

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.

SCOTTISH STATUTORY INSTRUMENTS

2020 No. 326

PUBLIC HEALTH

The Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 18) Regulations 2020

	<i>at 10.44 a.m. on</i>
<i>Made</i> - - - -	<i>16th October 2020</i>
<i>Laid before the Scottish</i>	<i>at 2.00 p.m. on 16th</i>
<i>Parliament</i> - - - -	<i>October 2020</i>
	<i>at 4.00 a.m. on 18th</i>
<i>Coming into force</i> - -	<i>October 2020</i>

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⁽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. These Regulations may be cited as the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 18) Regulations 2020 and come into force at 4.00 a.m. on 18 October 2020.

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

2.—(1) The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020⁽²⁾ are amended in accordance with paragraphs (2) to (4).

(1) 2008 asp 5.

(2) S.S.I. 2020/169, relevantly 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 and S.S.I. 2020/307.

- (2) In regulation 7 (persons not required to comply with regulation 6)—
- (a) after paragraph (ca) insert—
 - “(cba) any person described in paragraph 38A of schedule 2, but only to the extent specified in that paragraph,”
 - (b) in paragraph (d), for “or a domestic ancillary sportsperson”, substitute “a domestic ancillary sportsperson or a multinational ancillary sportsperson”.
- (3) In Part 1 of schedule A1 (countries, territories, or parts of countries or territories)—
- (a) omit—
 - (i) “Italy”,
 - (ii) “San Marino”, and
 - (iii) “Vatican City State”, and
 - (b) after “Germany” insert “Greece, excluding the island of Mykonos”.
- (4) In schedule 2 (persons not required to comply with regulation 3 or 6)—
- (a) in paragraph 38(1), for “or an international ancillary sportsperson” substitute “, an international ancillary sportsperson or a multinational ancillary sportsperson”,
 - (b) in paragraph 38(2)—
 - (i) in the definition of “domestic elite sportsperson”, in sub-paragraph (f)(i), for “participate in”, substitute “train for, or participate in”,
 - (ii) after the definition of “international elite sportsperson”, omit “and”,
 - (iii) after the definition of “international elite sportsperson” insert—

““multinational ancillary sportsperson” means an individual who—

 - (a) provides medical or technical support to a person in the United Kingdom who—
 - (i) derives a living from competing in a sport,
 - (ii) is a senior representative nominated by a relevant sporting body,
 - (iii) is a member of the senior training squad for a relevant sporting body, or
 - (iv) is aged 16 or above and on an elite development pathway,
 - (b) is in Scotland, after departing from or transiting through a non-exempt country or territory,
 - (c) has returned to Scotland with the intention of continuing to provide medical or technical support to a person described in sub-paragraph (a) (i) to (iv), and
 - (d) has departed from or transited through the non-exempt country or territory in order to provide medical or technical support, other than as a domestic ancillary sportsperson, to a person described in sub-paragraph (a)(i) to (iv), and”,
 - (c) in paragraph 38(3), in the words before head (a), omit “the definitions of “domestic elite sportsperson” and “international elite sportsperson”, in”,
 - (d) after paragraph 38, insert—

“**38A.**—(1) Any of the following—

 - (a) an elite sportsperson (“P”) who—

- (i) before travelling to the United Kingdom has made arrangements with a business in the United Kingdom to be subject to one or more medical examinations to help that business determine whether to offer that sportsperson a contract to participate in elite sports events on behalf of that business,
 - (ii) is in possession of written confirmation of the arrangements from the business,
 - (iii) has travelled to the United Kingdom to be subject to one or more such examinations, and
 - (iv) is attending a place to be subject to an examination or is travelling directly—
 - (aa) between that place and the place where they are required to stay in accordance with regulation 6(2), or
 - (bb) between that place and any other place at which another examination will be carried out,
- (b) a person who—
- (i) is accompanying P for the purpose of providing necessary care or support to P in the circumstances referred to in sub-paragraph (1)(a)(iv), or
 - (ii) is travelling, for the purpose of so accompanying P, directly—
 - (aa) between the place where they are required to stay in accordance with regulation 6(2) and the place at which an examination will be carried out, or
 - (bb) between a place at which an examination will be carried out and another such place,
- where that person has travelled to the United Kingdom for that purpose and is in possession of the confirmation referred to in sub-paragraph (1)(a)(ii) or a copy of it.

(2) For the purposes of this paragraph, “elite sportsperson” means an individual who derives a living from competing in a sport.”.

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 am 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.

St Andrew’s House,
Edinburgh
At 10.44 a.m. on 16th October 2020

JOE FITZPATRICK
Authorised to sign by the Scottish Ministers

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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”).

They remove Italy, San Marino and the Vatican City State from the list of exempt countries, territories and parts of countries or territories in Part 1 of schedule A1 of the International Travel Regulations, and they add Greece (not including the island of Mykonos) to that list. This means that persons arriving in Scotland at or after the time these Regulations come into force are no longer exempt from the movement restriction in regulation 6 of the International Travel Regulations if, during the 14 days preceding their arrival, they have departed from or transited through Italy, San Marino or the Vatican City State. Persons arriving in Scotland from Greece (other than the island of Mykonos) at or after the time these Regulations come into force will be exempt from the movement restriction in regulation 6 of the International Travel Regulations.

The Regulations also make amendments to schedule 2 of the International Travel Regulations to—

- a) create a new exemption from the movement restriction in regulation 6 of the International Travel Regulations for elite sportspersons travelling to the United Kingdom for medical examinations and people accompanying them to provide necessary care and support, and
- b) amend the existing exemption from the movement restriction in regulation 6 of the International Travel Regulations for elite sportspersons so that it applies to domestic elite sportspersons who have been to non-exempt countries or territories for the purposes of training, and to multinational ancillary sportspersons.

An impact assessment has not been produced for this instrument.