
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 322

**The Health Protection (Coronavirus) (International Travel
and Operator Liability) (Scotland) Regulations 2021**

PART 2

Passenger Information

Requirement to provide passenger information

4.—(1) Subject to regulation 6 (persons not required to comply), this regulation applies to a person (“P”) who is—

- (a) a red list arrival,
- (b) an amber list arrival, or
- (c) a green list arrival.

(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, that child’s passenger information.

(3) The requirement in paragraph (2) can be complied with—

- (a) by P, prior to P’s arrival in 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, that child’s passenger information,
- (b) where P has arrived in Scotland from England, Wales or Northern Ireland, by P prior to P’s arrival in England, Wales or Northern Ireland 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, that child’s passenger information,
- (c) by P, as soon as reasonably practicable upon arriving in 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, that child’s passenger information.

(4) Where P has provided passenger information in accordance with paragraph (3)(a) or (b), P must provide evidence that P has done so if requested to do so by an immigration officer.

(5) Where paragraph (2) has not been complied with prior to the arrival in Scotland of a child who is travelling unaccompanied, a Passenger Locator Form containing passenger information relating 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.

Requirement to update passenger information

5.—(1) Subject to regulation 6, paragraph (3) applies where a person (“P”) is—

- (a) an amber list arrival,
- (b) a red list arrival who, in accordance with regulation 25, is not required to comply with Part 5 of these Regulations (managed isolation),

and the condition in paragraph (2) applies.

(2) The condition referred to in paragraph (1) is that prior to the expiry of the later of the periods referred to in regulation 26(2) (requirement to stay in specified premises) (where applicable) or, in all other cases, prior to the expiry of the period of 10 days beginning on the day after the date of arrival in Scotland—

- (a) the passenger information provided by P in accordance with regulation 4 is no longer accurate, or
- (b) passenger information relating to P or to a child accompanying P comes within P's knowledge or possession or under P's control.

(3) 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.

(4) Paragraph (5) applies where a person (“P”) is—

- (a) a child referred to in regulation—
 - (i) 25(1)(g) (unaccompanied children), or
 - (ii) 25(1)(h) (boarding school pupils), and,
- (b) prior to the expiry of the later of the periods referred to in regulation 26(2)—
 - (i) the passenger information provided by or on behalf of P in accordance with regulation 4 is no longer accurate, or
 - (ii) passenger information relating to P comes within the knowledge, possession or control of any person who has responsibility for P.

(5) The person with 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.

Part 2: persons not required to comply

6.—(1) Subject to paragraphs (2) and (3), a person (“P”) is not required to comply with this Part where P is—

- (a) a child and that child's passenger information has been provided under regulations 4 or 5 (requirements to provide and update passenger information) by another person,
- (b) a person who—
 - (i) has arrived from England, and
 - (ii) is in Scotland, temporarily, for a reason specified in regulation 32(2)(a) to (j),
- (c) a person described in any of the following paragraphs of schedule 4—
 - (i) paragraphs 1 to 4 or 7 (Crown servants, government contractors etc.), or

- (ii) paragraph 14 (Channel Tunnel system workers),
 - (d) a member of the family forming part of the household of a person falling within paragraph 7 of schedule 4,
 - (e) a person described in of the following paragraphs of schedule 4—
 - (i) paragraph 8 (road passenger transport worker),
 - (ii) paragraph 9 (seamen and masters etc.),
 - (iii) paragraph 10 (aircraft crew), or
 - (iv) paragraph 12 (tunnel system transport workers),where the condition in paragraph 16 of that schedule is met.
- (2) Paragraphs (1)(b) to (e) do not apply where P is a red list arrival except in the case of a person described in paragraph 1(1) of schedule 4.
- (3) Notwithstanding paragraph (1), P is required to comply with this Part if—
- (a) P is a person described in paragraph 1(3) of schedule 4, 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 5 (COP representatives).