
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 169

**The Health Protection (Coronavirus)
(International Travel) (Scotland) Regulations 2020**

PART 2

Requirement to provide information

- 3.—(1) This regulation applies where a person (“P”) arrives in Scotland—
- (a) from outside the common travel area, or
 - (b) from within the common travel area, if P has been outside the common travel area at any time in the period beginning with the [^{F1}10th day] before P's arrival into Scotland.
- (2) P must provide to the Secretary of State—
- (a) P's passenger information, and
 - (b) where P is accompanied by any child for whom P has responsibility, passenger information pertaining to that child.
- (3) The requirement in paragraph (2) can be complied with—
- (a) by P prior to P's arrival into Scotland submitting electronically to the Secretary of State a Passenger Locator Form containing—
 - (i) P's passenger information, and
 - (ii) where P is accompanied by any child for whom P has responsibility, passenger information pertaining to that child,
 - (b) where P has arrived in Scotland from England, Wales or Northern Ireland by P prior to P's arrival into England, Wales or Northern Ireland having submitted electronically to the Secretary of State a Passenger Locator Form containing—
 - (i) P's passenger information, and
 - (ii) where P is accompanied by any child for whom P has responsibility, passenger information pertaining to that child, or
 - (c) by P as soon as reasonably practicable upon arriving in Scotland submitting electronically, using a facility provided by the Secretary of State for this purpose, a Passenger Locator Form, containing—
 - (i) P's passenger information, and
 - (ii) where P is accompanied by any child for whom P has responsibility, passenger information pertaining to that child.
- (4) [^{F2}Subject to [^{F3}paragraphs (7) and (8)]] P is not required to comply with the requirement in paragraph (2) where P is—
- (a) a child and the child's passenger information has been provided under paragraph (3)(a)(ii), (b)(ii) or (c)(ii) by another person,

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- [^{F4}(aa) a child whose passenger information has been provided by another person otherwise than under paragraph (3)(a)(ii), (b)(ii) or (c)(ii),]
- (b) a person described in described in [^{F5}regulation [^{F6}7(1)(a)]], ^{F7}...
- (c) a person described in any of paragraphs 1 to 4 of schedule 2.
- [^{F8}(ca) a member of the family forming part of the household of a person falling within paragraph 1A of schedule 2,]
- [^{F9}(d) a person described in any of paragraphs 4A to 4F of schedule 2 who meets the condition in paragraph 4G of that schedule, or
- (e) a person described in paragraph 13 of schedule 2.]

[^{F10}(4A) Where paragraph (2) has not been complied with prior to the arrival in Scotland of a child to whom regulation 6(1)(e) or (f) applies, a Passenger Locator Form containing passenger information pertaining to the child must be provided to the Secretary of State as soon as reasonably practicable by any person who has responsibility for the child following the child's arrival in Scotland.]

(5) A person who has provided passenger information in accordance with paragraph (3)(a) or (b) must provide evidence that they have done so if requested by an immigration officer.

(6) Nothing in this regulation requires P to provide passenger information if the information is not within P's knowledge or possession or under P's control.

[^{F11}(7) Paragraphs (4)(c), (d) and (e) do not apply to a person who has departed from, or transited through, [^{F12}an acute risk country or territory].]

[^{F13}(8) Notwithstanding paragraph (4), P is required to comply with the requirement in paragraph (2) if—

- (a) P is a person described in paragraph 1(1A) of schedule 2, who is attending the COP, and
- (b) P is not—
- (i) a person invited by Her Majesty's Government to attend both the COP World Leaders summit event and the COP,
- (ii) a person described in schedule 2ZA (COP representatives).]

Textual Amendments

- F1** Words in reg. 3(1)(b) substituted (14.12.2020) by [The Health Protection \(Coronavirus\) \(International Travel and Public Health Information\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/431\)](#), regs. 1(3), **3(2)**
- F2** Words in reg. 3(4) inserted (23.12.2020 at 6.00 p.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 25\) Regulations 2020 \(S.S.I. 2020/474\)](#), regs. 1(2), **2(2)(a)** (with reg. 3)
- F3** Words in reg. 3(4) substituted (13.9.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 18\) Regulations 2021 \(S.S.I. 2021/307\)](#), regs. 1, **2(3)(a)**
- F4** Reg. 3(4)(aa) inserted (27.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 8\) Regulations 2021 \(S.S.I. 2021/179\)](#), regs. 1, **4(a)** (with reg. 12)
- F5** Words in reg. 3(4)(b) substituted (20.6.2020 at 1.00 p.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 2\) Regulations 2020 \(S.S.I. 2020/184\)](#), regs. 1(2), **2(2)**
- F6** Word in reg. 3(4)(b) substituted (8.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 12\) Regulations 2021 \(S.S.I. 2021/230\)](#), regs. 1, **3**

- F7** Word in reg. 3(4)(b) omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(3)(a)** (with reg. 3)
- F8** Reg. 3(4)(ca) inserted (8.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel etc.\) \(Miscellaneous Amendments\) \(Scotland\) \(No. 4\) Regulations 2021 \(S.S.I. 2021/261\)](#), regs. 1, **2(2)**
- F9** Reg. 3(4)(d)(e) inserted (10.7.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 3\) Regulations 2020 \(S.S.I. 2020/209\)](#), regs. 1, **2(3)(b)** (with reg. 3)
- F10** Reg. 3(4A) inserted (27.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 8\) Regulations 2021 \(S.S.I. 2021/179\)](#), regs. 1, **4(b)** (with reg. 12)
- F11** Reg. 3(7) inserted (23.12.2020 at 6.00 p.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 25\) Regulations 2020 \(S.S.I. 2020/474\)](#), regs. 1(2), **2(2)(b)** (with reg. 3)
- F12** Words in reg. 3(7) substituted (9.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/5\)](#), regs. 1(2), **2(3)** (with reg. 3)
- F13** Reg. 3(8) inserted (13.9.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 18\) Regulations 2021 \(S.S.I. 2021/307\)](#), regs. 1, **2(3)(b)**

Commencement Information

- I1** Reg. 3 in force at 8.6.2020, see reg. 1(2)

Requirement to update passenger information

4.—(1) Paragraph (2) applies where—

- (a) P is required to comply with the requirement in regulation 6(2), and
- (b) prior to the expiry of the period referred to in regulation 6(2)(a),
- (i) the passenger information provided by P in accordance with regulation 3 is no longer accurate, or
- (ii) passenger information relating to P or a child accompanying P comes within P's knowledge or possession or under P's control.

(2) P must, as soon as reasonably practicable, take all reasonable steps to provide the updated passenger information to the Secretary of State using the Passenger Locator Form.

[^{F14}(2A) Paragraph (2B) applies where P is a child referred to in regulation 6(1)(e) or (f) and, prior to the expiry of the later of the periods referred to in regulation 6(2), the passenger information provided for P in accordance with regulation 3 is no longer accurate.

(2B) Any person who has responsibility for P must, as soon as reasonably practicable, take all reasonable steps to provide the updated passenger information to the Secretary of State using the Passenger Locator Form.]

(3) Nothing in this regulation requires P to provide passenger information if the information is not within P's knowledge or control.

Textual Amendments

- F14** Reg. 4(2A)(2B) inserted (27.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 8\) Regulations 2021 \(S.S.I. 2021/179\)](#), regs. 1, **5** (with reg. 12)

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Commencement Information

I2 Reg. 4 in force at 8.6.2020, see reg. 1(2)

Passenger information: offences and penalties

5.—(1) A person who contravenes the requirement in regulation 3 or 4(2) [^{F15}or (2B)] commits an offence.

(2) It is an offence for [^{F16}a person] to provide false or misleading information for the purposes of regulation 3 or 4, where [^{F17}that person]—

- (a) knows that the information is false or misleading, or
- (b) is reckless as to whether the information is false or misleading.

(3) It is a defence to a charge of committing an offence under paragraph (1) or (2) to show that the person, in the circumstances, had a reasonable excuse.

(4) A person who commits an offence under this regulation is liable, on summary conviction, to a fine not exceeding level 5 on the standard scale.

Textual Amendments

- F15** Words in reg. 5(1) inserted (27.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 8\) Regulations 2021 \(S.S.I. 2021/179\)](#), regs. 1, **6(a)** (with [reg. 12](#))
- F16** Words in reg. 5(2) substituted (27.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 8\) Regulations 2021 \(S.S.I. 2021/179\)](#), regs. 1, **6(b)(i)** (with [reg. 12](#))
- F17** Words in reg. 5(2) substituted (27.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 8\) Regulations 2021 \(S.S.I. 2021/179\)](#), regs. 1, **6(b)(ii)** (with [reg. 12](#))

Commencement Information

I3 Reg. 5 in force at 8.6.2020, see reg. 1(2)

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