

2021 No. 5

PUBLIC HEALTH

**The Health Protection (Coronavirus) (International Travel)
(Scotland) Amendment Regulations 2021**

Approved by the Scottish Parliament

Made - - - at 11.00 a.m. on 8th January 2021

Laid before the Scottish Parliament at 2.30 p.m. on 8th January 2021

Coming into force - - at 4.00 a.m. on 9th January 2021

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 94(1)(b)(i) and 122(2)(b) 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.—(1) These Regulations may be cited as the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment Regulations 2021.

(2) These Regulations come into force at 4.00 a.m. on 9 January 2021.

Amendment of the Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020

2.—(1) The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020(b) are amended as follows.

(2) In regulation 2 (interpretation) before the definition of “child” insert-

““acute risk country or territory” means a country or territory, or part of a country or territory, specified in schedule A2”.

(3) In regulation 3(7)(c), for “South Africa” substitute “an acute risk country or territory”.

(a) 2008 asp 5.

(b) S.S.I. 2020/169, as amended by S.S.I. 2020/171, S.S.I. 2020/184, S.S.I. 2020/209, S.S.I. 2020/221, S.S.I. 2020/224, S.S.I. 2020/229, S.S.I. 2020/233, S.S.I. 2020/235, S.S.I. 2020/242, S.S.I. 2020/252, S.S.I. 2020/263, S.S.I. 2020/271, S.S.I. 2020/274, S.S.I. 2020/280, S.S.I. 2020/288, S.S.I. 2020/301, S.S.I. 2020/307, S.S.I. 2020/326, S.S.I. 2020/330, S.S.I. 2020/343, S.S.I. 2020/354, S.S.I. 2020/358, S.S.I. 2020/378, S.S.I. 2020/404, S.S.I. 2020/431, S.S.I. 2020/444, S.S.I. 2020/474 and S.I. 2020/942.

(c) Regulation 3(7) was inserted by S.S.I. 2020/474.

(4) In regulation 6(1A)(a), for “South Africa” substitute “a non-exempt country or territory which is an acute risk country or territory”.

(5) In regulation 7(2)(b) for “South Africa” substitute “an acute risk country or territory”.

(6) In regulation 8 (enforcement of requirement in regulation 6(2))—

(a) in the title, for “regulation 6(2)” substitute “regulation 6”,

(b) in paragraph (1), after “regulation 6(2)” each time it occurs, insert “or 6(2A)”,

(c) in paragraph (4), after “regulation 6(2)” both times it occurs, insert “or 6(2A)”,

(d) in paragraph (5), after “regulation 6(2)”, insert “or 6(2A)”,

(e) in paragraph (6), after “regulation 6(2)”, insert “or 6(2A)”.

(7) In regulation 9(6)—

(a) after “regulation 6(2)” insert “or 6(2A)”,

(b) in sub-paragraph (h) after “regulation 6(2)” where it first occurs, insert “or 6(2A)”.

(8) In schedule A1, in Part 1 (countries, territories, or parts of countries or territories) omit—

(a) “Botswana”(c),

(b) “Israel and Jerusalem”(d),

(c) “Mauritius”,

(d) “Seychelles”.

(9) After schedule A1 insert—

“SCHEDULE A2

Regulation 2

Acute risk countries, territories or parts thereof

Angola

Botswana

Eswatini

Lesotho

Malawi

Mauritius

Mozambique

Namibia

Seychelles

South Africa

Zambia

Zimbabwe”.

(a) Regulation 6(1A) was inserted by S.S.I. 2020/474.

(b) Regulation 7(2) was inserted by S.S.I. 2020/474.

(c) Inserted by S.S.I. 2020/431.

(d) Inserted by S.S.I. 2020/404.

Saving

3. The amendments made by these Regulations do not apply in relation to any person who arrived in Scotland during the period beginning at 12.01 a.m. on 8 June 2020 and ending immediately prior to the coming into force of these Regulations, and the Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020 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
At 11.00 a.m. on 8th January 2021

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020 (“the International Travel Regulations”) to remove Botswana, Israel and Jerusalem, Mauritius and Seychelles from the list of exempt countries and territories in Part 1 of schedule A1. As of 4.00 a.m. on Saturday 9 January 2021, travellers arriving in Scotland having departed from or transited through Botswana, Israel and Jerusalem, Mauritius or Seychelles will be subject to the movement restriction in regulation 6 of the International Travel Regulations.

These Regulations also add new schedule A2 to the International Travel Regulations, specifying countries or territories which are “acute risk countries or territories”. The Regulations specify the following countries or territories as acute risk countries or territories in addition to South Africa—

- Angola
- Botswana
- Eswatini
- Lesotho
- Malawi
- Mauritius
- Mozambique
- Namibia
- Seychelles
- Zambia
- Zimbabwe

These Regulations further amend the International Travel Regulations to—

- a) remove exemptions from the requirement to complete the Passenger Locator Form for people who have arrived in Scotland from acute risk countries or territories or who have arrived in Scotland from elsewhere and, during the 10 days preceding their arrival in Scotland, have been in or transited through acute risk countries or territories (“acute risk arrivals”),
- b) remove exemptions from the requirement to stay in specified premises for acute risk arrivals,
- c) require people residing at the same address as acute risk arrivals to stay in the specified premises.

An impact assessment has not been produced for this instrument.

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