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SCOTTISH STATUTORY INSTRUMENTS

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**2021 No. 322**

**The Health Protection (Coronavirus) (International Travel  
and Operator Liability) (Scotland) Regulations 2021**

**PART 3**

Testing prior to arrival in Scotland

**Part 3: persons not required to comply**

- 10.**—(1) A person (“P”) is not required to comply with this Part where P is—
- (a) a child (without prejudice to regulation 8(3)),
  - (b) a person described in any of the following paragraphs of schedule 4—
    - (i) 2, 3, 4 or 7 (Crown servants, government contractors etc.),
    - (ii) 9 (seamen and masters etc.),
    - (iii) 10 (aircraft crew),
    - (iv) 13 (civil aviation inspectors),
    - (v) 15 (road haulage workers),
    - (vi) 36 (persons transporting blood or human cells),
  - (c) a person described in paragraph 5(1)(b) or 6 of schedule 4 (essential government workers etc.) where, prior to P’s departure to the United Kingdom, the relevant Department or the Scottish Ministers have certified that P—
    - (i) meets the description in paragraph 5 or, as the case may be, 6, and
    - (ii) is not required to comply with this Part,
  - (d) a Crown servant or government contractor who is required to undertake essential policing or essential government work in the United Kingdom or is returning from conducting such work outside the United Kingdom where, prior to P’s departure to the United Kingdom, the relevant Department or the Scottish Ministers have certified that P meets this description and is not required to comply with this Part,
  - (e) a representative of a foreign country or territory, or of the government of a British overseas territory, who is travelling to the United Kingdom to conduct official business with the United Kingdom where, prior to P’s departure to the United Kingdom—
    - (i) the relevant head of the mission, consular post, or office representing a foreign territory in the United Kingdom, or a Governor of a British overseas territory (as the case may be), or a person acting on their authority, confirms in writing to the Foreign, Commonwealth and Development Office that P is required to undertake work which is essential to the foreign country represented by the mission or consular post, the foreign territory represented by the office or the British overseas territory, and
    - (ii) the Foreign, Commonwealth and Development Office has confirmed in writing to the person giving the notification in head (i) that—

- (aa) it has received that confirmation, and
  - (bb) P is travelling to the United Kingdom to conduct official business with the United Kingdom and is not required to comply with this Part,
  - (f) a worker with specialist technical skills, where those specialist technical skills are required for emergency works or services (including commissioning, maintenance, and repairs and safety checks) to ensure the continued production, supply, movement, manufacture, storage or preservation of goods or services, where they have travelled to the United Kingdom in the course of their work or otherwise to commence or resume their work.
- (2) In paragraph (1)—
- (a) in sub-paragraph (d), the following expressions have the meanings given in paragraph 5(2) of schedule 4—
    - “Crown servant”,
    - “essential government work”,
    - “essential policing”,
    - “government contractor”,
  - (b) in sub-paragraph (e), the following expressions have the meanings given in paragraph 1(5) of schedule 4—
    - “consular post”,
    - “head of consular post”,
    - “head of the mission”.