
STATUTORY INSTRUMENTS

2010 No. 659

The Health Protection (Notification) Regulations 2010

[^{F1}Duty on test providers to notify results of tests for the detection of SARS-CoV-2 or Influenza virus to [^{F2}the United Kingdom Health Security Agency]

4A.—(1) This regulation applies where a test provider carries out on a person (“P”) a valid point of care test for the detection of SARS-CoV-2 ^{F3}... or influenza virus.

(2) For the purposes of this regulation—

- (a) a point of care test is a diagnostic test which is not carried out in a diagnostic laboratory; and
- (b) a point of care test is valid if it is carried out in accordance with the instructions provided by the manufacturer of the testing equipment.

(3) The test provider must notify [^{F4}the United Kingdom Health Security Agency] of the result of the test, in accordance with paragraphs (4) to (6).

(4) A notification must be provided in writing—

- (a) within 24 hours of the time when the test result is received by the test provider, in the case of the result of a test for the detection of SARS-CoV-2 being positive or indeterminate;
- (b) within 7 days beginning with the day on which the test result is received by the test provider, in the case of—
 - (i) the result of a test for the detection of SARS-CoV-2 being negative or void; or
 - (ii) the result of a test for the detection of influenza virus.

(5) A notification must include the following information, insofar as it is known to the test provider—

(a) in relation to P, their—

- (i) first name;
- (ii) surname;
- (iii) sex;
- (iv) date of birth;
- (v) NHS number (if known);
- (vi) ethnicity;

(vii) current address (including postcode);

(viii) telephone number, where the test is for the detection of SARS-CoV-2 and the result is positive or indeterminate,

(ix) email address, where the test is for the detection of SARS-CoV-2 and the result is positive or indeterminate;

(b) in relation to the test, the—

- (i) name of the test provider;

- (ii) nature of establishment;
- (iii) specimen identification number (if applicable);
- (iv) specimen type;
- (v) specimen date;
- (vi) test method;
- (vii) result of test;
- (viii) date on which the test was carried out;
- (ix) name of the testing equipment manufacturer.

[^{F5}(6)] Where P is a child, or a person with a disability who is unable for that reason to provide the information set out in paragraph (5)(a) to the test provider, the test provider must provide [^{F6}the United Kingdom Health Security Agency] with, insofar as it is known to the test provider—

- (a) the information set out in paragraph [^{F7}(5)](a)(i) to (vii) in relation to P, having obtained it from an appropriate parent, guardian or carer of P (“X”); and
- (b) where the test is for the detection of SARS-CoV-2 and the result is positive or indeterminate, X’s telephone number and email address.

[^{F8}(7)] It is an offence for a test provider to fail without reasonable excuse to comply with this regulation.

[^{F9}(8)] A test provider that commits an offence under this regulation is liable on summary conviction to a fine.

[^{F10}(9)] In this regulation—

“carer”, “child”, “disability”, “guardian”, and “parent” have the meanings given in regulation 4;

“test provider” means a company, partnership, charity, corporation, unincorporated association, or other organisation or body, whether public or private, or sole trader, carrying out point of care tests for the detection of SARS-CoV-2 or influenza virus.]

Textual Amendments

- F1** Reg. 4A inserted (23.11.2020) by [The Health Protection \(Notification\) \(Amendment\) \(Coronavirus\) Regulations 2020 \(S.I. 2020/1175\)](#), regs. 1(1), **4**
- F2** Words in reg. 4A heading substituted (1.10.2021) by [The Public Health England \(Dissolution\) \(Consequential Amendments\) Regulations 2021 \(S.I. 2021/974\)](#), regs. 1(1), **5(5)**
- F3** Words in reg. 4A(1) omitted (3.3.2022) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2)(c)(ii), **36(5)** (with reg. 37(1)(2))
- F4** Words in reg. 4A(3) substituted (1.10.2021) by [The Public Health England \(Dissolution\) \(Consequential Amendments\) Regulations 2021 \(S.I. 2021/974\)](#), regs. 1(1), **5(5)**
- F5** Reg. 4A(7) renumbered as reg. 4A(6) (21.9.2021) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/966\)](#), regs. 1(4)(h), **21(5)(a)**
- F6** Words in reg. 4A(6) substituted (1.10.2021) by virtue of [The Public Health England \(Dissolution\) \(Consequential Amendments\) Regulations 2021 \(S.I. 2021/974\)](#), regs. 1(1), **5(5)**

- F7** Word in reg. 4A(6)(a) substituted (21.9.2021) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 9) Regulations 2021 (S.I. 2021/966), regs. 1(4)(h), **21(5)(b)**
- F8** Reg. 4A(8) renumbered as reg. 4A(7) (21.9.2021) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 9) Regulations 2021 (S.I. 2021/966), regs. 1(4)(h), **21(5)(c)**
- F9** Reg. 4A(9) renumbered as reg. 4A(8) (21.9.2021) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 9) Regulations 2021 (S.I. 2021/966), regs. 1(4)(h), **21(5)(d)**
- F10** Reg. 4A(10) renumbered as reg. 4A(9) (21.9.2021) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 9) Regulations 2021 (S.I. 2021/966), regs. 1(4)(h), **21(5)(e)**

Changes to legislation:

There are currently no known outstanding effects for the The Health Protection (Notification) Regulations 2010, Section 4A.