
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 81

PUBLIC HEALTH

The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 6) Regulations 2021

Approved by the Scottish Parliament

<i>Made</i>	- - - -	<i>17th February 2021</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>at 9.00 a.m. on 18th February 2021</i>
<i>Coming into force</i>	- -	<i>at 4.00 a.m. on 18th February 2021</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 94(1)(b) and 122(2)(b) of the Public Health etc. (Scotland) Act 2008⁽¹⁾, 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 (No. 6) Regulations 2021.

(2) These Regulations come into force at 4.00 a.m. on 18 February 2021.

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

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

(a) in regulation 6A(1)⁽³⁾—

(i) at the end of sub-paragraph (a), omit “or”,

(1) 2008 asp 5.

(2) 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, S.S.I. 2021/5, S.S.I. 2021/6, S.S.I. 2021/7, S.S.I. 2021/19, S.S.I. 2021/20, S.S.I. 2021/21, S.S.I. 2021/34, S.S.I. 2021/74 and S.I. 2020/942.

(3) Regulation 6A was inserted by S.S.I. 2021/74.

- (ii) at the end of sub-paragraph (b), insert “or”,
- (iii) after sub-paragraph (b), insert—
 - “(c) England, where P—
 - (i) has travelled by air, and
 - (ii) would otherwise have been required to comply with regulations made as respects England⁽⁴⁾ that are equivalent to provisions under these Regulations.”,
- (b) in regulation 6B(1)⁽⁵⁾—
 - (i) at the end of sub-paragraph (a), omit “or”,
 - (ii) at the end of sub-paragraph (b), insert “or”,
 - (iii) after sub-paragraph (b), insert—
 - “(c) England, where P—
 - (i) has travelled by air, and
 - (ii) would otherwise have been required to comply with regulations made as respects England⁽⁶⁾ that are equivalent to provisions under these Regulations.”,
- (c) in regulation 7(1)(ba)—
 - (i) omit “who has arrived from the Republic of Ireland”,
 - (ii) after “6A(1)(b)” insert “or (c)”,
 - (iii) after “6B(1)(b)” insert “or (c)”,
- (d) in regulation 7A(3)⁽⁷⁾, for “from the Republic of Ireland” substitute “who is described in regulation 6A(1)(b) or (c)”,
- (e) in regulation 9(1), after sub-paragraph (b), insert—
 - “(ba) regulation 6A(2),
 - “(bb) regulation 6A(4)”,
- (f) in regulation 11(2)(a), after head (iia) insert—
 - “(iib) an offence under regulation 6A(2),
 - “(iic) an offence under regulation 6A(4)”.

Saving

3. The amendments made by regulation 2 do not apply in relation 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 regulation 2 had not been made.

(4) S.I. 2021/150 made equivalent provision with effect from 15 February 2021.

(5) Regulation 6B was inserted by S.S.I. 2021/74.

(6) S.I. 2021/150 made equivalent provision with effect from 15 February 2021.

(7) Regulation 7A was inserted by S.S.I. 2021/74.

St Andrew's House,
Edinburgh
17th February 2021

MICHAEL MATHESON
A member of the Scottish Government

Status: This is the original version (as it was originally made).

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”). In particular, they amend regulations 6A and 6B so that persons who fly to Scotland from England, where they would otherwise be required to comply with equivalent regulations in England, are required to possess a managed self-isolation package and to stay in managed accommodation.

The Regulations also amend regulation 9(1) of the International Travel Regulations to add the requirements in regulations 6A(2) and 6A(4) to the list of provisions breach of which is a criminal offence. Finally, amendments are made to regulation 11 so that an immigration officer may issue a fixed penalty notice for a failure to comply with regulations 6A(2) and 6A(4).

An impact assessment has not been produced for this instrument.