
STATUTORY INSTRUMENTS

2021 No. 223

**The Health Protection (Coronavirus, International Travel)
(England) (Amendment) (No. 9) Regulations 2021**

Amendments to Schedule B1A

8.—(1) Schedule B1A (additional measures)(1) is amended as follows.

(2) In paragraph 2(2)(a), for “foreign territory represented by the mission”, substitute “foreign country represented by the mission”;

(3) In paragraph 18—

(a) in sub-paragraph (2)(a) after paragraph (vii) insert—

“(viii) an unaccompanied child, where it is not reasonable for a person with responsibility for P to reside with the child in accommodation designated by the Secretary of State for the purposes of this Schedule.”;

(b) at the end insert—

“(3) P is also a relevant person if—

- (a) P is, or was on the 1st September 2020, a child;
- (b) P travels to the UK for the purposes of receiving education at a boarding school in England at which education and accommodation is due to be provided for P;
- (c) P is not accompanied into the UK by an individual who has responsibility for P, or if P is aged 18, would have had such responsibility if P were a child; and
- (d) the Secretary of State has confirmed in writing that this paragraph applies in relation to P and has not withdrawn that confirmation.

(4) In this paragraph—

(a) “boarding school” means a school or college, which—

- (i) provides accommodation for its pupils or, as the case may be, students on its own premises, or
- (ii) arranges accommodation for its pupils or students to be provided elsewhere (other than in connection with a residential trip away from the school);

(b) “school” means—

- (i) an alternative provision academy within the meaning of section 1C of the Academies Act 2010(2),
- (ii) a community, foundation or voluntary school or a community or foundation special school within the meaning of section 20 of the School Standards and Framework Act 1998(3),

(1) Schedule B1A was inserted by [S.I. 2021/150](#).

(2) [2010 c. 32](#); section 1C was inserted by section 53(7) of the Education Act 2011 (c. 21).

(3) [1998 c. 31](#); section 20 was amended by paragraph 95 of Schedule 21 to the Education Act 2002 (c. 32), paragraph 13 of Schedule 3 to the Education and Inspections Act 2006 (c. 40) and [S.I. 2010/1158](#).

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- (iii) an independent school (as defined by section 463 of the Education Act 1996(4)) registered under section 95 of the Education and Skills Act 2008(5),
 - (iv) a non-maintained special school (as defined in section 337A of the Education Act 1996(6)), or
 - (v) a pupil referral unit within the meaning of section 19(2B) of the Education Act 1996(7);
- (c) “college” means—
- (i) an institution within the further education sector within the meaning of section 91 of the Further and Higher Education Act 1992(8), or
 - (ii) a 16 to 19 Academy within the meaning of section 1B of the Academies Act 2010(9).”.

(4) 1996 c. 56; section 463 was substituted by section 172 of the Education Act 2002 and amended so far as relevant by paragraphs 1 and 43 of Schedule 3 to the Children and Families Act 2014 (c. 6) and S.I. 2010/1158.

(5) 2008 c. 25.

(6) 1996 c. 56; section 337A was substituted by section 142(1) of the Education and Skills Act 2008 (c. 25).

(7) Section 19(2B) was amended so far as relevant by section 47 of and Schedule 8 to the Education Act 1997, section 3 of and paragraph 1 of Schedule 3 and Schedule 4 to the Children, Schools and Families Act 2010, section 101 of the Education and Inspections Act 2006, S.I. 2007/1507 and S.I. 2010/1158.

(8) 1992 c. 37; section 91 was amended in so far as relevant by paragraph 42 of Schedule 9 and Schedule 11 to the Learning and Skills Act 2000 (c. 21), paragraph 13 of Schedule 8 to the apprenticeships, Skills, Children and Learning Act 2009 (c. 22) and by paragraphs 23 and 26 of Schedule 8 to the Higher Education and Research Act 2018 (c. 29).

(9) Section 1B was inserted by section 53(7) of the Education Act 2011.