

PARLIAMENTARY BUREAU: APPROVAL OF SCOTTISH STATUTORY INSTRUMENTS

MADE AFFIRMATIVE INSTRUMENTS

Health Protection (Coronavirus) (International Travel etc.) (Miscellaneous Amendments) (Scotland) (No. 3) Regulations 2021 (SSI 2021/254)

1. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Health Protection (Coronavirus) (International Travel etc.) (Miscellaneous Amendments) (Scotland) (No. 3) Regulations 2021 (SSI 2021/254) be approved.

Purpose

2. To add Antigua, the Balearic Islands, Barbados, Barbuda, Dominica, Grenada, Madeira, Malta, Anguilla, Bermuda, the British Antarctic Territory, the British Indian Ocean Territory, the British Virgin Islands, the Cayman Islands, Montserrat, Pitcairn and the Turks and Caicos Islands to the list of exempt countries, territories, and parts of countries or territories, including United Kingdom overseas territories, in Parts 1 and 2 respectively of schedule A1 of the International Travel Regulations (so called “green list” countries and territories). They also add the Dominican Republic, Eritrea, Haiti, Mongolia, Tunisia and Uganda to the list of acute risk countries, territories and part of countries or territories in schedule A2 of the International Travel Regulations.

3. The Regulations also amend the list of specified competitions in schedule 3A of the International Travel Regulations to include various sporting events and update the information that operators are required to provide to passengers who arrive in Scotland.

Consideration by committee

4. At its meeting on 9 September 2021, the COVID-19 Committee agreed to recommend that the regulations be approved. The Committee report was published on 9 September 2021.

Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 14) Regulations 2021 (SSI 2021/256)

5. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 14) Regulations 2021 (SSI 2021/256) be approved.

Purpose

6. To provide for an exemption for certain persons carrying out work in connection with, or performing at, the Edinburgh International Festivals. The effect of the amendments is that a person who is an essential infrastructure worker or a performing

arts professional is required to comply with regulations 5D to 5J of the principal Regulations. Such a person is not required to comply with regulation 6(2) of the principal Regulations (requirement to stay in specified premises) where that person is outside of the place where they are staying to travel directly to, from or attend the location of the essential work or performing arts event. They would be subject to a predeparture and day 2 and 8 tests, and must self-isolate when not undertaking this activity.

Consideration by committee

7. At its meeting on 9 September 2021, the COVID-19 Committee agreed to recommend that the regulations be approved. The Committee report was published on 9 September 2021.

Health Protection (Coronavirus) (International Travel etc.) (Miscellaneous Amendments) (Scotland) (No. 4) Regulations 2021 (SSI 2021/261)

8. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Health Protection (Coronavirus) (International Travel etc.) (Miscellaneous Amendments) (Scotland) (No. 4) Regulations 2021 (SSI 2021/261) be approved.

Purpose

9. To amend the International Travel Regulations to make provision for specified persons on official business, in-flight security officers and sportspersons attending events for the purpose of qualification for any future Olympic, Paralympic and Commonwealth Games. These Regulations also amend the Operator Liability Regulations to include an exception in respect of extradition, prisoner repatriation or deportation.

Consideration by committee

10. At its meeting on 9 September 2021, the COVID-19 Committee agreed to recommend that the regulations be approved. The Committee report was published on 9 September 2021.

Health Protection (Coronavirus) (International Travel etc.) (Miscellaneous Amendments) (Scotland) (No. 5) Regulations 2021 (SSI 2021/264)

11. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Health Protection (Coronavirus) (International Travel etc.) (Miscellaneous Amendments) (Scotland) (No. 5) Regulations 2021 (SSI 2021/264) be approved.

Purpose

12. Regulation 4 inserts a new regulation 2A into the International Travel Regulations to define an eligible vaccinated arrival. Passengers meeting the definition do not

require to take a day 8 test for coronavirus or quarantine for 10 days on arrival in Scotland. Regulation 6 makes a minor amendment to correct formatting of the International Travel Regulations.

13. Regulation 8 adds Antarctica, Bulgaria, Croatia, Hong Kong and Taiwan to the list of exempt countries and territories specified in schedule A1 of the International Travel Regulations and removes The Balearic Islands and the British Virgin Islands from the list of exempt countries and territories specified in schedule A1. Cuba, Indonesia, Myanmar and Sierra Leone are added to the list of acute risk countries and territories specified in schedule A2. Regulation 10 amends the passenger information specified in schedule 1 of the International Travel Regulations so that a person must declare on the passenger locator form whether they are an eligible vaccinated arrival within the meaning of new regulation 2A. Regulation 11 amends the Operator Liability Regulations to place a duty on operators of relevant transport services to check that a person who has declared that they are an eligible vaccinated arrival within the meaning of regulation 2A of the International Travel Regulations has the evidence required to support that declaration. This instrument creates a criminal offence in respect of failure to comply with this duty.

Consideration by committee

14. At its meeting on 9 September 2021, the COVID-19 Committee agreed to recommend that the regulations be approved. The Committee report was published on 9 September 2021.

Health Protection (Coronavirus) (International Travel etc.) (Miscellaneous Amendments) (Scotland) (No. 6) Regulations 2021 (SSI 2021/265)

15. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Health Protection (Coronavirus) (International Travel etc.) (Miscellaneous Amendments) (Scotland) (No. 6) Regulations 2021 (SSI 2021/265) be approved.

Purpose

16. To exclude passengers who have departed from, or transited through mainland France (including Corsica), from being “eligible vaccinated arrivals” exempt from certain restrictions in those Regulations. They also remove the duty on an operator of a relevant service which commences in France to check such a passenger possesses the required evidence.

Consideration by committee

17. At its meeting on 9 September 2021, the COVID-19 Committee agreed to recommend that the regulations be approved. The Committee report was published on 9 September 2021.

Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 15) Regulations 2021 (SSI 2021/275)

18. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 15) Regulations 2021 (SSI 2021/275) be approved.

Purpose

19. Regulation 3 amends regulation 2A of the principal regulations to exclude certain arrivals from non-exempt but not acute risk countries or territories (primarily, those who have received a full course of vaccination in, or who are under 18 and ordinarily resident in, a specified country) from certain testing and self-isolation requirements. Regulation 4 adds the European Tour Golf – Hero Open to the list of competitions that are specified in Part 1 of schedule 3A of the principal regulations for the purposes of elite sport. It also adds an entry to the list of specified events in Part 2 of schedule 3A of the principal regulations to provide that elite sportspersons who travel to Scotland having departed from or transited through Turkey within the preceding 10 days in order to participate in European club football fixtures are exempt from the managed isolation requirements in regulations 6A and 6B of the principal regulations.

Consideration by committee

20. At its meeting on 9 September 2021, the COVID-19 Committee agreed to recommend that the regulations be approved. The Committee report was published on 9 September 2021.

Health Protection (Coronavirus) (International Travel etc.) (Miscellaneous Amendments) (Scotland) (No. 7) Regulations 2021 (SSI 2021/278)

21. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Health Protection (Coronavirus) (International Travel etc.) (Miscellaneous Amendments) (Scotland) (No. 7) Regulations 2021 (SSI 2021/278) be approved.

Purpose

22. Regulation 3 amends regulation 2A of the International Travel Regulations to remove the exclusion of passengers who have departed from, or transited through Metropolitan France, from status as “eligible vaccinated arrivals”. Regulation 3 also amends regulation 2A of the International Travel Regulations to make clear that a passenger purporting to meet the criteria to qualify as an eligible vaccinated arrival must provide proof of this if requested to do so by an immigration officer or the operator of the service on which they travel.

23. Regulation 4 amends regulation 5C of the International Travel Regulations in relation oil and gas workers covered by the sectoral exemption in paragraph 25 of schedule 2 of those Regulations. This makes provision for their exemption from requirements under those Regulations in relation to the purchase of day 2 and day 8 tests.

24. Regulation 5 amends regulation 6(1)(f) of the International Travel Regulations to permit students arriving in Scotland from an acute risk country or territory in order to

attend boarding school anywhere in the United Kingdom to avoid entering managed self-isolation and instead self-isolate upon arrival at their boarding school.

25. Regulation 6 makes amendments to the list of exempt countries, territories and parts of countries or territories in schedule A1 of the International Travel Regulations. Austria, Germany, Latvia, Norway, Romania, Slovakia and Slovenia are added to the list of exempt countries and territories specified in schedule A1.

26. Regulation 7 amends the list of acute risk countries, territories and part of countries or territories in schedule A2 of the International Travel Regulations. Georgia, Réunion, Mayotte and Mexico are added to that list and Bahrain, India, Qatar and the United Arab Emirates are removed from that list.

27. Regulation 8 amends paragraph 25 of schedule 2 of the International Travel Regulations, to remove from the scope of the sectoral exemption for oil and gas workers, those workers returning from an installation in the North Sea who have transited via a non-acute risk country (but have not entered that country or territory).

28. Regulation 9 amends the list of specified competitions in schedule 3A of the International Travel Regulations to amend the name of the Guinness PRO14 and Challenge Cup Rugby Union to reflect its new name – United Rugby Championship, and to add events.

29. Regulation 10 amends regulation 6 of the Operator Liability Regulations to require persons operating commercial transport services (“operators”) to ensure that passengers seeking to rely on certain exemptions in schedule 2 of the International Travel Regulations possess evidence that they are eligible for the exemption. It also amends regulation 8 of the Operator Liability Regulations to add a defence to the offence in regulation 8(1)(a) of those Regulations. In addition, it expands the duty on operators to check that a person who has declared that they are an eligible vaccinated arrival within the meaning of regulation 2A of the International Travel Regulations has the evidence required to support that declaration.”

Consideration by committee

30. At its meeting on 9 September 2021, the COVID-19 Committee agreed to recommend that the regulations be approved. The Committee report was published on 9 September 2021.

Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 16) Regulations 2021 (SSI 2021/290)

31. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 16) Regulations 2021 (SSI 2021/290) be approved.

Purpose

32. To amend the list of exempt countries, territories and parts of countries or territories in schedule A1 of the International Travel Regulations. The Azores, Canada, Denmark, Finland, Liechtenstein, Lithuania and Switzerland are now added to that list. Regulation 4 amends the list of acute risk countries, territories and part of countries or territories in schedule A2 of the International Travel Regulations. Montenegro and Thailand are now added to that list. Regulation 5 amends schedule 3A of the International Travel Regulations to add to the list of specified competitions

Consideration by committee

33. At its meeting on 9 September 2021, the COVID-19 Committee agreed to recommend that the regulations be approved. The Committee report was published on 9 September 2021.

Decision

34. **Business Managers are invited note that the above motions will be lodged.**

35. **Business Managers should reserve their position if their party intends to speak against or oppose the motions.**

Parliamentary consideration of Covid-related SSIs

36. Business Managers will be aware that the Minister for Parliamentary Business provide a brief explanation when moving SSIs relating to Covid measures (other than international travel measures). This practice originated last Session as part of a set of enhanced scrutiny measures and was intended to provide some additional transparency around the policy measures that the Parliament was being asked to agree. Business Managers are invited to consider whether they would wish this practice to continue.

Decision

37. **Business Managers are invited to consider whether they wish for the above practice to continue, given that Committees have now been established and can consider SSIs accordingly.**

**Parliamentary Business Team
September 2021**