
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, International Travel) (England) Regulations 2020 (S.I. 2020/568) (“the International Travel Regulations”) to prohibit the arrival in England of aircraft from Argentina, the Azores, Brazil, Cape Verde, Chile, Madeira and Portugal. The arrival of vessels in England from the Azores, Madeira and Portugal is also prohibited. Concurrently, Chile, the Azores and Madeira are also removed from the list of exempt countries and territories in Schedule A1, from which passengers arriving in England are not required to self-isolate.

The Regulations also add further countries and territories to the list, in Schedule B1, of countries and territories subject to enhanced measures. Those countries and territories are Argentina, Bolivia, Brazil, Cape Verde, Chile, Colombia, Ecuador, French Guiana, Guyana, Madeira, Panama, Paraguay, Peru, Portugal, Suriname, the Azores, Uruguay and Venezuela. The enhanced measures—

- (a) remove exemptions from the requirement to self-isolate and the requirement to complete a Passenger Locator Form for passengers who have arrived in England from these countries and territories or who have arrived in England from elsewhere and, during the 10 days preceding their arrival in England, have been in or transited through them;
- (b) exclude arrivals from these countries and territories and members of their household from the “Test to Release” regime;
- (c) require people residing with arrivals from these countries and territories to self-isolate.

Note that the exemption has been retained for road hauliers who have at any time during the period beginning with the 10th day before the date of their arrival in England, departed from or transited through the Azores, Madeira and Portugal within 10 days of their arrival in England, unless they have travelled through another country listed in Schedule B1 within that time. The Regulations also remove Aruba, Qatar and Bonaire and Sint Eustatius & Saba from the list of exempt countries and territories in Schedule A1, from which passengers arriving in England are not required to self-isolate. This amendment takes effect 24 hours after the other provisions of the Regulations.

An amendment has also been made to the exemption from the self-isolation requirements in Schedule 2 relating to ornamental horticulture to allow individuals engaged in seasonal work to self-isolate with other workers at the farm where they are engaged in that work.

In addition, amendments have been made to the amount of fixed penalty payable by a person who commits an “information offence”. The penalty for the first offence is £200, increasing with subsequent offences up to a maximum of £4,000. No information offences committed before 4.00 a.m. on 18th January 2021 will be taken into account for determining the amount payable by a person who commits an information offence on or after that time and date.

An information offence is an offence described in regulation 6(1)(a) or (3) of the International Travel Regulations, or regulation 6(2) of the International Travel Regulations where the person is believed to have wilfully obstructed any person carrying out a function in relation to regulation 3 of those Regulations.

An impact assessment has not been produced for this instrument. An explanatory memorandum has been published alongside this instrument at www.legislation.gov.uk.

Changes to legislation:

There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (England) (Amendment) (No. 3) Regulations 2021.