
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 14th 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) 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,
 - (b) a person described in described in regulation 7(1)(a), or

(c) a person described in any of paragraphs 1 to 4 of schedule 2.

(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.

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.

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

Passenger information: offences and penalties

5.—(1) A person who contravenes the requirement in regulation 3 or 4(2) commits an offence.

(2) It is an offence for P to provide false or misleading information for the purposes of regulation 3 or 4, where P—

(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.