

2021 No. 316

PUBLIC HEALTH

The Health Protection (Coronavirus, International Travel, Operator Liability and Information to Passengers) (Amendment No. 10) Regulations (Northern Ireland) 2021

Made - - - - *29th November 2021*

Coming into operation - at 4.00 a.m. on 30th November 2021

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.—(1) These Regulations may be cited as the Health Protection (Coronavirus, International Travel, Operator Liability and Information to Passengers) (Amendment No. 10) Regulations (Northern Ireland) 2021.

(2) These Regulations come into operation at 4.00 a.m. on 30th November 2021.

(3) An amendment made by these Regulations does not apply in relation to a person arriving in Northern Ireland before the coming into operation of the provision containing the amendment.

Interpretation

2. In these Regulations—

(1) “the principal Regulations” means the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2021^(c).

(2) “the Operator Liability Regulations” means the Health Protection (Coronavirus, International Travel, Operator Liability and Information to Passengers) Regulations (Northern Ireland) 2021^(d).

Amendment of the principal Regulations

3. The principal Regulations are amended in accordance with regulations 4 and 5.

Requirement to book and undertake tests

4.—(1) In regulation 2—

(a) in paragraph(1), omit the definition of “day 2 LFD test”;

(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. 2021 No. 99 as amended by S.R. 2021 Nos. 108, 121, 132, 154, 189, 213, 214, 218, 225, 230, 241, 262, 278, 282, 284, 293, 301, 312 and 313

(d) S.R. 2021 No. 102 as amended by S.R. 2021 Nos. 189, 213, 214, 225, 230, 262, 278, 282 and 301

- (b) omit paragraph (4).
- (2) In Schedule 6—
 - (a) in paragraph 5(4)(b) omit “confirmatory PCR test or a”;
 - (b) for paragraph 6, substitute—

“Day 2 tests: general test requirements

- 6. For the purposes of regulation 8(11), a day 2 test complies with this paragraph where—
 - (a) it is a test provided by a public provider, or
 - (b) it is an approved test provided by an approved private provider.”;
- (c) in paragraph 8—
 - (i) in sub-paragraph (2), omit “or, in the case of a confirmatory PCR test, in accordance with paragraph 5”;
 - (ii) omit sub-paragraphs (3A) and (3B);
- (d) in paragraph 9(1), omit “other than a day 2 LFD test”;
- (e) omit paragraph 9A.

Requirement to self-isolate

- 5.—(1) In regulation 10—
 - (a) for paragraph (1) substitute—
 - “(1) This regulation applies in respect of a person (P) who is—
 - (a) a non-eligible non-red list arrival;
 - (b) an eligible non-red list arrival.”;
 - (b) for sub-paragraph (3)(a) substitute—
 - “(a) the end of—
 - (i) the 10th day after the day on which they arrive in the common travel area, in the case of a non-eligible non-red list arrival;
 - (ii) the 2nd day after the day on which they arrive in the common travel area, in the case of an eligible non-red list arrival, or”;
 - (c) after sub-paragraph (3) insert—
 - “(3A) Schedule 6 makes further provision in respect of the period of self-isolation, including provision requiring P to remain in self-isolation depending upon the outcome of a test taken as required by regulation 8.”.
- (2) In Schedule 6—
 - (a) in paragraph 1—
 - (i) in the definition of “default isolation period”, in head (a), after “non-eligible non-red list arrival” insert “, or an eligible non-red list arrival”;
 - (ii) in the definition of “relevant isolation provisions”, in head (a), omit “, as modified by paragraph 11”;
 - (b) in paragraph 3—
 - (i) in sub-paragraph (2), after “test” insert “, including in a case where P fails to take the test because the test did not arrive”;
 - (ii) in sub-paragraph (3) omit “enter into and”;
 - (c) in paragraph 5—
 - (i) in sub-paragraph (2)(a) omit “enter into and”;
 - (ii) in sub-paragraph (4) omit “enter into and”;
 - (iii) after sub-paragraph (4) insert—

“(4A) Where P has undertaken a mandatory test but P has not received the results of that test, P must remain in isolation—

- (a) until the end of the 14th day after the day on which they arrived in Northern Ireland, or
- (b) where P subsequently received the result of that test, or another test to which subparagraph (5) applies, and that test generates a negative result, the day on which P received the negative result.”;
- (d) in paragraph 8(3)(c)(i), for “they intend to stay during the period of 10 days beginning on the day after the date of their arrival in the United Kingdom” substitute “they intend to self-isolate, or are self-isolating, in accordance with regulations 10 to 13 (if different from their home address)”;
- (e) omit paragraph 11.

Amendment of the Operator Liability Regulations

6.—(1) The Schedule to the Operator Liability Regulations is amended in accordance with this regulation.

(2) For Part 1, substitute—

“The essential information to be given in accordance with regulation 11(1) to (3) is:

Essential information to enter Northern Ireland from overseas

Fill in your passenger locator form up to 48 hours before arrival. You must declare all countries you have visited or travelled through in the 10 days prior to your arrival on your passenger locator form.

Before departure check the list of red countries <https://www.nidirect.gov.uk/articles/coronavirus-covid-19-travelling-northern-ireland-red-list-country> as the list can change regularly.

Red list passengers (including passengers who are fully vaccinated)

1. Provide proof of a negative COVID-19 test taken within 3 days of departure to the UK.
2. Book a managed isolation package <https://www.nidirect.gov.uk/articles/coronavirus-covid-19-travelling-northern-ireland-red-list-country#toc-4>
3. Complete a passenger locator form <https://www.nidirect.gov.uk/articles/coronavirus-covid-19-travelling-northern-ireland-red-list-country#toc-4>

You can only enter if you are a British or Irish National, or you have residence rights in the UK. You must enter through a designated port and isolate in a government approved hotel for 10 days.

Unvaccinated passengers or passengers vaccinated with unauthorised vaccines

1. Provide proof of a negative COVID-19 test taken within 3 days of departure to the UK.
2. Book tests for days 2 and 8 <https://www.nidirect.gov.uk/articles/coronavirus-covid-19-travelling-northern-ireland-non-red-list-country#toc-7>
3. Complete a passenger locator form <https://www.nidirect.gov.uk/articles/coronavirus-covid-19-travelling-northern-ireland-non-red-list-country#toc-8>
4. Make plans to self-isolate in private accommodation for 10 full days after arrival (or full duration of stay if less than 10 days).

Fully vaccinated passengers

1. Book a test for on or before day 2 – this must be a PCR test.
2. Complete a passenger locator form.
3. Self-isolate on arrival and until the result of your day 2 test is known. You may only leave self-isolation if the test is negative.

These measures apply to all persons (including UK nationals and residents) arriving in the UK from outside the common travel area comprising the United Kingdom, Ireland, the Isle of Man, and the Channel Islands. The British Overseas Territories are not in the common travel area. Public health requirements may vary depending upon in which nation of the UK you are staying.

England: <https://www.gov.uk/uk-border-control>

Northern Ireland: <https://www.nidirect.gov.uk/articles/coronavirus-covid-19-international-travel-advice>

Scotland: <https://www.gov.scot/publications/coronavirus-covid-19-international-travel-quarantine>

Wales: <https://gov.wales/arriving-wales-overseas>

It is a legal requirement that you wear a face covering on public transport in Northern Ireland.

Failure to comply with these measures is a criminal offence and you could be fined. There are a limited set of exemptions from these measures. Check the list of exemptions carefully. You may be fined if you fraudulently claim an exemption.”.

(3) For Part 2 substitute—

“The required information to be given in accordance with regulation 11(4) is:

“The following is a public health message on behalf of the UK’s public health agencies.

If you are fully vaccinated or otherwise meet the eligibility criteria, you may take a PCR test on or before day 2 after you arrive. You must self-isolate on arrival and may only leave self-isolation if the result of the test is negative.

Unvaccinated passengers must self-isolate for 10 days and take a test on day 8 after you arrive.

If you have been in or transited through any countries on the red list within the previous 10 days, you must quarantine in a managed isolation facility for the first 10 days after arrival and also take another test 8 days after arrival.

The symptoms of coronavirus are a new continuous cough, a high temperature or a loss of, or change in, normal sense of taste or smell. If you experience any of these symptoms, however mild, you are advised to make yourself known to the crew.

Please follow the Public Health guidance for the area you are living or travelling in.

Visit [gov.uk/coronavirus](https://www.gov.uk/coronavirus) for more advice.””.

Sealed with the Official Seal of the Department of Health on 29th November 2021

(L.S.)

Dr Lourda Geoghegan
A senior officer of the Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend The Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2021 (“the principal Regulations”) and the Health Protection (Coronavirus, International Travel, Operator Liability and Information to Passengers) Regulations (Northern Ireland) 2021 (“the Operator Liability Regulations”).

Regulation 4 deals with the testing regime for eligible non-red list arrivals, i.e. those arrivals to Northern Ireland who are fully vaccinated upon arrival. There is no longer the option to take a day 2 lateral flow device (LFD) test followed by a confirmatory PCR test. Day 2 tests must all be PCR tests.

Regulation 5 deals with the self-isolation regime for eligible non-red list arrivals. They must now enter into self-isolation upon arrival. They must remain in self-isolation until they do a day 2 test and the result is negative.

Regulation 6 updates the information that must be given to passengers travelling to Northern Ireland.

No impact assessment has been prepared for these Regulations.

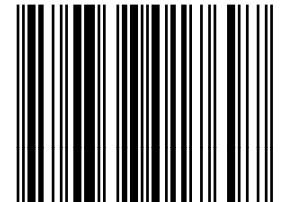
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