POLICY NOTE

THE HEALTH PROTECTION (CORONAVIRUS) (INTERNATIONAL TRAVEL) (SCOTLAND) AMENDMENT (NO. 19) REGULATIONS 2021

SSI 2021/319

The above instrument was made in exercise of the powers conferred by sections 94(1)(b)(i) and 122(2) of the Public Health etc. (Scotland) Act 2008 ("the 2008 Act"). Section 122(5) of the 2008 Act states that regulations under section 94(1) are subject to the affirmative procedure. However, section 122(6) provides that the affirmative procedure will not apply if the Scottish Ministers consider that the regulations need to be made urgently. In such situations, section 122(7) applies. Section 122(7) sets out that "emergency regulations" must be laid before the Scottish Parliament and cease to have effect on the expiry of the period of 28 days beginning with the date on which the regulations were made unless, before the expiry of that period, the emergency regulations have been approved by a resolution of the Parliament.

Summary Box

These Regulations amend the Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020.

They provide an exemption from the requirement to possess and adhere to a managed self-isolation package in respect of participation in European professional football club fixtures in Scotland where players in the professional club arriving to play the fixture have departed from or transited through an acute risk country or territory within the preceding 10 days.

Background

1. The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020 (SSI 2020/169) ("the International Travel Regulations") were made on 7 June 2020. They were laid in the Scottish Parliament and came into force on 8 June 2020.

2. The International Travel Regulations were made urgently in order to reduce the likelihood that an increase in coronavirus infections in Scotland would arise as a result of imported cases.

Policy Objectives

3. These Regulations provide an exemption from the requirement to possess and adhere to a managed self-isolation package in respect of participation in European professional football club fixtures in Scotland where players in the professional club arriving to play the fixture have departed from or transited through an acute risk country or territory within the preceding 10 days.

4. The UK Government introduced this amendment on 14 September 2021 to allow for incoming European club footballers who have competed abroad in elite sports events to be able to enter England to compete in the UEFA Champions League, Europa League and Europa Conference League fixtures.

5. A similar approach is now being adopted in Scotland in recognition of the fact that Rangers FC and Celtic FC remain in the UEFA Europa League and both will have three home games in the next stage of competition. Rangers FC play Lyon on Thursday 16 September 2021 in Glasgow and Lyon have three players who have been in red list countries in the previous 10 days on international duty. These players are arriving into Glasgow at 11:30 on Wednesday 15 September.

6. This amendment has been made urgently in Scotland and is coming into force prior to being laid in Parliament. This urgency is due to the risk that home fixtures affected by European club players who have played internationals in red list countries in the previous 10 days will be moved abroad to neutral venues to allow those players to participate. This would cause significant disruption to Scottish clubs and home fans and would generate a far higher risk of Covid transmission than very small numbers of players travelling to Scotland. The first home fixture affected is due to take place on Thursday 16 September.

Consultation

7. This instrument is being made urgently in Scotland to make further amendments to the public health measures in respect of international arrivals to the UK that were brought in on a UK-wide basis from 8 June 2020.

8. The continued pace of the work on this and changing circumstances both in Scotland and other countries has meant limited consultation with external stakeholders in Scotland, but there has been ongoing discussion and dialogue by Scottish Government with Police Scotland, Crown Office and Procurator Fiscal Service, Border Force in Scotland, Public Health Scotland and key airports in Scotland as the policy has continued to be shaped.

Impact Assessments

9. No Impact Assessments have been prepared for this amendment.

Scottish Government
COVID Co-ordination Directorate
14 September 2021