

2021 No. 39

PUBLIC HEALTH

The Health Protection (Coronavirus, International Travel) (Amendment No. 7) Regulations (Northern Ireland) 2021

Made - - - - - *19th February 2021*

Coming into operation - at 4.00 a.m. on 20th February 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, commencement and interpretation

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, International Travel) (Amendment No. 7) Regulations (Northern Ireland) 2021 and shall come into operation at 4.00 am on 20th February 2021.

(2) In these Regulations, “the principal Regulations” means the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020^(c).

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

2. The principal Regulations are amended in accordance with regulations 3 to 10.

Amendment to regulation 3

3. In regulation 3 (requirement to provide information) after paragraph (10)^(d) insert—

“(11) Paragraph (10) does not apply to a person described in paragraph 1(1) of Schedule 2.”.

Amendment to regulation 4

4. In regulation 4 (requirement to self-isolate), in paragraph (12)—

- (a) omit sub-paragraphs (b) and (c);
- (b) in sub-paragraph (ca), from “Schedule 2—” to the end, substitute “Schedule 2, P satisfies the requirements of paragraph (2) if P complies with the relevant conditions specified in paragraph 39(4) of Schedule 2.”;
- (c) for sub-paragraph (d) substitute—

(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 as amended by S.R. 2020 Nos. 138, 140, 154, 155, 163, 168, 179, 185, 189, 193, 194, 200, 203, 212, 216, 223, 228, 234, 241, 243, 244, 254, 275, 278, 289, 326, 344, and 355 and S.R. 2021 Nos. 4, 5, 6, 9, 10, 13, 17 and 32

(d) Paragraph (10) was inserted by regulation 3 of S.R. 2021 No. 4

- “(d) in paragraph 4, 4B, 4C, 4D, 4E, 6, 11, 14, 15, 16 or 22 of Schedule 2 and is—
- (i) ordinarily resident in the United Kingdom, P is not required to comply with this regulation,
 - (ii) not ordinarily resident in the United Kingdom, P is not required to comply with this regulation while undertaking the work or activity described in the relevant paragraph of that Schedule,
- (e) in paragraph 17, 17A, 18, 19, 20, 21, 23, 24, 26, 27, 29, 31, 32, 33, 34, 35, 36, 36A or 46 of Schedule 2, P is not required to comply with this regulation while undertaking the work or activity described in the relevant paragraph of that Schedule,
- (f) in any other paragraph of Schedule 2, P is not required to comply with this regulation.”.

Amendment to regulation 4B

5. In regulation 4B(2) (prohibition on arrival of aircraft into Northern Ireland) at the end insert—
- “(c) the aircraft is operated by or in support of a foreign country or territory where, prior to its arrival in Northern Ireland, a United Kingdom Government Department has provided written confirmation to the operator that the aircraft is carrying passengers who are travelling to conduct official business with the United Kingdom”.

Amendment to regulation 4C

6. In regulation 4C(2) (prohibition on arrival of vessels into Northern Ireland) at the end insert—
- “(c) a vessel operated by or in support of a foreign country or territory where, prior to its arrival in Northern Ireland, a United Kingdom Government Department has provided written confirmation to the operator that the vessel is carrying passengers who are travelling to conduct official business with the United Kingdom”.

Amendment to regulation 10

7. In regulation 10(3) (self-incrimination)—
- (a) omit the word “or” at the end of sub-paragraph (a);
 - (b) at the end insert—
“(c) an offence under section 1 of the Fraud Act 2006(a)”.

Amendments to Schedule 2

8. In Schedule 2 (persons not required to comply with regulation 3 or 4)—
- (a) omit paragraphs 4A, 4F, 12, 19(1)(d) and (2)(c), 28, 37 and 38;
 - (b) in paragraph 19(1)(c) omit “or”;
 - (c) in paragraph 39(4), before paragraph (a) insert—
“(zb) where P is a domestic elite sportsperson of a kind described in paragraph (c)(i) of the definition of that expression in sub-paragraph (2)—
(i) P provides, on arrival in Northern Ireland, written evidence from a United Kingdom or Northern Irish or Irish sport national governing body of P’s status as a domestic elite sportsperson returning to Northern Ireland from competing in an elite sports event or participating in training for an Olympic or Paralympic event,

(a) 2006 c. 35; section 1(3)(a) is modified by paragraph 1 of Schedule 2 to that Act

- (ii) P travels directly to, and remains in any place where P is self-isolating, apart from when P is travelling to or from, or attending the location of, an elite sports event in which they are competing or training for an elite sports event, or travelling between different locations where such an elite sports event or training for an elite sports event is taking place, and
 - (iii) at all times when P is not self-isolating P remains in isolation with any other domestic elite sportspersons or international elite sportspersons who are competing in or training for that elite sports event or with domestic ancillary sportspersons or international ancillary sportspersons involved in that elite sports event,
- (zc) where P is a domestic elite sportsperson of a kind described in paragraph (c)(ii) of the definition of that expression in sub-paragraph (2)—
- (i) P provides, on arrival in Northern Ireland, written evidence from a United Kingdom or Northern Irish or Irish sport national governing body of P’s status as a domestic elite sportsperson who has travelled to Northern Ireland to participate in training for or to compete in an elite sports event,
 - (ii) P travels directly to, and remains in any place where P is self-isolating, apart from when P is travelling to or from, or attending the location of an elite sports event in which they are competing or training for an elite sports event, or travelling between different locations where such an elite sports event or training for an elite sports event is taking place, and
 - (iii) at all times when P is not self-isolating P remains in isolation with any other domestic elite sportspersons or international elite sportspersons who are competing in or training for that elite sports event or with domestic ancillary sportspersons or international ancillary sportspersons involved in that elite sports event,
- (zd) where P is a domestic ancillary sportsperson—
- (i) P provides, on arrival in Northern Ireland, written evidence from a United Kingdom or Northern Irish or Irish sport national governing body of P’s status as a domestic ancillary sportsperson returning to Northern Ireland having been involved in the running of an elite sports event or the support of a domestic elite sportsperson,
 - (ii) P travels directly to, and remains in any place where P is self-isolating, apart from when P—
 - (aa) is travelling to or from, or attending the location of, any place in which P’s presence is essential to the running of an elite sports event,
 - (bb) is travelling to or from, or attending the location of, any place in which P provides essential support to a domestic elite sportsperson who is competing in or training for an elite sports event,
 - (cc) is travelling between different locations where any activity described in paragraph (aa) or (bb) is taking place, and
 - (iii) at all times when P is not self-isolating P remains in isolation with domestic elite sportspersons or international elite sportspersons who are competing in or training for that elite sports event or with domestic ancillary sportspersons or international ancillary sportspersons involved in that elite sports event.”.

Amendment to Schedule 2A

9. In Schedule 2A (testing before arrival in Northern Ireland), for paragraph 2(f) substitute—

- “(f) a statement—
 - (i) that the test was a polymerase chain reaction test, or
 - (ii) of the name of the device that was used for the test.”.

Amendments to Schedule 6

10. In Schedule 6 (prohibition on arrival of aircraft and vessels)—

- (a) in paragraph 1, at the appropriate place in alphabetical order, insert “The Azores”, “Madeira”, “South Africa” and “United Arab Emirates”;
- (b) in paragraph 2, at the appropriate place in alphabetical order, insert “The Azores” and “Madeira”.

Amendment of the Health Protection (Coronavirus, International Travel Pre-Departure Testing and Operator Liability) (Amendment) Regulations (Northern Ireland) 2021

11. In regulation 5 of the Health Protection (Coronavirus, International Travel, Pre-Departure Testing and Operator Liability) (Amendment) Regulations (Northern Ireland) 2021(a), in the definition of “required notification”, for sub-paragraph (f) substitute—

“(f) a statement—

- (i) that the test was a polymerase chain reaction test, or
- (ii) of the name of the device that was used for the test;”.

Transitional and saving provision

12. In relation to any person who arrived in Northern Ireland before the coming into operation of these Regulations, the principal Regulations apply as if the amendments made by regulations 3-10 had not been made.

Sealed with the Official Seal of the Department of Health on 19th February 2021

(L.S.)

Dr Michael McBride

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) 2020 (S.R. 2020 No. 90) (“the principal Regulations”) to—

- (a) in relation to exemptions from the requirement to self-isolate in regulation 4 of the principal Regulations, require persons benefiting from certain exemptions, and persons who are not ordinarily resident in the United Kingdom and benefiting from the exemptions, to self-isolate except when carrying out the relevant work/activity,
- (b) in relation to the requirement in regulation 3A of the principal Regulations to possess notification of a negative test result before arriving in Northern Ireland, amend the required content of the result notification,
- (c) introduce exemptions in relation to the prohibition on arrival of aircraft or vessels into Northern Ireland,
- (d) remove exemptions for road passenger transport workers, tunnel system workers, Euratom inspectors, people receiving healthcare, live donors, UK workers who regularly work abroad or workers who live abroad but regularly work in the UK and seasonal agricultural workers.
- (e) include The Azores, Madeira, South Africa and United Arab Emirates in the list of countries and territories in paragraph 1 of Schedule 6 from which certain aircraft are prohibited from arriving in Northern Ireland for the purposes of Part 2A.

(a) S.R. 2021 No. 10 as amended by S.R. 2021 No. 17

- (f) include The Azores and Madeira in the list of countries and territories in paragraph 2 of Schedule 6 from which certain vessels are prohibited from arriving in Northern Ireland for the purposes of Part 2A.

These changes do not apply in relation to people who arrive in Northern Ireland before the coming into operation of these Regulations.

This statutory rule also amends the Health Protection (Coronavirus, International Travel, Pre-Departure Testing and Operator Liability) (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021 No. 10) in consequence of the change described at (b) above.

No impact assessment has been prepared for these Regulations.

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