
STATUTORY INSTRUMENTS

2021 No. 38

The Health Protection (Coronavirus, Pre-Departure Testing and Operator Liability) (England) (Amendment) Regulations 2021

PART 2

Operator liability in respect of arrivals

Offences

8.—(1) An operator who fails to comply with the requirement in—

- (a) regulation 6(1), or
- (b) regulation 7(1),

commits an offence.

(2) An offence under paragraph (1) is punishable on summary conviction by a fine.

(3) In relation to the offence in paragraph (1)(a), it is a defence for an operator to show that they recorded a unique passenger reference number for the relevant passenger before that passenger—

- (a) presented at immigration control at the Channel Tunnel shuttle terminal area; or
- (b) boarded the relevant service,

as the case may be.

(4) In relation to the offence in paragraph (1)(b), it is a defence for an operator to show that the relevant passenger presented a document purporting to be a required notification which the operator, or a person acting on behalf of the operator, could not reasonably have been expected to know was not a required notification.

(5) In this regulation, “unique passenger reference number” means a reference number which has been provided by or on behalf of the relevant passenger and which includes the letters “UKVI” followed immediately by an underscore and thirteen alphanumeric characters.