STATUTORY RULES OF NORTHERN IRELAND

2021 No. 278

The Health Protection (Coronavirus, International Travel, Operator Liability and Information to Passengers) (Amendment No. 7) Regulations (Northern Ireland) 2021

PART 2

Amendment of the principal Regulations

Introductory

2. The principal Regulations are amended as set out in the following provisions of this Part.

Interpretation

3. In regulation 2(1) (definitions), insert the following definitions at the appropriate places—

""eligible", in relation to a non-red list arrival, is to be read in accordance with regulation 3A(2),";

""non-eligible", in relation to a non-red list arrival, is to be read in accordance with regulation 3A(3),";

""non-red list arrival" and "non-red list country" have the meanings given by regulation 3,";

""red list arrival" and "red list country" have the meanings given by regulation 3,".

Non-red list countries and non-red list arrivals

4.—(1) Regulation 3 (interpretation: red, amber, amber plus and green list countries and arrivals) is amended as mentioned in paragraphs (2) to (4).

(2) In the heading, for "red, amber, amber plus and green list" substitute "red list and non-red list".

(3) In paragraph (1)—

(a) after the definition of "red list country" insert—

""non-red list country" means a country or territory which is not a red list country and not in the common travel area,";

(b) omit the definitions of—

"amber list country",

"amber plus list country", and

"green list country".

(4) In paragraph (2)—

(a) in paragraph (b) of the definition of "red list arrival", omit "has";

(b) after the definition of "red list arrival" insert—

““non-red list arrival” means a person who—

(a) has arrived in Northern Ireland,

(b) has been outside the common travel area at any time in the period beginning with the 10th day before the date of their arrival in Northern Ireland, and

(c) is not a red list arrival.”;

(c) omit the definitions of—

“amber list arrival”, and

“green list arrival”.

(5) Omit Schedules 2 and 2A (green list countries and amber plus list countries).

“Eligible” and “non-eligible” non-red list arrivals

5.—(1) Regulation 3A (fully vaccinated amber list arrivals) is amended as follows.

(2) For the heading substitute ““Eligible” and “non-eligible” non-red list arrivals”.

(3) Omit paragraph (1).

(4) In paragraph (2), for the words from the beginning to “if” substitute “A person (P) who is a non-red list arrival is an “eligible” arrival for the purposes of these Regulations if”.

(5) After paragraph (2) insert—

“(3) A person who is a non-red list arrival is a “non-eligible” arrival for the purposes of these Regulations if that person is not an eligible arrival (within the meaning given by paragraph (2)).”

(6) Schedule 2B (criteria to be a fully vaccinated amber list arrival) is amended as follows.

(7) In the heading, for “a fully vaccinated amber list” substitute “an eligible”.

(8) In paragraph 1, for “a fully vaccinated amber list” substitute “an “eligible””.

(9) In paragraph 2—

(a) omit “or” at the end of sub-paragraph (d)(ii);

(b) at the end of sub-paragraph (d)(iii) insert “or”;

(c) after sub-paragraph (d)(iii) insert—

“(iv) a vaccine certificate,”;

(d) in sub-paragraph (f) omit “for reduced isolation and testing requirements”.

(10) In paragraph 3(c) omit “for reduced isolation and testing requirements”.

(11) In paragraph 4(c) omit “for reduced isolation and testing requirements”.

(12) In paragraph 6(a)(iii) omit “for reduced isolation and testing requirements”.

(13) For paragraph 7 substitute—

“**7.**—(1) For the purposes of paragraph 2—

(a) P has completed a course of doses if P has received the complete course of doses specified—

(i) in the summary of product characteristics approved as part of the marketing authorisation for the authorised vaccine, or

(ii) in the instructions for usage approved as part of the authorisation by the licensing authority on a temporary basis under regulation 174 (supply in

response to spread of pathogenic agents etc) of the Human Medicines Regulations 2012 for the authorised vaccine;

(b) if P has received a dose of one authorised vaccine and a dose of a different authorised vaccine, P is deemed to have completed a course of doses of an authorised vaccine.".

(14) Omit paragraphs 7A, 8 and 8A.

(15) Before paragraph 9 insert—

"**7B.**—(1) For the purposes of paragraph 6—

(a) P has completed a course of doses of a vaccine if P has received the complete course of doses of the vaccine as specified in the manufacturer's guidance for that vaccine;

(b) where P has received a dose of an authorised vaccine in the United Kingdom and a dose of a vaccine under the United Kingdom vaccine roll-out overseas, P is deemed to have completed a course of doses of a vaccine under the United Kingdom vaccine roll-out overseas;

(c) where P has received a dose of one vaccine under the United Kingdom vaccine roll-out overseas, and a dose of a different vaccine under the United Kingdom vaccine roll-out overseas, P is deemed to have completed a course of doses of a vaccine under the United Kingdom vaccine roll-out overseas.".

(16) In paragraph 10—

(a) in the definition of "authorised vaccine"—

(i) in the words before paragraph (a), for "authorised—" substitute "which—";

(ii) in paragraph (a), after "in relation to doses received in the United Kingdom" insert ", is authorised";

(iii) for paragraph (b) substitute—

"(b) in relation to doses received in a relevant country listed in the table in paragraph 11, is authorised for supply in that relevant country following evaluation by the regulator for that relevant country,

(c) in relation to doses received in a relevant country listed in paragraph 12, would be authorised as described in paragraph (a)(i) or (ii) if the doses were received in the United Kingdom,";

(b) after the definition of "clinical trial" insert—

""the COVID-19 vaccination eligibility criteria" means the conditions in any of paragraphs 2 to 6,";

(c) in the definition of "marketing authorisation", in paragraph (b)—

(i) after "relevant country" insert "listed in the table in paragraph 11";

(ii) for "the relevant regulator for the country" substitute "the regulator for that relevant country";

(d) after the definition of "NHS Wales" insert—

""regulator", in relation to a relevant country listed in the table in paragraph 11, means the regulator identified in the corresponding row of the second column of the table in that paragraph, and a reference to a regulator in that table is a reference to the regulatory authority of that name designated as a Stringent Regulatory Authority by the World Health Organization pursuant to the operation of the COVAX Facility,";

(e) in the definition of "relevant country", after "paragraph 11" insert "or a country or territory listed in paragraph 12";

(f) omit the definition of "relevant regulator";

(g) after the definition of "United Kingdom vaccine roll-out overseas" insert—

""vaccine certificate" means a certificate in English, French or Spanish issued by the competent health authority of a relevant country which contains—

(a) P's full name;

(b) P's date of birth;

(c) the name and manufacturer of the vaccine that P received;

(d) the date that P received each dose of the vaccine;

(e) details of either the identity of the issuer of the certificate or the country of vaccination, or both.".

(17) In paragraph 11 in the words before the table, for "the definitions of "relevant country" and "relevant regulator"" substitute "paragraph 10".

(18) In the table in paragraph 11, insert the following entries at the appropriate places—

Australia	The Therapeutic Goods Administration
Canada	Health Canada

(19) After paragraph 11 insert—

"**12.** The countries and territories referred to in the definitions of "authorised vaccine" and "relevant country" are—

Antigua and Barbuda

Bahrain

Barbados

Brunei

Dominica

Israel

Japan

Kuwait

Malaysia

New Zealand

Qatar

Saudi Arabia

Singapore

South Korea

Taiwan

United Arab Emirates".

Requirement to provide information

6.—(1) In regulation 4(1) (persons to whom regulation 4 applies)—

(a) at the end of sub-paragraph (a) insert "or";

(b) after that sub-paragraph insert—

"(aa) a non-red list arrival.";

(c) omit sub-paragraphs (b) and (c).

(2) In Schedule 3 (passenger information), in paragraph 5, omit sub-paragraphs (b) and (d).

Requirement to possess notification of negative test result

7. In regulation 6(1) (persons to whom regulation 6 applies)—

(a) at the end of sub-paragraph (a) insert "or";

(b) after that sub-paragraph insert—

"(aa) a non-eligible non-red list arrival.";

(c) omit sub-paragraphs (b) and (c).

Requirement to book and undertake tests

8.—(1) Regulation 8 (requirement to book and undertake tests) is amended as follows.

(2) In paragraph (1)—

(a) at the end of sub-paragraph (a) insert "or";

(b) after that sub-paragraph insert—

"(aa) a non-red list arrival.";

(c) omit sub-paragraphs (b) and (c).

(3) In paragraph (11), in the definition of "testing package"—

(a) in paragraph (a), for "or an amber list arrival," substitute ", or a non-eligible non-red list arrival,";

(b) in paragraph (b) for "a green list arrival" substitute "an eligible non-red list arrival".

(4) In Schedule 6 (further provision about requirement to book and undertake tests)—

(a) in paragraph 1(1)—

(i) in paragraph (a) of the definition of "default isolation period", for "green or amber" substitute "non-eligible non-red";

(ii) in paragraph (a) of the definition of "relevant isolation provisions", for "a green" substitute "an eligible non-red";

(iii) in paragraph (b) of the definition of "relevant isolation provisions", for "an amber" substitute "a non-eligible non-red";

(b) in the heading before paragraph 2, and in paragraph 2(1)(b), for "amber" substitute "non-eligible non-red";

(c) in the heading before paragraph 3, and in paragraph 3(1), for "green" substitute" "eligible non-red";

(d) in the heading before paragraph 4, and in paragraph 4(1)(b), for "amber" substitute "non-eligible non-red";

(e) in the heading before paragraph 5, and paragraph 5(1), for "green" substitute "eligible non-red";

(f) in paragraph 8(3)—

(i) in paragraph (c) for "a green" substitute "an eligible non-red";

(ii) in paragraph (d) for "an amber" substitute "a non-eligible non-red";

(g) in paragraph 8(6)(h) for "an amber or" substitute "a";

(h) in paragraph 9(3)—

(i) in the heading to Form A, for "red and amber list" substitute "red list and non-eligible non-red list";

(ii) in the second paragraph of Form A, for the words from "an amber" to "exempt category" substitute "a non-red list country and meet the requirements to be an "eligible" arrival";

(iii) in the heading to Form B, for "red and amber list" substitute "red list and non-eligible non-red list";

(iv) in the fourth paragraph of Form B, for "are within the fully vaccinated traveller exempt category" substitute "meet the requirements to be "eligible" arrivals";

(v) in the heading to Form C, for "red and amber list" substitute "red list and non-eligible non-red list";

(vi) in the headings to Form D, Form E and Form F for "green" substitute "eligible non-red";

(i) in the heading before paragraph 11, for "green" substitute "eligible non-red";

(j) in paragraph 11—

(i) in sub-paragraph (1) for "a green" substitute "an eligible non-red";

(ii) in sub-paragraph (2) for "amber" substitute "non-eligible non-red".

Requirement to undertake workforce tests

9. In regulation 9A (requirement to undertake workforce tests), in paragraph (3)(a) for "a green" substitute "an eligible non-red".

Requirement to self-isolate

10. In regulation 10(1) (persons to whom regulation 10 applies), for the words from "an amber" to "regulation 3A" substitute "a non-eligible non-red list arrival.".

Amount of fixed penalty

11. In regulation 27 (amount of fixed penalty), in each of—

(a) paragraph (2),

(b) paragraph (3), and

(c) paragraph (7)(b),

for "green or amber" substitute "non-eligible non-red".

Exemptions

12.—(1) Part 2 of Schedule 4 (persons who are exempt from requirements) is amended as follows.

(2) In paragraph 11(a) for "an amber" substitute "a non-eligible non-red".

(3) In paragraph 15(1)(b)—

(a) for "green" substitute "non-red";

(b) omit "or amber list country".

Managed isolation: persons with severe conditions

13. In paragraph 20(1)(c) of Schedule 7 (managed isolation), for "the matters specified in paragraphs (a) and (b)" substitute—

"—

(i) the severe medical or health condition that P has;

(ii) the support reasonably needed by P to manage P's medical or health condition if required to isolate in designated accommodation; and

(iii) the probable impact to P's health if P were to be required to isolate in designated accommodation and the support identified as being reasonably needed were not provided.".