the International Travel Regulations. The Azores, Canada, Denmark, Finland, Liechtenstein, Lithuania and Switzerland are now added to that list.

Regulation 4 amends the list of acute risk countries, territories and part of countries or territories in schedule A2 of the International Travel Regulations. Montenegro and Thailand are now added to that list.

Regulation 5 amends schedule 3A of the International Travel Regulations to add to the list of specified competitions.

Background

1. The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020 (SSI 2020/169) (“the International Travel Regulations”) were made on 7 June 2020. The International Travel Regulations were laid in the Scottish Parliament and came into force on 8 June, 2020.
2. The International Travel Regulations were made urgently in order to reduce the likelihood that an increase in coronavirus infections in Scotland would arise as a result of imported cases.

Policy Objectives

3. This instrument makes amendments to the list of exempt countries, territories and parts of countries or territories in schedule A1 of the International Travel Regulations. They come into force at 4.00 am on 30 August 2021. With effect from that time, the Azores, Canada, Denmark, Finland, Liechtenstein, Lithuania and Switzerland are added to that list. Persons arriving in Scotland at or after that time, having departed from or travelled

through any of those countries or territories in the preceding 10 days, will no longer be required to quarantine at specified premises in accordance with regulation 6 of those Regulations, nor will they be required to take a test for coronavirus on day 8 after their arrival in Scotland.

4. Amendments are made to the list of acute risk countries, territories and parts of countries or territories in schedule A2 of the International Travel Regulations. Montenegro and Thailand are added to that list. Persons arriving in Scotland at or after that time, having departed from or travelled through either of those countries in the preceding 10 days, must enter Scotland at a designated port, book a managed self-isolation package and quarantine in designated accommodation in accordance with regulations 6A and 6B of those Regulations (unless an exemption in regulation 7A applies).
5. Amendments are made to the list of specified competitions in schedule 3A of the International Travel Regulations to add the following events: Golf – Legends Tour – Scottish Senior Open; World Disability Darts Championships (singles); Disability Darts World Cup (team event); Loch Ness Marathon; Motorsport – Mull Rally; Mountain Biking – Enduro World Series; Scottish Badminton Championships; Scottish Squash Open; Trail Running – Skyline Scotland and Windsurfing – Tiree Wave Classic.

Consultation

6. This instrument is being made urgently in Scotland to make further amendments to the public health measures in respect of international arrivals to the UK that were brought in on a UK-wide basis from 8 June 2020, to ensure that those restrictions remain appropriately targeted in light of relevant and continuously evolving clinical evidence. Each of the four nations in the UK is required under their own relevant regulations to conduct regular reviews, and as those reviews are conducted there is the possibility of divergence from that initial four nation aligned approach, either on the need for the International Travel Regulations themselves or for any of the measures imposed by those Regulations. Such policy divergence may include the Scottish Government, or any of the other three administrations in the UK, reaching a different view on exempt or acute countries and territories or parts thereof under the Regulations, reflecting differences in the prevalence of COVID-19 in that particular nation at any review point.
7. The continued pace of the work on this and changing circumstances both in Scotland and other countries has meant limited consultation with external stakeholders in Scotland, but there has been ongoing discussion and dialogue by Scottish Government with Police Scotland, COPFS, Border Force in Scotland, Public Health Scotland and key airports in Scotland as the policy has continued to be shaped.

Impact Assessments

8. Assessment of the impact of the changes to country status as set out in this instrument, was previously undertaken and following reconsideration, no changes are required for these amendments. You can access the original assessment via [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Miscellaneous Amendments\) \(Scotland\) \(No. 2\) Regulations 2021 \(legislation.gov.uk\)](#).

Scottish Government
COVID Co-ordination Directorate
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