

2020 No. 138

PUBLIC HEALTH

**The Health Protection (Coronavirus, International Travel)
(Amendment) Regulations (Northern Ireland) 2020**

Made - - - - *9th July 2020*

Coming into operation - *10th July 2020*

The Department of Health^(a) makes the following Regulations in exercise of the powers conferred by sections 25B and 25F(2) of the Public Health Act (Northern Ireland) 1967^(b).

Citation and commencement

1. These Regulations may be cited as the Health Protection (Coronavirus, International Travel) (Amendment) Regulations (Northern Ireland) 2020 and shall come into operation on 10th July 2020.

Amendment of the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020

2.—(1) The Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020^(c) are amended in accordance with regulations 3 to 8.

(2) In relation to any person who arrived in Northern Ireland on 9th July 2020 and before the coming into operation of any amendment made by these Regulations the principal Regulations apply as if that amendment had not been made.

Amendment to regulation 2

3. In regulation 2—

(a) after the definition of “coronavirus disease” insert—

““exempt country or territory” means a country or territory specified in Schedule 3 and “non-exempt country or territory” means any other country or territory outside the common travel area;”;

(b) at the end insert—

“(4) For the purposes of these Regulations, a person (“P”) is not treated as departing from or transiting through a country or territory if, at all times whilst in that country or territory—

(a) P remains on a conveyance and no other passenger is permitted to be taken on board, or

(a) Formerly the Department of Health, Social Services and Public Safety; see 2016 c. 5 (N.I.), s. 1(5)
(b) 1967 c. 36 (N.I.). Part 1A was inserted by section 48 of, and Schedule 18 to, the Coronavirus Act 2020 (c. 7)
(c) S.R. 2020 No. 90

- (b) P is kept separated from passengers who did not arrive on the same conveyance as P, and no such passengers are permitted to be taken on board the conveyance on which P leaves that country or territory.”.

Amendment to regulation 3

4. For regulation 3(9) substitute—

“(9) The following are not required to comply with this regulation—

- (a) a person described in regulation 4(12),
- (b) a person described in any of paragraphs 1 to 4 of Schedule 2,
- (c) a person described in any of paragraphs 4A to 4F of Schedule 2 who meets the condition in paragraph 4G of that Schedule,
- (d) a person described in paragraph 12 of Schedule 2.”.

Amendments to regulation 4

5.—(1) Regulation 4 is amended as follows.

(2) In paragraph (1)(b) for “been outside the common travel area” substitute “departed from or transited through a non-exempt country or territory”.

(3) In paragraph (9)—

(a) in sub-paragraph (b), for the words from “any of the services” to the end substitute “services from dentists, opticians, audiologists, chiroprodists, chiropractors, osteopaths and other medical or health practitioners, including services relating to mental health”;

(b) after sub-paragraph (b) insert—

“(ba) to access veterinary services where this is required urgently or on the advice of a veterinary surgeon,”.

(4) In paragraph (12), after sub-paragraph (c) insert—

“(ca) in paragraph 39 of Schedule 2—

(i) where P is an international elite sportsperson or an international ancillary sportsperson, P satisfies the requirements of paragraph (2) if P complies with the conditions specified in paragraph 39(4)(a) or (b), as the case may be, of Schedule 2,

(ii) in any other case, P is not required to comply with this regulation.

(cb) in paragraph 40 of Schedule 2, paragraph (2) does not—

(i) prevent P from travelling from the place where P is self-isolating to the place where the production is taking place, or

(ii) require P to remain in isolation from any other person who is working in the same production,”.

Amendment to Schedule 1

6.—(1) Schedule 1 is amended as follows.

(2) In paragraph 2(a) and (b) at the end insert “(where required to comply with regulation 4)”.

(3) In paragraph 2(h) and (j)(ii) after “country” insert “or territory”.

(4) After paragraph 2(h) insert—

“(ha) any other country or territory they have departed from or transited through in the period beginning with the 14th day before the date of their arrival in Northern Ireland, and in any such case, the dates of departing from or transiting any such country or territory,”.

Amendments to Schedule 2

7.—(1) Schedule 2 is amended as follows.

(2) In paragraph 3(1)—

- (a) omit the “or” after paragraph (a),
- (b) after paragraph (a) insert—

“(aa) has travelled from a point of origin within the common travel area or from an exempt country or territory on a vessel or aircraft operated by, or in support of, Her Majesty’s armed forces or by, or in support, of a visiting force and that vessel or aircraft has not taken on any persons, docked in any port or landed in any non-exempt country or territory, or”,

- (c) in paragraph (b), after “Her Majesty’s Naval Service” insert “or by, or in support of, a visiting force”.

(3) In Part 2, before paragraph 5 insert—

“**4A.**—(1) A road passenger transport worker.

(2) For the purposes of this paragraph—

- (a) “road passenger transport worker” means—
 - (i) the driver of a public service vehicle, or
 - (ii) a person who is employed by the holder of a Community licence issued under Article 4 of Regulation (EC) No 1073/2009 of the European Parliament and of the Council(a), and who is acting in the course of their employment,
- (b) “driver” includes a person who is travelling in a vehicle as a relief driver,
- (c) public service vehicle” has the meaning given in Article 2(1) of the Road Traffic (Northern Ireland) Order 1981(b).

4B.—(1) Seamen and masters, as defined in section 313(1) of the Merchant Shipping Act 1995(c), where they have travelled to the United Kingdom in the course of their work or have been repatriated to the United Kingdom in accordance with the Maritime Labour Convention, 2006 or the Work in Fishing Convention, 2007.

(2) For the purposes of sub-paragraph (1) and paragraph 4C—

- (a) “the Maritime Labour Convention, 2006” means the Convention adopted on 23rd February 2006 by the General Conference of the International Labour Organisation(d),
- (b) “the Work in Fishing Convention, 2007” means the Convention adopted at Geneva on 14th June 2007 by the International Labour Organisation(e).

4C. A pilot, as defined in paragraph 22(1) of Schedule 3A to the Merchant Shipping Act 1995(f), where they have travelled to the United Kingdom in the course of their work or have been repatriated to the United Kingdom in accordance with the Maritime Labour Convention, 2006 or the Work in Fishing Convention, 2007.

4D. An inspector, or a surveyor of ships, appointed under section 256 of the Merchant Shipping Act 1995(g), where they have travelled to the United Kingdom in the course of their work

(a) OJ No. L 300, 14.11.2009, p. 72

(b) S.I. 1981/154 (N.I. 1)

(c) 1995 c. 21. There are amendments to section 313(1) but none is relevant

(d) Cm. 7049. ISBN 978 010 1889 766

(e) Cm. 7375

(f) Schedule 3A was inserted by Schedule 1 to the Marine Safety Act 2003 (c. 16)

(g) There are amendments to section 256 but none is relevant

4E. Crew, as defined in paragraph 1 of Schedule 1 to the Air Navigation Order 2016^(a), where such crew have travelled to the United Kingdom in the course of their work.

4F.—(1) Any of the following who have travelled to the United Kingdom in the course of their work—

- (a) drivers and crews on shuttle services and on services for the carriage of passengers or goods by way of the tunnel system,
- (b) other workers carrying out essential roles for the safe or efficient operation of the tunnel system, shuttle services or services for the carriage of passengers or goods by way of the tunnel system, or relating to the security of the tunnel system or any such services.

(2) For the purposes of sub-paragraph (1)—

- (a) “shuttle service” has the meaning given in section 1(9) of the Channel Tunnel Act 1987^(b),
- (b) “tunnel system” has the meaning given in section 1(7) of that Act.

4G.—(1) The condition mentioned in regulation 3(9)(c) is that the person has on the journey to Northern Ireland travelled only—

- (a) on a conveyance which does not carry passengers,
- (b) in an area of a conveyance which is not accessible to passengers, or
- (c) in an area of a conveyance which is accessible to passengers in vehicles, where passengers remain within their vehicles while the person is present in that area of the conveyance.

(2) For the purposes of this paragraph—

“not accessible to passengers” means separated by a continuous physical barrier which passengers are not permitted to cross;

“passenger” does not include a person of the description in paragraph 4F(1)(b).”.

(4) In paragraph 6—

- (a) in sub-paragraph (1), omit “or a road passenger transport worker”,
- (b) omit sub-paragraphs (2)(d) and (e).

(5) Omit paragraphs 7, 8, 9 and 10.

(6) In paragraph 12—

- (a) omit sub-paragraph (1)(a) and (c);
- (b) omit sub-paragraph (2)(a);
- (c) in sub-paragraph (2)(b) for “that Act” substitute “the Channel Tunnel Act 1987”.

(7) After paragraph 13 insert—

“13A.—(1) A government contractor who is contracted to undertake essential or emergency work outside of the United Kingdom, which is certified by the relevant Department as necessary to facilitate essential government work or the conduct of bilateral or multilateral discussions with another state or international organisation.

(2) For the purposes of sub-paragraph (1), “government contractor” and “essential government work” have the same meaning as in paragraph 13.”.

(8) After paragraph 17 insert—

“17A. Workers engaged in essential or emergency works on behalf of the Department for Infrastructure^(c) relating to flood risk management, within the meaning of the Water

(a) S.I. 2016/765. There are amendments to Schedule 1 but none is relevant

(b) 1987 c. 53

(c) Formerly the Department for Regional Development; see 2016 c. 5 (N.I.), s. 1(6)

Environment (Floods Directive) Regulations (Northern Ireland) 2009(a) or the Drainage (Northern Ireland) Order 1973(b).”.

(9) In paragraph 24—

- (a) in the opening words of sub-paragraph (1)—
 - (i) omit “undertaking, or”,
 - (ii) for “to commence” substitute “to undertake or commence within 14 days of their arrival”;
- (b) in sub-paragraph (1)(a), for “offshore installations” substitute “an offshore installation”;
- (c) in sub-paragraph (1)(c), for “offshore installations and wells that are being decommissioned or which are being” substitute “an offshore installation or well being decommissioned or”;
- (d) in sub-paragraph (2)(a), for “installations” substitute “installation”;
- (e) in sub-paragraph (2)(c), for “wells” substitute “well”.

(10) In paragraph 27, for “(including commissioning,” substitute “(including construction, commissioning, installation,”.

(11) In paragraph 29, for sub-paragraph (1) substitute—

“(1) A person who has travelled to the United Kingdom for the purpose of transporting material which consists of, or includes, human cells or blood and which is to be used for the provision of healthcare by a healthcare provider.”.

(12) For paragraph 30 substitute—

“**30.** A person who—

- (a) has travelled to Northern Ireland for the purpose of undertaking work as a health or care professional in Northern Ireland; and
- (b) is eligible to practise a profession regulated by any of the bodies mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002(c).”.

(13) At the end insert—

“**39.**—(1) A domestic elite sportsperson, an international elite sportsperson, a domestic ancillary sportsperson or an international ancillary sportsperson.

(2) For the purposes of this paragraph—

“domestic ancillary sportsperson” means an individual essential to—

- (a) the running of an elite sports event including—
 - (i) operational staff essential to the running of that elite sports event,
 - (ii) event officials and referees, or
- (b) the support of a domestic elite sportsperson including—
 - (i) sports team medical, logistical, technical and administration staff,
 - (ii) individual sportsperson medical and technical support staff,
 - (iii) horse grooms and trainers,
 - (iv) motorsport mechanics and technical staff
 - (v) the parent or carer of an elite sportsperson under the age of 18;

“domestic elite sportsperson” means an individual who—

(a) S.R. 2009 No. 376

(b) S.I. 1973/69 (N.I. 1)

(c) 2002 c. 17. Section 25(3) was amended by paragraph 17(2) and (3) of Schedule 10 to the Health and Social Care Act 2008, by paragraph 56(b) of Schedule 15 to the Health and Social Care Act 2012 (c. 7), by paragraph 2(2) of Schedule 4 to the Children and Social Work Act 2017 (c. 16) and by S.I. 2010/231

- (a) is an elite athlete within the meaning of regulation 1 of the Health Protection, (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020^(a),
- (b) is in Northern Ireland, after departing from or transiting through a non-exempt country or territory, and
- (c) either—
 - (i) has departed from or transited through the non-exempt country or territory in order to participate in an elite sports event and has returned to Northern Ireland with the intention of continuing activities as a sportsperson, or
 - (ii) is a United Kingdom sportsperson who is not habitually resident in the United Kingdom and has travelled to Northern Ireland in order to participate in training for or to compete in an elite sports event;

“elite sports event” means a specified competition or other sporting event in which the participants compete—

- (a) to derive a living, or
- (b) to qualify for the right to represent—
 - (i) Great Britain and Northern Ireland or Ireland at the Tokyo or Beijing Olympic or Paralympic Games, or
 - (ii) England, Wales, Scotland, Northern Ireland, Gibraltar, Guernsey, Jersey, the Isle of Man or Ireland at the Commonwealth Games to be held in Birmingham in those sports which are not part of the Tokyo Olympic and Paralympic Games programme;

“international ancillary sportsperson” means an individual essential to—

- (a) the running of a specified competition including—
 - (i) operational staff essential to the running of a specified competition,
 - (ii) competition officials and referees,
 - (iii) broadcast staff and journalists covering a specified competition, or
- (b) the support of an international elite sportsperson including—
 - (i) sports team medical, logistical, technical and administration staff,
 - (ii) individual athlete medical and technical support staff,
 - (iii) horse grooms and trainers,
 - (iv) motorsport mechanics and technical staff,
 - (v) the parent or carer of an international elite sportsperson under the age of 18;

“international elite sportsperson” means an individual who travels to Northern Ireland in order to participate in a specified competition after departing from or transiting through a non-exempt country or territory at any time in the period beginning with the 14th day before the date of their arrival in Northern Ireland and who—

- (a) derives a living from competing in a sport,
- (b) is a senior representative nominated by a relevant sporting body,
- (c) is a member of the senior training squad for a relevant sporting body, or
- (d) is aged 16 or above and on an elite development pathway;

“specified competition” means a competition listed in Schedule 4.

(3) For the purposes of the definition of “international elite sportsperson”, in paragraph (2)—

- (a) “elite development pathway” means a development pathway established by the national governing body of a sport to prepare sportspersons—

^(a) S.R. 2020 No. 55; the definition of “elite athlete” was inserted by S.R. 2020 No. 103

- (i) so that they may derive a living from competing in that sport, or
 - (ii) to compete at that sport at the Tokyo or Beijing Olympic or Paralympic Games, or, if that sport is not part of the Tokyo Olympic and Paralympic Games programme, in the Commonwealth Games to be held in Birmingham;
 - (b) “relevant sporting body” in relation to a sportsperson means the national governing body of a sport which may nominate sportspersons to represent—
 - (i) that sportsperson’s nation at the Tokyo or Beijing Olympic or Paralympic Games, or
 - (ii) that sportsperson’s nation at the Commonwealth Games to be held in Birmingham in those sports which are not part of the Tokyo Olympic and Paralympic Games programme;
 - (c) “senior representative” in relation to a sportsperson means an individual who is considered by a relevant sporting body to be a candidate to qualify to compete on behalf of—
 - (i) that sportsperson’s nation at the Tokyo or Beijing Olympic or Paralympic Games;
 - (ii) that sportsperson’s nation at the Commonwealth Games to be held in Birmingham in those sports which are not part of the Tokyo Olympic and Paralympic Games programme.
- (4) The conditions mentioned in regulation 4(12)(ca) are—
- (a) where P is an international elite sportsperson—
 - (i) P provides, on arrival in Northern Ireland, written evidence from a United Kingdom, Northern Irish or Irish sport national governing body of P’s status as an international elite sportsperson attending a specified competition,
 - (ii) P travels directly to, and remains in any place where P is in self-isolation apart from when P is travelling to or from, or attending the location of the specified competition or training for the specified competition, or travelling between different locations where the specified competition or training for the specified competition is taking place, and
 - (iii) at all times when P is not self-isolating P remains in isolation with any other international elite sportspersons or domestic elite sportspersons who are competing in or training for the specified competition or with international ancillary sportspersons or domestic ancillary sportspersons involved in the specified competition, and
 - (b) where P is an international ancillary sportsperson—
 - (i) P provides, on arrival in Northern Ireland, written evidence from a United Kingdom, Northern Irish or Irish sport national governing body of P’s status as an international ancillary sportsperson attending a specified competition,
 - (ii) P travels directly to and remains in the place where P will be self-isolating apart from when P is travelling to or from, or attending the location of the specified competition or training for the specified competition, or travelling between different locations where the specified competition or training for the specified completion is taking place, and
 - (iii) at all times when P is not self-isolating P remains in isolation with international elite sportspersons or domestic elite sportspersons who are competing in or training for the specified competition or with international ancillary sportspersons or domestic ancillary sportspersons involved in the specified competition.

40.—(1) A person engaged in film and high end TV production.

(2) For the purposes of sub-paragraph (1)—

- (a) a person is engaged in film production if engaged in the making of a film which is a British film for the purposes of Schedule 1 to the Films Act 1985(a), and
- (b) a person is engaged in high end TV production if working on the making of a television programme which is a British programme for the purposes of Part 15A of the Corporation Tax Act 2009(b).”.

Insertion of new Schedules

8. After Schedule 2 insert—

“SCHEDULE 3

Regulation 2

Exempt countries and territories

PART 1

Countries

Andorra
Antigua and Barbuda
Aruba
Australia
Austria
The Bahamas
Barbados
Belgium
Bonaire, Sint Eustatius and Saba
Croatia
Curaçao
Cyprus
Czech Republic
Denmark
Dominica
Faroe Islands
Fiji
Finland
France
French Polynesia

(a) 1985 c. 21; Schedule 1 was substituted by the Finance Act 2006 (c. 25) and has been subject to a large number of amendments by the Corporation Tax Act 2009 (c. 4) and S.I. 2006/643, 2006/3430, 2012/1809, 2015/86 and 2018/1105
(b) Part 15A was inserted by paragraph 1 of Schedule 1 to the Finance Act 2013 (c.39)

Germany
Greece
Greenland
Grenada
Guadeloupe
Hong Kong
Hungary
Iceland
Italy
Jamaica
Japan
Liechtenstein
Lithuania
Luxembourg
Macau
Malta
Mauritius
Monaco
The Netherlands
New Caledonia
New Zealand
Norway
Poland
Réunion
Saint Barthélemy
Saint Kitts and Nevis
Saint Lucia
Saint Pierre and Miquelon
San Marino
Serbia
Seychelles
South Korea
Spain
Switzerland
Taiwan

Trinidad and Tobago

Turkey

Vatican City State

Vietnam

PART 2

Territories

The Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus

Anguilla

Bermuda

British Antarctic Territory

British Indian Ocean Territory

British Virgin Islands

Cayman Islands

Falkland Islands

Gibraltar

Montserrat

Pitcairn, Henderson, Ducie and Oeno Islands

Saint Helena, Ascension and Tristan da Cunha

South Georgia and the South Sandwich Islands

Turks and Caicos Islands

SCHEDULE 4

Schedule 2 paragraph 39(2)

Specified competitions

The World Snooker Championship

The Professional Darts Corporation Summer Series

The Betfred World Matchplay Darts

UEFA Champions League and Europa Cup fixtures

Formula One Pirelli British Grand Prix

Emirates Formula One 70th Anniversary Grand Prix

Test Cricket matches

Professional Golfers' Association Betfred British Masters Championship

European Tour Golf – British Open

European Tour Golf – English Championship

European Tour Golf – United Kingdom Championship

BMW Professional Golfers' Association Championship
Moet & Chandon July Festival horse-racing
QIPCO King George Diamond Weekend horse-racing
Qatar Goodwood Festival horse-racing
Yorkshire Ebor Festival horse-racing
Betfred Super League Rugby Football League fixtures
Rugby Football Union international fixtures
Olympic and Paralympic and Commonwealth Games Qualification Events
European Tour Golf – Celtic Classic
European Tour Golf – Wales Open
European Tour Golf – Aberdeen Standard Investments Ladies Scottish Open
European Tour Golf – Women's British Open
European Tour Golf – Alfred Dunhill Links Championship
European Tour Golf – Aberdeen Standard Investments Scottish Open”.

Sealed with the Official Seal of the Department of Health on 9th July 2020

(L.S.)

Robin Swann
Minister of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020 (“The International Travel Regulations”).

They exempt persons travelling from a list of exempt countries and territories from the requirement in regulation 4 of the International Travel Regulations to self-isolate for 14 days after their arrival in Northern Ireland. They also add to the categories of person travelling from non-exempt countries and territories who are exempt from the requirements of those Regulations, including for elite sportspersons and others involved in elite sport competition; and for certain workers in the transport industry travelling into Northern Ireland who do not come into contact with passengers in the course of their duties.

No impact assessment has been prepared for these Regulations.

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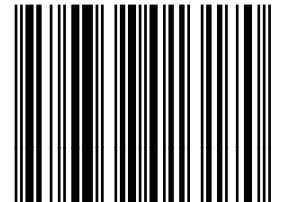
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