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SCOTTISH STATUTORY INSTRUMENTS

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**2021 No. 322**

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

**PART 8**

Duties on operators

**Requirement to ensure passengers possess notification of a negative test result**

**43.**—(1) Subject to paragraph (3), an operator must ensure that a passenger who arrives at a port in Scotland on a relevant service is in possession of a coronavirus notification.

(2) A child is to be treated as possessing a coronavirus notification if such a notification is possessed by a person who is travelling with, and has responsibility for, that child.

(3) Paragraph (1) does not apply in relation to a passenger—

- (a) whom the operator, or a person acting on behalf of the operator, reasonably believes—
  - (i) is not required to comply with Part 3 of these Regulations (testing prior to arrival in Scotland), or
  - (ii) has a reasonable excuse for failing to comply with the requirements of that Part,
- (b) who is being lawfully compelled to travel to the United Kingdom in the course of an extradition, prisoner repatriation or deportation,
- (c) who is a child, travelling without a responsible adult, or
- (d) who is a transit passenger, who does not have the right to enter the country or territory from which the relevant service departs.

(4) In this regulation, “transit passenger” means a person who has arrived in the country or territory from which the relevant service departs with the intention of passing through to Scotland without entering that country or territory.