

*Regulations made by the Scottish Ministers and laid before the Scottish Parliament under section 122(6) and (7) of the Public Health etc. (Scotland) Act 2008 for approval by resolution of the Scottish Parliament within 28 days beginning with the day on which the Regulations were made, not taking into account any period of dissolution or recess for more than 4 days.*

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SCOTTISH STATUTORY INSTRUMENTS

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**2022 No. 53**

**PUBLIC HEALTH**

The Health Protection (Coronavirus) (International  
Travel and Operator Liability) (Scotland)  
Amendment (No. 3) Regulations 2022 (revoked)<sup>F1</sup>

	<i>at 11.10 a.m. on 10th</i>
<i>Made - - - -</i>	<i>February 2022</i>
<i>Laid before the Scottish</i>	<i>at 2.00 p.m. on 10th</i>
<i>Parliament - - - -</i>	<i>February 2022</i>
<i>Coming into force</i>	
<i>for the purpose of</i>	<i>4.00 a.m. on 11th</i>
<i>regulation 1(2) at</i>	<i>February 2022</i>
<i>for the purpose of</i>	<i>4.00 a.m. on 16th</i>
<i>regulation 1(3) at</i>	<i>February 2022</i>
<i>for the purpose of</i>	<i>4.00 a.m. on 28th</i>
<i>regulation 1(4) at</i>	<i>February 2022</i>

F1 .....

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**Textual Amendments**

- F1** Regulations revoked (18.3.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel and Operator Liability\) \(Scotland\) Revocation Regulations 2022 \(S.S.I. 2022/99\)](#), reg. 1(2), **sch.** (with reg. 3)

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 3) Regulations 2022 (revoked). (See end of Document for details)

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Regulations 2021 (“the International Travel Regulations”). Except where noted below, they come into effect at 4.00 a.m. on 11 February 2022.

Regulation 3 amends provision in Part 1 of the International Travel Regulations on the interpretation of those Regulations. Regulation 3(b) removes specific provision relating to COP 26, which ended in November 2021. Consequential amendments are made by regulations 3(a), 10(2), 11(3)(a)(i), (b) and (c), (4)(b) and (5), 15 and 18.

Regulation 4 amends provision in Part 1A of the International Travel Regulations defining who is an eligible vaccinated arrival for the purposes of those Regulations, to whom different travel rules apply. Regulation 4(a) adds 3 countries (Cape Verde, El Salvador and Togo) to the list of countries who are approved to provide proof of vaccination by a certificate of COVID-19 records. Regulation 4(b) adds, from 28 February 2022, a further 12 countries (Georgia, Lebanon, Moldova, Montenegro, New Zealand, Serbia, Singapore, Taiwan, Thailand, Tunisia, the United Arab Emirates and Uruguay) to this list.

Regulation 5 makes amendments to the requirements to provide passenger information before, or on, arrival in Scotland in Part 2 of the International Travel Regulations. Regulation 5 consolidates, with amendments, provision on particular categories of person who are exempt from the requirement to provide such information. Civil aviation inspectors are no longer required to comply with the requirements, and diplomats and other representatives of foreign countries or international organisations remain exempt even if arriving from a red list country or territory.

Regulation 6 makes amendments to the requirements to possess a notification of a negative coronavirus test upon arrival in Scotland in Part 3 of the International Travel Regulations. Regulation 6 consolidates, with amendments, provision on particular categories of person who are exempt from these requirements. Road passenger transport workers and Channel Tunnel system workers are now exempt from the requirements, and the exemption for workers with specialist technical skills required for emergency works or services is removed.

Regulation 7 makes amendments to the requirements to possess a testing package for the detection of coronavirus on arrival in Scotland in Part 4 of the International Travel Regulations.

Regulation 7(1) amends the application and interpretation of Part 4 of the International Travel Regulations. Eligible vaccinated arrivals, who are not arriving from a red list country or territory, are no longer required to possess a testing package on arrival. The testing package now required of persons who are not eligible vaccinated arrivals, and not arriving from a red list country or territory, is for a day 2 test, and requirements to self-isolate on failure to undertake a test and certain consequences of test results in those Regulations no longer apply to them. Consequential amendments are made by regulations 7(3) and (4) and 10(1).

Regulation 7(2) provides that where an adult arrives with a child aged 11 or over with whom they are travelling, or have responsibility for, the adult is only required to possess a testing package for the child if the child is arriving from a red list country or territory.

Regulation 7(5) consolidates, with amendments, provision on particular categories of person who are exempt from the requirement to possess a testing package. Persons returning to the UK to facilitate essential government operations are now exempt from the requirements, and the exemptions for prisoner and custody escorts, certain emergency, specialist and technical workers, those travelling

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for healthcare reasons (other than human tissue carriers) and elite sportspersons are removed (see also regulation 15).

Regulation 8 makes amendments to the requirements to enter Scotland at a designated port and possess a managed isolation package in Part 5 of the International Travel Regulations, for persons arriving from a red list country or territory. Regulation 8 consolidates, with amendments, provision on particular categories of persons who would be exempt from the requirements. Certain foreign representatives would now be exempted in particular circumstances, and elite sportspersons travelling or returning from specified competitions would no longer be exempt.

Regulation 9 makes amendments to the requirements to travel to, and self-isolate at, specified premises on arrival in Scotland in Part 6 of the International Travel Regulations. It provides that these requirements no longer apply to any person arriving in Scotland, unless they arrive from a red list country or territory and are certain persons who are exempt from the requirements for managed isolation. Those involved in border security, foreign policing or prisoner and custody escort activities would no longer be required to self-isolate if arriving from a red list country or territory, but diplomats (and other representatives of foreign countries or international organisations), essential government workers, and in-flight security officers would, subject to certain exceptions.

Regulation 11 makes amendments to the duties on operators of an international passenger service in Part 8 of the International Travel Regulations.

Regulation 11(2) replaces the duties on an operator to provide a passenger with information before booking, between 24 hours and 48 hours before departure, and before check-in, with a duty to provide information before departure. Consequential amendments are made by regulations 11(1) and (6). Regulations 16 and 17 amend the required information in schedules 7 and 8 to be provided prior to departure, and the manner in which it may be provided.

Regulation 11(3)(a)(ii) and 11(4)(a) amend the requirements on operators to ensure passengers have completed a Passenger Locator Form, and possess notification of a negative test result, to be duties on operators to take all reasonable steps to do so. Consequential amendments are made by regulation 11(7).

Regulation 12 amends the relevant countries listed in schedule 1A of the International Travel Regulations whose competent health authorities may issue a vaccine certificate as proof of vaccination. Regulation 12(a) adds 13 countries to the list (Algeria, China, Guatemala, Iran, Kazakhstan, Kyrgyzstan, Macao, Mexico, Sao Tome and Principe, South Sudan, Timor-Leste, Tonga and Turkmenistan). Regulation 12(b) removes, with effect from 4.00 a.m. on 28 February 2022, 20 countries from the list, all of which are, or will be (see regulation 4(b)), countries approved to provide proof of vaccination by a certificate of COVID-19 records.

Regulation 13 amends, with effect from 4.00 a.m. on 16 February 2022, the passenger information required by schedule 3 of the International Travel Regulations.

Regulation 14 amends the categories of persons described in schedule 4 of the International Travel Regulations who are exempt from certain requirements in Parts 2 to 6 of those Regulations. A number of categories are removed following amendments to those requirements, and the persons they apply to, by these Regulations. Minor amendments and consolidations are made to the remaining categories relating to diplomats, Crown servants and visiting forces, foreign policing, prisoner and custody escorts, transport workers and human tissue carriers.

Regulation 19 makes transitional and saving provisions to the effect that a person arriving in Scotland before these Regulations come into effect must comply with the International Travel Regulations as they had effect at the time of the person's arrival. Transitional provision is made for persons who were not eligible vaccinated arrivals and arrived in Scotland before 4.00 a.m. on 11 February 2022. The requirements to self-isolate on failure to undertake a test, the consequences of a test result and the requirement to stay in specified premises under those Regulations do not continue to apply to such persons once they undertake their day 2 test, or if they were not required to possess a testing package.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 3) Regulations 2022 (revoked). (See end of Document for details)

Impact assessments have been prepared and will be published online at [www.legislation.gov.uk](http://www.legislation.gov.uk).

**Changes to legislation:**

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