SCOTTISH STATUTORY INSTRUMENTS

2021 No. 322

PUBLIC HEALTH

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

Approved by the Scottish Parliament

at 10.35 a.m. on

Made - - - - 16th September 2021

Laid before the Scottish
Parliament - - September 2021

Coming into force 20th September 2021

THE HEALTH PROTECTION (CORONAVIRUS) (INTERNATIONAL TRAVEL AND OPERATOR LIABILITY) (SCOTLAND) REGULATIONS 2021

PART 1

General

- 1. Citation and commencement
- 2. Interpretation: general
- 3. Interpretation: eligible vaccinated arrivals

PART 2

Passenger Information

- 4. Requirement to provide passenger information
- 5. Requirement to update passenger information
- 6. Part 2: persons not required to comply

PART 3

Testing prior to arrival in Scotland

- 7. Part 3: interpretation
- 8. Requirement to possess notification of negative test result
- 9. Qualifying test and valid notification
- 10. Part 3: persons not required to comply

PART 4

Testing following arrival in Scotland

- 11. Part 4: application and interpretation
- 12. Requirement to possess testing package
- 13. Requirement to provide information
- 14. Requirement to undertake tests
- 15. Requirement to self-isolate on failure to undertake a test
- 16. Consequences of test results
- 17. Charge for testing package
- 18. Part 4: persons not required to comply

PART 5

Managed isolation

- 19. Part 5: application
- 20. Requirement to enter Scotland at a designated port and possess a managed isolation package
- 21. Requirement to stay in managed accommodation
- 22. Modification of regulations 20 and 21: relevant persons
- 23. Charge for managed isolation package
- 24. Appeals
- 25. Part 5: persons not required to comply

PART 6

Self-isolation

- 26. Requirement to stay in specified premises
- 27. Part 6: persons not required to comply

PART 7

Parts 2 to 6: enforcement

- 28. Part 2 (information): offences and penalties
- 29. Part 3 (testing before arrival in Scotland): offences and penalties
- 30. Part 4 (testing following arrival in Scotland): offences and penalties
- 31. Part 5 (managed isolation): offences and penalties
- 32. Part 6 (self-isolation): offences and penalties
- 33. Powers of direction and removal
- 34. Further offences and penalties
- 35. Fixed penalty notices
- 36. Fixed penalty notices: penalty amounts

PART 8

Duties on operators

- 37. Part 8: Interpretation
- 38. Provision of information before booking
- 39. Provision of information between 24 and 48 hours before scheduled departure
- 40. Provision of information before check-in
- 41. Provision of information during journey

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

- 42. Requirement to ensure passengers have completed a Passenger Locator Form
- 43. Requirement to ensure passengers possess notification of a negative test
- 44. Requirement to ensure that certain passengers arrive only at certain ports
- 45. Part 8: offences and penalties
- 46. Extra-territorial jurisdiction

PART 9

Information sharing

- 47. Power to use and disclose information
- 48. Meaning of "relevant information"

PART 10

Review, expiry, revocations, transitionals and savings

- 49. Review of need for restrictions
- 50. Expirv

6.

- 51. Revocations
- 52. Transitional and savings provisions Signature

SCHEDULES

SCHEDULE 1 Red list countries SCHEDULE 2 Green list countries

> PART 1 Countries, territories or parts of countries or territories

PART 2 United Kingdom overseas territories

SCHEDULE 3 Passenger Information

- Personal details of the passenger—(a) their full name,
- Journey details of the passenger— (a) the address where— 2.
- 3. Where the passenger is travelling with a child for whom...
- 4. Where regulation 12 requires a testing package to be booked—...
- 5. Where the passenger is an eligible vaccinated arrival, the fact...

SCHEDULE 4 **Exemptions**

PART 1 Diplomats, Crown Servants, visiting forces

- (1) A person ("P"), other than a person described in... 1.
- (1) A Crown servant or government contractor who is— 2.
- (1) A person who is a Crown servant, a government... 3.
- An official of a foreign Government, required to travel to...
- 5. (1) Any person who has been certified by the relevant...
- (1) A person returning from conducting essential or emergency work... (1) A specified person who has travelled to the United... 7.

PART 2 Transport

- 8. (1) A road passenger transport worker. (2) For the purposes...
- 9. (1) Seamen and masters, as defined in section 313(1) of...
- 10. (1) A member of aircraft crew where they have travelled...
- An in-flight security officer who has travelled to the United... 11.
- 12. (1) Any of the following who have travelled to the...

- 13. Civil aviation inspectors, as defined in Annex 9 to the...
- 14. Operational, rail maintenance, safety and security workers working on the...
- 15. (1) A road haulage worker. (2) For the purposes of...
- 16. (1) The condition mentioned in regulation 6(1)(e) is that the...

PART 3 Extradition

- 17. A person designated by the relevant Ministers under section 5(3)...
- 18. A person responsible for escorting a person sought for extradition...
- 19. A representative of any territory travelling to the United Kingdom...

PART 4 Emergency, specialist and technical workers

- 20. (1) A worker engaged in essential or emergency works—
- 21. A worker engaged in essential or emergency works on behalf...
- 22. (1) A worker engaged in essential or emergency works—
- 23. (1) A person who is—(a) nuclear personnel, and who...
- 24. An inspector from the Organisation for the Prohibition of Chemical...
- 25. (1) A person who is—(a) carrying out a critical...
- 26. (1) A specialist aerospace engineer, or a specialist aerospace worker,...
- 27. (1) A person engaged in operational, maintenance or safety activities...
- 28. (1) A worker required to undertake or commence within the...
- 29. A postal operator, as defined in section 27(3) of the...
- 30. A worker with specialist technical skills, where those specialist technical...
- 31. A worker with specialist technical skills, where those specialist technical...
- 32. (1) A person who has travelled to the United Kingdom...
- 33. A person who is engaged in urgent or essential work—...
- 34. A person— (a) who is engaged in the installation, maintenance...

PART 5 Healthcare

- 35. (1) Any of the following—(a) a person ("P") who—...
- 36. (1) A person who has travelled to the United Kingdom...
- 37. A person who is an "inspector" within the meaning given...
- 38. (1) A person who— (a) has travelled to the United...
- 39. A person who has travelled to the United Kingdom to—...
- 40. A person who is—(a) a "qualified person" within the...

PART 6 Seasonal Agricultural Workers

41. (1) A person who has an offer of employment for...

PART 7 Sports and culture

- 42. (1) Any of the following—(a) a domestic elite sportsperson,...
- 43. (1) A person who has been certified by the organiser...

SCHEDULE 5 COP 26 Representatives

- 1. A representative of a party to the United Nations Framework...
- 2. A representative of an observer state who is, or is...
- 3. A representative of the Executive Board of the Clean Development...
- 4. An executive head of a specialized agency of the United...
- 5. An officer of a specialized agency of the United Nations,...
- 6. An expert performing a mission for a specialized agency of...
- 7. An official of the Adaptation Fund, the Green Climate Fund...
- 8. An officer of the United Nations, other than a person...
- 9. An expert, other than an officer of the United Nations,...
- 10. A representative to an international organisation, within the meaning of...
- 11. In this schedule—(a) "observer state" means an observer state...

SCHEDULE 6 Specified competitions

PART 1

- 1. European Professional Club Football Fixtures, including UEFA Champions League, Europa...
- 2. International Football fixtures.

- 3. UEFA Youth League fixtures.
- 4. Test Cricket matches.
- 5. European Tour Golf Alfred Dunhill Links Championship.
- 6. European Tour Golf Hero Open.
- 7. Golf AIG Women's Open.
- 8. Golf AIG Women's Open Final Qualifying.
- 9. Golf ASI Scottish Open.
- 10. Golf Legends Tour Scottish Senior Open.
- 11. Trust Golf Women's Scottish Open.
- 12. European Professional Club Rugby fixtures.
- 13. Rugby Union international fixtures.
- 14. Scottish Rugby Union international fixtures.
- 15. United Rugby Championship.
- 16. Olympic, Paralympic and Commonwealth Games qualification events.
- 17. Disability Darts World Cup (team event).
- 18. Professional Darts Corporation Players' Championship.
- 19. Professional Darts Corporation World Youth Championship.
- 20. Professional Darts Corporation Unibet Premier League.
- 21. World Disability Darts Championships (singles).
- 22. ATP Tour Tennis, WTA Tour Tennis and ITF Tour Tennis....
- 23. Scottish Horseracing meetings.
- 24. World Snooker Tour Scottish Open.
- 25. British Curling Team Wheelchair Curling Event.
- 26. British Curling Team Men's and Women's Team Events.
- 27. Curling World Mixed Doubles Championship.
- 28. European Grand Slam Curling.
- 29. FIM Speedway Grand Prix qualification events.
- 30. Professional GB Speedway Championship.
- 31. Cycling Tour of Britain.
- 32. Mountain Biking Enduro World Series.
- 33. Loch Ness Marathon.
- 34. Trail Running Skyline Scotland.
- 35. Motorsport Mull Rally.
- 36. Scottish Badminton Championships.
- 37. Scottish Squash Open.
- 38. Windsurfing Tiree Wave Classic.

PART 2

- 39. European Professional Club Football fixtures, including UEFA Champions League, Europa...
- 40. International Football UEFA Under-21 Championship fixtures involving Turkey.
- 41. European Tour Golf Alfred Dunhill Links Championship
- 42. Golf AIG Women's Open.
- 43. Golf ASI Scottish Open.
- 44. Trust Golf Women's Scottish Open.

SCHEDULE 7 Operators: required information

- 1. The required information to be provided under regulation 38 (provision...
- The required information to be provided under regulation 39 (provision...
 The required information to be provided under regulation 40 (provision...
- The required information to be provided under regulation 40 (provision...The required information to be provided under regulation 41 (provision...
 - SCHEDULE 8 Passenger notices

PART 1

PART 2

SCHEDULE 9 Revocations SCHEDULE 10 Transitional provisions

- 1. Interpretation
- 2. Part 2 (requirement to provide information)
- 3. Part 2A (testing following arrival in Scotland)
- 4. Confirmation given by the Foreign, Commonwealth and Development Office before...
- 5. Part 3 (managed self-isolation package)
- 6. A designation by the Scottish Ministers pursuant to regulation 6A(6)...
- 7. A designation by the Scottish Ministers pursuant to regulation 6A(8)...
- 8. Confirmation given by the Secretary of State or the Scottish...
- 9. Part 4 (enforcement)
- 10. Schedule 2 (persons not required to comply with regulations 3, 5A or 5D to 6B)
- 11. Confirmation by the relevant Department before 20 September 2021 pursuant...
- 12. Confirmation by the Foreign, Commonwealth and Development Office before 20...
- 13. A designation by the relevant Department or employer before 20...
- 14. Certification by the relevant Department or the Scottish Ministers under...
- 15. Schedule 2A (testing before arrival in Scotland)
- 16. Confirmation given by the Foreign, Commonwealth and Development Office pursuant... Explanatory Note