

*Status: Point in time view as at 08/07/2021.*

*Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)*

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## STATUTORY INSTRUMENTS

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**2021 No. 582**

# PUBLIC HEALTH, ENGLAND

## The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021

<i>Made</i>	- - - -	<i>at 10.32 a.m. on 14th May 2021</i>
<i>Laid before Parliament</i>		<i>at 2.30 p.m. on 14th May 2021</i>
<i>Coming into force</i>	- -	<i>at 4.00 a.m. on 17th May 2021</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 45B, 45F(2) and 45P(2) of the Public Health (Control of Disease) Act 1984 <sup>M1</sup>.

### Marginal Citations

**M1** 1984 c. 22. Part 2A was inserted by section 129 of the [Health and Social Care Act 2008 \(c. 14\)](#).

## PART 1 **E+W**

### Introductory

#### Citation, commencement, extent and application **E+W**

**1.**—(1) These Regulations may be cited as the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021.

(2) These Regulations come into force at 4.00 a.m. on 17th May 2021.

(3) These Regulations extend to England and Wales and apply in relation to England only.

### Commencement Information

**11** Reg. 1 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Interpretation and introduction of Schedules 1 to 4 **E+W**

**2.**—(1) In these Regulations—

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“category 1 arrival” means person who has arrived in England from a category 1 country or territory, and has not been in a category 2 country or territory or a category 3 country or territory in the period beginning with the 10th day before the date of their arrival in England;

“category 1 country or territory” means a country or territory, or part of a country or territory, specified in Schedule 1 <sup>M2</sup>;

“category 2 country or territory” means a country or territory or part of a country or territory specified in Schedule 2 <sup>M3</sup>;

“category 3 country or territory” means a country or territory or part of a country or territory specified in Schedule 3 <sup>M4</sup>;

“child” means a person under the age of 18;

“the common travel area” has the meaning given in section 1(3) of the Immigration Act 1971 <sup>M5</sup>;

“coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);

“coronavirus disease” means COVID-19 (the official designation of the disease which can be caused by coronavirus);

“designated port” means a port designated for the purposes of Schedule 11;

“device” means an in vitro diagnostic medical device within the meaning given in regulation 2(1) of the Medical Devices Regulations 2002 <sup>M6</sup>;

“disability” has the meaning given in the Equality Act 2010 <sup>M7</sup> (see section 6 of, and Schedule 1 to, that Act);

“immigration officer” means a person appointed by the Secretary of State as an immigration officer under paragraph 1 of Schedule 2 to the Immigration Act 1971 <sup>M8</sup>;

“managed self-isolation package” has the meaning given in paragraph 8 of Schedule 11;

“operator” except [<sup>F1</sup>where the context otherwise requires], means an operator of a relevant service;

“passenger” means a person travelling on a conveyance who is not a member of the conveyance's crew;

“passenger information” has the meaning given in regulation 3(1);

“Passenger Locator Form” means the form published electronically by the Secretary of State for the provision of passenger information <sup>M9</sup>;

“port”, except where the context otherwise requires, means—

- (a) any port (including a seaport, airport or heliport), or
- (b) a place which is an authorised terminal control point for international services for the purposes of sections 11 and 12 of the Channel Tunnel Act 1987 <sup>M10</sup>;

“qualifying test” means a test that is a qualifying test for the purposes of regulation 4;

[<sup>F2</sup>“relevant service” means a commercial transport service on which passengers travel to England from outside the common travel area on a vessel, aircraft or train;]

“Schedule 11 passenger” means a passenger to whom Schedule 11 (additional measures applicable to arrivals from category 3 countries or territories) applies;

“self-isolate” has the meaning given in regulation 9(2), and “self-isolation” and “self-isolating” are to be construed accordingly;

“the Self-Isolation Regulations” means the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020 <sup>M11</sup>;

“sensitivity”, in relation to a device, means how often the device correctly generates a positive result;

“shuttle service” has the meaning given in section 1(9) of the Channel Tunnel Act 1987;

“specificity”, in relation to a device, means how often the device correctly generates a negative result;

“tunnel system” has the meaning given in section 1(7) of the Channel Tunnel Act 1987.

(2) For the purposes of these Regulations, an individual has responsibility for a child if the individual—

- (a) has custody or charge of the child for the time being, or
- (b) has parental responsibility for the child within the meaning given in section 3 of the Children Act 1989<sup>M12</sup>.

(3) For the purposes of these Regulations, a person (“P”) is not treated as departing from or transiting through a country or territory, or part of a country or territory, if P arrives in and leaves that country, territory or part thereof by air, rail or sea and at all times whilst there—

- (a) remains on the aircraft or vessel upon which P arrived and no other passenger is permitted to be taken on board; or
- (b) remains on the train upon which P arrived and no other passenger is permitted to be taken on board the carriage in which P is travelling; or
- (c) is kept separated from passengers who did not arrive on the same aircraft, train or vessel as P, and no such passengers are permitted to be taken on board the aircraft, train or vessel on which P leaves that country, territory, or part.

(4) For the purposes of these Regulations a person is not treated as having been in a country or territory if—

- (a) the person has only been on a vessel which has been in the territorial waters of that country or territory;
- (b) the person did not disembark from that vessel while it was in the territorial waters of that country or territory;
- (c) that vessel did not moor at a port in that country or territory; and
- (d) no passenger was permitted to be taken on board that vessel while it was in the territorial waters of that country or territory.

(5) Schedule 4 (exemptions) describes categories of person who are exempt from certain requirements in accordance with these Regulations.

#### Textual Amendments

- F1** Words in [reg. 2\(1\)](#) substituted (19.5.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/589\)](#), [regs. 1\(1\), 2\(2\)\(a\)](#) (with [reg. 3\(2\)](#))
- F2** Words in [reg. 2\(1\)](#) substituted (19.5.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/589\)](#), [regs. 1\(1\), 2\(2\)\(b\)](#) (with [reg. 3\(2\)](#))

#### Commencement Information

- I2** Reg. 2 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

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### Marginal Citations

- M2** Category 1 countries and territories are referred to colloquially and in guidance as “Green List” countries and territories.
- M3** Category 2 countries and territories are referred to colloquially and in guidance as “Amber List” countries and territories.
- M4** Category 3 countries and territories are referred to colloquially and in guidance as “Red List” countries and territories.
- M5** 1971 c. 77; section 1(3) provides that the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland are collectively referred to in that Act as “the common travel area”.
- M6** S.I. 2002/618.
- M7** 2010 c. 15.
- M8** Paragraph 1 was amended by paragraph 3 of Schedule 3 to the [Health Protection Agency Act 2004](#) (c. 17), and by S.I. 1993/1813.
- M9** The Passenger Locator Form is available on [www.gov.uk](#). No hard copy version is generally available but, where a person arrives at a place staffed by Immigration Officers, they will be provided with the ability to complete the form electronically on their arrival in England if not completed in advance; assistance will be available for completion of the electronic form if required.
- M10** 1987 c. 53.
- M11** S.I. 2020/1045.
- M12** 1989 c. 41.

## PART 2 **E+W**

### Requirements on persons arriving in England

#### Requirement on passengers to provide information **E+W**

3.—(1) A person who arrives in England from a country or territory outside the common travel area must, subject to paragraph (2), provide on the Passenger Locator Form the information set out in Schedule 6 (“passenger information”) on their arrival.

(2) A person who presents at immigration control at the Channel Tunnel shuttle terminal area in France<sup>M13</sup>, with the intention of boarding a shuttle service destined for the United Kingdom, must provide on the Passenger Locator Form their passenger information on so presenting.

(3) Subject to paragraph (4), a person who arrives in England from within the common travel area who has been in a country or territory outside the common travel area at any time in the period beginning with the 10th day before the date of their arrival in England must provide on the Passenger Locator Form their passenger information on their arrival.

(4) Paragraph (3) does not apply to a person who arrives in England from Scotland, Wales or Northern Ireland and who has completed a form equivalent to a Passenger Locator Form pursuant to an enactment in Scotland, Wales or Northern Ireland, specifying—

- (a) in the case of a person who is required to comply with regulation 9 (category 2 and category 3 arrivals), an address in England where that person intends to self-isolate; or
- (b) in the case of any other person, an address in England where that person intends to stay during the period of 10 days beginning on the day after the date of their arrival in the United Kingdom.

(5) A person who is travelling with a child for whom they have responsibility, must ensure that passenger information is provided in relation to that child on the Passenger Locator Form—

- (a) on their arrival in England, in the case of a person described in paragraph (1) or (3); or

(b) when they present at immigration control, in the case of a person described in paragraph (2).

(6) A person described in any of paragraphs (1) to (3) who provides their passenger information, and any passenger information required by virtue of paragraph (5), on the Passenger Locator Form in the 48 hours before they are required to do so, is treated as having complied with those paragraphs (as applicable).

(7) A person who has provided passenger information in advance in accordance with paragraph (6) must provide evidence that they have done so if requested by an immigration officer.

(8) If passenger information changes or becomes available to a person required to self-isolate during that person's period of self-isolation that person must, as soon as reasonably possible take all reasonable steps to complete a Passenger Locator Form, or a new Passenger Locator Form, as the case may be.

(9) Nothing in this regulation requires a person to provide any information if that information is not within their possession or control.

(10) Subject to paragraph (11) [<sup>F3</sup>the] following are not required to comply with this regulation—

- (a) a person described in regulation 9(14);
- (b) a person described in any of paragraphs 1 to 4 of Schedule 4;

[<sup>F4</sup>(ba) a member of the family forming part of the household of a person falling within paragraph 1(2A) of Schedule 4;]

- (c) a person described in any of paragraphs 5 to 10 of Schedule 4 who meets the condition in paragraph 11 of that Schedule;
- (d) a person described in paragraph 15 of Schedule 4.

[<sup>F5</sup>(e) a person described in paragraph 46 of Schedule 4.]

(11) Notwithstanding paragraph (10), a person is required to comply with this regulation if they—

- (a) are a person described in paragraph (10), other than a person described in paragraph [<sup>F6</sup>1(1), 1(2), 1(2A) or 46 of Schedule 4 or sub-paragraph (ba) of paragraph (10)]; and
- (b) have, at any time in the period beginning with the 10th day before the date of their arrival in England, departed from or transited through a category 3 country or territory.

#### Textual Amendments

- F3** Word in reg. 3(10) inserted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), **2(2)(a)(i)**
- F4** Reg. 3(10)(ba) inserted (8.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(4), **3(a)** (with reg. 16(1))
- F5** Reg. 3(10)(e) inserted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), **2(2)(a)(ii)**
- F6** Words in reg. 3(11)(a) substituted (8.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(4), **3(b)** (with reg. 16(1))

#### Commencement Information

- I3** Reg. 3 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Marginal Citations**

**M13** Article 4(1) of the [Channel Tunnel \(International Arrangements\) Order 1993 \(S.I. 1993/1813\)](#) has the effect of extending all frontier control enactments to the control zone in France. A “frontier control enactment” is an enactment which contains provision relating to frontier controls and the definition of “frontier controls” in Schedule 1 to that Order includes controls in relation to health. The Public Health (Control of Disease) Act 1984 and these Regulations made under it therefore apply in the control zone.

**Requirement to possess notification of negative test result E+W**

4.—(1) A person who arrives in England having begun their journey outside the common travel area must possess on arrival valid notification of a negative result from a qualifying test taken by that person.

(2) A person who presents at immigration control at the Channel Tunnel shuttle terminal area in France, with the intention of boarding a shuttle service destined for the United Kingdom, must, on so presenting, possess valid notification of a negative result from a qualifying test taken by that person.

(3) A person who is travelling with a child aged 11 or over and for whom they have responsibility must—

- (a) on their arrival in England, in the case of a person described in paragraph (1); or
- (b) when they present at immigration control, in the case of a person described in paragraph (2),

possess valid notification of a negative result from a qualifying test taken by that child.

(4) A person who possesses valid notification of a negative result from a qualifying test must produce that notification, physically or digitally, if requested to do so by an immigration officer.

(5) A person must as soon as reasonably practicable undertake a test that complies with paragraph 1(a) of Schedule 7 if—

- (a) the person requires leave to enter or remain in the United Kingdom;
- (b) an immigration officer suspects the person has—
  - (i) evaded, or attempted to evade, immigration control, or
  - (ii) been arrested, detained or granted immigration bail by an immigration officer in accordance with the Immigration Acts;
- (c) the person fails to produce valid notification of a negative result from a qualifying test when requested to do so by an immigration officer; and
- (d) the immigration office requires the person to undertake such a test.

(6) The following persons are not required to comply with this regulation—

- (a) a child who is under the age of 11;
- (b) a person described in paragraph 2, 3, 4, 6, [F76A,] 7, 8, 9, 10, 13, 14, 15 or 34 of Schedule 4 (exemptions);
- (c) a person described in any sub-paragraph of paragraph 3(1) of Schedule 7 (testing before arrival in England).

(7) For the purposes of this regulation—

- (a) a test is a qualifying test if it complies with paragraph 1 of Schedule 7;
- (b) a notification of a negative result is valid if it includes the information specified in paragraph 2 of Schedule 7;

- (c) a child is to be treated as possessing valid notification of a negative result from a qualifying test taken by that child even if that notification is possessed by a person who is travelling with, and has responsibility for, that child.

#### Textual Amendments

- F7** Word in reg. 4(6)(b) inserted (8.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(4), 4 (with reg. 16(1))

#### Commencement Information

- I4** Reg. 4 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

### Requirements relating to tests **E+W**

5.—(1) Except as provided in paragraph (6) <sup>F8</sup>..., regulation 6 applies to a person who arrives in England who—

- (a) is a category 1 arrival, other than a person of the description in paragraph (4) [<sup>F9</sup>or a person of the description in paragraph 12 of Schedule 4 (transit passengers)];
- (b) is required to self-isolate under—
- (i) regulation 9 (requirement to self-isolate), or
  - (ii) Schedule 11 (additional measures applicable to arrivals from category 3 countries and territories);
- (c) is not required to self-isolate under regulation 9 only by virtue of one or more of the following paragraphs of Schedule 4 (exemptions)—
- (i) paragraph 1(1)(i) (representatives of foreign countries or territories on official business),
  - (ii) paragraph 1(1)(j) (representatives of government of British overseas territory),
  - [<sup>F10</sup>(ia) paragraph 1(2A) (specified persons on official business),]
  - (iii) paragraph 4 (foreign officials or contractors with border security duties), [<sup>F11</sup>except where the foreign official is engaged pursuant to a binding bilateral or multilateral agreement concerning controls at St Pancras, Ebbsfleet, Cheriton, Ashford or Dover,]
  - (iv) paragraph 5 (road passenger transport workers),
  - (v) paragraph 14 (civil aviation inspectors),
  - (vi) paragraph 16 (certain Crown Servants, persons certified as returning from essential state business etc.),
  - (vii) paragraph 17 (essential or emergency work outside the United Kingdom), or
  - (viii) paragraph 30 (postal operators);
- (d) falls within the description in paragraph 44 (elite sportspersons and ancillary sportspersons) [<sup>F12</sup>or in paragraph 44A (Euro 2020 invitees)] of Schedule 4; or
- (e) may temporarily cease to self-isolate by virtue of paragraph (15)(f)(ii) [<sup>F13</sup>, (15)(i), (15)(ia) or (15)(ib)] of regulation 9 and the following paragraphs of Schedule 4—

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- (i) paragraph 4 (foreign officials with border security duties), [<sup>F14</sup>except where the foreign official is engaged pursuant to a binding bilateral or multilateral agreement concerning controls at St Pancras, Ebbsfleet, Cheriton, Ashford or Dover,]
- (ii) paragraph 5 (road passenger transport workers),
- (iii) paragraph 14 (civil aviation inspectors),
- (iv) paragraph 21 (water and sewerage workers),
- (v) paragraph 22 (flood and coastal defence workers),
- (vi) paragraph 23 (electricity workers),
- (vii) paragraph 24 (nuclear power workers),
- (viii) paragraph 25 (chemical weapons inspectors),
- (ix) paragraph 26 (space workers),
- (x) paragraph 28 (oil workers),
- (xi) paragraph 29 (offshore oil and gas workers) unless paragraph (4) applies to the person,
- (xii) paragraph 31 (specialist technical workers),
- (xiii) paragraph 32 (specialist waste management workers),
- (xiv) paragraph 35 (medicines inspectors),
- (xv) paragraph 36 (clinical trial conductors),
- (xvi) paragraph 37 (clinical investigators),
- (xvii) paragraph 38 (medical and veterinary specialists),
- (xviii) paragraph 39 (infrastructure workers), <sup>F15</sup> ...
- (xix) paragraph 40 (communications operation workers).
- [<sup>F16</sup>(xx) paragraph 42 (regular work abroad), or
- (xxi) paragraph 48 (senior executives).]

(2) In paragraph (1)(b), the reference to persons required to self-isolate under regulation 9 does not include anyone who may temporarily cease to self-isolate by virtue of regulation 9(15)(f)(ii), (15)(g)(ii), or (15)(i) (and accordingly regulation 6 does not apply to such persons).

(3) Regulation 7 (requirement to undertake workforce tests) applies to a person who is not required to self-isolate under regulation 9 by virtue of any sub-paragraph of regulation 9(15) and the following paragraphs of Schedule 4, or who may temporarily cease to self-isolate or whose obligation to self-isolate under that regulation is otherwise modified by virtue of those provisions—

- (a) paragraph 2 (UK officials with border security duties);
- (b) paragraph 3 (officials involved in essential defence activities);
- (c) paragraph 6 (seamen and masters) other than seamen and masters of fishing vessels within the meaning of the Merchant Shipping Act 1995 <sup>M14</sup>;
- [<sup>F17</sup>(ca) paragraph 6A (ferry service workers);]
- (d) paragraph 7 (pilots);
- (e) paragraph 8 (inspectors and surveyors of ships);
- (f) paragraph 9 (aircraft crew and pilots);
- (g) paragraph 10 (international rail crew, passenger and freight operators);
- (h) paragraph 13 (road haulage workers);



- (i) paragraph 15 (Channel Tunnel system workers);
- (j) paragraph 18 (repatriated prisoners);
- (k) paragraph 19 (international prison escorts);
- (l) paragraph 27 (aerospace engineers and aerospace workers);
- (m) paragraph 34 (persons transporting human blood etc.); or
- (n) paragraph 43 (seasonal agricultural workers).

(4) Regulation 7 also applies to a category 1 arrival who would have been a person to whom paragraph (3) applied if that person had arrived from a category 2 country or territory.

(5) Regulation 8 (test requirements: offshore installation workers) applies to a worker who falls within the description in paragraph 29(1)(a) of Schedule 4 who arrives in England and is required to undertake or commence activities on an offshore installation, including critical safety work on an offshore installation.

(6) Regulation 6 does not apply to a person (“P”) where P is—

- (a) a person described in paragraph 1(1)(a) to (h) or (k) of Schedule 4 or a member of the family forming part of the household of such a person;
- (b) a person described in paragraph 1(1)(i) or (j) (representatives of foreign countries or territories or British Overseas Territories) of Schedule 4 where the conditions in paragraph (7) of this regulation are met;
- (c) a member of the family forming part of the household of a person to whom paragraph (b) applies, where—

- (i) the conditions in paragraph (7) are met in relation to the person to whom paragraph (b) applies,
- (ii) the Foreign, Commonwealth and Development Office has been notified of P’s arrival, and
- (iii) the Foreign, Commonwealth and Development Office has confirmed that P is not required to comply with regulation 6;

(d) a person described in paragraph 1(2) ([<sup>F18</sup>relevant international event] attendees etc) of Schedule 4;

[<sup>F19</sup>(da) a specified person travelling to the United Kingdom to conduct official business with the United Kingdom where—

- (i) P has been invited to the United Kingdom by the Secretary of State for Foreign, Commonwealth and Development Affairs, and
- (ii) prior to P’s departure to the United Kingdom the Foreign, Commonwealth and Development Office has confirmed in writing to P that they are travelling to the United Kingdom to conduct official business with the United Kingdom and are not required to comply with regulation 6;

(db) a member of the family forming part of the household of a person to whom paragraph (da) applies where—

- (i) the Foreign, Commonwealth and Development Office has been notified of P’s arrival, and
- (ii) the Foreign, Commonwealth and Development Office has confirmed that P is not required to comply with regulation 6;

(e) a person described in paragraph 16(1)(a) or (b) (persons certified as returning from essential state business etc.) of Schedule 4 where the relevant Department has certified that P meets this description and is not required to comply with regulation 6;

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- (f) a person described in paragraph 17 (essential or emergency work outside the United Kingdom) of Schedule 4 where the relevant Department has certified that P is not required to comply with regulation 6.
- [<sup>F20</sup>(g) a person described in paragraph 44B (Euro 2020 Final attendees) of Schedule 4;
- (h) a person, other than a Schedule 11 passenger, who on arrival in the United Kingdom—
- (i) passes through to Guernsey, Jersey or the Isle of Man without entering the United Kingdom; or
  - (ii) enters the United Kingdom for the sole purpose of continuing a journey to Guernsey, Jersey or the Isle of Man and—
    - (aa) remains within their port of entry until their departure from England, or
    - (bb) travels directly from their port of entry to another port of departure in England.]
- (7) The conditions specified in this paragraph are that, prior to P's departure to the United Kingdom—
- (a) the relevant head of the mission, consular post, or office representing a foreign territory in the United Kingdom, or a Governor of a British overseas territory (as the case may be), or a person acting on their authority, confirms in writing to the Foreign, Commonwealth and Development Office that P is required to undertake work in the United Kingdom which is essential to the foreign country represented by the mission or consular post, the foreign territory represented by the office or the British overseas territory; and
  - (b) the Foreign, Commonwealth and Development Office has then confirmed in writing to the person giving the confirmation referred to in paragraph (a) that—
    - (i) it has received that confirmation, and
    - (ii) P is travelling to the United Kingdom to conduct official business with the United Kingdom and is not required to comply with regulation 6.
- (8) Where a word or expression is defined for the purposes of Schedule 4 and is used in paragraphs (6) or (7) of this regulation, the same definition applies for the purposes of those paragraphs.

#### Textual Amendments

- F8** Words in reg. 5(1) omitted (8.6.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/670\)](#), regs. 1(2), **3(a)** (with reg. 10)
- F9** Words in reg. 5(1)(a) inserted (8.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/670\)](#), regs. 1(2), **3(b)** (with reg. 10)
- F10** Reg. 5(1)(c)(ia) inserted (8.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(4), **5(2)(a)(i)** (with reg. 16(1))
- F11** Words in reg. 5(1)(c)(iii) inserted (29.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), **5(2)(a)(ii)** (with reg. 16(1))
- F12** Words in reg. 5(1)(d) inserted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), **2(3)(a)**
- F13** Words in reg. 5(1)(e) substituted (29.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), **5(2)(b)(i)** (with reg. 16(1))

- F14** Words in reg. 5(1)(e)(i) inserted (29.6.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/766), regs. 1(2), **5(2)(b)(ii)** (with reg. 16(1))
- F15** Word in reg. 5(1)(e)(xviii) omitted (29.6.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/766), regs. 1(2), **5(2)(b)(iii)** (with reg. 16(1))
- F16** Reg. 5(1)(e)(xx)(xxi) inserted (29.6.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/766), regs. 1(2), **5(2)(b)(iv)** (with reg. 16(1))
- F17** Reg. 5(3)(ca) inserted (8.7.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/766), regs. 1(4), **5(3)** (with reg. 16(1))
- F18** Words in reg. 5(6)(d) substituted (22.6.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/731), regs. 1(2), **2(3)(b)**
- F19** Reg. 5(6)(da)(db) inserted (8.7.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/766), regs. 1(4), **5(4)(a)** (with reg. 16(1))
- F20** Reg. 5(6)(g)(h) inserted (29.6.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/766), regs. 1(2), **5(4)(b)** (with reg. 16(1))

**Commencement Information**

- I5** Reg. 5 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Marginal Citations**

- M14** 1995 c. 21.

**Requirement to book and undertake tests** **E+W**

6.—(1) This regulation applies to a person (“P”) specified in paragraph (1) of regulation 5 (requirements relating to tests) [<sup>F21</sup>(other than a person specified in paragraph (6) of that regulation)].

<sup>F22</sup>(2) . . . . .

- (3) Where P is an adult, P must on their arrival in England possess a testing package—
  - (a) for themselves; and
  - (b) for any child aged 5 or older with whom they are travelling and for whom they have responsibility.
- (4) Where P is an adult who arrives in England without possessing a testing package required under paragraph (3), P must as soon as practicable obtain such a testing package.
- (5) Where P is a child aged 5 or older, who is unaccompanied by an adult who has responsibility for P, and who arrives in England without possessing a testing package, an adult with responsibility for P must obtain a testing package as soon as practicable after P arrives in England.
- (6) Subject to paragraph (7), where P [<sup>F23</sup>is in England and]—
  - (a) is an adult, they must undertake the tests in accordance with their testing package;
  - (b) is a child, an adult with responsibility for P must, so far as reasonably practicable, ensure that P undertakes the tests in accordance with the testing package.
- (7) Where P's day 2 test generates a positive result, P is not required to undertake a day 8 test.

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)

(8) Where P does not undertake a test as required by this regulation by reason of a reasonable excuse (see regulation 19(1)(c) and (4)), P must, as soon as practicable after the matters giving rise to the reasonable excuse no longer pertain, undertake a test (“a replacement test”) complying with the requirements that apply to the test that was missed.

(9) Where a replacement test is undertaken instead of—

- (a) a day 2 test, P is to be treated as if they had undertaken a day 2 test in accordance with this regulation;
- (b) a day 8 test, P is to be treated as if they had undertaken a day 8 test in accordance with this regulation.

(10) Schedule 8 (mandatory testing after arrival in England) makes further provision about day 2 and day 8 tests (including the consequences of testing).

(11) A person who possesses a testing package must provide evidence of it if requested by an immigration officer or a constable.

(12) In this regulation—

- (a) “day 2 test” means a test for coronavirus which complies with paragraph 6 of Schedule 8 and is undertaken in the circumstances described in paragraph 10 of that Schedule;
- (b) “day 8 test” means a test for coronavirus which complies with paragraph 8 of Schedule 8 and is undertaken in the circumstances described in paragraph 10 of that Schedule;
- (c) “testing package” means—
  - (i) where P is a person falling within regulation 5(1)(a) (arrivals from category 1 countries or territories), a booking for a day 2 test,
  - [<sup>F24</sup>(ii) where P is a person falling within regulation 5(1)(b) to (e) (arrivals from category 2 and 3 countries or territories), a booking for a day 2 test and a day 8 test.]

#### Textual Amendments

- F21** Words in reg. 6(1) substituted (8.6.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/670), regs. 1(2), 4(a) (with reg. 10)
- F22** Reg. 6(2) omitted (8.6.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/670), regs. 1(2), 4(b) (with reg. 10)
- F23** Words in reg. 6(6) inserted (8.6.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/670), regs. 1(2), 4(c) (with reg. 10)
- F24** Reg. 6(12)(c)(ii) substituted (8.6.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/670), regs. 1(2), 4(d) (with reg. 10)

#### Commencement Information

- I6** Reg. 6 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Requirement to undertake workforce tests **E+W**

7.—(1) This regulation applies to a person (“P”), to whom regulation 5(3) or (4) applies.

(2) Subject to paragraph (7)—

- (a) where P is a person to whom regulation 5(3) applies, P must undertake a workforce test for day 2, day 5 and day 8 in accordance with paragraph (6) in relation to each category of test;

- (b) where P is a person to whom regulation 5(4) applies, P must undertake a workforce test for day 2 in accordance with paragraph (6)(c).
- (3) Where P does not undertake a workforce test as required by this regulation by reason of a reasonable excuse (see regulation 19(1)(d) and (5)), P must, as soon as practicable after the matters giving rise to the reasonable excuse no longer pertain, undertake a replacement workforce test.
- (4) Where a replacement workforce test is undertaken instead of—
  - (a) a workforce test to be undertaken for day 2, P is to be treated as if they had undertaken a workforce test on day 2 in accordance with this regulation;
  - (b) a workforce test to be undertaken for day 5, P is to be treated as if they had undertaken a workforce test on day 5 in accordance with this regulation;
  - (c) a workforce test to be undertaken for day 8, P is to be treated as if they had undertaken a workforce test on day 8 in accordance with this regulation.
- (5) Schedule 9 (workforce tests) makes further provision about workforce tests (including the consequences of testing).
- (6) In these Regulations—
  - (a) “a replacement workforce test” means a workforce test complying with the requirements that apply to the workforce test that was missed;
  - (b) “a workforce test” means a test for the detection of coronavirus which is provided or administered under the National Health Service Act 2006<sup>M15</sup>;
  - (c) “a workforce test undertaken for day 2” means a test which is undertaken no later than the end of the second day after the day on which P arrived in England;
  - (d) “a workforce test undertaken for day 5” means a workforce test which—
    - (i) is undertaken after a workforce test for day 2,
    - (ii) is undertaken no earlier than the end of the second day after the day on which P arrived in England, and
    - (iii) is undertaken before the end of the fifth day after the day on which P arrived in England;
  - (e) “a workforce test undertaken for day 8” means a workforce test which—
    - (i) is undertaken after a workforce test undertaken for day 5,
    - (ii) is undertaken no earlier than the end of the fourth day after the day on which P arrived in England, and
    - (iii) is undertaken before the end of the eighth day after the day on which P arrived in England.
- (7) For any period during which P is a recurring work traveller, paragraph (2) does not apply and paragraph (9) applies to P instead.
- (8) P is a “recurring work traveller” where—
  - (a) P is undertaking work that requires P to enter and leave England on a daily basis, or at intervals of no greater than two days, and is entering and leaving accordingly; and
  - (b) P does not fall within the description in paragraph 13 of Schedule 4 (road haulage workers).
- (9) Where this paragraph applies, P must undertake a workforce test—
  - (a) before the end of the second day after the day P first arrives in England during the period during which P is a recurring work traveller or as soon as reasonably practicable during the time P is next in England after the end of the second day; and

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)

- (b) subsequently, within each successive period of three days, beginning with the day after the day on which P took the previous workforce test.

#### Commencement Information

**I7** Reg. 7 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Marginal Citations

**M15** 2006 c. 41.

### Test requirements: offshore installation workers **E+W**

- 8.**—(1) This regulation applies to a person (“P”) to whom regulation 5(4) applies.
- (2) P must undertake a day 2 test after arriving in England but before P departs to the offshore installation.
- (3) If P intends to depart to the offshore installation before P has received the result of the day 2 test undertaken pursuant to paragraph (2), P must also take a workforce test before P departs to the offshore installation.
- (4) If a workforce test undertaken pursuant to paragraph (3) generates a positive result P must self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until P has received the result of the day 2 test undertaken pursuant to paragraph (2).
- (5) If the day 2 test undertaken pursuant to paragraph (2) generates a positive result P must self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until the end of the 10th day after P undertook that test.
- (6) If the day 2 test undertaken pursuant to paragraph (2) generates a negative result, from the time that P is notified of that result, P is no longer subject to any requirement to self-isolate by virtue of paragraph (4).
- (7) Subject to paragraph (8), while P is on an offshore installation, P must undertake a workforce test before the end of the third day following the day P arrives on the installation and then within each successive 3 day period within 3 days of the test most recently taken.
- (8) P is not required to undertake any workforce test after the 10th day after the day P arrived in England.
- (9) If a workforce test undertaken pursuant to paragraph (7) generates a positive result, P must—
- (a) undertake a day 2 test as soon as reasonably practicable; and
  - (b) self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until the earlier of—
    - (i) the time P is notified of the result of the day 2 test undertaken pursuant to sub-paragraph (a), or
    - (ii) the end of the 10th day after the day P arrived in England.
- (10) If a day 2 test undertaken pursuant to paragraph (9)(a) generates a positive result, P must self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until the 10th day after the day P undertook that test.
- (11) If a day 2 test undertaken pursuant to paragraph (9)(a) generates a negative result, from the time that P is notified of that result P is no longer subject to any requirement to self-isolate by virtue of paragraph (9)(b).

(12) If P returns to England from the offshore installation on or before the 8th day after the day P arrived in England, P must undertake a day 8 test on, or as soon as reasonably practicable after, the 8th day after P the day arrived in England.

(13) If the day 8 test undertaken pursuant to paragraph (12) generates a positive result, P must self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until the end of the 10th day after P undertook that test.

(14) In this regulation—

“day 2 test” has the same meaning as in regulation 6(12)(a);

“day 8 test” has the same meaning as in regulation 6(12)(b);

“offshore installation” has the same meaning as in paragraph 29 of Schedule 4;

“workforce test” has the same meaning as in regulation 7(6)(b).

#### Commencement Information

**I8** Reg. 8 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

### Further requirements on arrivals from category 2 countries and territories **E+W**

9.—(1) This regulation applies where a person (“P”)—

(a) arrives in England from—

(i) a category 2 country or territory,

(ii) within the common travel area or from a category 1 country or territory, and has at any time in the period beginning with the 10th day before the date of their arrival in England, departed from or transited through a category 2 country or territory, or

(iii) a category 3 country or territory or has at any time in the period beginning with the 10th day before the date of their arrival in England departed from or transited through a category 3 country or territory; and

(b) is not a Schedule 11 passenger.

(2) P must remain in isolation from others (“self-isolate”) in accordance with this regulation.

(3) P must self-isolate—

(a) unless sub-paragraph (b), (c), or (d) applies—

(i) where P has arrived from outside the common travel area, at an address specified in P's Passenger Locator Form, as required by regulation 3 and paragraph 2(a) of Schedule 6,

(ii) where P has arrived from within the common travel area, or is a person described in paragraph 1 of Schedule 4 (other than one described in paragraph (15)(a)(i) or (b)), at a place at which they intend to self-isolate while in England,

(iii) where it is not possible for P to self-isolate in accordance with paragraph (i) or (ii), in accommodation facilitated by the Secretary of State for the purposes of P's self-isolation;

(b) where P is an asylum seeker, in accommodation provided or arranged under section 4, 95 or 98 of the Immigration and Asylum Act 1999<sup>M16</sup>;

(c) where P is a person described in paragraph 9(1) of Schedule 10 to the Immigration Act 2016 (powers of Secretary of State to enable person to meet bail conditions)<sup>M17</sup>, in accommodation provided or arranged under that paragraph; or

- (d) where P is a person described in paragraph 13(2)(c)(i) of Schedule 4 (driver of a goods vehicle)—
- (i) in the goods vehicle while undertaking the work described in that paragraph,
  - (ii) in the goods vehicle while not undertaking the work described in that paragraph if P is travelling alone in a goods vehicle with a compartment behind the driver's seat intended to be used for sleeping (“a sleeper cab”), unless paragraph (iii)(bb) applies to P,
  - (iii) in a hotel, hostel or bed and breakfast accommodation while not undertaking the work described in that paragraph—
    - (aa) if P is travelling in a goods vehicle without a sleeper cab, or
    - (bb) if self-isolating in a goods vehicle would contravene Article 8 of Regulation (EC) No. 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport,
  - (iv) in the goods vehicle or a hotel, hostel or bed and breakfast accommodation while not undertaking the work described in that paragraph if P is travelling with another person in a goods vehicle with a sleeper cab.
- (4) The address specified by P in the Passenger Locator Form pursuant to paragraph 2(a) of Schedule 6 must be—
- (a) their home;
  - (b) the home of a friend or family member;
  - (c) a hotel, hostel, bed and breakfast accommodation, holiday apartment or home, campsite, caravan park or boarding house, canal boat or any other vessel;
  - (d) a military site or establishment;
  - (e) accommodation facilitated by the Secretary of State for the purposes of P's self-isolation;
  - (f) where P is an asylum seeker, accommodation provided or arranged under section 4, 95 or 98 of the Immigration and Asylum Act 1999; or
  - (g) where P is a person described in paragraph 9(1) of Schedule 10 to the Immigration Act 2016 (powers of Secretary of State to enable person to meet bail conditions), accommodation provided or arranged under that paragraph.
- (5) More than one address may be specified as the place at which P intends to self-isolate in the Passenger Locator Form where—
- (a) a legal obligation requires P to change addresses; or
  - (b) it is necessary for P to stay overnight at an address on their arrival in England before travelling directly to another address at which they will be self-isolating.
- (6) In paragraph (3)(a)(ii) “a place at which they intend to self-isolate while in England” means—
- (a) where the person has completed a Passenger Locator Form, at an intended place of self-isolation specified in that form;
  - (b) where the person has completed a form equivalent to a Passenger Locator Form pursuant to an enactment in Scotland, Wales or Northern Ireland, at an intended place of self-isolation specified in that form;
  - (c) in any other case at a place described in paragraph (4)(a) to (c).
- (7) P must, on their arrival in England, travel directly to the place at which they are to self-isolate, and must then self-isolate until whichever is the earlier of—
- (a) the end of the 10th day after the day on which they arrived in England or, if later, the end of any period that applies by virtue of paragraph 2 or 3 of Schedule 8;



- (b) their departure from England; or
  - (c) the beginning of P's period of self-isolation, where P or R, where P is a child, is notified under regulation 2A or 2B of the Self-Isolation Regulations <sup>M18</sup>.
- (8) In paragraph (7)(c), “period of self-isolation” and “R” have the meanings given for the purposes of Part 1 of the Self-Isolation Regulations (see regulations 3 and 5 of those Regulations).
- (9) Paragraph (2) does not require P to remain in isolation—
- (a) from any person with whom they were travelling when they arrived in England and who is also self-isolating in the place where P is self-isolating;
  - (b) where P is self-isolating in their home, from any member of their household;
  - (c) where P is self-isolating in the home of a friend or family member, from any member of the household of that friend or family member;
  - (d) where P leaves, or is outside of, the place where they are self-isolating in accordance with paragraph (11)(j), from any person (other than a person who is required by paragraph (2) to self-isolate) whose assistance P reasonably requires in order to undertake the test, by reason of —
    - (i) P being a child, or
    - (ii) any disability of P's.
- (10) Paragraph (2) does not require P to remain in isolation from a person (“V”) when V is at the place where P is self-isolating—
- (a) to provide emergency assistance;
  - (b) to provide care or assistance, including relevant personal care within the meaning of paragraph 1(1B) or 7(3B) of Schedule 4 to the Safeguarding Vulnerable Groups Act 2006 <sup>M19</sup>, to P or to any other person who is living in the place where P is self-isolating;
  - (c) to provide medical assistance, including to provide any of the services mentioned in paragraph (11)(b), to P or to any other person who is living in the place where P is self-isolating, where this is required urgently or on the advice of a registered medical practitioner;
  - (d) to provide veterinary services, where this is required urgently or on the advice of a veterinary surgeon;
  - (e) to provide critical public services, including those mentioned in paragraph (11)(i)(ii);
  - (f) to administer a test to P in accordance with Schedule 9.
- (11) During the period of their self-isolation, P may not leave, or be outside of, the place where P is self-isolating except—
- (a) to travel in order to leave England, provided that they do so directly (subject to paragraph 3(1) of Schedule 8);
  - (b) to seek medical assistance, where this is required urgently or on the advice of a registered medical practitioner, including to access services from dentists, opticians, audiologists, chiropodists, chiropractors, osteopaths and other medical or health practitioners, including services relating to mental health;
  - (c) to undertake a workforce test required by regulation 7;
  - (d) to access veterinary services where this is required urgently or on the advice of a veterinary surgeon;
  - (e) to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
  - (f) to avoid injury or illness or to escape a risk of harm;

*Status: Point in time view as at 08/07/2021.*

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- (g) on compassionate grounds, including to attend a funeral of—
  - (i) a member of P's household,
  - (ii) a close family member, or
  - (iii) if no-one within paragraph (i) or (ii) are attending, a friend;
- (h) to move to a different place for self-isolation specified in the Passenger Locator Form or a form equivalent to a Passenger Locator Form pursuant to an enactment in Scotland, Wales or Northern Ireland;
- (i) in exceptional circumstances such as—
  - (i) to obtain basic necessities such as food and medical supplies for those in the same household (including any pets or animals in the household) where it is not possible to obtain these provisions in any other manner,
  - (ii) to access critical public services, including—
    - (aa) social services,
    - (bb) services provided to victims (such as victims of crime),
  - (iii) to move to a different place for self-isolation where it becomes impracticable to remain at the address at which they are self-isolating;
- (j) for the purposes of, or connected with, undertaking a test in accordance with Schedule 8 or Schedule 10;
- (k) if self-isolating in a goods vehicle by virtue of paragraph (3)(d)—
  - (i) for sanitary reasons,
  - (ii) to take exercise outside,
  - (iii) where required or permitted by that paragraph, to move to a different place for self-isolation,
  - (iv) to inspect the vehicle or its load or to carry out any other task required for the safe and continued operation of the vehicle, including refuelling, and
  - (v) for any other reason or purpose specified in this paragraph.

(12) For the purposes of this regulation, the place referred to in paragraph (3) includes the premises where P is self-isolating together with any garden, yard, passage, stair, garage, outhouse, or other appurtenance of such premises.

(13) If P is a child, any person who has custody or charge of P during P's period of self-isolation must ensure, so far as reasonably practicable, that P self-isolates in accordance with this regulation.

(14) If P has arrived from Wales or Scotland and is in England, temporarily, for a reason which would constitute an exception under paragraph (11), P is not required to comply with this regulation.

(15) If P is a person described—

- (a) in paragraph 1(1) of Schedule 4—
  - (i) where P is a person described in paragraph 1(1)(a) to (k) of, and meets the conditions set out in paragraph 1(3) of, that Schedule, P is not required to comply with this regulation,
  - (ii) in any other case, paragraph (3)(b) and (c) does not apply to P;
- (b) in paragraph 1(2) of Schedule 4 ([<sup>F25</sup>relevant international event attendees] etc), P is not required to comply with this regulation;
- [<sup>F26</sup>(ba) in paragraph 1(2A) of Schedule 4 (specified persons on official business), P is not required to comply with this regulation;]

- (c) in paragraph 33 of Schedule 4 (healthcare), paragraph (2) does not require P to remain in isolation in the circumstances set out in paragraph 33 of that Schedule;
- (d) in paragraph 43 of Schedule 4 (horticultural work)—
  - (i) paragraph (2) does not require P to remain in isolation from any other person who is living or working on the specified farm,
  - (ii) paragraph (3)(a)(i) applies with the modification that the address specified by P as the address at which they intend to self-isolate must be the specified farm, where “specified farm” has the meaning given in paragraph 43 of Schedule 4;
- (e) either—
  - (i) in paragraph 44 of Schedule 4 (elite sports),
  - (ii) in sub-paragraphs (1)(h) to (l) of paragraph 2 of Schedule 11 (exemptions from additional measures applicable to arrivals from category 3 countries and territories),P satisfies the requirements of paragraph (2) if P complies with the relevant conditions specified in paragraph 44(4) of Schedule 4;
- [<sup>F27</sup>(ea) in paragraph 44A of Schedule 4 (Euro 2020 invitees), P satisfies the requirements of paragraph (2) if P complies with the conditions specified in paragraph 44A(3) of Schedule 4;]
- [<sup>F28</sup>(eb) in paragraph 44B of Schedule 4 (Euro 2020 Final attendees), P satisfies the requirements of paragraph (2) if P complies with the conditions specified in paragraph 44B(3) of Schedule 4;]
- (f) in paragraph 4, 5, 6, [<sup>F29</sup>6A,] 7, 8, 9, 13(2)(c)(ii), 14, 18, [<sup>F30</sup>19 or 20] of Schedule 4 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;
- (g) in paragraph 10 of Schedule 4, is engaged in work relating to the carriage of passengers by way of the tunnel system 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 that work;
- (h) in paragraph 13(2)(c)(i) of Schedule 4 (driver of a goods vehicle) and is ordinarily resident in the United Kingdom, P is only required to comply with this regulation while undertaking the work described in that paragraph;
- (i) in paragraph 21, 22, 23, 24, 25, 26, [<sup>F31</sup>27,] 28, 29, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41 or 45 of Schedule 4, P is not required to comply with this regulation while undertaking the work or activity described in the relevant paragraph of that Schedule;
- [<sup>F32</sup>(ia) in paragraph 42 of Schedule 4, P is not required to comply with this regulation while undertaking, in England, the work-related activity for which they usually travel to another country at least once a week;
- (ib) in paragraph 48(1) of Schedule 4, paragraph (2) does not require P to remain in isolation in the circumstances set out in paragraph 48(2) of that Schedule;]
- (j) in any other paragraph of Schedule 4, including paragraph 10 in so far as it relates to work other than the carriage of passengers by way of the tunnel system, [<sup>F33</sup>but not including paragraph 46,][<sup>F34</sup>or 47] P is not required to comply with this regulation.

*Status: Point in time view as at 08/07/2021.*

*Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)*

(16) P ceases to be required to comply with this regulation, where P—

- (a) has undertaken a test in accordance with Schedule 10; and
- (b) is notified in accordance with paragraph 5(2) of that Schedule that the result of that test is negative,

from the time P is so notified.

(17) The full or partial disapplication of the requirement to self-isolate under this regulation that is provided for in paragraphs (15) and (16) does not apply to [<sup>F35</sup>a] person who is both—

- (a) described in paragraph (1)(a)(iii) of this regulation; and
- (b) described in paragraph 1(1)(a) to (h) or (k) of Schedule 4.

#### Textual Amendments

- F25** Words in reg. 9(15)(b) substituted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), **2(4)(a)**
- F26** Reg. 9(15)(ba) inserted (8.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(4), **6(a)** (with reg. 16(1))
- F27** Reg. 9(15)(ea) inserted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), **2(4)(b)**
- F28** Reg. 9(15)(eb) inserted (29.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), **6(b)** (with reg. 16(1))
- F29** Word in reg. 9(15)(f) inserted (8.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(4), **6(c)(i)** (with reg. 16(1))
- F30** Words in reg. 9(15)(f) substituted (29.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), **6(c)(ii)** (with reg. 16(1))
- F31** Word in reg. 9(15)(i) inserted (29.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), **6(d)** (with reg. 16(1))
- F32** Reg. 9(15)(ia)(ib) inserted (29.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), **6(e)** (with reg. 16(1))
- F33** Words in reg. 9(15)(j) inserted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), **2(4)(c)**
- F34** Words in reg. 9(15)(j) inserted (29.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), **6(f)** (with reg. 16(1))
- F35** Word in reg. 9(17) inserted (19.5.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/589\)](#), regs. 1(1), **2(3)**

#### Commencement Information

- I9** Reg. 9 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

### Marginal Citations

- M16** 1999 c. 33. Section 4 was amended by section 49 of the [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), by section 10(1) of the [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004 \(c. 19\)](#), by section 43(7) of the [Immigration, Asylum and Nationality Act 2006 \(c. 13\)](#), and by paragraph 1 of Schedule 11 to the [Immigration Act 2016 \(c. 19\)](#). Section 95 was amended by section 50(1) of the Nationality, Immigration and Asylum Act 2002 and by paragraph 29 of Schedule 10 to the Immigration Act 2016.
- M17** 2016 c. 19.
- M18** A person notified, or a child in respect of whom a notification is given, under regulation 2A or 2B will be required to self-isolate in accordance with those Regulations from the moment the notification is given. Regulations 2A and 2B were inserted by [S.I. 2021/364](#).
- M19** 2006 c. 47. Paragraph 1(1B) of Schedule 4 was inserted by section 64(3) of the [Protection of Freedoms Act 2012 \(c. 9\)](#) and paragraph 7(3B) was substituted by section 66(2) of that Act.

### Further requirements on arrivals from category 3 countries or territories **E+W**

- 10.**—(1) This regulation applies to a person (“P”) where P is a Schedule 11 passenger.
- (2) P must remain in isolation from others in accordance with, and otherwise comply with the requirements in, Schedule 11.
- (3) The address specified by P in the Passenger Locator Form pursuant to paragraph 2(a) of Schedule 6 must be the designated accommodation which is part of the managed self-isolation package booked by or on behalf of P.

### Commencement Information

- I10** Reg. 10 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

## PART 3 **E+W**

### Enforcement

#### Enforcement of requirement to self-isolate **E+W**

- 11.**—(1) Where an authorised person has reasonable grounds to believe that a person (“P”) has left, or is outside of, the place where P is self-isolating in contravention of regulation 9, Schedule 8 or Schedule 11, the authorised person may—
- (a) direct P to return to the place where P is self-isolating;
  - (b) where the authorised person is a constable, remove P to the place where P is self-isolating;
  - (c) where the authorised person is a constable and it is not practicable or appropriate in the circumstances to take the action in sub-paragraph (a) or (b), remove P to accommodation facilitated by the Secretary of State for the purposes of P's self-isolation.
- (2) Where an authorised person has reasonable grounds to believe that P is a Schedule 11 passenger, an authorised person may do any of the following for the purpose of ensuring that P complies with the requirements in Schedule 11—
- (a) give a direction to P, including a direction—
    - (i) that P remain in a particular area of a port to await transportation to accommodation designated for the purposes of Schedule 11,

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)

- (ii) that P move to a particular place to board transportation designated for the purposes of Schedule 11,
  - (iii) that P board transportation designated for the purposes of Schedule 11 to travel to accommodation designated for the purposes of Schedule 11,
  - (iv) that P remain in the place where P is self-isolating;
- (b) remove P to accommodation designated for the purposes of Schedule 11.
- (3) Where an authorised person has reasonable grounds to believe that P is a Schedule 11 passenger and that P has committed an offence under regulation 19(1)(a) or (6), the authorised person may—
- (a) require P to produce their passport or travel document for examination;
  - (b) detain P for up to three hours;
  - (c) search P and any baggage belonging to P or under P's control, or any vehicle in which P has travelled, for evidence, other than items subject to legal privilege, that relates to the possible commission of an offence under regulation 19(6); and
  - (d) seize and retain any document or article recovered by a search under sub-paragraph (c).
- (4) Paragraph (3) does not confer a power—
- (a) to detain or search an unaccompanied child; or
  - (b) to conduct an intimate search.
- (5) Any search under paragraph (3) must be conducted by an authorised person of the same gender as P.
- (6) Paragraphs (1)(b) and (c), (2) and (3) do not apply where P is a person described in paragraph 1 of Schedule 4 (diplomats, members of international organisations etc).
- (7) An authorised person exercising the power in paragraph (1)(b) or (c), (2)(b) or (3) may use reasonable force, if necessary, in the exercise of the power.
- (8) Where P is a child, and has left or is outside of, the place where they are self-isolating and is accompanied by an individual who has responsibility for them—
- (a) an authorised person may direct that individual to take P to the place where P is self-isolating; and
  - (b) that individual must, so far as reasonably practicable, ensure that P complies with any direction given by an authorised person to P.
- (9) Where P is a child, and an authorised person has reasonable grounds to believe that P is repeatedly failing to comply with regulation 9 or Schedule 11, the authorised person may direct any individual who has responsibility for P to ensure, so far as reasonably practicable, that P so complies.
- (10) An authorised person may only exercise a power in paragraph (1), (2), (8) or (9) if the authorised person considers that it is a necessary and proportionate means of ensuring compliance with regulation 9 or Schedule 11.
- (11) For the purposes of this regulation, “authorised person” means—
- (a) a constable;
  - (b) for the purposes of paragraphs (2) and (3) only, an immigration officer; or
  - (c) a person designated by the Secretary of State for the purposes of this regulation.

#### Commencement Information

**111** Reg. 11 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

## Power of entry **E+W**

- 12.—(1) A constable may enter premises in order—
- (a) to search for a person who is suspected of committing an offence of contravening the requirement in paragraph 10 (duty to self-isolate) of Schedule 11;
  - (b) to remove a person of the description in sub-paragraph (a) to accommodation designated by the Secretary of State for the purposes of Schedule 11.
- (2) The power in paragraph (1) is exercisable if the constable—
- (a) has reasonable grounds to believe that a person of the description in paragraph (1)(a) is in or on the premises; and
  - (b) has a reasonable belief that it is necessary and proportionate to enter the premises for the purposes specified in paragraph (1)(b).
- (3) A constable exercising the power in paragraph (1)—
- (a) may use reasonable force if necessary; and
  - (b) may be accompanied by a police community support officer.
- (4) A constable exercising the power in paragraph (1)—
- (a) if asked by a person on the premises, must show evidence of the constable's identity and outline the purpose for which the power is being exercised; and
  - (b) if the premises are unoccupied or the occupier is temporarily absent, must leave the premises as effectively secured against unauthorised entry as when the constable found them.
- (5) In this regulation, “premises” includes any building or structure and any land.

### Commencement Information

**I12** Reg. 12 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

## PART 4 **E+W**

### Requirements on operators

#### Passenger information requirement **E+W**

13.—(1) Subject to the following provisions of this regulation, an operator must ensure that a passenger who arrives at a port in England on a relevant service is provided with the information required by regulation 14 (“the passenger information requirement”) and in the manner required by that regulation at each of the times specified in paragraph (2).

- (2) The times are—
- (a) where prior to departure a booking was made for the passenger to travel on the relevant service, before the booking was made (“the pre-booking information requirement”);
  - (b) where, at least 48 hours prior to the scheduled departure time of the relevant service, a booking was made for the passenger to travel on it, between 24 and 48 hours prior to the scheduled departure time of that service (“the pre-departure information requirement”);
  - (c) where prior to departure the passenger was checked in to travel on the relevant service, at the time of check-in (“the check-in information requirement”); and

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)

(d) while the passenger was on board the vessel, aircraft or train (“the on-board information requirement”).

(3) If another person (A) makes the booking on behalf of the passenger (whether or not A is also a passenger on the relevant service), the pre-booking information requirement is to be treated as complied with if the required information is provided to A in the required manner before the booking is made, along with a written request that A provide that information to the passenger unless A considers that, by virtue of age or mental capacity, the passenger is unlikely to be capable of understanding it.

(4) If another person (A) makes the booking on behalf of the passenger (whether or not A is also a passenger on the relevant service), the pre-departure information requirement is to be treated as complied with if the required information is provided to A in the required manner between 24 and 48 hours prior to the scheduled departure time of the relevant service, along with a written request that A provide that information to the passenger unless A considers that, by virtue of age or mental capacity, the passenger is unlikely to be capable of understanding it.

(5) If another person (A) checks in on behalf of the passenger (whether or not A is also a passenger on the relevant service), the check-in information requirement is to be treated as complied with if the required information was provided to A in the required manner at the time of check-in, along with a written request that A provide that information to the passenger unless A considers that, by virtue of age or mental capacity, the passenger is unlikely to be capable of understanding it.

#### Commencement Information

**I13** Reg. 13 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Required information and manner **E+W**

**14.—(1)** For the purposes of regulation 13(2)(a) (pre-booking information requirement), the required information—

- (a) in the case of online bookings—
  - (i) must be displayed prominently on an operator's website or mobile application,
  - (ii) is the information specified in Part 1 of Schedule 12 (information for passengers) and a hyperlink to each of the relevant websites;
- (b) in the case of telephone bookings—
  - (i) must be provided orally,
  - (ii) is the information specified in Part 1 of Schedule 12;
- (c) in the case of in-person bookings—
  - (i) must be provided orally or in writing,
  - (ii) where provided orally, is the information specified in Part 1 of Schedule 12,
  - (iii) where provided in writing, is a written notice which informs passengers of the requirements to provide information, to possess notification of a negative test result, to book and undertake tests and to self-isolate in regulations 3, 4, 6 and 9.

(2) For the purposes of regulation 13(2)(b) (pre-departure information requirement), the required information—

- (a) must be provided by text message, push notification, email or orally;
- (b) where provided by text message or push notification, is text which—



- (i) informs passengers of the requirements to provide information in regulation 3 and that penalties apply for failure to comply with those requirements,
    - (ii) includes a hyperlink to <https://www.gov.uk/provide-journey-contact-details-before-travel-uk>,
    - (iii) informs passengers of the requirement to possess notification of a negative test result in regulation 4, and
    - (iv) informs passengers of the requirement to book and undertake tests in regulation 6;
  - (c) where provided orally, is the information specified in Part 1 of Schedule 12;
  - (d) where provided by email, is the information specified in Part 1 of Schedule 12 and a hyperlink to each of the relevant websites.
- (3) For the purposes of regulation 13(2)(c) (check-in information requirement)—
- (a) in relation to digital check-in, the required information—
    - (i) must be displayed prominently on an operator's website or mobile application,
    - (ii) must be provided before a boarding card is issued,
    - (iii) is the information specified in Part 1 of Schedule 12 and a hyperlink to each of the relevant websites;
  - (b) in relation to in-person check-in, the required information—
    - (i) must be provided orally or in writing,
    - (ii) where provided orally, is the information specified in Part 1 of Schedule 12,
    - (iii) where provided in writing, is a written notice which informs passengers of the requirements to provide information, to possess notification of a negative test result, to book and undertake tests and to self-isolate in regulations 3, 4, 6 and 9.
- (4) For the purposes of regulation 13(2)(d) (on-board information requirement), the required information—
- (a) must be provided orally before passengers disembark in England;
  - (b) must be provided in English and an officially recognised language of the country of departure if English is not such a language;
  - (c) is the information specified in Part 2 of Schedule 12.
- (5) In this regulation, “the relevant websites” means the websites listed in Part 3 of Schedule 12.

#### Commencement Information

I14 Reg. 14 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Records and information **E+W**

**15.**—(1) An operator must keep records of the steps it has taken to comply with the requirements under regulation 13(1).

(2) An authorised person may request copies of the records and such other information from an operator as is necessary for the authorised person to determine whether the requirements under regulation 13(1) have been complied with.

(3) A request under paragraph (2) must specify the period within which the operator must provide the information to the authorised person.

(4) In this regulation “authorised person” means—

**Status:** Point in time view as at 08/07/2021.

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- (a) in relation to passengers arriving by sea, the Secretary of State for Transport;
- (b) in relation to passengers arriving by air, the Civil Aviation Authority;
- (c) in relation to passenger arriving by rail, the Office of Rail and Road.

#### Commencement Information

**I15** Reg. 15 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

### Requirement to ensure passengers have completed a Passenger Locator Form E+W

- 16.**—(1) An operator must ensure that a passenger—
- (a) who presents at immigration control at the Channel Tunnel shuttle terminal area in France, with the intention of boarding a shuttle service destined for the United Kingdom, has completed a Passenger Locator Form;
  - (b) who arrives at a port in England on a relevant service [<sup>F36</sup>other than a shuttle service] has completed a Passenger Locator Form.
- (2) Paragraph (1) does not apply in relation to a passenger—
- [<sup>F37</sup>(a) whom the operator, or a person acting on behalf of the operator, reasonably believes—
    - (i) is not required to comply with the requirement in regulation 3(1) or (2), or
    - (ii) has a reasonable excuse for failing to comply with that requirement;]
    - [<sup>F38</sup>(aa) who is being lawfully compelled to travel to the United Kingdom in the course of an extradition, prisoner repatriation or deportation;]
    - (b) who informs the operator, or a person acting on behalf of the operator, that they have a disability which prevents them from completing a Passenger Locator Form; or
    - (c) who is a child, travelling without an individual who has responsibility for them.

#### Textual Amendments

- F36** Words in reg. 16(1)(b) inserted (19.5.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/589\)](#), [regs. 1\(1\), 2\(4\)](#) (with [reg. 3\(2\)](#))
- F37** Reg. 16(2)(a) substituted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), [regs. 1\(2\), 2\(5\)](#)
- F38** Reg. 16(2)(aa) inserted (29.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), [regs. 1\(2\), 7](#)

#### Commencement Information

**I16** Reg. 16 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

### Requirement to ensure passengers possess notification of negative test result E+W

- 17.**—(1) An operator must ensure that a passenger—
- (a) who presents at immigration control at the Channel Tunnel shuttle terminal area in France, with the intention of boarding a shuttle service destined for the United Kingdom, is in possession of a required notification, on so presenting;

(b) who arrives at a port in England on a relevant service [<sup>F39</sup>other than a shuttle service] is in possession of a required notification.

(2) Paragraph (1) does not apply in relation to a passenger—

(a) whom the operator, or a person acting on behalf of the operator, reasonably believes is not required to comply with the requirement to possess notification of a negative test result under regulation 4(1) or has a reasonable excuse for failing to comply with that requirement;

[<sup>F40</sup>(aa) who is being lawfully compelled to travel to the United Kingdom in the course of an extradition, prisoner repatriation or deportation;]

(b) who is a child, travelling without an individual who has responsibility for them; or

(c) who is a transit passenger who does not have the right to enter the country or territory from which the relevant service departs.

(3) In this regulation—

“required notification” means notification of the result of a test for the detection of coronavirus which includes, in English, French or Spanish, the following information—

(a) the name of the person from whom the test sample was taken,

(b) that person's date of birth or age,

(c) the negative result of that test,

(d) the date the test sample was collected or received by the test provider,

(e) the name of the test provider and information sufficient to contact that provider,

(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;

“transit passenger” means a person who has arrived in the country or territory from which the relevant service departs with the intention of passing through to England without entering that country or territory.

#### Textual Amendments

**F39** Words in reg. 17(1)(b) inserted (19.5.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/589\)](#), regs. 1(1), **2(5)** (with reg. 3(2))

**F40** Reg. 17(2)(aa) inserted (29.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), 7

#### Commencement Information

**I17** Reg. 17 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

### Requirement to ensure that certain passengers arrive only at designated ports **E+W**

**18.**—(1) An operator must take all reasonable steps to ensure that no Schedule 11 passenger arrives on a relevant transport service at a port in England which is not a designated port.

(2) Paragraph (1) does not apply where, in the case of an aircraft—

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)

- (a) it is necessary for the pilot in command of the aircraft by means of which the transport service is provided to land the aircraft at a place in England other than a designated port to secure—
    - (i) the safety or security of the aircraft, or
    - (ii) the safety of any person aboard the aircraft;
  - (b) the aircraft is an air ambulance and it is landing otherwise than at a designated port for the purposes of transporting a person for medical treatment;
  - (c) the pilot in command of the aircraft is instructed by an authorised person to land the aircraft at a place in England which is not a designated port.
- (3) Schedule 13 makes further provision regarding the arrival of aircraft and vessels into England.
- (4) In this regulation—

“authorised person” means—

- (a) a constable,
- (b) the Civil Aviation Authority,
- (c) the Secretary of State, or
- (d) a person authorised by the Civil Aviation Authority or the Secretary of State under the Air Navigation Order 2016 <sup>M20</sup>;

[<sup>F41</sup>“operator” includes, in relation to a transport service provided by means of an aircraft, any person who is an operator within the meaning of article 4 of the Air Navigation Order 2016;] “pilot in command” and “private aircraft” have the meanings given in the Air Navigation Order 2016 (see Schedule 1 to that Order);

“relevant transport service”, in relation to an operator, means a transport service provided by or on behalf of that operator;

“transport service” means—

- (a) a relevant service,
- (b) <sup>F42</sup>...
- (c) a service (other than a relevant service) which—
  - (i) is carrying passengers travelling to England from outside the common travel area (whether for payment or valuable consideration or otherwise), and
  - (ii) is provided by means of an aircraft (other than a private aircraft), or
- (d) a flight which—
  - (i) is carrying passengers travelling to England from outside the common travel area (whether for payment or valuable consideration or otherwise), and
  - (ii) is provided by means of a private aircraft.

[<sup>F43</sup>(5) For the purposes of regulation 19(7)(d) and regulation 19(11) “operator” has the wider meaning given in paragraph (4).]

#### Textual Amendments

- F41** Words in [reg. 18\(4\)](#) substituted (19.5.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/589\)](#), [regs. 1\(1\), 2\(6\)\(a\)](#) (with [reg. 3\(2\)](#))

**F42** Words in reg. 18(4) omitted (19.5.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/589\)](#), regs. 1(1), **2(6)(b)** (with reg. 3(2))

**F43** Reg. 18(5) inserted (19.5.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/589\)](#), regs. 1(1), **2(7)** (with reg. 3(2))

#### Commencement Information

**I18** Reg. 18 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Marginal Citations

**M20** [S.I. 2016/765](#).

## PART 5 **E+W**

### Offences, proceedings and information

#### Offences and penalties **E+W**

19.—(1) A person (“P”) commits an offence where—

- (a) without reasonable excuse P contravenes a requirement in regulation 3 (requirement to provide information);
- (b) without reasonable excuse P contravenes a requirement in regulation 4 (requirement to possess notification of negative test result);
- (c) without reasonable excuse P contravenes a requirement in regulation 6 (requirement to book and undertake tests);
- (d) without reasonable excuse P contravenes a requirement in regulation 7 (requirement to undertake workforce tests);
- (e) without reasonable excuse P contravenes a requirement in regulation 8 (requirement for offshore installation workers to take tests);
- (f) P contravenes a requirement in regulation 9 (requirement to self-isolate);
- (g) without reasonable excuse P contravenes a requirement in or imposed under regulation 11 (enforcement of requirement to self-isolate) apart from paragraph (2) of that regulation;
- (h) without reasonable excuse P contravenes a requirement in or imposed under regulation 11(2);
- (i) without reasonable excuse P contravenes a requirement in paragraph 5 or 16(a), so far as it relates to paragraph 5, of Schedule 11 (requirement to possess managed self-isolation package);
- (j) P contravenes any other requirement in Schedule 11 (except paragraph 15); or
- (k) without reasonable excuse P contravenes a requirement in paragraph 4 of Schedule 9 (employers' obligations relating to workforce tests).

(2) But P does not commit an offence where P contravenes a requirement in—

- (a) paragraph (1), (2), (3) or (4) of regulation 4, if P reasonably believed at the time of the contravention that the notification of a negative result was valid and from a qualifying test;
- (b) regulation 9 in the circumstances described in paragraph (9)(d), (10)(f), (13)(j) or (16) of that regulation, if P reasonably believed at the time of the contravention that the test was an appropriate test (within the meaning given in paragraph 2 of Schedule 10); or

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- (c) Schedule 11 if accommodation or transport booked is no longer available for reasons beyond the P's control.
- (3) For the purposes of paragraph (1)(b), reasonable excuses include, in particular, where—
- (a) P was medically unfit to provide a sample for a qualifying test and possessed a document, in English or accompanied by a certified English translation, signed by a medical practitioner entitled to practise in the country or territory in which that practitioner was based, to that effect;
  - (b) it was not reasonably practicable for P to obtain a qualifying test due to a disability;
  - (c) P required medical treatment with such urgency that obtaining a qualifying test was not reasonably practicable;
  - (d) P contracted coronavirus and required emergency medical treatment;
  - (e) P was accompanying, in order to provide support, whether medical or otherwise, a person described in sub-paragraph (c) or (d) where it was not reasonably practicable for P to obtain a qualifying test;
  - (f) P began the journey to England in a country or territory in which a qualifying test was not available to the public, with or without payment, or in which it was not reasonably practicable for P to obtain a qualifying test due to a lack of reasonable access to a qualifying test or testing facility and it was not reasonably practicable for P to obtain a qualifying test in P's last point of departure if this was different to where P began the journey;
  - (g) the time it has taken P to travel from the country or territory where P began the journey to the country or territory of their last point of departure prior to arriving in England meant that it was not reasonably practicable for P to meet the requirement in paragraph 1(c) of Schedule 7, and it was not reasonably practicable for P to obtain a qualifying test in P's last point of departure.
- (4) For the purposes of paragraph (1)(c)—
- (a) reasonable excuses for contravening regulation 6(3), (4) or (5) include, in particular, where—
    - (i) it was not reasonably practicable for P to book a test due to a disability,
    - (ii) P reasonably considered before arriving in England that it would not be reasonably practicable for P (or, as the case may be, the child for whom P has responsibility) to provide a sample for a test in accordance with regulation 6 due to a disability,
    - (iii) P required medical treatment with such urgency that booking a test was not reasonably practicable,
    - (iv) P was accompanying, in order to provide support, whether medical or otherwise, a person described in paragraph (i) or (iii) where it was not reasonably practicable for P to book a test,
    - (v) P began the journey to England in a country or territory in which P did not have reasonable access to the facilities or services required to book a test, with or without payment, and such facilities or services were not reasonably accessible in P's last point of departure if this was different to where P began the journey;
  - (b) reasonable excuses for contravening regulation 6(6) include, in particular, where—
    - (i) it is not reasonably practicable for P to undertake a test due to a disability,
    - (ii) P requires medical treatment with such urgency that undertaking a test is not reasonably practicable,
    - (iii) a test is cancelled for reasons beyond P's control,

- (iv) P has left England in accordance with regulation 9(11)(b), or left the common travel area in accordance with paragraph 13(a) of Schedule 11.
- (5) For the purposes of paragraph (1)(d), reasonable excuses for contravening regulation 7 include, in particular, where—
- (a) it is not reasonably practicable for P to undertake a test due to a disability;
  - (b) P requires medical treatment with such urgency that undertaking a test is not reasonably practicable;
  - (c) a test is cancelled for reasons beyond P's control;
  - (d) P has left England;
  - (e) P is employed as air crew and is undertaking a rest period for a continuous, uninterrupted and defined period of time, following duty or prior to duty, during which P is free of all duties, standby or reserve (and for these purposes, “duties” “standby” and “reserve” have the meanings given in paragraph ORO.FTL.105 of Commission Regulation (EU) No. 965/2012).
- (6) A person who intentionally or recklessly provides false or misleading passenger information, except for reasons of national security, commits an offence.
- (7) An operator commits an offence where it fails to comply with the requirements in—
- (a) regulation 13(1);
  - (b) regulation 16(1);
  - (c) regulation 17(1); or
  - (d) regulation 18(1).
- (8) In relation to the offence in paragraph (7)(a) and the requirement to provide information at the times set out in regulation 13(2)(a), (b) or (c) it is a defence if the operator can demonstrate that—
- (a) the booking or check-in process was not managed directly by the operator; and
  - (b) the operator took reasonable steps to ensure that the person managing the process would provide the required information at that time and in the required manner.
- (9) In relation to the offence in paragraph (7)(b), it is a defence for an operator to show that they recorded a unique passenger reference number for the [<sup>F44</sup>relevant] passenger before that passenger—
- (a) presented at immigration control at the Channel Tunnel shuttle terminal area; or
  - (b) boarded the relevant service,
- as the case may be.
- (10) In relation to the offence in paragraph (7)(c), it is a defence for an operator to show that the relevant passenger presented a document purporting to be a required notification which the operator, or a person acting on behalf of the operator, could not reasonably have been expected to know was not a required notification.
- (11) In relation to the offence in paragraph (7)(d), it is a defence for an operator to show that the operator, or a person acting on behalf of the operator, could not have reasonably been expected to know that a passenger was a Schedule 11 passenger.
- (12) If, following the coming into force of any provision which amends the information required to be provided by regulation 14, an operator provides information to a passenger that would have complied with the requirements in regulation 13(1) but for the coming into force of that amending provision, it is a defence for the operator to show that it was not reasonably practicable for the amended information to be provided.
- (13) An operator who, without reasonable excuse, fails to comply—

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

- (a) with the requirement to keep records in regulation 15(1); or
- (b) with a request under regulation 15(2) to provide records or information within the period specified for the purposes of regulation 15(3),

commits an offence.

(14) A person who, without reasonable excuse, wilfully obstructs any person carrying out a function under these Regulations commits an offence.

(15) An offence under paragraph (13) is punishable on summary conviction by a fine not exceeding level 4 on the standard scale.

(16) An offence under these Regulations apart from under paragraph (13) is punishable on summary conviction by a fine.

(17) Section 24 of the Police and Criminal Evidence Act 1984 <sup>M21</sup> applies in relation to an offence under this regulation as if the reasons in subsection (5) of that section included—

- (a) to maintain public health;
- (b) to maintain public order.

(18) In paragraph (9), “unique passenger reference number” means a reference number which has been provided by or on behalf of a passenger and which includes the letters “UKVI” followed immediately by an underscore and thirteen alphanumeric characters.

(19) In paragraphs (9) and [F<sup>45</sup>(10)], “relevant passenger” means a passenger who fails, without reasonable excuse—

- (a) to provide evidence of having provided passenger information when requested to do so by an immigration officer pursuant to regulation 3(7); or
- (b) to produce a valid notification of a negative result from a qualifying test when requested to do so by an immigration officer pursuant to regulation 4(4).

#### Textual Amendments

- F44** Word in reg. 19(9) inserted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), **2(6)(a)**
- F45** Word in reg. 19(19) substituted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), **2(6)(b)**

#### Commencement Information

- I19** Reg. 19 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Marginal Citations

- M21** 1984 c. 60. Section 24 was substituted by section 110(1) of the [Serious Organised Crime and Police Act 2005 \(c. 15\)](#).

#### Fixed penalty notices **E+W**

**20.**—(1) An authorised person may issue a fixed penalty notice to any person that the authorised person has reasonable grounds to believe—

- (a) has committed an offence specified in regulation 19; and
- (b) if an individual, is aged 18 or over.



(2) A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to the designated officer.

(3) Where a person is issued with a notice under this regulation in respect of an offence—

- (a) no proceedings may be taken for the offence before the end of the period of 28 days following the date of the notice;
- (b) the person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.

(4) A fixed penalty notice must—

- (a) give reasonably detailed particulars of the circumstances alleged to constitute the offence;
- (b) state the period during which (because of paragraph (3)(a)) proceedings will not be taken for the offence;
- (c) specify the amount of the fixed penalty in accordance with Schedule 14;
- (d) state the name and address of the person to whom the fixed penalty may be paid; and
- (e) specify permissible methods of payment.

(5) Subject to paragraph (7), whatever other method may be specified under paragraph (4)(e), payment of a fixed penalty may be made by pre-paying and posting to the person whose name is stated under paragraph (4)(d), at the stated address, a letter containing the amount of the penalty (in cash or otherwise).

(6) Where a letter is sent as described in paragraph (5), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.

(7) Paragraph (5) does not apply in the case of—

- (a) an offence under regulation 19(7); or
- (b) an offence under regulation 19(14) (obstruction) in relation to an offence under regulation 19(7).

(8) In any proceedings, a certificate that—

- (a) purports to be signed by or on behalf of the designated officer; and
- (b) states that the payment of a fixed penalty was, or was not, received by the date specified in the certificate,

is evidence of the facts stated.

(9) For the purposes of this regulation—

- (a) other than in relation to an operator offence, “authorised person” means—
  - (i) a constable,
  - (ii) an immigration officer, but only in relation to the issue of a fixed penalty notice in respect of an information offence or an offence described in regulation 19(1)(a), (b), (c), (g), (h), (i), (j), (5) and (6), or
  - (iii) a person designated by the Secretary of State for the purposes of this regulation;
- (b) in relation to an operator offence, “authorised person” means—
  - (i) in relation to passengers arriving by sea, the Secretary of State for Transport,
  - (ii) in relation to passengers arriving by air, the Civil Aviation Authority,
  - (iii) in relation to passenger arriving by rail, the Office of Rail and Road;
- (c) “the designated officer” means—

**Status:** Point in time view as at 08/07/2021.

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- (i) in relation to an offence other than an operator offence, an officer designated by the Secretary of State for the purposes of this regulation,
- (ii) in relation to an operator offence, the authorised person;
- (d) “operator offence” means an offence—
  - (i) under regulation 19(7),
  - (ii) under regulation 19(13), or
  - (iii) under regulation 19(14) (obstruction) in relation to a function relating to an offence under regulation 19(7).

#### Commencement Information

**I20** Reg. 20 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Prosecutions **E+W**

**21.**—(1) Proceedings for an offence under these Regulations, apart from an operator offence, may be brought by the Crown Prosecution Service and any person designated by the Secretary of State.

(2) Proceedings for an operator offence may be brought by an authorised person.

(3) In this regulation—

- (a) “authorised person” means—
    - (i) in relation to passengers arriving by sea, the Secretary of State for Transport,
    - (ii) in relation to passengers arriving by air, the Civil Aviation Authority,
    - (iii) in relation to passenger arriving by rail, the Office of Rail and Road;
  - (b) “operator offence” means an offence—
    - (i) under regulation 19(7),
    - (ii) under regulation 19(13),
    - (iii) under regulation 19(14) (obstruction) in relation to a function relating to an offence under regulation 19(7), or
- [<sup>F46</sup>(iv) under paragraph 6 or 7(3) of Schedule 13.]

#### Textual Amendments

**F46** Reg. 21(3)(b)(iv) substituted (8.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/670\)](#), regs. 1(2), [5](#) (with [reg. 10](#))

#### Commencement Information

**I21** Reg. 21 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Power to use and disclose information **E+W**

**22.**—(1) This regulation applies to a person (“A”) who holds information described in paragraph (2) (“relevant information”), including where A holds that information as a result of disclosure made in accordance with paragraph (4).

(2) The information referred to in paragraph (1) is—

- (a) information provided on the Passenger Locator Form;
  - (b) DA information received for a purpose described in paragraph (4)(a)(i);
  - (c) the result of any test undertaken in accordance with Schedule 10 and any information A obtained under paragraph 4(b) or (c) of that Schedule;
  - (d) where a person (“P”) is required to self-isolate under these Regulations—
    - (i) the details of any such period of self-isolation (including the start and end dates of that period and the reason it was imposed),
    - (ii) a copy of any notice given to P which contains information about the requirement to self-isolate,
    - (iii) information generated where P books, or attempts to book, accommodation as part of a managed self-isolation package,
    - (iv) the details of any location in which P undertakes any period of managed self-isolation (including the name and address of the location),
    - (v) information relating to P obtained by A in the course of providing accommodation [F47 to P] pursuant to a managed self-isolation package (including P's room number, the personal details of any of P's co-habitants, and the details of any absence of P, authorised or otherwise, from the place where P is self-isolating),
    - (vi) information relating to P obtained by A in the course of providing transport to a location at which P undertakes, or is due to undertake, any period of managed self-isolation,
    - (vii) information relating to P obtained by A in the course of providing any service in connection with a managed self-isolation package;
  - (e) where P is required to obtain a testing package or undertake a test under regulation 6 or Schedule 8—
    - (i) information generated where P books, or attempts to book, a testing package for the purposes of regulation 6,
    - (ii) a copy of any notice given to P which contains information about the requirement to book a testing package or to undertake a test,
    - (iii) information A obtained under paragraph 10(3) or (4) of Schedule 8,
    - (iv) the results of a test undertaken by P in accordance with Schedule 8 (whether or not that test was provided as part of a testing package),
    - (v) information obtained by A in the course of providing a test that falls within paragraph (iv) and is undertaken, or in the course of arranging for such a test to be undertaken, by P (including confirmation that the test was undertaken, details of when and where it was undertaken, any reasons for a test not being undertaken and the details of any replacement test to be undertaken);
  - (f) information provided to an immigration officer pursuant to regulations 3(7), 4(4) or 6(11);
  - (g) where a sample taken in respect of a day 2 test under regulation 6 has been sequenced, the sorted BAM file relating to that sample containing all reads aligning to the SARS-CoV-2 reference genome with unaligned and human reads removed;
  - (h) information provided by, or on behalf of, A by way of explanation for failing to comply with regulation 3, 4 or 6, or paragraph 3 of Schedule 8; or
  - (i) information about any steps taken in relation to A, including details of any fixed penalty notice issued under these Regulations.
- (3) A may only use relevant information where it is necessary—

*Status: Point in time view as at 08/07/2021.*

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- (a) for the purpose of carrying out a function under these Regulations;
  - (b) for the purpose of—
    - (i) preventing danger to public health as a result of the spread of infection or contamination with coronavirus or coronavirus disease,
    - (ii) monitoring the spread of infection or contamination with coronavirus or coronavirus disease, or
    - (iii) giving effect to any international agreement or arrangement relating to the spread of infection or contamination with coronavirus or coronavirus disease; or
  - (c) for a purpose connected with, or otherwise incidental to, a purpose described in sub-paragraph (a) or (b).
- (4) Subject to paragraph (7), A may only disclose relevant information to another person (the “recipient”) where it is necessary for the recipient to have the information —
- (a) for the purpose of carrying out a function of the recipient under—
    - (i) these Regulations, or
    - (ii) an enactment which, in Scotland, Wales or Northern Ireland, has the effect of requiring the isolation or quarantine of persons who have been outside the common travel area, for any of the purposes described in sub-paragraph (b);
  - (b) for the purpose of—
    - (i) preventing danger to public health as a result of the spread of infection or contamination with coronavirus or coronavirus disease,
    - (ii) monitoring the spread of infection or contamination with coronavirus or coronavirus disease, or
    - (iii) giving effect to any international agreement or arrangement relating to the spread of infection or contamination with coronavirus or coronavirus disease; or
  - (c) for a purpose connected with, or otherwise incidental to, a purpose described in sub-paragraph (a) or (b).
- (5) A constable or a person responsible for arranging or providing services (including security services) in respect of accommodation as part of a managed self-isolation package may, where necessary for the purpose of carrying out a function under these Regulations, request [F48 from P] the following information—
- (a) confirmation that P possesses a testing package for the purposes of regulation 6 and the details of that testing package (including the time and date of the tests);
  - (b) confirmation that P has undertaken any test in accordance with a testing package and, if not, an account of the reasons;
  - (c) the result of any test P has undertaken in accordance with a testing package.
- (6) Subject to paragraph (8), disclosure which is authorised by this regulation does not breach—
- (a) an obligation of confidence owed by the person making the disclosure; or
  - (b) any other restriction on the disclosure of information (however imposed).
- (7) This regulation does not limit the circumstances in which information may otherwise lawfully be disclosed under any other enactment or rule of law.
- (8) Nothing in this regulation authorises the use or disclosure of personal data where doing so contravenes the data protection legislation.
- (9) For the purposes of this regulation—

- (a) “data protection legislation” and “personal data” have the same meanings as in section 3 of the Data Protection Act 2018 <sup>M22</sup>;
- (b) “DA information” means information provided in accordance with, or as described in, an enactment which, in Scotland, Wales or Northern Ireland, has the effect of requiring the isolation or quarantine of persons who have been outside the common travel area, for any of the purposes described in paragraph (3)(b);
- (c) “managed self-isolation” means self-isolation in accordance with Schedule 11.

#### Textual Amendments

**F47** Words in [reg. 22\(2\)\(d\)\(v\)](#) substituted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), [2\(7\)\(a\)](#)

**F48** Words in [reg. 22\(5\)](#) substituted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), [2\(7\)\(b\)](#)

#### Commencement Information

**I22** Reg. 22 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Marginal Citations

**M22** [2018 c. 12](#); relevant amendments to the definition of “data protection amendment” were made by [S.I. 2019/419](#).

### Self-incrimination **E+W**

**23.—**(1) Information provided by a person in accordance with, or as described in, regulation 3 may be used in evidence against the person, subject to paragraphs (2) to (4).

(2) In criminal proceedings against the person—

(a) no evidence relating to the information may be adduced by or on behalf of the prosecution; and

(b) no question relating to the information may be asked by or on behalf of the prosecution.

(3) Paragraph (2) does not apply if the proceedings are for—

(a) an offence under these Regulations;

(b) an offence under section 5 of the Perjury Act 1911 (false statements made otherwise than on oath) <sup>M23</sup>;

(c) an offence under section 1 of the Fraud Act 2006 (fraud) <sup>M24</sup>.

(4) Paragraph (2) does not apply if, in the proceedings—

(a) evidence relating to the information is adduced by or on behalf of the person who provided it; or

(b) a question relating to the information is asked by or on behalf of that person.

#### Commencement Information

**I23** Reg. 23 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)

#### Marginal Citations

**M23** 1911 c. 6. Section 5 was amended by section 1(2) of the [Criminal Justice Act 1948 \(c. 58\)](#).

**M24** 2006 c. 35.

## PART 6 **E+W**

### Final provisions

#### Review of need for requirements **E+W**

24. The Secretary of State must review the need for the requirements imposed by these Regulations by 14th June 2021 and at least once every 28 days thereafter.

#### Commencement Information

**I24** Reg. 24 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Expiry of Regulations **E+W**

25. These Regulations expire at the end of 16th May 2022.

#### Commencement Information

**I25** Reg. 25 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Revocations, transitional provision consequential amendments and savings **E+W**

26.—(1) The following Regulations are revoked—

- (a) the Health Protection (Coronavirus, Public Health Information for International Passengers) (England) Regulations 2020 <sup>M25</sup>;
- (b) the Health Protection (Coronavirus, International Travel) (England) Regulations 2020 (“the International Travel Regulations”) <sup>M26</sup>; and
- (c) the Health Protection (Coronavirus, Pre-Departure Testing and Operator Liability) (England) (Amendment) Regulations 2021 <sup>M27</sup>.

(2) Schedule 15 makes consequential amendments to other instruments specified in that Schedule.

(3) Schedule 16 makes transitional provisions.

(4) Nothing in these Regulations applies in relation to a person who arrived in England before 4.00 a.m. on 17th May 2021 (and accordingly, the regulations mentioned in paragraph (1) continue to have effect in relation to such a person).

#### Commencement Information

**I26** Reg. 26 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Marginal Citations

**M25** [S.I. 2020/567](#).

**M26** [S.I. 2020/568](#).

**M27** [S.I. 2021/38](#).

Signed by authority of the Secretary of State

Department for Transport

*Robert Courts*  
Parliamentary Under Secretary of State

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)

## SCHEDULES

### SCHEDULE 1 **E+W**

Regulation 2(1)

#### Category 1 countries and territories

##### Commencement Information

**I27** Sch. 1 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

##### **E+W**

[<sup>F49</sup>Anguilla]  
[<sup>F49</sup>Antigua and Barbuda]  
Australia  
[<sup>F49</sup>Balearic Islands]  
[<sup>F49</sup>Barbados]  
[<sup>F49</sup>Bermuda]  
[<sup>F49</sup>British Antarctic Territory]  
[<sup>F49</sup>British Indian Ocean Territory]  
[<sup>F49</sup>British Virgin Islands]  
Brunei  
[<sup>F49</sup>Cayman Islands]  
[<sup>F49</sup>Dominica]  
Falkland Islands  
Faroe Islands  
Gibraltar  
[<sup>F49</sup>Grenada]  
Iceland  
Israel  
[<sup>F49</sup>Madeira]  
[<sup>F49</sup>Malta]  
[<sup>F49</sup>Montserrat]  
New Zealand  
[<sup>F49</sup>Pitcairn Islands]  
<sup>F50</sup> ...  
Saint Helena, Ascension and Tristan da Cunha



Singapore

South Georgia and the South Sandwich Islands

[<sup>F49</sup>Turks and Caicos Islands]

**Textual Amendments**

- F49** Words in Sch. 1 inserted (30.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(3), **8** (with reg. 16(1))
- F50** Words in Sch. 1 omitted (8.6.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/670\)](#), regs. 1(2), **6** (with reg. 10)

**Textual Amendments**

- F49** Words in Sch. 1 inserted (30.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(3), **8** (with reg. 16(1))
- F50** Words in Sch. 1 omitted (8.6.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/670\)](#), regs. 1(2), **6** (with reg. 10)

SCHEDULE 2 **E+W**

Regulation 2(1)

Category 2 countries and territories

**Commencement Information**

- I28** [Sch. 2](#) in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**E+W**

Any country or territory outside the common travel area not listed in Schedule 1 or Schedule 3.

SCHEDULE 3 **E+W**

Regulation 2(1)

Category 3 countries and territories

**Commencement Information**

- I29** [Sch. 3](#) in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**E+W**

[<sup>F51</sup>Afghanistan]

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)

Angola  
Argentina  
[<sup>F51</sup>Bahrain]  
Bangladesh  
Bolivia  
Botswana  
Brazil  
Burundi  
Cape Verde  
Chile  
Colombia  
[<sup>F51</sup>Costa Rica]  
Democratic Republic of the Congo  
[<sup>F52</sup>Dominican Republic]  
Ecuador  
[<sup>F51</sup>Egypt]  
[<sup>F52</sup>Eritrea]  
Eswatini  
Ethiopia  
French Guiana  
Guyana  
[<sup>F52</sup>Haiti]  
India  
Kenya  
Lesotho  
Malawi  
The Maldives  
[<sup>F52</sup>Mongolia]  
Mozambique  
Namibia  
Nepal  
Oman  
Pakistan  
Panama  
Paraguay  
Peru  
Philippines  
Qatar  
Rwanda

Seychelles  
Somalia  
South Africa  
[<sup>F51</sup>Sri Lanka]  
[<sup>F51</sup>Sudan]  
Suriname  
Tanzania  
[<sup>F51</sup>Trinidad and Tobago]  
[<sup>F52</sup>Tunisia]  
Turkey  
[<sup>F52</sup>Uganda]  
United Arab Emirates  
Uruguay  
Venezuela  
Zambia  
Zimbabwe

#### Textual Amendments

- F51** Words in Sch. 3 inserted (8.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/670\)](#), regs. 1(2), 7 (with reg. 10)
- F52** Words in Sch. 3 inserted (30.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(3), 9 (with reg. 16(1))

#### Textual Amendments

- F51** Words in Sch. 3 inserted (8.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/670\)](#), regs. 1(2), 7 (with reg. 10)
- F52** Words in Sch. 3 inserted (30.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(3), 9 (with reg. 16(1))

#### Exemptions

- 1.—(1) A person (“P”), other than a person described in sub-paragraph (2), who is—
- (a) a member of a diplomatic mission in the United Kingdom;
  - (b) a member of a consular post in the United Kingdom;

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- (c) an officer or servant of an international organisation;
  - (d) employed by an international organisation as an expert or on a mission;
  - (e) a representative to an international organisation;
  - (f) a representative at an international or United Kingdom conference who is granted privileges and immunities in the United Kingdom;
  - (g) a member of the official staff of a representative to an international organisation, or of a person falling within paragraph (f);
  - (h) described in paragraph (a) or (b) who is passing through the United Kingdom to commence or continue their functions at a diplomatic mission or consular post in another country or territory, or to return to the country of their nationality;
  - (i) a representative of a foreign country or territory travelling to the United Kingdom to conduct official business with the United Kingdom;
  - (j) a representative of the government of a British overseas territory;
  - (k) a diplomatic courier or a consular courier;
  - (l) a member of the family forming part of the household of a person falling within any of paragraphs (a) to (k).
- (2) A person (“P”) where—
- (a) P either—
    - (i) travelled to the United Kingdom for the purpose of attending or facilitating a [<sup>F53</sup>relevant international] event, and P is in England for the purpose of attending or facilitating a [<sup>F53</sup>relevant international] event or of travelling in order to leave England, or
    - (ii) travelled to the United Kingdom for another purpose, and after their arrival in England is attending, facilitating, or travelling to or from a [<sup>F53</sup>relevant international] event;
  - (b) P has been invited by Her Majesty's Government to attend or facilitate the event;
  - (c) the relevant person has provided written confirmation to the relevant Department that P will comply with the health protocols for the event; and
  - (d) the relevant Department has provided written confirmation to the relevant person that P is a person described in this sub-paragraph.
- [<sup>F54</sup>(2A) A specified person (“P”) travelling to the United Kingdom to conduct official business with the United Kingdom where—
- (a) P has been invited to the United Kingdom by the Secretary of State for Foreign, Commonwealth and Development Affairs; and
  - (b) prior to P’s arrival in the United Kingdom the Foreign, Commonwealth and Development Office has confirmed in writing to P that they are travelling to the United Kingdom to conduct official business with the United Kingdom and are not required to comply with regulation 9.]
- (3) The conditions referred to in regulation 9(15)(a)(i) (persons who are not required to comply with regulation 9) are that—
- (a) the relevant head of the mission, consular post, international organisation, or conference, office representing a foreign territory in the United Kingdom or a Governor of a British overseas territory (as the case may be), or a person acting on their authority, confirms in writing to the Foreign, Commonwealth and Development Office that—

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- (i) P is required to undertake work which is essential to the functioning of the mission, consular post, international organisation, conference, or office, or to undertake work which is essential to the foreign country represented by the mission or consular post, the foreign territory represented by the office or the British overseas territory, and
    - (ii) that work cannot be undertaken whilst P is complying with regulation 9; and
  - (b) prior to P's arrival in the United Kingdom the Foreign, Commonwealth and Development Office—
    - (i) has confirmed in writing to the person giving the confirmation referred to in paragraph (a) that it has received that confirmation, and
    - (ii) where P is a representative of a foreign country or territory, has then confirmed in writing to the person giving the confirmation referred to in paragraph (a) that P is travelling to the United Kingdom to conduct official business with the United Kingdom and is not required to comply with regulation 9.
- (4) For the purposes of this paragraph—
  - (a) “consular courier” means a person who has been provided by the State on behalf of which they are acting with an official document confirming their status as a consular courier in accordance with Article 35(5) of the Vienna Convention on Consular Relations of 1963;
  - (b) “consular post” means any consulate-general, consulate, vice-consulate or consular agency;
  - [<sup>F55</sup>(ba) “a COP Ministerial meeting” means—
    - (i) the Ministerial meeting organised by Her Majesty’s Government between 25th and 26th July 2021 in connection with the Conference of the Parties to the United Nations Framework Convention on Climate Change, adopted in New York on 9th May 1992;
    - (ii) a meeting, connected to the Ministerial meeting referred to in sub-paragraph (i), between representatives of States, foreign territories or organisations which are represented at the Ministerial meeting;]
  - (c) “diplomatic courier” means a person who has been provided by the State on behalf of which they are acting with an official document confirming their status as a diplomatic courier in accordance with Article 27(5) of the Vienna Convention on Diplomatic Relations of 1961;
  - (d) “G7 event” means—
    - (i) an event organised by Her Majesty's Government in connection with the United Kingdom's G7 2021 presidency,
    - (ii) a meeting, connected to an event described in sub-paragraph (a), between representatives of States, foreign territories or organisations which are represented at such an event;
  - [<sup>F56</sup>(da) “a Global Education Summit event” means—
    - (i) the Global Education Summit being hosted by Her Majesty’s Government in London between 28th and 29th July 2021;
    - (ii) a meeting, connected to the Global Education Summit referred to in sub-paragraph (i), between representatives of States, foreign territories or organisations which are represented at the Global Education Summit;]
  - (e) “international organisation” means an international organisation accorded privileges and immunities in the United Kingdom;

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- (f) “member of a consular post” means a “consular officer”, “consular employee” and “member of the service staff” as defined in Schedule 1 to the Consular Relations Act 1968<sup>M28</sup>, and “head of consular post” has the meaning given in that Schedule;
- (g) “member of a diplomatic mission” means the “head of the mission”, “members of the diplomatic staff”, “members of the administrative and technical staff” and “members of the service staff” as defined in Schedule 1 to the Diplomatic Privileges Act 1964<sup>M29</sup>;
- [<sup>F57</sup>(ga) “relevant international event” means—
- (i) a G7 event;
  - (ii) a COP ministerial Meeting;
  - (iii) a Global Education Summit event;]
- (h) “relevant person” means—
- (i) where P is to attend or facilitate a G7 event on behalf of a State, a foreign territory or an organisation, the head of the relevant mission or post, the office representing the foreign territory in the United Kingdom or the organisation,
  - (ii) where P is to attend or facilitate a G7 event on their own behalf, P.
- [<sup>F58</sup>(4A) For the purposes of sub-paragraph (2A)—
- (a) “specified person” means a person who is a member of the democratic opposition in a foreign country or territory, a member of a political party in a foreign country or territory, or who undertakes activities in a foreign country or territory that support a government policy priority; and
  - (b) “government policy priority” means government policy which has been designated as such by the Foreign, Commonwealth and Development Office, and includes, in particular, policy related to the promotion and protection of human rights, and policy related to the mitigation of, or adaptation to, climate change.]
- (5) This paragraph is without prejudice to any immunity from jurisdiction or inviolability which is accorded to any person described in sub-paragraph (1) or (2) under the law of England and Wales apart from these Regulations.

### Textual Amendments

- F53** Words in Sch. 4 para. 1(2)(a) substituted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021](#) (S.I. 2021/731), regs. 1(2), **2(8)(a)(i)**
- F54** Sch. 4 para. 1(2A) inserted (8.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021](#) (S.I. 2021/766), regs. 1(4), **10(2)(a)** (with reg. 16(1))
- F55** Sch. 4 para. 1(4)(ba) inserted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021](#) (S.I. 2021/731), regs. 1(2), **2(8)(a)(ii)(aa)**
- F56** Sch. 4 para. 1(4)(da) inserted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021](#) (S.I. 2021/731), regs. 1(2), **2(8)(a)(ii)(bb)**
- F57** Sch. 4 para. 1(4)(ga) inserted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021](#) (S.I. 2021/731), regs. 1(2), **2(8)(a)(ii)(cc)**
- F58** Sch. 4 para. 1(4A) inserted (8.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021](#) (S.I. 2021/766), regs. 1(4), **10(2)(b)** (with reg. 16(1))

**Commencement Information**

**I30** Sch. 4 para. 1 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Marginal Citations**

**M28** 1968 c. 18. There are amendments but none is relevant.

**M29** 1964 c. 81. There are amendments but none is relevant.

- 2.—(1) A Crown servant or government contractor where they are—
- (a) required to undertake essential government work related to the United Kingdom border in the United Kingdom within the period during which they would, but for this paragraph, have had to self-isolate in accordance with regulation 9; or
  - (b) undertaking essential government work related to the United Kingdom border outside of the United Kingdom but—
    - (i) are required to return to the United Kingdom temporarily,
    - (ii) will thereafter depart to undertake essential government work related to the United Kingdom border outside of the United Kingdom.
- (2) For the purposes of sub-paragraph (1) and paragraph 3—
- (a) “Crown servant” has the meaning given in section 12(1)(a) to (e) of the Official Secrets Act 1989 <sup>M30</sup>;
  - (b) “essential government work” means work which has been designated as such by the relevant Department or employer;
  - (c) “government contractor” has the meaning given in section 12(2) of the Official Secrets Act 1989.

**Commencement Information**

**I31** Sch. 4 para. 2 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Marginal Citations**

**M30** 1989 c. 6. Section 12 was amended by paragraph 22 of Schedule 10 to the [Reserve Forces Act 1996 \(c. 14\)](#), by paragraph 30 of Schedule 12 to the [Government of Wales Act 1998 \(c. 38\)](#), by paragraph 26 of Schedule 8 to the [Scotland Act 1998 \(c. 46\)](#), by paragraph 9(3) of Schedule 13 to the [Northern Ireland Act 1998 \(c. 47\)](#), by paragraph 9 of Schedule 6 to the [Police \(Northern Ireland\) Act 2000 \(c. 32\)](#), by paragraph 6 of Schedule 14 to the [Energy Act 2004 \(c. 20\)](#), by paragraph 58 of Schedule 4 to the Serious Organised Crime and Police Act 2005, by paragraph 34 of Schedule 10, and paragraph 1 of Schedule 12, to the [Government of Wales Act 2006 \(c. 32\)](#) and by paragraph 36 of Schedule 8 to the [Crime and Courts Act 2013 \(c. 22\)](#).

- 3.—(1) A person who is a Crown servant, a government contractor, or a member of a visiting force, who—
- (a) is required to undertake work necessary to the delivery of essential defence activities;
  - (b) has travelled from a point of origin within the common travel area or from a category 1 country or territory on a vessel or aircraft operated by, or in support of, Her Majesty's armed forces or by, or in support of, a visiting force and that vessel or aircraft has not taken on any persons, docked in any port or landed in any category 2 country or territory; or
  - (c) has undertaken a continuous period of at least 10 days ending with the day immediately preceding the day of their arrival in the United Kingdom aboard a vessel operated by or

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in support of Her Majesty's Naval Service or by, or in support of, a visiting force, where they have not disembarked and that vessel has not taken on any persons or docked in any port outside of the common travel area for a period of at least 10 days ending with the day of its arrival in the United Kingdom.

- (2) For the purposes of sub-paragraph (1)—
- (a) “defence” has the meaning given in section 2(4) of the Official Secrets Act 1989;
  - (b) “visiting force” means any body, contingent or detachment of the forces of a country, being a body, contingent or detachment for the time being present in the United Kingdom (including United Kingdom territorial waters), on the invitation of Her Majesty's Government in the United Kingdom.

#### Commencement Information

**I32** Sch. 4 para. 3 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

4. An official of a foreign Government, required to travel to the United Kingdom to undertake essential border security duties, or a contractor directly supporting these essential border security duties where—

- (a) they are in possession of a written notice signed by a senior member of their foreign Government confirming that they are required to undertake essential border security duties in the United Kingdom within the period during which they would, but for this paragraph, have had to self-isolate in accordance with regulation 9 and that that work cannot be undertaken whilst the person is complying with regulation 9; or
- (b) their deployment is pursuant to a standing bilateral or multilateral agreement with Her Majesty's Government on the operation of the Border controls within the United Kingdom.

#### Commencement Information

**I33** Sch. 4 para. 4 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

5.—(1) A road passenger transport worker.

- (2) For the purposes of this paragraph—
- (a) “road passenger transport worker” means—
    - (i) the driver of a public service vehicle, or
    - (ii) a person who is employed by the holder of a Community licence issued under Article 4 of Regulation (EC) No 1073/2009 of the European Parliament and of the Council, and who is acting in the course of their employment;
  - (b) “driver” includes a person who is travelling in a vehicle as a relief driver;
  - (c) “public service vehicle” has the meaning given in section 1 of the Public Passenger Vehicles Act 1981 <sup>M31</sup>.

#### Commencement Information

**I34** Sch. 4 para. 5 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Marginal Citations

**M31** 1981 c. 14; section 1 was amended by section 139(3) of and Schedule 8 to the [Transport Act 1985 \(c. 67\)](#).



6.—(1) Seamen and masters, as defined in section 313(1) of the Merchant Shipping Act 1995<sup>M32</sup>, where they have travelled to the United Kingdom in the course of their work or have been repatriated to the United Kingdom in accordance with the Maritime Labour Convention, 2006 or the Work in Fishing Convention, 2007.

(2) For the purposes of sub-paragraph (1) and paragraph 7—

- (a) “the Maritime Labour Convention, 2006” means the Convention adopted on 23rd February 2006 by the General Conference of the International Labour Organisation;
- (b) “the Work in Fishing Convention, 2007” means the Convention adopted at Geneva on 14th June 2007 by the International Labour Organisation.

#### Commencement Information

**I35** Sch. 4 para. 6 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Marginal Citations

**M32** 1995 c. 21.

[<sup>F59</sup>**6A.**—(1) A person who has travelled to the United Kingdom in the course of their work carrying out an essential role at a port for the safe or efficient operation of ferry services which is certified by their employer, or in the case of a self-employed person certified by them, as being—

- (a) an activity that cannot be done remotely; and
- (b) essential.

(2) In sub-paragraph (1), “ferry services” means the services operating on any maritime shipping routes between England and Belgium, Denmark, France, Germany, Ireland, the Netherlands, Spain or Sweden where the service is or will be operated at least once a week.]

#### Textual Amendments

**F59** Sch. 4 para. 6A inserted (8.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(4), **10(3)** (with reg. 16(1))

7. A pilot, as defined in paragraph 22(1) of Schedule 3A to the Merchant Shipping Act 1995<sup>M33</sup>, where they have travelled to the United Kingdom in the course of their work or have been repatriated to the United Kingdom.

#### Commencement Information

**I36** Sch. 4 para. 7 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Marginal Citations

**M33** Schedule 3A was inserted by Schedule 1 to the [Marine Safety Act 2003 \(c. 16\)](#).

8. An inspector, or a surveyor of ships, appointed under section 256 of the Merchant Shipping Act 1995, or by a government of a relevant British possession as defined in section 313(1) of that Act, where they have travelled to the United Kingdom in the course of their work.

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#### Commencement Information

**I37** Sch. 4 para. 8 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**9.—(1)** A member of aircraft crew where they have travelled to the United Kingdom in the course of their work or are otherwise required to travel to the United Kingdom for work purposes.

(2) For the purposes of this paragraph—

(a) “member of aircraft crew” means a person who—

- (i) acts as a pilot, flight navigator, flight engineer or flight radiotelephony operator of the aircraft,
- (ii) is carried on the flight deck and is appointed by the operator of the aircraft to give or to supervise the training, experience, practice and periodical tests required for the flight crew under article 114(2) of the Air Navigation Order 2016 or <sup>F60</sup>... under Annex III or Annex VI of the Air Operations Regulation, or
- (iii) is carried on the flight for the purpose of performing duties to be assigned by the operator or the pilot in command of the aircraft in the interests of the safety of passengers or of the aircraft;

(b) travel for work purposes includes, in particular—

- (i) where the member of aircraft crew resides outside the United Kingdom, travelling to the United Kingdom to work on an aircraft departing from the United Kingdom,
- (ii) travelling to attend work-related training in the United Kingdom,
- (iii) returning to the United Kingdom following work-related training outside the United Kingdom;

(c) “Air Operations Regulation” has the meaning given in paragraph 1 of Schedule 1 to the Air Navigation Order 2016.

#### Textual Amendments

**F60** Word in Sch. 4 para. 9(2)(a)(ii) omitted (22.6.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), **2(8)(b)**

#### Commencement Information

**I38** Sch. 4 para. 9 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**10.** Any of the following who have travelled to the United Kingdom in the course of their work—

- (a) drivers and crew on shuttle services and on services for the carriage of passengers or goods by way of the tunnel system;
- (b) other workers carrying out essential roles for the safe or efficient operation of the tunnel system, shuttle services or services for the carriage of passengers or goods by way of the tunnel system, or relating to the security of the tunnel system or any such services.

#### Commencement Information

**I39** Sch. 4 para. 10 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

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**11.**—(1) The condition mentioned in regulation 3(10)(c) is that the person has on their journey to England travelled only—

- (a) on a conveyance which does not carry passengers;
  - (b) in an area of a conveyance which is not accessible to passengers; or
  - (c) in an area of a conveyance which is accessible to passengers in vehicles, where passengers remain within their vehicles while the person is present in that area of the conveyance.
- (2) For the purposes of this paragraph—
- (a) “not accessible to passengers” means separated by a continuous physical barrier which passengers are not permitted to cross;
  - (b) “passenger” does not include a person of the description in paragraph 10(1)(b).

**Commencement Information**

**I40** Sch. 4 para. 11 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**12.**—(1) A transit passenger.

(2) For the purposes of sub-paragraph (1), “transit passenger” means a person who on arrival in the United Kingdom—

- (a) passes through to another country or territory outside the common travel area without entering the United Kingdom; or
- (b) enters the United Kingdom for the sole purpose of continuing a journey to a country or territory outside the common travel area and—
  - (i) remains within their port of entry until their departure from England, or
  - (ii) travels directly from their port of entry to another port of departure in England.

**Commencement Information**

**I41** Sch. 4 para. 12 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**13.**—(1) A road haulage worker.

(2) For the purposes of this paragraph—

- (a) “driver” includes a person who is travelling in a vehicle as a relief driver;
- (b) “goods vehicle” has the meaning given in section 192 of the Road Traffic Act 1988 <sup>M34</sup>;
- (c) “road haulage worker” means —
  - (i) the driver of a goods vehicle that is being used in connection with the carriage of goods, other than goods for non-commercial personal use by the driver, or
  - (ii) a person who is employed by the holder of a Community licence issued under Article 4 of Regulation (EC) No 1072/2009 of the European Parliament and of the Council <sup>M35</sup>, and who is acting in the course of their employment.

**Commencement Information**

**I42** Sch. 4 para. 13 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

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#### Marginal Citations

**M34** 1988 c. 52. There are amendments to section 192 but none is relevant.

**M35** OJ No. L 300, 14.11.2009, p. 72.

14. Civil aviation inspectors, as defined in Annex 9 to the Convention on International Civil Aviation signed at Chicago on 7th December 1944 <sup>M36</sup>, where they have travelled to the United Kingdom when engaged on inspection duties.

#### Commencement Information

**I43** Sch. 4 para. 14 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Marginal Citations

**M36** The latest edition of Annex 9, which is published by the International Civil Aviation Organization, is the 15th edition, which applied from 23rd February 2018 (ISBN 978-92-9258-301-9).

15. Operational, rail maintenance, safety and security workers working on the tunnel system who have travelled to the United Kingdom in the course of their work.

#### Commencement Information

**I44** Sch. 4 para. 15 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

16.—(1) Any person who the relevant Department has certified as meeting the description in sub-paragraph (a), (b) or (c)—

- (a) a Crown servant or government contractor who is required to undertake essential policing or essential government work in the United Kingdom within the period during which they would, but for this paragraph, have had to self-isolate in accordance with regulation 9;
- (b) a person returning from conducting essential state business outside of the United Kingdom;
- (c) a person returning to the United Kingdom where this is necessary to facilitate the functioning of a diplomatic mission or consular post of Her Majesty or of a military or other official posting on behalf of Her Majesty.

(2) For the purposes of sub-paragraph (1)—

- (a) “consular post” means any consulate-general, consulate, vice-consulate or consular agency;
- (b) “Crown servant” has the meaning given in section 12(1)(a) to (e) of the Official Secrets Act 1989 <sup>M37</sup>;
- (c) “essential government work” means work which has been designated as such by the relevant Department, and includes, in particular, work related to national security, the work of the National Crime Agency in pursuance of its statutory functions, and work related to immigration, the coronavirus disease or any other crisis response, but does not include work of the description in paragraph 2 of this Schedule (essential work related to the United Kingdom border);
- (d) “essential policing” means policing which has been designated as such on behalf of the relevant chief officer or chief constable;
- (e) “essential state business” means activity which has been designated as essential to the United Kingdom or Her Majesty's Government by the relevant Department, and includes, in particular, bilateral or multilateral discussions with another state or international

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organisation and visits to another state on behalf of the United Kingdom or Her Majesty's Government;

- (f) “government contractor” has the meaning given in section 12(2) of the Official Secrets Act 1989.

**Commencement Information**

**I45** Sch. 4 para. 16 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Marginal Citations**

**M37** 1989 c. 6.

17.—(1) A person returning from undertaking essential or emergency work outside of the United Kingdom, which has been certified by the relevant Department as necessary to facilitate essential government work or essential state business.

(2) For the purposes of sub-paragraph (1) “essential government work” and “essential state business” have the same meaning as in paragraph 16.

**Commencement Information**

**I46** Sch. 4 para. 17 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

18. A person designated by the relevant Minister under section 5(3) of the Repatriation of Prisoners Act 1984 <sup>M38</sup>.

**Commencement Information**

**I47** Sch. 4 para. 18 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Marginal Citations**

**M38** 1984 c. 47.

19. A person responsible for escorting a person sought for extradition pursuant to a warrant issued under Part 3 of the Extradition Act 2003 <sup>M39</sup> or sought for extradition pursuant to any other extradition arrangements.

**Commencement Information**

**I48** Sch. 4 para. 19 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Marginal Citations**

**M39** 2003 c. 41.

20. A representative of any territory travelling to the United Kingdom in order to take into custody a person whose surrender has been ordered pursuant to any provision of the Extradition Act 2003.

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**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

#### Commencement Information

**I49** Sch. 4 para. 20 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**21.—(1)** Workers engaged in essential or emergency works—

- (a) related to water supplies and sewerage services; and
- (b) carried out by, for, or on behalf of a water undertaker, sewerage undertaker, water supply licensee, sewerage licensee or local authority,

where they have travelled to the United Kingdom in the course of their work.

(2) For the purposes of sub-paragraph (1)—

- (a) “essential or emergency works” includes—
  - (i) inspections, maintenance, repairs, and asset replacement activities,
  - (ii) monitoring, sampling and analysis of water supplies under the Private Water Supplies (England) Regulations 2016 <sup>M40</sup>, the Water Supply (Water Quality) Regulations 2016 <sup>M41</sup>, the Private Water Supplies (Wales) Regulations 2017 <sup>M42</sup>, or the Water Supply (Water Quality) Regulations 2018 <sup>M43</sup>;
- (b) “sewerage licensee” means the holder of a sewerage licence under section 17BA of the Water Industry Act 1991 <sup>M44</sup>;
- (c) “sewerage services” has the meaning given in section 219(1) of the Water Industry Act 1991 <sup>M45</sup>;
- (d) “water supply licensee” has the meaning given in sections 17A(7) and 219(1) of the Water Industry Act 1991 <sup>M46</sup>.

#### Commencement Information

**I50** Sch. 4 para. 21 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Marginal Citations

**M40** [S.I. 2016/618](#); relevant amending instruments are [S.I. 2017/506](#), [2018/707](#) and [2019/558](#).

**M41** [S.I. 2016/614](#); relevant amending instruments are [S.I. 2017/506](#), [2018/706](#) and [378](#), [2019/526](#) and [558](#).

**M42** [S.I. 2017/1041](#) (W. 270), as amended by [S.I. 2018/647](#) (W. 121), [S.I. 2019/460](#) (W. 110) and [S.I. 2019/463](#) (W. 111).

**M43** [S.I. 2018/647](#) (W. 121), as amended by [S.I. 2019/463](#) (W. 111).

**M44** [1991 c. 56](#). Section 17BA(6) was inserted by section 4(1) of the [Water Act 2014 \(c. 21\)](#). The reference to “sewerage licensee” was inserted in section 219(1) by paragraph 120(2)(f) of Schedule 7 to the Water Act 2014.

**M45** The definition of “sewerage services” was amended by paragraph 120 of Schedule 7 to the Water Act 2014.

**M46** Section 17A was inserted by section 1 of the Water Act 2014.

**22.—(1)** Workers engaged in essential or emergency works relating to flood and coastal erosion risk management on behalf of—

- (a) the Environment Agency; or
- (b) a lead local flood authority in England.

(2) For the purposes of sub-paragraph (1)—

- (a) “flood” and “coastal erosion” have the meanings given in section 1 of the Flood and Water Management Act 2010 <sup>M47</sup>;
- (b) “lead local flood authority” has the meaning given in section 6(7) of that Act;
- (c) “risk management” has the meaning given in section 3 of that Act <sup>M48</sup>.

#### Commencement Information

**I51** Sch. 4 para. 22 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Marginal Citations

**M47** 2010 c. 29.

**M48** And see section 2 of the Flood and Water Management Act 2010 for the meaning of “risk”.

### 23.—(1) Workers engaged in essential or emergency works—

- (a) related to—
  - (i) a generating station,
  - (ii) an electricity interconnector,
  - (iii) a district heat network as defined in regulation 2 of the Heat Network (Metering and Billing) Regulations 2014 <sup>M49</sup>,
  - (iv) communal heating as defined in regulation 2 of the Heat Network (Metering and Billing) Regulations 2014,
  - (v) automated ballast cleaning and track re-laying systems on a network, or
  - (vi) the commissioning, maintenance and repair of industrial machinery for use on a network; or
- (b) carried out by or on behalf of—
  - (i) the national system operator,
  - (ii) a person holding a transmission licence,
  - (iii) a person holding a distribution licence,
  - (iv) a person holding a licence under section 7 and 7ZA of the Gas Act 1986 <sup>M50</sup>,
  - (v) an LNG import or export facility as defined in section 48 of the Gas Act 1986 <sup>M51</sup>, or
  - (vi) a person holding a network licence under section 8 of the Railways Act 1993 <sup>M52</sup>,

where they have travelled to the United Kingdom for the purposes of their work.

### (2) For the purposes of sub-paragraph (1)—

- (a) “distribution licence” means a licence granted under section 6(1)(c) of the Electricity Act 1989 <sup>M53</sup>;
- (b) “essential or emergency works” includes commissioning, inspections, maintenance, repairs, and asset replacement activities;
- (c) “national system operator” means the person operating the national transmission system for Great Britain;
- (d) “network”, in sub-paragraph (1)(a)(v) and (vi), has the meaning given in section 83(1) of the Railways Act 1993 <sup>M54</sup>;
- (e) “transmission licence” means a licence granted under section 6(1)(b) of the Electricity Act 1989;

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- (f) “electricity interconnector”, “generating station” and “transmission system” have the meanings given in section 64(1) of the Electricity Act 1989<sup>M55</sup>.

#### Commencement Information

**I52** Sch. 4 para. 23 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Marginal Citations

**M49** [S.I. 2014/3120](#). There are no relevant amending instruments.

**M50** [1986 c. 44](#). Section 7ZA was inserted by section 149(6) of the Energy Act 2004.

**M51** The definition was inserted by [S.I. 2011/2704](#).

**M52** [1993 c. 43](#); there are amendments to section 8 but none is relevant.

**M53** [1989 c. 29](#).

**M54** There are amendments to section 83(1) but none is relevant.

**M55** The definition of “electricity interconnector” was inserted by section 147(7) of the Energy Act 2004. The definition of “transmission system” was substituted by paragraph 15 of Schedule 19 to the 2004 Act.

**24.**—(1) A person who is—

- (a) nuclear personnel, and who is essential to the safe and secure operations of a site in respect of which a nuclear site licence has been granted;
- (b) a nuclear emergency responder; or
- (c) an agency inspector.

(2) For the purposes of sub-paragraph (1)—

- (a) “agency inspector” has the meaning given in section 1(1) of the Nuclear Safeguards Act 2000<sup>M56</sup>;
- (b) “nuclear emergency responder” means a person providing assistance to the United Kingdom in accordance with the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency done at Vienna on 26 September 1986, who has been duly notified to and accepted by the United Kingdom, where the United Kingdom has requested assistance under that Convention;
- (c) “nuclear personnel” means —
  - (i) a worker who is employed to carry out work on or in relation to a site in respect of which a nuclear site licence has been granted, or
  - (ii) an employee of the Nuclear Decommissioning Authority<sup>M57</sup>;
- (d) “nuclear site licence” has the meaning given in section 1 of the Nuclear Installations Act 1965<sup>M58</sup>.

#### Commencement Information

**I53** Sch. 4 para. 24 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Marginal Citations

**M56** [2000 c. 5](#).

**M57** The Nuclear Decommissioning Authority was established by section 1 of the Energy Act 2004.

**M58** [1965 c. 57](#). Section 1 was substituted by paragraph 17 of Schedule 2 to the [Energy Act 2013 \(c. 32\)](#); by virtue of section 1(2), a licence described in section 1(1) is referred to as a “nuclear site licence”.



25. An inspector from the Organisation for the Prohibition of Chemical Weapons, within the meaning given to “inspector” by section 24(e) of the Chemical Weapons Act 1996 <sup>M59</sup>, who has travelled to the United Kingdom for the purposes of an inspection.

**Commencement Information**

**I54** Sch. 4 para. 25 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Marginal Citations**

**M59** 1996 c. 6.

26.—(1) A person who is—

- (a) carrying out a critical function at a space site or spacecraft controller who is responsible for command and control of a launch vehicle or spacecraft for nominal operations, collision avoidance or anomalies; or
- (b) employed by, or contracted to provide services to, a person who operates or maintains space situational awareness capabilities,

where they have travelled to the United Kingdom in the course of their work.

(2) For the purposes of sub-paragraph (1)—

- (a) “space site” has the meaning given in paragraph 5(3) of Schedule 4 to the Space Industry Act 2018 <sup>M60</sup>;
- (b) “space situational awareness capabilities” means the sensors, systems and analytical services needed to provide time-sensitive warnings of space weather events, orbital collisions, orbital fragmentations or the re-entry of man-made objects from orbit;
- (c) “spacecraft” has the meaning given in section 2(6) of the Space Industry Act 2018;
- (d) “spacecraft controller” means a person competent, authorised and responsible for maintaining safe and secure operation of spacecraft through monitoring the status of a spacecraft, issuing manoeuvre commands or controlling other aspects of the spacecraft that influence its behaviour including its motion in space.

**Commencement Information**

**I55** Sch. 4 para. 26 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Marginal Citations**

**M60** 2018 c. 5.

27.—(1) A specialist aerospace engineer, or a specialist aerospace worker, where they have travelled to the United Kingdom in the course of their work.

(2) For the purposes of sub-paragraph (1)—

- (a) “specialist aerospace engineer” means a person who is employed or otherwise engaged to provide engineering services for the purpose of ensuring the continued operation of aviation activities (including but not limited to the provision of maintenance and repair services for production lines, aviation components, grounded aircraft and new aircraft);
- (b) “specialist aerospace worker” means a person who is employed or otherwise engaged to provide services for the purpose of ensuring safety management and quality assurance as

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required by relevant standards, guidance and publications on aviation safety produced by the Civil Aviation Authority or the European Union Aviation Safety Agency<sup>M61</sup>.

#### Commencement Information

**I56** Sch. 4 para. 27 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Marginal Citations

**M61** The Civil Aviation Authority was established under section 1(1) of the [Civil Aviation Act 1971 \(c. 75\)](#). That Act was replaced by a consolidating statute, the [Civil Aviation Act 1982 \(c. 16\)](#), [section 2\(1\)](#) of which provides for the continued existence of the Civil Aviation Authority. There are amendments to section 2 but none is relevant. The European Union Aviation Safety Agency was established by Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91.

**28.—(1)** A person engaged in operational, maintenance or safety activities of a downstream oil facility that has a capacity in excess of 20,000 tonnes, where—

- (a) the downstream oil facility is engaged in a specified activity carried on in the United Kingdom in the course of a business, and contributes (directly or indirectly) to the supply of crude oil based fuels to consumers in the United Kingdom or persons carrying on business in the United Kingdom; and
- (b) the activities are required to ensure continued safe operation of the facility,

where they have travelled to the United Kingdom in the course of their work.

(2) For the purposes of sub-paragraph (1)—

- (a) a facility has a capacity in excess of 20,000 tonnes at any time if it was used in the previous calendar year for the purposes of downstream oil sector activities in relation to more than that number of tonnes of oil;
- (b) “specified activities” are—
  - (i) storing oil,
  - (ii) handling oil,
  - (iii) the carriage of oil by sea or inland water,
  - (iv) conveying oil by pipes,
  - (v) refining or otherwise processing oil.

#### Commencement Information

**I57** Sch. 4 para. 28 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**29.—(1)** A worker required to undertake or commence within the period during which they would, but for this paragraph, have had to self-isolate in accordance with regulation 9—

- (a) activities on or in relation to an offshore installation;
- (b) activities on or in relation to upstream petroleum infrastructure;

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- (c) critical safety work on an offshore installation or well being decommissioned or preserved pending demolition or reuse; or
- (d) activities for the provision of workers, goods, materials or equipment or other essential services required to support the safe operation of the activities referred to in paragraphs (a) to (c),

where they have travelled to the United Kingdom in the course of their work.

(2) For the purposes of sub-paragraph (1)—

- (a) “offshore installation” has the meaning given in section 44 of the Petroleum Act 1998 <sup>M62</sup>;
- (b) “upstream petroleum infrastructure” has the meaning given in section 9H of the Petroleum Act 1998 <sup>M63</sup>;
- (c) “well” has the meaning given in section 45A(10) of the Petroleum Act 1998 <sup>M64</sup>.

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#### Commencement Information

**I58** Sch. 4 para. 29 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

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#### Marginal Citations

**M62** 1998 c. 17. Section 44 was amended by paragraph 11 of Schedule 1 to the [Energy Act 2008 \(c. 32\)](#).

**M63** Section 9H was substituted by section 74(2) of the [Energy Act 2016 \(c. 20\)](#).

**M64** Section 45A was inserted by section 75(1) of the Energy Act 2008. There are amendments to section 45A(10) but none is relevant.

**30.** A postal operator, as defined in section 27(3) of the Postal Services Act 2011 <sup>M65</sup>, where they have travelled to the United Kingdom in the course of their work.

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#### Commencement Information

**I59** Sch. 4 para. 30 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

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#### Marginal Citations

**M65** 2011 c. 5.

**31.** A worker with specialist technical skills, where those specialist technical skills are required for essential or emergency works or services (including commissioning, maintenance, and repairs and safety checks) to ensure the continued production, supply, movement, manufacture, storage or preservation of goods, where they have travelled to the United Kingdom in the course of their work or otherwise to commence or resume their work.

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#### Commencement Information

**I60** Sch. 4 para. 31 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**32.** A worker with specialist technical skills, where those specialist technical skills are required for essential or emergency works (including construction, commissioning, installation, maintenance, repairs and safety checks) or to fulfil contractual obligations or warranty specifications in, or in connection with, waste management facilities used for the management, sorting, treatment, recovery, or disposal of waste (including energy from waste), where they have travelled to the United Kingdom in the course of their work.

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### Commencement Information

**I61** Sch. 4 para. 32 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

### 33.—(1) Any of the following—

- (a) a person (“P”) who—
  - (i) before travelling to the United Kingdom has made arrangements with a provider in the United Kingdom to receive healthcare (or, where P is a child, on whose behalf such arrangements have been made),
  - (ii) is in possession of written confirmation of the arrangements from the provider,
  - (iii) has travelled to the United Kingdom to receive that healthcare, and
  - (iv) is attending a place to receive that healthcare or is travelling directly between that place and the place where they are self-isolating;
- (b) a person who—
  - (i) is accompanying P for the purpose of providing necessary care or support to P in the circumstances referred to in sub-paragraph (1)(a)(iv), or
  - (ii) is travelling, for the purpose of so accompanying P, directly between the place where they are self-isolating and either of the places referred to in sub-paragraph (1)(a)(iv), where that person has travelled to the United Kingdom for that purpose and is in possession of the confirmation referred to in sub-paragraph (1)(a)(ii) or a copy of it;
- (c) an accompanying child who is accompanying P or, where P is a child, is accompanying a person referred to in sub-paragraph (1)(b);
- (d) a live donor who is attending a place for the purpose referred to in the definition of “live donor” or is travelling directly between that place and the place where they are self-isolating.

### (2) For the purposes of this paragraph—

- (a) “accompanying child”, in relation to P, means a child who has arrived in England with P and for whom P has responsibility, or where P is a child, a child who has arrived in England with the person referred to in sub-paragraph (1)(b) and for whom that person has responsibility;
- (b) “healthcare” means all forms of healthcare provided for individuals, whether relating to mental or physical health, including healthcare in connection with giving birth;
- (c) “live donor” means a person who—
  - (i) has travelled to the United Kingdom for the purpose of donation of material which consists of or includes their human cells pursuant to arrangements made with a provider in the United Kingdom before travelling to the United Kingdom, and which are to be used by the provider for the purpose of providing healthcare, and
  - (ii) is in possession of written confirmation of the arrangements from the provider;
- (d) “provider” means a provider of healthcare;
- (e) references to a place where a person is self-isolating are to a place where they are required to self-isolate, or permitted to be at, by virtue of regulation 9.

**Commencement Information**

**I62** Sch. 4 para. 33 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**34.**—(1) A person who has travelled to the United Kingdom for the purpose of transporting material which consists of, or includes, human cells or blood and which is to be used for the provision of healthcare by a provider.

(2) For the purposes of sub-paragraph (1)—

(a) “blood” includes blood components;

(b) “healthcare” and “provider” have the meanings given in paragraph 33(2).

**Commencement Information**

**I63** Sch. 4 para. 34 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**35.** A person who is an “inspector” within the meaning given in regulation 8(1) of the Human Medicines Regulations 2012<sup>M66</sup>, or who has been appointed as an inspector under regulation 33 of the Veterinary Medicines Regulations 2013<sup>M67</sup>, and who has travelled to the United Kingdom to undertake activities in relation to their role as such a person.

**Commencement Information**

**I64** Sch. 4 para. 35 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Marginal Citations**

**M66** [S.I. 2012/1916](#).

**M67** [S.I. 2013/2033](#).

**36.**—(1) A person who—

(a) has travelled to the United Kingdom to—

(i) conduct a clinical trial within the meaning of “conducting a clinical trial” in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004<sup>M68</sup>,

(ii) undertake such activities as are necessary or expedient to prepare for the conduct of a clinical trial, or

(iii) carry out any necessary compliance activity in relation to a clinical trial that cannot be conducted remotely;

(b) is a “qualified person” within the meaning of regulation 43 of those Regulations, where they have travelled to the United Kingdom in order to undertake activities in relation to their role as such a person; or

(c) is a “sponsor” within the meaning given in regulation 2(1) of those Regulations, or carries out the functions or duties of a sponsor, of a clinical trial and has travelled to the United Kingdom to undertake activities in relation to a clinical trial.

(2) For the purposes of sub-paragraph (1), “clinical trial” has the meaning given in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004.

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**Commencement Information**

**I65** Sch. 4 para. 36 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Marginal Citations**

**M68** [S.I. 2004/1031](#), to which there are amendments not relevant to these Regulations.

**37.** A person who has travelled to the United Kingdom to conduct a “clinical investigation” within the meaning of the Medical Devices Regulations 2002 <sup>M69</sup>, or to undertake such activities as are necessary or expedient to prepare for the conduct of a clinical investigation or carry out any other necessary compliance activity in relation to a clinical investigation that cannot be conducted remotely.

**Commencement Information**

**I66** Sch. 4 para. 37 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Marginal Citations**

**M69** [S.I. 2002/618](#).

**38.** A person who is—

- (a) a “qualified person” within the meaning of regulation 41(2) of the Human Medicines Regulations 2012;
- (b) a “responsible person” within the meaning of regulation 45(1) of those Regulations;
- (c) “an appropriately qualified person responsible for pharmacovigilance” within the meaning of regulation 182(2)(a) of those Regulations; or
- (d) a “qualified person (manufacture)” as referred to in paragraph 8(2) of Schedule 2 to the Veterinary Medicines Regulations 2013,

where they have travelled to the United Kingdom in order to undertake activities in relation to their role as such a person.

**Commencement Information**

**I67** Sch. 4 para. 38 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**39.—(1)** A person who has travelled to the United Kingdom for the purposes of their work in essential infrastructure industries including—

- (a) a person involved in essential maintenance and repair of data infrastructure required to reduce and resolve outages, or in the provision of goods and services to support these activities; and
- (b) an information technology or telecommunications professional (including information technology consultant, quality analyst, software tester, systems tester, and telecommunications planner), whose expertise is required to—
  - (i) provide an essential or emergency response to threats and incidents relating to the security of any network and information system, and
  - (ii) ensure the continued operation of any network and information system.

(2) For the purposes of sub-paragraph (1), “network and information” system has the meaning in regulation 1(2) of the Network and Information Systems Regulations 2018 <sup>M70</sup>.

**Commencement Information**

**I68** Sch. 4 para. 39 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Marginal Citations**

**M70** [S.I. 2018/506](#).

- 40.** A person who is engaged in urgent or essential work—
- (a) that is necessary for the continued operation of—
    - (i) electronic communications networks and services as defined in section 32 of the Communications Act 2003 <sup>M71</sup>, or
    - (ii) the BBC's broadcasting transmission network and services;
  - (b) in associated supply chain companies that maintain the confidentiality, integrity, and availability of the electronic communications networks and services and the BBC transmission network and services,

where they have travelled to the United Kingdom in the course of their work.

**Commencement Information**

**I69** Sch. 4 para. 40 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Marginal Citations**

**M71** [2003 c. 21](#). The definition of “electronic communications network” was amended by [S.I. 2011/1210](#).

- 41.** A person—
- (a) who is engaged in the installation, maintenance or repair of subsea fibre optic telecommunications infrastructure;
  - (b) whose role directly supports the installation, maintenance or repair of subsea fibre optic telecommunications infrastructure,

where they have travelled to the United Kingdom in the course of their work.

**Commencement Information**

**I70** Sch. 4 para. 41 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**42.—(1)** A person ordinarily resident in the United Kingdom and who pursues a work-related activity in another country to which they usually travel at least once a week which is certified by their employer, or in the case of a self-employed person certified by them, as being—

- (a) an activity that cannot be done remotely; and
- (b) critical.

(2) For the purposes of sub-paragraph (1), an activity is critical if—

- (a) it would be defined as critical, or equivalent terminology, in legislation or guidance in use in that country; or

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- (b) if the country has no such definition, if a person is pursuing an activity which would fall under one of the other paragraphs in this Schedule if it were carried out in the United Kingdom.

**Commencement Information**

**I71** Sch. 4 para. 42 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**43.—(1)** A person who has an offer of employment for seasonal work to carry out specified activities in edible horticulture on a specified farm.

(2) For the purposes of sub-paragraph (1)—

- (a) “seasonal work” is employment which fluctuates or is restricted due to the season or time of the year;
- (b) “edible horticulture” means growing—
- (i) protected vegetables grown in glasshouse systems,
  - (ii) field vegetables grown outdoors, including vegetables, herbs, leafy salads and potatoes,
  - (iii) soft fruit grown outdoors or under cover,
  - (iv) trees that bear fruit,
  - (v) vines and bines,
  - (vi) mushrooms;
- (c) “specified farm” means the farm named in that person's passenger information;
- (d) “specified activities” means—
- (i) crop maintenance,
  - (ii) crop harvesting,
  - (iii) tunnel construction and dismantling,
  - (iv) irrigation installation and maintaining,
  - (v) crop husbandry,
  - (vi) packing and processing of crops on employer's premises,
  - (vii) preparing and dismantling growing areas and media,
  - (viii) general primary production work in edible horticulture,
  - (ix) activities relating to supervising teams of horticulture workers.

**Commencement Information**

**I72** Sch. 4 para. 43 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**44.—(1)** A domestic elite sportsperson, an international elite sportsperson, a domestic ancillary sportsperson or an international ancillary sportsperson.

(2) For the purposes of this paragraph—

“domestic ancillary sportsperson” means an individual essential to—

- (a) the running of an elite sports event including—
- (i) operational staff essential to the running of that elite sports event,



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- (ii) event officials and referees, <sup>F61</sup>...
- (iii) [<sup>F62</sup>broadcast staff and journalists covering that elite sports event, or]
- (b) the support of a domestic elite sportsperson including—
  - (i) sports team medical, logistical, technical and administration staff,
  - (ii) individual sportsperson medical and technical support staff,
  - (iii) horse grooms and trainers,
  - (iv) motorsport mechanics and technical staff,
  - (v) the parent or carer of a domestic elite sportsperson under the age of 18;

“domestic elite sportsperson” means an individual who—

- (a) derives a living from competing in a sport or is—
  - (i) a senior representative nominated by a relevant sporting body,
  - (ii) a member of the senior training squad for a relevant sporting body, or
  - (iii) aged 16 or above and on an elite development pathway,
- (b) is in England, after departing from or transiting through a category 2 country or territory, and
- (c) either—
  - (i) has departed from or transited through the category 2 country or territory in order to compete in an elite sports event, or to participate in training for an Olympic or Paralympic event, and has returned to England with the intention of continuing activities as a sportsperson, or
  - (ii) is a United Kingdom sportsperson who is not habitually resident in the United Kingdom and has travelled to England in order to participate in training for or to compete in an elite sports event;

“elite sports event” means a specified competition or other sporting event in which the participants compete—

- (a) to derive a living, or
- (b) to qualify for the right to represent—
  - (i) Great Britain and Northern Ireland at the Tokyo or Beijing Olympic or Paralympic Games, or the Paris Olympic or Paralympic Games, or
  - (ii) England, Wales, Scotland, Northern Ireland, Gibraltar, Guernsey, Jersey or the Isle of Man at the Commonwealth Games to be held in Birmingham;

“international ancillary sportsperson” means an individual essential to—

- (a) the running of a specified competition including—
  - (i) operational staff essential to the running of that specified competition,
  - (ii) competition officials and referees,
  - (iii) broadcast staff and journalists covering that specified competition, or
- (b) the support of an international elite sportsperson, including—
  - (i) sports team medical, logistical, technical and administration staff,
  - (ii) individual sportsperson medical and technical support staff,
  - (iii) horse grooms and trainers,
  - (iv) motorsport mechanics and technical staff,
  - (v) the parent or carer of an international elite sportsperson under the age of 18;

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

“international elite sportsperson” means an individual who travels to England in order to participate in a specified competition after departing from or transiting through a category 2 country or territory at any time in the period beginning with the 10th day before the date of their arrival in England and who—

- (a) derives a living from competing in a sport,
- (b) is a senior representative nominated by a relevant sporting body,
- (c) is a member of the senior training squad for a relevant sporting body, or
- (d) is aged 16 or above and on an elite development pathway;

“specified competition” means a competition specified in Schedule 5 (list of sporting events).

(3) For the purposes of sub-paragraph (2)—

- (a) “elite development pathway” means a development pathway established by the national governing body of a sport to prepare sportspersons—
  - (i) so that they may derive a living from competing in that sport, or
  - (ii) to compete at that sport at the Tokyo or Beijing Olympic or Paralympic Games or the Paris Olympic or Paralympic Games, or in the Commonwealth Games to be held in Birmingham;
- (b) “Olympic or Paralympic event” means a specified competition or other sporting event in which the participants compete to qualify for the right to represent Great Britain and Northern Ireland at the Tokyo Olympic or Paralympic Games or the Paris Olympic or Paralympic Games;
- (c) “relevant sporting body” in relation to a sportsperson means the national governing body of a sport which may nominate sportspersons to represent—
  - (i) that sportsperson's nation at the Tokyo or Beijing Olympic or Paralympic Games or the Paris Olympic or Paralympic Games, or
  - (ii) that sportsperson's nation at the Commonwealth Games to be held in Birmingham;
- (d) “senior representative” in relation to a sportsperson means an individual who is considered by a relevant sporting body to be a candidate to qualify to compete on behalf of—
  - (i) that sportsperson's nation at the Tokyo or Beijing Olympic or Paralympic Games, or the Paris Olympic or Paralympic Games; or
  - (ii) that sportsperson's nation at the Commonwealth Games to be held in Birmingham.

(4) The conditions referred to in regulation 9(15)(e) are—

- (a) 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 England, written evidence from a United Kingdom or English sport national governing body of P's status as a domestic elite sportsperson returning to England from competing in an elite sports event or participating in training for an Olympic or Paralympic 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;

- (b) 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 England, written evidence from a United Kingdom or English sport national governing body of P's status as a domestic elite sportsperson who has travelled to England 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;
- (c) where P is a domestic ancillary sportsperson—
- (i) P provides, on arrival in England, written evidence from a United Kingdom or English sport national governing body of P's status as a domestic ancillary sportsperson returning to England 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;
- (d) where P is an international elite sportsperson—
- (i) P provides, on arrival in England, written evidence from a United Kingdom or English sport national governing body of P's status as an international elite sportsperson attending a specified competition,
  - (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 the specified competition or training for the specified competition, or travelling between different locations where the specified competition or training for the specified competition is taking place, and
  - (iii) at all times when P is not self-isolating P remains in isolation with any other international elite sportspersons or domestic elite sportspersons who are competing in or training for the specified competition or with international ancillary sportspersons or domestic ancillary sportspersons involved in the specified competition; and
- (e) where P is an international ancillary sportsperson—

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- (i) P provides, on arrival in England, written evidence from a United Kingdom or English sport national governing body of P's status as an international ancillary sportsperson attending a specified competition,
- [<sup>F63</sup>(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 a specified competition;
  - (bb) is travelling to or from, or attending the location of, any place in which P provides essential support to an international elite sportsperson who is competing in or training for a specified competition;
  - (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 international elite sportspersons or domestic elite sportspersons who are competing in or training for the specified competition or with international ancillary sportspersons or domestic ancillary sportspersons involved in the specified competition.

(5) When considering whether a person derives a living from competing in a sport for the purposes of sub-paragraphs (2) and (3), any payment made for a person's benefit by reason of their competing in a particular sport is to be taken into account, including payment by way of salary, prize money or through a contractual arrangement of any other kind.

#### Textual Amendments

- F61** Word in Sch. 4 para. 44(2) omitted (22.6.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), **2(8)(c)(i)(aa)**
- F62** Words in Sch. 4 para. 44(2) inserted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), **2(8)(c)(i)(bb)**
- F63** Sch. 4 para. 44(4)(e)(ii) substituted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), **2(8)(c)(ii)**

#### Commencement Information

- I73** Sch. 4 para. 44 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

[<sup>F64</sup>**44A.**—(1) A Euro 2020 invitee.

(2) For the purposes of this paragraph—

- (a) a person (“P”) is a Euro 2020 invitee if P has been invited to attend a Euro 2020 event by the Football Association Limited as—
  - (i) a member of the Executive of the Union of European Football Associations (UEFA), or of a standing committee of UEFA,
  - (ii) a member of the Council of the Fédération Internationale de Football Association (FIFA), or the Secretary General of FIFA,
  - (iii) a member of the Executive body of a Confederation of Football Associations affiliated to FIFA,
  - (iv) a member of the Executive or board of a member association affiliated to UEFA,

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- (v) a senior executive of an organisation which is a sponsor or partner of the 2020 UEFA European Football Championship, <sup>F65</sup> ...
  - (vi) a senior representative of a country whose team is competing in the 2020 UEFA European Football Championship; [<sup>F66</sup>or]  
[ a person who has been accredited by UEFA or by the football association of a <sup>F67</sup>(vii) country whose team continues to compete in the 2020 UEFA European Football Championship;]
  - (b) a “Euro 2020 event” is an event being held in the United Kingdom organised by UEFA, the Football Association Limited or Her Majesty’s Government in connection with the 2020 UEFA European Football Championship.
- (3) The conditions referred to in regulation 9(15)(ea) are—
- (a) P possesses, on arrival in England, written evidence from the Football Association Limited of P’s status as a Euro 2020 invitee at one or more Euro 2020 events, and
  - (b) P travels directly to and remains in any place where P will be self-isolating apart from when P is travelling to or from, or attending the location of any Euro 2020 event, or travelling between different Euro 2020 events.]

#### Textual Amendments

- F64** Sch. 4 para. 44A inserted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), **2(8)(d)**
- F65** Word in Sch. 4 para. 44A(2)(a)(v) omitted (6.7.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/795\)](#), regs. 1(2), **2(2)(a)**
- F66** Word in Sch. 4 para. 44A(2)(a)(vi) inserted (6.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/795\)](#), regs. 1(2), **2(2)(b)**
- F67** Sch. 4 para. 44A(2)(a)(vii) inserted (6.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/795\)](#), regs. 1(2), **2(2)(c)**

[<sup>F68</sup>**44B.**—(1) A Euro 2020 Final attendee.

(2) For the purposes of this paragraph, a person (“P”) is a Euro 2020 Final attendee if P has been accredited [<sup>F69</sup>for the limited purpose of attending] the 2020 UEFA European Football Championship Final (“the Final”) by the football association of a country whose team is competing in the Final [<sup>F70</sup>(other than in accordance with paragraph 44A(2)(a)(vii))].

(3) The conditions referred to in regulation 9(15)(eb) are—

- (a) P possesses, on arrival in England, a ticket to the Final, and
- (b) P travels directly from the port where P arrives in England to the stadium where the Final is being held and returns directly to, and departs England from, that port after the Final.]

#### Textual Amendments

- F68** Sch. 4 para. 44B inserted (29.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), **10(4)** (with reg. 16(1))

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

- F69** Words in Sch. 4 para. 44B(2) substituted (6.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/795\)](#), regs. 1(2), **2(3)(a)**
- F70** Words in Sch. 4 para. 44B(2) inserted (6.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/795\)](#), regs. 1(2), **2(3)(b)**

**45.—(1)** A person who has travelled to the United Kingdom for the purposes of essential work carried out for or on behalf of the nominated undertaker.

(2) For the purposes of sub-paragraph (1)—

- (a) “essential work” means work which has been designated as such by the Secretary of State for Transport and includes, in particular, work done or required for Phase One purposes as defined in section 67 of the High Speed Rail (London-West Midlands) Act 2017 <sup>M72</sup>;
- (b) “nominated undertaker” is the person appointed by article 2(1) of the High Speed Rail (London-West Midlands) (Nomination) Order 2017 <sup>M73</sup>.

#### Commencement Information

**I74** Sch. 4 para. 45 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Marginal Citations

**M72** 2017 c. 7.

**M73** S.I. 2017/184.

[<sup>F71</sup>**46.** A person who is travelling to the United Kingdom under, or who is accompanying someone travelling to the United Kingdom under, the Afghan Relocations and Assistance Policy or the Afghan Locally Employed Staff Ex-Gratia Scheme <sup>F72</sup>.]

#### Textual Amendments

- F71** Sch. 4 para. 46 inserted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), **2(8)(e)**
- F72** The Afghan Relocations and Assistance Policy can be found at <https://www.gov.uk/government/publications/afghan-relocations-and-assistance-policy-information-and-guidance>. The Afghan Locally Employed Staff Ex-Gratia Scheme can be found at <https://www.gov.uk/government/publications/afghanistan-locally-employed-staff-ex-gratia-scheme/>. Hard copies of these documents can be obtained from the Ministry of Defence, Whitehall, London SW1A 2HB.

[<sup>F73</sup>**47.** An in-flight security officer deployed pursuant to an international agreement to which the United Kingdom is a party.

#### Textual Amendments

- F73** Sch. 4 paras. 47, 48 inserted (29.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), **10(5)** (with reg. 16(1))

**48.—(1)** A senior executive.

- (2) The circumstances referred to in regulation 9(15)(ib) are—
- (a) the senior executive is a multinational undertaking executive or an international undertaking executive and is undertaking activity within the period during which they would, but for this paragraph, have had to self-isolate in accordance with regulation 9 and—
    - (i) if a multinational undertaking executive, the executive has a reasonable belief that the activity will more likely than not lead to the creation or continuation of employment for 500 employees or more in the United Kingdom-based branch or subsidiary of the overseas-based undertaking which that executive is visiting,
    - (ii) if an international undertaking executive, the executive has a reasonable belief that the activity will deliver significant economic benefit to the United Kingdom,
  - (b) that activity requires the senior executive’s travel to and physical presence at a particular location and cannot reasonably be undertaken remotely, and
  - (c) the Secretary of State considers, on the basis of relevant information, that the circumstances in paragraphs (a) and (b) are satisfied, and has confirmed this in writing, and for these purposes “relevant information” means—
    - (i) information provided by the executive or the undertaking concerned, or
    - (ii) information otherwise available to the Secretary of State.
- (3) This paragraph ceases to apply if the Secretary of State withdraws the confirmation referred to in sub-paragraph (2)(c).
- (4) For the purposes of this paragraph, it is reasonable to believe that an activity will deliver significant economic benefit to the United Kingdom if it is more likely than not to lead to—
- (a) an investment in a United Kingdom-based undertaking which will more likely than not lead to the creation or continuation of employment of 500 employees or more in that United Kingdom-based undertaking, or
  - (b) the establishment of a new business in the United Kingdom which will more likely than not, within the period of 24 months beginning with the date on which the international undertaking executive arrived in the United Kingdom, lead to the creation of employment for 500 employees or more in that new business.
- (5) The Secretary of State may—
- (a) require an undertaking which wishes to rely on the exemption for senior executives to provide any information the Secretary of State considers necessary for the purposes of sub-paragraph (2)(c);
  - (b) disclose any information provided under paragraph (a) to any person the Secretary of State considers appropriate in order to obtain advice or information as to whether the circumstances referred to in sub-paragraph (2)(a) and (b) are satisfied.
- (6) In this paragraph—
- “branch” means a place of business that forms a legally dependent part of an undertaking and conducts directly some or all of the operations of that undertaking;
- “international undertaking executive” means a senior executive of an overseas-based undertaking who is not a multinational undertaking executive and who has travelled to the United Kingdom for business or investment purposes;
- “multinational undertaking executive” means a senior executive of an overseas-based undertaking who has travelled to the United Kingdom to visit a United Kingdom-based branch or subsidiary of that overseas-based undertaking which has 500 employees or more;

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“senior executive” means a director or, in relation to an undertaking which has no board of directors, a member of the equivalent management body responsible for the management of the undertaking concerned;

“undertaking” means—

(a) body corporate or partnership, including a body corporate or partnership constituted under the law of a country or territory outside the United Kingdom, or

(b) an unincorporated association carrying on a trade or business,

and whether an undertaking is a subsidiary of another undertaking is to be determined in accordance with section 1162 of the Companies Act 2006;

“United Kingdom-based undertaking” means—

(a) an undertaking whose principal place of business is in the United Kingdom and which has 500 employees or more, or

(b) a United Kingdom branch of an overseas-based undertaking which has 500 employees or more in the United Kingdom.]

#### Textual Amendments

**F73** Sch. 4 paras. 47, 48 inserted (29.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), **10(5)** (with reg. 16(1))

## SCHEDULE 5 **E+W**

Paragraph 44(2) of Schedule 4

### List of sporting events

#### Commencement Information

**I75** Sch. 5 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### **E+W**

Betfred Super League Rugby Football League fixtures  
 England & Wales Cricket Board International Cricket fixtures  
 European Professional Club Rugby fixtures  
 FIH Pro League hockey fixtures  
 Football Association International fixtures  
 Guinness PRO14 Rugby Football Union fixtures  
 Matchroom – Boxing Championship matches  
 Olympic, Paralympic and Commonwealth Games Qualification Events  
 Professional Darts Corporation – Players Championship  
 Rugby Football Union international fixtures  
 Rugby League Challenge Cup  
 UEFA Champions League and Europa League fixtures



Cage Warriors Trilogy Series  
England & Wales Cricket Board – T20 Blast  
England & Wales Cricket Board – The Rachael Heyhoe Flint Trophy  
Matchroom – Championship League Snooker Tournament  
International Championship Boxing – Queensberry Promotions  
Motorsport UK - British Kart Championships  
International Boxing Championship Matches – MTK Promotions  
GB Taekwondo Fight Night II – International Taekwondo, Para Taekwondo and Karate Event  
Matchroom – World Pool Championship  
Hennessy Sports – International Boxing Championship matches  
Motorsport UK – British Rallycross Championship and Support Championship  
Professional Darts Corporation – Unibet Premier League  
GB Taekwondo Olympic and Paralympic Test Matches  
Matchroom – Championship League Pool  
Modern Pentathlon Test Event  
Professional Darts Corporation – Challenge Tour  
Professional Darts Corporation – Development Tour  
Professional Darts Corporation – UK Open  
Rugby League Betfred Championship  
Wheelchair Rugby Quad Nations  
Boxing Road to Tokyo  
British Dressage – Keysoe International  
British Eventing Elite Pathways Events  
British Showjumping's Winter Classic series qualifiers  
Burnham Market International  
International Boxing - Dennis Hobson Promotions  
Manchester Squash Open 2021  
Matchroom – World Pool Masters  
Vitality Big Half  
British Athletics – 20km Race Walk Olympic Trial  
FIA World Endurance Championship Prologue and Round 1 Silverstone  
British Para Athletics Sprint Meet  
Motorsport UK – HSCC Formula 2 Championship Masters Historic Race Weekend  
Motorsport UK – British Superkart Championship and Support Series  
Motorsport UK – British Truck Racing Championship  
British Equestrian – International Dressage Events  
European Tour – Betfred British Masters  
Motorsport UK – GT World Challenge Europe Sprint Cup and Support Series  
Motorsport UK – Donington Historic Festival  
Motorsport UK – British Touring Car Championship and Support Series

**Status:** Point in time view as at 08/07/2021.

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Motorsport UK – Ferrari Challenge UK and Support  
Motorsport UK – British GT Championship and Support Series / Porsche Sprint Challenge GB and Support Series  
Motorsport UK – Master Historic F1 / Sports Cars and Support Series  
Motorsport UK – FIA Main Event 2021 and Support Series  
England Hockey Pro League  
FIM Speedway Grand Prix World Championship - Qualifying Round  
Royal Windsor Horse Show  
British Speedway Premiership, Championship and National Development Leagues  
The 2020 UEFA European Football Championship  
British Superbike Championship and Support Series  
ACU – British Motocross Championship and Support races  
Equestrian Eventing – Cirencester  
European Tour – English Championships  
Lingfield Derby/Oaks Trials Day horse-racing  
Dante Festival horse-racing  
Al Shaqab Lockinge Day horse-racing  
Lawn Tennis Association – GB Pro Series Roehampton 1 & 2  
Equestrian Jumping – Wellington, Heckfield  
Curling – World Mixed Doubles Championship 2021  
UCI Mountain Bike World Cup  
AJ Bell 2021 World Triathlon Leeds  
European 10,000m Cup (incorporating the British 10,000 Olympic Trial)  
Equestrian Eventing - Belsay International  
W Series Test Event  
Red Bull International Rugby 7s  
Diamond League Athletics  
HSCC Historic Formula 2 International Series – HSCC International Trophy  
Equestrian Eventing – Tweseldown International  
Equestrian Eventing – Little Downham International  
Manchester Invitational 2021  
All England Lawn Tennis Club – The Championships, Wimbledon  
European Tour – Farmfoods European Legends Links Championship  
IBSA Judo Grand Prix Warwick  
FIM Under 21 Speedway World Championship – Qualifying Round  
FIM World Championship Motocross Grand Prix – British Round  
Rugby League Mid Season International – England vs Combined Nations All Stars  
F74  
...  
F75  
...  
Lawn Tennis Association – Nottingham Open

Lawn Tennis Association – Birmingham Classic  
Lawn Tennis Association – Cinch Championships  
Lawn Tennis Association – Nottingham Trophy  
Lawn Tennis Association – Eastbourne International  
Equestrian Eventing – Nunney International  
Equestrian Eventing – Alnwick Ford International  
Equestrian Eventing – Bicton International  
ICC World Test Championship Final  
Motorsport UK – British GT Championship, GT 2 European Series and Support Series  
Motorsport UK – Ferrari Formula Classic  
The Cazoo Derby Festival horse-racing  
Royal Ascot horse-racing  
Equestrian Jumping – Keysoe International  
British Dressage Winter National Championships  
European Tour – Aberdeen Standard Investments Scottish Open  
Ladies European Tour – Aramco Team Series  
R & A – The Open Championship (including open final qualifying)  
European Tour – The Senior Open Presented by Rolex (including qualifiers)  
European Tour – Wales Open  
European Tour – ISPS HANDA World Invitation presented by Modest Golf Management  
European Tour – Staysure PGA Seniors Championship  
Ladies European Tour – ISPS HANDA World Invitational  
London Diamond League (Anniversary Games)  
World Superbike – World Championship – British Round  
FIM Speedway Grand Prix World Championship – British Round  
2021 Great Britain Sail Grand Prix I Plymouth  
The Hundred Cricket  
Motorsport UK – Formula Student 2021  
Motorsport UK – Silverstone Classic & Support Races  
Motorsport UK – Festival of Speed  
British Grand Prix  
Motorsport UK – Porsche Sprint Challenge GB and supporting races  
NASCAR Whelan Euro Series and support races  
Motorsport UK – British GT Championship and support races  
British Kart Grand Prix  
Formula E  
The Coral Eclipse – Sandown horse-racing  
The Moet & Chandon July Festival at Newmarket horse-racing  
QIPCO King George Diamond Weekend horse-racing  
Qatar Goodwood Festival horse-racing

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British Open Wheelchair Tennis Championships  
Polaris Squads  
Professional Darts Corporation – Betfred World Matchplay Darts  
Equestrian Jumping – Wettenhall International  
Equestrian Eventing – Keysoe International  
Equestrian Jumping – Harthill International  
Equestrian Dressage – Hartpury International  
Equestrian Eventing – Barbury Castle International  
Equestrian Jumping – Hickstead  
Equestrian Eventing – Burgham International  
Equestrian Eventing – Bishop Burton International  
European Tour – Hero Open  
European Tour – English Open  
Ladies European Tour – Trust Golf Women's Scottish Open  
Moto GP – World Championship Grand Prix – British Round  
R & A – The AIG Women's Open (including qualifying)  
Welcome to Yorkshire Ebor Festival horse-racing  
R & A – The Curtis Cup  
Allam British Open Squash Championships  
World Snooker Tour – World Tour Series  
British Showjumping National Championships  
Para Dressage – Bishop Burton International  
Equestrian Eventing – Hartpury International  
Equestrian Jumping – Global Champions Tour – London  
Equestrian Eventing – Somerford Park International  
Equestrian Eventing – Blair Castle International  
Equestrian Jumping – Chepstow International  
Equestrian Eventing – Wellington International  
[F<sup>76</sup>Car Race – British Drag Racing Championship  
NFL International Series Games  
Football Association approved elite international club matches  
2021 English Adaptive Surfing Open  
Welsh Rugby International Fixtures  
British Reining Sherwood Circuit “Summer Sizzler”  
World Snooker Tour - British Open  
World Snooker Tour - Turkish Masters Qualifiers  
44Cup Cowes  
Dubai Duty Free Shergar Cup  
Equestrian Endurance Riding - Keysoe International  
European Tour - The British Challenge

European Tour - BMW Championship  
Legends Tour - Scottish Senior Open hosted by Paul Lawrie  
European Tour - Alfred Dunhill Links Championship  
The Tour of Britain  
World Snooker Tour - Northern Ireland and English Open Qualifiers  
Super League Triathlon Championship London 2021  
Rugby League World Cup]

#### Textual Amendments

- F74** Words in Sch. 5 omitted (29.6.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), **11(a)(i)**
- F75** Words in Sch. 5 omitted (29.6.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), **11(a)(ii)**
- F76** Words in Sch. 5 inserted (29.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), **11(b)**

#### Textual Amendments

- F74** Words in Sch. 5 omitted (29.6.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), **11(a)(i)**
- F75** Words in Sch. 5 omitted (29.6.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), **11(a)(ii)**
- F76** Words in Sch. 5 inserted (29.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), **11(b)**

## SCHEDULE 6 **E+W**

Regulation 3(1)

### Passenger information

1. Personal details of the passenger—
  - (a) their full name;
  - (b) their sex;
  - (c) their date of birth;
  - (d) their passport number, or travel document reference number (as appropriate), issue and expiry dates and issuing authority;
  - (e) their telephone number;
  - (f) their home address;
  - (g) their email address.

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

### Commencement Information

**I76** Sch. 6 para. 1 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### 2. Journey details of the passenger—

- (a) the address or addresses in the United Kingdom at which—
  - (i) in the case of a person who is required to comply with regulation 9 [<sup>F77</sup>or 10] (requirement to self-isolate), they intend to self-isolate and including, where regulation [<sup>F78</sup>10] applies, the booking reference number for the managed self-isolation package booked by or on behalf of P, or
  - (ii) in the case of any other person, they intend to stay during the period of 10 days beginning on the day after the date of their arrival in the United Kingdom;
- (b) the date, or planned date, as appropriate of their arrival at an address specified in subparagraph (a);
- (c) the operator they are travelling with or through which their booking was made;
- (d) their seat number;
- (e) their coach number;
- (f) the flight number or vessel name;
- (g) the location at which they will arrive in the United Kingdom;
- (h) the country or territory they are travelling from;
- (i) the part of that country or territory they are travelling from, if that part—
  - (i) is specified in Schedule 1 (category 1 countries and territories), or
  - (ii) is, where the country or territory itself is specified in that Schedule, expressly excluded in relation to that country or territory;
- (j) any other country or territory they have departed from or transited through in the period beginning with the 10th day before the date of their arrival in England, and in any such case, the dates of departing from or transiting through any such country or territory;
- (k) any part of that other country or territory which they have departed from or transited through during that period, including the dates of departure or transit, if that part—
  - (i) is specified in Schedule 1, or
  - (ii) is, where the country or territory itself is specified in that Schedule, expressly excluded in relation to that country or territory;
- (l) the date and time, or planned date and time, as appropriate, of their arrival in the United Kingdom;
- (m) whether they are connecting through the United Kingdom to a destination outside the United Kingdom and, if so—
  - (i) the location at which they will depart from in the United Kingdom,
  - (ii) their final destination country or territory,
  - (iii) the operator they are travelling with or through which their booking was made for their onward journey,
  - (iv) the seat number for their onward journey,
  - (v) the flight number or vessel name for their onward journey,
  - (vi) the coach number for their onward journey.

#### Textual Amendments

- F77** Words in Sch. 6 para. 2(a)(i) inserted (19.5.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/589\)](#), regs. 1(1), **2(8)(a)** (with reg. 3(1))
- F78** Word in Sch. 6 para. 2(a)(i) substituted (19.5.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/589\)](#), regs. 1(1), **2(8)(b)** (with reg. 3(1))

#### Commencement Information

- I77** Sch. 6 para. 2 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

3. Where the passenger is travelling with a child for whom they have responsibility—
- (a) the full name and date of birth of that child;
  - (b) the relationship of the passenger to that child.

#### Commencement Information

- I78** Sch. 6 para. 3 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

4. Where the passenger is a person required by regulation 9(2) to self-isolate, and intends to undertake a test in accordance with Schedule 10 (optional tests)—
- (a) the name of the test provider;
  - (b) the test reference number provided to them by the test provider in accordance with paragraph 4(d) of that Schedule.

#### Commencement Information

- I79** Sch. 6 para. 4 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

5. Where regulation 6 (requirement to book and undertake tests) requires a testing package—
- (a) the name of the test provider;
  - (b) the test reference number provided to them by the test provider in accordance with paragraph 10(5) of Schedule 8.

#### Commencement Information

- I80** Sch. 6 para. 5 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

## SCHEDULE 7 E+W

Regulation 4

### Testing before arrival in England

#### Compliant tests E+W

1. A test complies with this paragraph if—

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)

- (a) it is a test for the detection of coronavirus undertaken using a device which the manufacturer states has—
  - (i) a sensitivity of at least 80%,
  - (ii) a specificity of at least 97%, and
  - (iii) a limit of detection of less than or equal to 100,000 SARS-CoV-2 copies per millilitre;
- (b) it is not a test provided or administered under the National Health Service Act 2006, the National Health Services (Wales) Act 2006, the National Health Service (Scotland) Act 1978, or the Health and Personal Social Services (Northern Ireland) Order 1972; and
- (c) the test sample is taken from the person no more than three days before—
  - (i) in the case of that person travelling to England on a commercial transport service, the service's scheduled time of departure, or
  - (ii) in any other case, the actual time of departure of the vessel or aircraft on which that person is travelling to England.

#### Commencement Information

**181** Sch. 7 para. 1 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Form of notification of negative result **E+W**

**2.** Notification of a negative test result must include, in English, French or Spanish, the following information—

- (a) the name of the person from whom the sample was taken;
- (b) that person's date of birth or age;
- (c) the negative result of the test;
- (d) the date the test sample was collected or received by the test provider;
- (e) the name of the test provider and information sufficient to contact that provider;
- (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.

#### Commencement Information

**182** Sch. 7 para. 2 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Persons not required to comply with regulation 4 **E+W**

**3.—(1)** The persons referred to in regulation 4(6)(c) (and not required to comply with that regulation) are—

- (a) a person (“P”) described in—
  - (i) paragraph 16(1)(b) of Schedule 4 where, prior to P's departure to the United Kingdom, the relevant Department has certified that they meet this description and are not required to comply with regulation 4, or



- (ii) paragraph 17 of Schedule 4 where, prior to P's departure to the United Kingdom, the relevant Department has also certified that they are not required to comply with regulation 4;
  - (b) a Crown servant or government contractor ("C") who is required to undertake essential policing or essential government work in the United Kingdom or is returning from conducting such work outside the United Kingdom where, prior to C's departure to the United Kingdom, the relevant Department has certified that they meet this description and are not required to comply with regulation 4;
  - (c) a representative ("R") of a foreign country or territory, or of the government of a British overseas territory, travelling to the United Kingdom to conduct official business with the United Kingdom where, prior to R's departure to the United Kingdom—
    - (i) the relevant head of the mission, consular post, or office representing a foreign territory in the United Kingdom, or a Governor of a British overseas territory (as the case may be), or a person acting on their authority, confirms in writing to the Foreign Commonwealth and Development Office that R is required to undertake work which is essential to the foreign country represented by the mission or consular post, the foreign territory represented by the office or the British overseas territory, and
    - (ii) the Foreign Commonwealth and Development Office has then confirmed in writing to the person giving the notification in sub-paragraph (i) that—
      - (aa) it has received that confirmation, and
      - (bb) R is travelling to the United Kingdom to conduct official business with the United Kingdom and is not required to comply with regulation 4;
  - [<sup>F79</sup>(ca) a specified person ("P") travelling to the United Kingdom to conduct official business with the United Kingdom where—
    - (i) P has been invited to the United Kingdom by the Secretary of State for Foreign, Commonwealth and Development Affairs, and
    - (ii) prior to P's departure to the United Kingdom the Foreign, Commonwealth and Development Office has confirmed in writing to P that they are travelling to the United Kingdom to conduct official business with the United Kingdom and are not required to comply with regulation 4;]
  - (d) a person described in paragraph 31 of Schedule 4 (worker with specialist technical skills).
- (2) In sub-paragraph (1)—
- (a) "consular post" has the meaning given in paragraph 1(4) of Schedule 4;
  - [<sup>F80</sup>(aa) "specified person" has the meaning given in paragraph 1(4A) of Schedule 4;]
  - (b) "Crown servant", "essential government work", "essential policing" and "government contractor" have the meaning given in paragraph 16(2) of Schedule 4.

#### Textual Amendments

- F79** Sch. 7 para. 3(1)(ca) inserted (8.7.2021 at 4.00 a.m.) by *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/766)*, regs. 1(4), **12(a)** (with reg. 16(1))
- F80** Sch. 7 para. 3(2)(aa) inserted (8.7.2021 at 4.00 a.m.) by *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/766)*, regs. 1(4), **12(b)** (with reg. 16(1))

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

### Commencement Information

**I83** Sch. 7 para. 3 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

## SCHEDULE 8 **E+W**

Regulation 6(10)

### Mandatory testing after arrival in England

#### Interpretation of this Schedule **E+W**

1.—(1) In this Schedule—

- (a) “default self-isolation period” means—
  - (i) in the case of a non-Schedule 11 passenger, the period specified in paragraph (7)(a) of regulation 9 (requirement to self-isolate),
  - (ii) in the case of a Schedule 11 passenger, the period specified in paragraph 10(a) of Schedule 11;
- (b) “mandatory test” means a day 2 test or a day 8 test within the meaning of regulation 6(12);
- (c) “non-Schedule 11 passenger” means a person to whom regulation 9 applies;
- (d) “P” means a person required to undertake a mandatory test under regulation 6 (requirement to book and undertake tests);
- (e) “private provider” means a test provider other than a public provider;
- (f) “public provider” means a test provider who provides or administers a test under the National Health Service Act 2006, the National Health Services (Wales) Act 2006, the National Health Service (Scotland) Act 1978, or the Health and Personal Social Services (Northern Ireland) Order 1972;
- (g) “relevant self-isolation provisions” means—
  - (i) in relation to a Schedule 11 passenger, regulation [F8110] and Schedule 11,
  - (ii) in relation to a non-Schedule 11 passenger, regulation 9.

(2) Where this Schedule requires P to continue to self-isolate in accordance with the relevant self-isolation provisions—

- (a) regulation 19 (offences and penalties) applies in relation to that requirement as it applies in relation to the relevant self-isolation provisions;
- (b) such a requirement to self-isolate does not apply in respect of a person exempt from regulation 9.

### Textual Amendments

**F81** Word in Sch. 8 para. 1(1)(g)(i) substituted (22.6.2021 at 4.00 a.m.) by *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 3) Regulations 2021* (S.I. 2021/731), regs. 1(2), **2(9)**

### Commencement Information

**I84** Sch. 8 para. 1 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

## Requirement to self-isolate on failure to undertake a mandatory test **E+W**

2.—(1) Sub-paragraph (2) applies where P is not a person of the description in regulation 5(1)(b), (c) or (d) and—

(a) either—

(i) P fails to undertake a day 2 test, or

(ii) P's day 2 test generates a negative or inconclusive result, and

(b) P fails to undertake a day 8 test.

(2) Where this sub-paragraph applies, P must continue to self-isolate in accordance with the relevant self-isolation provisions until the end of the 14th day after the day on which they arrived in England.

(3) Sub-paragraph (4) applies where P is a person of the description in regulation 5(1)(b), (c) or (d) and P fails to undertake a day 2 test.

(4) Where this sub-paragraph applies, P must self-isolate in accordance with regulation 2 of the Self-Isolation Regulations as if P had been notified under regulation 2A(1)(a) of those Regulations, on the date that P should have undertaken the day 2 test, that P had tested positive, until the earlier of—

(a) the end of the 14th day after the day P arrived in England; or

(b) the time that P is notified of the result of a test meeting the requirements of a day 2 test save as to the time at which that test is to be undertaken, that P has undertaken.

(5) Sub-paragraph (6) applies where P is a person of the description in regulation 5(1)(b), (c) or (d) and P fails to undertake a day 8 test.

(6) Where this sub-paragraph applies, P must self-isolate in accordance with regulation 2 of the Self-Isolation Regulations as if P had been notified under regulation 2A(1)(a) of those Regulations, on the date that P should have undertaken the day 8 test, that P had tested positive, until the earlier of—

(a) the end of the 14th day after the day P arrived in England; or

(b) the time that P is notified of the result of a test meeting the requirements of day 8 test save as to the time at which the test is undertaken, that P has undertaken.

(7) If the result notified to P of a test of the description in sub-paragraph (4)(b) or (6)(b) is a positive result, P must self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until the end of the 10th day after the day P arrived in England.

(8) Where P undertakes a test to which paragraph 3(7)(b) applies and which generates—

(a) a positive result, paragraph 3(1) applies as if the test were a mandatory test;

(b) a negative result, paragraph 3(4) applies as if—

(i) P had taken both a day 2 test and a day 8 test, and

(ii) both tests had generated a negative result.

### Commencement Information

**185** Sch. 8 para. 2 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

### Consequences of test results **E+W**

3.—(1) Subject to paragraphs 4 (optional tests) and 5 (tests other than in accordance with these Regulations), where a mandatory test undertaken by P in accordance with regulation 6 generates a positive result—

(a) the following do not apply in relation to P—

(i) regulation 9(11)(a) or, as the case may be, paragraph 13(1)(a) of Schedule 11 (leaving self-isolation to travel in order to leave England),

(ii) subject to sub-paragraph (2), regulation 2A (requirements on person notified of positive test) of the Self-Isolation Regulations; and

(b) P and, subject to sub-paragraph (3), any person who is self-isolating with P must continue to self-isolate in accordance with the relevant self-isolation provisions until the end of the 10th day after the day P undertook the test.

(2) Regulation 2A of the Self-Isolation Regulations continues to apply to a person within regulation 5(1)(a), (c), (d), (e), (2) and (6).

(3) Where a person (“B”) is self-isolating with P pursuant to the relevant self-isolation provisions, the requirement to self-isolate under sub-paragraph (1)(b) does not apply to B where—

(a) the test referred to in sub-paragraph (1) is P's day 8 test; and

(b) B undertook a day 2 test that generated a positive result.

(4) Subject to paragraph 4, where P's day 2 test and day 8 test both generate a negative result, P must continue to self-isolate in accordance with the relevant self-isolation provisions until the later of—

(a) the end of the default self-isolation period;

(b) the day on which P receives the result of their day 8 test.

(5) Where a mandatory test undertaken by P generates an inconclusive result P must continue to self-isolate in accordance with the relevant self-isolation provisions—

(a) until the end of the 10th day after the day P undertook the test;

(b) where P undertakes a test to which sub-paragraph (7) applies and the test generates a negative result, until the later of—

(i) the end of the default self-isolation period,

(ii) the day on which P receives the negative result; or

(c) where P undertakes a test to which sub-paragraph (7) applies and the test generates a positive result, until the end of the 10th day after the day P undertook the test.

(6) Where sub-paragraph (5)(c) applies, P is not required to undertake a day 8 test in accordance with regulation 6.

(7) This sub-paragraph applies to—

(a) a day 8 test;

(b) a test—

(i) complying with the requirements for a day 8 test specified in paragraphs 8 and 9 (other than the requirement in paragraph 9(1)(e) that the test be administered or provided to P no earlier than the end of the seventh day after the day on which P arrived in England),

(ii) undertaken in the circumstances specified in paragraph 10 (other than the circumstances in paragraph 10(2) about when a test must be undertaken), and

(iii) undertaken during the period specified in sub-paragraph (5)(a).

**Commencement Information**

**186** Sch. 8 para. 3 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Optional tests** **E+W**

4.—(1) This paragraph applies where P—

- (a) is a non-Schedule 11 passenger who is required to comply with regulation 9, and
- (b) undertakes a day 2 test which generates a negative or inconclusive result.

(2) P may undertake a test in accordance with Schedule 10 (optional testing after arrival in England), and, where the test generates a negative result, P ceases to be required to self-isolate from the time that P is notified of that result.

(3) P must in any event undertake the day 8 test booked in accordance with regulation 6.

(4) Where P ceases to be required to self-isolate under these Regulations in accordance with regulation 9(16), paragraph 3(1), (4) and (5) do not apply in relation to P's day 8 test.

**Commencement Information**

**187** Sch. 8 para. 4 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Tests other than in accordance with these Regulations** **E+W**

5.—(1) This paragraph applies where—

- (a) P is a non-Schedule 11 passenger;
- (b) P undertakes a day 2 test which generates a negative result;
- (c) while P is self-isolating under these Regulations, P subsequently undertakes a test other than in accordance with these Regulations; and
- (d) P is notified that such test generates a positive result.

(2) P ceases to be required to self-isolate in accordance with these Regulations, and regulation 2A of the Self-Isolation Regulations applies in relation to P.

**Commencement Information**

**188** Sch. 8 para. 5 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Day 2 tests: general test requirements** **E+W**

6.—(1) For the purposes of regulation 6(12)(a), a day 2 test complies with this paragraph where—

- (a) it is a test provided by a public provider; or
- (b) it is a test provided by a private provider—
  - (i) in respect of—
    - (aa) a non-Schedule 11 passenger, on or after 1st March 2021;
    - (bb) a Schedule 11 passenger, on 1st or 2nd March 2021,
  - (ii) where the test complies with sub-paragraph (2), and
  - (iii) where the private provider complies with paragraph 7.

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

- (2) A test complies with this sub-paragraph where—
- (a) it is a semi-quantitative test for the detection of coronavirus which—
    - (i) targets a minimum of two distinguishable SARS-CoV-2 genes other than the S gene and performance reference controls,
    - (ii) includes routine in silico assurance against every variant of concern, and
    - (iii) produces a test solution that provides extracted nucleic acid that is suitable for whole genome sequencing using a specified method;
  - (b) it is, in relation to a Schedule 11 passenger, a test that can be self-administered;
  - (c) the manufacturer of any device used for the purposes of the test states that the device—
    - (i) uses an established molecular detection method,
    - (ii) has a specificity and a sensitivity greater than 99% (with a 95% two-sided confidence interval entirely above 97%),
    - (iii) has a limit of detection of less than or equal to 1000 SARS-CoV-2 copies per millilitre, and
    - (iv) is suitable for identifying every variant of concern; and
  - (d) any device used for the purposes of the test—
    - (i) can be put into service in accordance with Part 4 of the Medical Devices Regulations 2002, other than solely by virtue of regulation 39(2) of those Regulations, and
    - (ii) has been validated no more than 18 months before the test is administered or provided to P.
- (3) For the purposes of sub-paragraph (2)—
- (a) “specified method” means a targeted sequence method specific to SARS-CoV-2 or an equivalent—
    - (i) amplicon method, or
    - (ii) sequence bait capture method;
  - (b) “validated”, in relation to a device, has the meaning given by paragraph 2(2) of Schedule 10;
  - (c) “variant of concern” means a variant of SARS-CoV-2 identified in a designation made by the Secretary of State for the purposes of this paragraph and published in a manner as appears to the Secretary of State to be appropriate.

#### Commencement Information

**189** Sch. 8 para. 6 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Day 2 tests: private provider requirements **E+W**

- 7.—(1) For the purposes of paragraph 6(1)(b)(iii), a private provider complies with this paragraph where—
- (a) they comply with the requirements of paragraph 3(1)(a) and (e) to (h) of Schedule 10 as if any reference in those provisions to an appropriate test were a reference to a day 2 test;
  - (b) if the provider is a laboratory that conducts diagnostic test evaluation for testing in accordance with this Schedule, they have made a declaration to the Department of Health and Social Care that they meet the minimum standards for private sector-provided testing at <https://support-covid-19-testing.dhsc.gov.uk/InternationalTesting>;

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

- (c) they have provided the Department of Health and Social Care with a list of all organisations that they work with (whether by sub-contract or otherwise) to carry out the testing service or to carry out genomic sequencing, indicating the nature of the service that each organisation is providing, and kept that list updated as appropriate;
- (d) the person responsible for the taking of samples meets the relevant requirements for accreditation to ISO standard 15189 or ISO/IEC standard 17025 in respect of the taking of samples;
- (e) the laboratory used by the test provider for the processing of samples meets the relevant requirements for ISO standard 15189 or ISO/IEC standard 17025 in respect of the evaluation of the established molecular detection method and the genomic sequencing of samples;
- (f) they receive the information required by paragraph 10(3) or (4) (as appropriate), and if they administer the test to P, they do so no later than the end of the second day after the day on which P arrived in England;
- (g) each day, they notify the Secretary of State in writing of—
  - (i) the number of tests they sold on that day, and
  - (ii) in relation to each test sold on that day—
    - (aa) the date of the arrival in England of the person in respect of whom the test was sold, and
    - (bb) whether the person in respect of whom the test was sold is a category 1 arrival or not;
- (h) they sequence each sample with a cycle threshold less than 30 (equivalent to ~1,000 viral genome copies per millilitre);
- (i) in respect of the sequencing of samples, they must secure a reference genome coverage breadth of at least 50% and at least 30 times coverage;
- (j) on a request by the Secretary of State or the COVID-19 Genomics UK Consortium, they make samples available for the purpose of dual sequencing;
- (k) they preserve and transport samples in a manner that enables genome sequencing;
- (l) they have in place a process to remove human reads from any data submitted in a notification to Public Health England pursuant to the Health Protection (Notification) Regulations 2010; and
- (m) if they arrange with another person (“X”) for X to carry out any element of the single end-to-end testing service on their behalf, the test provider ensures that X complies with the following so far as relevant to the carrying out of that element—
  - (i) paragraph 3(1)(e) to (h) of Schedule 10 as applied by paragraph (a) of this sub-paragraph,
  - (ii) paragraph (c) to (l) of this sub-paragraph,
  - (iii) paragraph 11(2), (3) and (4).

(2) For the purposes of sub-paragraph (1)(m), “single end-to-end testing service” has the meaning given in paragraph 3(2)(c) of Schedule 10.

(3) For the purposes of sub-paragraph (1)(d) and (e), a person or laboratory (as the case may be) meets the relevant requirements for accreditation to a standard where the person who is the operator of the laboratory complies with the requirements of regulation 6 of the Health Protection (Coronavirus, Testing Requirements and Standards) (England) Regulations 2020 as if—

- (a) a reference to an applicable test were a reference to a day 2 test;
- (b) a reference to a test provider were a reference to a private provider [F82;]

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

[<sup>F83</sup>(c) in paragraph (1), the words from “and make a declaration” to “25th November 2020” were omitted.]

#### Textual Amendments

**F82** Sch. 8 para. 7(3): semicolon substituted for full stop (29.6.2021) by virtue of [The Health Protection \(Coronavirus, Testing Requirements and Standards\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/682\)](#), regs. 1(1), **3(2)(a)**

**F83** Sch. 8 para. 7(3)(c) inserted (29.6.2021) by [The Health Protection \(Coronavirus, Testing Requirements and Standards\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/682\)](#), regs. 1(1), **3(2)(b)**

#### Commencement Information

**I90** Sch. 8 para. 7 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

### Day 8 tests: general test requirements **E+W**

- 8.—(1) For the purposes of regulation 6(12)(b), a day 8 test complies with this paragraph where—
- (a) it is a test provided by a public provider; or
  - (b) it is a test provided by a private provider—
    - (i) in respect of—
      - (aa) a non-Schedule 11 passenger, on or after 1st March 2021;
      - (bb) a Schedule 11 passenger, on 1st or 2nd March 2021,
    - (ii) where the test complies with sub-paragraph (2), and
    - (iii) where the private provider complies with paragraph 9.
- (2) A test complies with this sub-paragraph where—
- (a) it is a semi-quantitative test for the detection of coronavirus which targets a minimum of two distinguishable SARS-CoV-2 genes other than the S gene and performance reference controls;
  - (b) it is, in relation to a Schedule 11 passenger—
    - (i) a test which requires laboratory processing, and
    - (ii) a test which can be self-administered;
  - (c) the manufacturer of any device used for the purposes of the test states that the device—
    - (i) uses an extracted molecular method,
    - (ii) has a specificity and a sensitivity greater than 95% (with a 95% two-sided confidence interval entirely above 90%), and
    - (iii) has a limit of detection of less than or equal to 1000 SARS-CoV-2 copies per millilitre; and
  - (d) any device used for the purposes of the test—
    - (i) can be put into service in accordance with Part 4 of the Medical Devices Regulations 2002, other than solely by virtue of regulation 39(2) of those Regulations, and
    - (ii) has been validated no more than 18 months before the test is administered or provided to P.
- (3) For the purposes of sub-paragraph (2) “validated”, in relation to a device, has the meaning given by paragraph 2(2) of Schedule 10.



### Commencement Information

**191** Sch. 8 para. 8 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

### Day 8 tests: private provider requirements **E+W**

**9.**—(1) For the purposes of paragraph 8(1)(b)(iii), a private provider complies with this paragraph where—

- (a) they comply with the requirements of paragraph 3(1)(a) and (e) to (h) of Schedule 10 as if any reference in those provisions to an appropriate test were a reference to a day 8 test;
- (b) if the provider is a laboratory that conducts diagnostic test evaluation for testing in accordance with this Schedule, they have made a declaration to the Department of Health and Social Care that they meet the minimum standards for private sector-provided testing at <https://support-covid-19-testing.dhsc.gov.uk/InternationalTesting>;
- (c) they have provided the Department of Health and Social Care with a list of all organisations that they work with (whether by sub-contract or otherwise) to carry out the testing service or to carry out genomic sequencing, indicating the nature of the service that each organisation is providing and kept that list updated as appropriate;
- (d) in relation to a test which requires laboratory processing—
  - (i) the person responsible for the taking of samples meets the relevant requirements for accreditation to ISO standard 15189 or ISO/IEC standard 17025 in respect of the taking of samples, and
  - (ii) the laboratory used by the test provider for the processing of samples meets the relevant requirements for accreditation to ISO standard 15189 or ISO/IEC standard 17025 in respect of the processing of samples;
- (e) in relation to a point of care test, they meet the relevant requirements for accreditation to ISO Standard 15189 and ISO standard 22870;
- (f) they receive the information required by paragraph 10(3) or (4) (as appropriate), and if they administer the test to P, they do so no earlier than the end of the seventh day after the day on which P arrived in England;
- (g) each day, they notify the Secretary of State in writing of—
  - (i) the number of tests they sold on that day, and
  - (ii) in relation to each test sold on that day—
    - (aa) the date of arrival in England of the person in respect of whom the test was sold, and
    - (bb) whether the person in respect of whom the test was sold is a category 1 arrival or not;
- (h) if they arrange with another person (“X”) for X to carry out any element of the single end-to-end testing service on their behalf, the test provider ensures that X complies with the following so far as relevant to the carrying out of that element—
  - (i) paragraph 3(1)(e) to (i) of Schedule 10 as applied by paragraph (a) of this sub-paragraph,
  - (ii) paragraph (b) to (g) of this sub-paragraph,
  - (iii) paragraph 11(2), (3) and (4).

(2) For the purposes of sub-paragraph (1)(h), “single end-to-end testing service” has the meaning given in paragraph 3(2)(c) of Schedule 10.

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)

(3) For the purposes of sub-paragraph (1)(d) and (e), a person or laboratory (as the case may be) meets the relevant requirements for accreditation to a standard where the person who is the operator of the laboratory complies with the requirements of regulation 6 of the Health Protection (Coronavirus, Testing Requirements and Standards) (England) Regulations 2020 as if—

- (a) a reference to an applicable test were a reference to a day 8 test;
- (b) a reference to a test provider were a reference to a private provider [<sup>F84</sup>];
- [<sup>F85</sup>(c) in paragraph (1), as if the words from “and make a declaration” to “25th November 2020” were omitted.]

#### Textual Amendments

**F84** Sch. 8 para. 9(3): semicolon substituted for full stop (29.6.2021) by virtue of [The Health Protection \(Coronavirus, Testing Requirements and Standards\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/682\)](#), regs. 1(1), **3(3)(a)**

**F85** Sch. 8 para. 9(3)(c) inserted (29.6.2021) by [The Health Protection \(Coronavirus, Testing Requirements and Standards\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/682\)](#), regs. 1(1), **3(3)(b)**

#### Commencement Information

**I92** Sch. 8 para. 9 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

### Required circumstances for undertaking a day 2 test or a day 8 test **E+W**

- 10.**—(1) The circumstances mentioned in regulation 6(12)(a) and (b) are as follows.
- (2) In relation to—
- (a) a day 2 test, P undertakes the test no later than the end of the second day after the day on which P arrived in England;
  - (b) a day 8 test, P undertakes the test no earlier than the end of the seventh day after the day on which P arrived in England.
- (3) Subject to sub-paragraph (4), at the time the test is booked P notifies the test provider that P is to undertake the test under these Regulations, and provides the test provider with—
- (a) the information set out in paragraph 4(b)(i) to (v) and (vii) to (xiii) of Schedule 10; and
  - (b) their home address, and—
    - (i) where P is a person to whom regulation 9(1)(a) or (b) applies, the address or addresses at which they intend to self-isolate, or are self-isolating, in accordance with regulation 9 (if different from their home address), or
    - (ii) where P is a person to whom regulation 10 applies, the address of the accommodation designated for the purposes of Schedule 11.
- (4) Where P is a child, or a person with a disability who is unable for that reason to provide the notification and information set out or referred to in sub-paragraph (3) to the test provider—
- (a) the notification and information set out or referred to in sub-paragraph (3), other than the information set out in paragraph 4(b)(xi) and (xii) of Schedule 10, is provided to the test provider on P's behalf by another person (“Y”); and
  - (b) either the information set out in paragraph 4(b)(xi) and (xii) of Schedule 10 is provided by Y to the test provider or, where appropriate, Y provides their own telephone number and email address to the test provider.

(5) At the time the test is booked and payment made the test provider gives P a test reference number in the format specified in sub-paragraph (6) and, where appropriate, also provides that test reference number to Y.

(6) A test reference number must consist of 12 characters comprising 5 letters followed by 7 digits.

**Commencement Information**

**193** Sch. 8 para. 10 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Notification of test results** **E+W**

**11.**—(1) This paragraph applies to a private provider who administers or provides a test to P in the circumstances described in paragraph 10.

(2) The private provider must, within 24 hours of the result becoming available—

- (a) notify P or, where paragraph 10(4) applies, Y by email, letter, or text message, of the result of P's test; or
- (b) make P's test result available to P, or where paragraph 10(4) applies, to Y via a secure web portal,

in accordance with sub-paragraph (3).

(3) The notification of P's test result must include P's name, date of birth, passport number, or travel document reference number (as appropriate), the name and contact details of the test provider and P's test reference number, and must be conveyed using one of the following forms of words, as appropriate—

**Form A: negative test result**

Your coronavirus (COVID-19) test result is negative. You did not have the virus when the test was done.

You are not required to quarantine if you are travelling from a green-list country. If you are travelling from an amber list country and took the test on or before day 2 of your quarantine you must continue to quarantine until you have completed the 10-day quarantine period and received a negative test result for a test taken on day 8. If you took the test on day 8 and are travelling from an amber-list country you may stop quarantine when you have completed your 10-day quarantine period.

You should self-isolate again if:

you get symptoms of coronavirus (COVID-19) – get an NHS coronavirus (COVID-19) test from [www.gov.uk/get-coronavirus-test](http://www.gov.uk/get-coronavirus-test) and self-isolate until you get the results

you're going into hospital (self-isolating until the date you go in)

someone you live with tests positive

you have been traced as a contact of someone who tested positive

For advice on when you might need to self-isolate and what to do, go to [www.nhs.uk/conditions/coronavirus-covid-19](http://www.nhs.uk/conditions/coronavirus-covid-19) and read 'Self-isolation and treating symptoms'.

**Form B: positive test result**

Your coronavirus test result is positive. You had the virus when the test was done.

Even if you have not had symptoms of coronavirus, you must self-isolate for 10 days from the day after your test date. Your test sample may be genome sequenced to check whether you have a virus variant of concern or variant under investigation.

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)

People you live with or have travelled with should also self-isolate for 10 days from the day after you took a test.

If you received a positive test result for the test taken you do not need to take any further tests. People you are travelling with must still take a day 8 test if they have travelled from an amber list country.

You may be contacted for contact tracing and to check that you, and those who you live or are travelling with, are self-isolating.

You must not travel, including to leave the UK, during self-isolation.

Contact 111 if you need medical help. In an emergency dial 999.

### **Form C: unclear test result**

Your coronavirus test result is unclear. It is not possible to say if you had the virus when the test was done.

You must take another test or self-isolate for 10 days from the day after your test date.

You may be contacted to check that you are self-isolating.

(4) Where—

- (a) regulation 4 or 4A of the Health Protection (Notification) Regulations 2010 applies in relation to the test provider; or
- (b) if the test provider arranges with another person (“X”) for X to carry out any element of the single end-to-end testing service on their behalf, either of those regulations applies to X in the carrying out of that element,

the regulation applies as if it required the information described in sub-paragraph (5) to be included in the notification to Public Health England.

(5) The information mentioned in sub-paragraph (4) is—

- (a) the date on which P last departed from or transited through a category 2 country or territory;
- (b) P's coach number, flight number or vessel name (as appropriate);
- (c) the country or territory P was travelling from when P arrived in England, and any country or territory they transited through as part of that journey;
- (d) the date on which P undertook the appropriate test;
- (e) whether the test is—
  - (i) a day 2 test for a category 1 arrival,
  - (ii) a day 2 test for a person who is not a category 1 arrival, or
  - (iii) a day 8 test.

### **Commencement Information**

**I94** Sch. 8 para. 11 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

### **Charge for day 2 tests and day 8 tests** E+W

**12.**—(1) The Secretary of State or a person designated by the Secretary of State may impose a charge in respect of mandatory tests provided by a public provider.

(2) The Secretary of State—

- (a) must publish details of the charges in such manner as the Secretary of State considers appropriate; and
- (b) may recover any sum owed by a person pursuant to such a charge as a debt.

**Commencement Information**

**I95** Sch. 8 para. 12 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

SCHEDULE 9 **E+W**

Regulation 7(5)

Workforce tests

**Interpretation of this Schedule** **E+W**

1. In this Schedule—

- (a) “P” means a person required to undertake workforce tests under regulation 7 (requirement to undertake workforce tests);
- (b) “workforce test” means any of the categories of workforce test described in regulation 7(6).

**Commencement Information**

**I96** Sch. 9 para. 1 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**Requirement after failure to undertake test** **E+W**

2.—(1) Sub-paragraph (2) applies where P fails to undertake a workforce test that P is required by regulation 7 to undertake.

(2) Where this sub-paragraph applies, P must self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until the earlier of—

- (a) the end of the 14th day after the day on which P arrived in England; or
- (b) the time P obtains a negative result from a workforce test.

(3) P must comply with any applicable obligations in regulation 7(2) during any period that P is required to self-isolate in accordance with sub-paragraph (2).

(4) Where P is required to self-isolate in accordance with sub-paragraph (2), regulation 2(2) of the Self-Isolation Regulations (meaning of self-isolate) applies as if it also permitted P to leave the place of self-isolation where necessary to undertake a workplace test.

**Commencement Information**

**I97** Sch. 9 para. 2 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**Consequences of test results** **E+W**

3.—(1) Where a workforce test undertaken by P in accordance with regulation 7 generates a positive result—

- (a) P must as soon as reasonably practicable undertake a further test which complies with the requirements for a day 2 test specified in paragraph 6 of Schedule 8 (mandatory testing after arrival in England), in the circumstances specified in paragraph 10 of that Schedule (other than the circumstances in paragraph 10(2) about when a test must be undertaken);

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- (b) P must self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until the end of the 10th day after the day P undertook the test.
- (2) Where sub-paragraph (1) applies—
- (a) if the test taken by P was a workforce test undertaken for day 2, P is not required to undertake a workforce test for day 5 or day 8;
- (b) if the test undertaken by P was a workforce test undertaken for day 5, P is not required to undertake a workforce test for day 8.
- (3) Where a further test undertaken in accordance with sub-paragraph (1)(a) generates a negative result, this paragraph applies to P from the time P is notified of that negative result as if the workforce test undertaken by P in accordance with regulation 7 had generated a negative result (and accordingly, from that time, P is no longer required to self-isolate).
- (4) Paragraph 11(4) and (5) (notification of test results) of Schedule 8 applies in relation to a further test undertaken pursuant to sub-paragraph (1)(a) as it applies to a test provider in relation to a test provided under Schedule 8.
- (5) Where a workforce test undertaken by P in accordance with regulation 7 generates an inconclusive result, P must as soon as reasonably practicable undertake a further workforce test and that further workforce test is to be treated as a replacement workforce test within the meaning of regulation 7(4).

#### Commencement Information

**I98** Sch. 9 para. 3 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Duties on employers **E+W**

**4.—(1)** An employer with more than 50 employees who is the employer of any person who is required to undertake workforce tests or has responsibility for any agency worker who is required to undertake workforce tests, must take reasonable steps to facilitate the taking of those tests by that person or agency worker in accordance with these Regulations.

(2) In the discharge of the duty under sub-paragraph (1), an employer must have regard to any guidance issued by the Secretary of State for the purposes of this paragraph.

- (3) In sub-paragraph (1) an employer has responsibility for an agency worker if—
- (a) the agency worker is supplied or to be supplied by a person (an “agent”) to the employer under a contract or other arrangements made between the agent and the employer; and
- (b) the agency worker is not—
- (i) a worker because of the absence of a worker's contract between the agency worker and the agent or the employer, or
- (ii) a party to a contract under which the agency worker undertakes to do the work for another party to a contract whose status is, by virtue of the contract, that of a client or customer of any profession or business undertaking carried on by the agency worker.

#### Commencement Information

**I99** Sch. 9 para. 4 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

## SCHEDULE 10 **E+W**

Regulation 9(16)

### Optional testing after arrival in England

#### Application of this Schedule **E+W**

1. A person who is required by regulation 9(2) to self-isolate (“P”) may undertake an appropriate test in the circumstances described in paragraph 4 for the purposes of determining whether they may cease self-isolating (as provided for in regulation 9(16)).

#### Commencement Information

**I100** Sch. 10 para. 1 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Appropriate tests **E+W**

2.—(1) A test is an “appropriate test” where—

- (a) it is a test for the detection of coronavirus;
- (b) the manufacturer of any device used for the purposes of the test states that the device has—
  - (i) a sensitivity greater than 95% (with 95% two-sided confidence interval entirely above 90%),
  - (ii) a specificity greater than 95% (with 95% two-sided confidence interval entirely above 90%),
  - (iii) a limit of detection of less than or equal to 1000 SARS-CoV-2 copies per millilitre, and
  - (iv) uses an established molecular detection method;
- (c) any device used for the purposes of the test—
  - (i) can be put into service in accordance with Part 4 of the Medical Devices Regulations 2002, other than solely by virtue of regulation 39(2) of those Regulations,
  - (ii) has been validated no more than 18 months before the test is administered or provided to P;
- (d) it is not a test provided or administered under the National Health Service Act 2006, the National Health Service (Wales) Act 2006 <sup>M74</sup>, the National Health Service (Scotland) Act 1978 <sup>M75</sup>, or the Health and Personal Social Services (Northern Ireland) Order 1972 <sup>M76</sup>; and
- (e) the test provider complies with paragraph 3.

(2) For the purposes of sub-paragraph (1), “validated”, in relation to a device, means confirmed as having the required sensitivity and specificity using at least 150 positive clinical samples and 250 negative clinical samples against a laboratory-based RT-PCR test that is itself within the performance specification of the target product profile published by the Medicines and Healthcare Products Regulatory Agency for laboratory based SARS-CoV-2 PCR tests, by—

- (a) the Secretary of State;
- (b) a laboratory which is accredited to ISO standard 15189 or ISO/IEC standard 17025 <sup>M77</sup> by—
  - (i) the United Kingdom Accreditation Service <sup>M78</sup> (“UKAS”), or

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

- (ii) an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation (“ILAC”) Mutual Recognition Arrangement <sup>M79</sup> or the European co-operation for Accreditation (“EA”) Multilateral Agreement <sup>M80</sup>, other than a laboratory which processes tests provided by the test provider for the purposes of this Schedule or is owned by the test provider or the device manufacturer. <sup>M81</sup>; or
- (c) a laboratory which is accredited by UKAS to ISO standard 15189 or ISO/IEC standard 17025 <sup>M82</sup>, other than a laboratory which processes tests provided by the test provider for the purposes of this Schedule or is owned by the test provider or the device manufacturer.

#### Commencement Information

**I101** Sch. 10 para. 2 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Marginal Citations

**M74** 2006 c. 42.

**M75** 1978 c. 29.

**M76** S.I. 1972/1265 (N.I. 14).

**M77** ISO standards are published in Geneva by the International Organisation for Standardisation, and are available on their website ([www.iso.org](http://www.iso.org)) or at ISO Central Secretariat, International Organization for Standardization (ISO), 1 rue de Varembe, Case postale 56, CH-1211, Geneva 20, Switzerland. ISO/IEC 17025 General requirements for the competence of testing and calibration laboratories was published in November 2017.

**M78** The United Kingdom Accreditation Service is a company limited by guarantee incorporated in England and Wales under number 3076190.

**M79** ILAC is an international organisation which coordinates the work of its signatory national accreditation bodies which are themselves involved in the accreditation of conformity assessment bodies, testing laboratories, and medical testing laboratories.

**M80** EA is a regional organisation which coordinates the work of its signatory national accreditation bodies. EA is recognised by and works closely with ILAC.

**M81** A body corporate established under section 232 of the [Health and Social Care Act 2012 \(c. 7\)](#).

**M82** ISO standards are published in Geneva by the International Organisation for Standardisation, and are available on their website ([www.iso.org](http://www.iso.org)) or at ISO Central Secretariat, International Organization for Standardization (ISO), 1 rue de Varembe, Case postale 56, CH-1211, Geneva 20, Switzerland. ISO/IEC 17025 General requirements for the competence of testing and calibration laboratories was published in November 2017. ISO 15189 Medical Laboratories requirements for quality and competence was published in November 2012.

#### Test providers **E+W**

- 3.—(1) A test provider complies with this paragraph where—
- (a) they provide appropriate tests in a single end-to-end testing service (whether or not they arrange with another person (“X”) for X to provide one or more elements of the service on their behalf);
  - (b) they have made a declaration to the Department of Health and Social Care that they meet the minimum standards for private sector-provided testing at <https://support-covid-19-testing.dhsc.gov.uk/PrivateSectorSelfDeclaration>;
  - (c) in relation to a test which requires laboratory processing—



**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

- (i) the person responsible for the taking of samples meets the relevant requirements for accreditation to ISO standard 15189 or ISO/IEC standard 17025, in respect of the taking of samples, and
  - (ii) the laboratory used by the test provider for the processing of samples meets the relevant requirements for accreditation to ISO standard 15189 or ISO/IEC standard 17025, in respect of the processing of samples;
  - (d) in relation to a point of care test, they meet the relevant requirements for accreditation to ISO standard 15189 and ISO standard 22870 <sup>M83</sup>;
  - (e) a registered medical practitioner has oversight and approval of medical practices undertaken by the test provider, and responsibility for reporting medical issues;
  - (f) they have an effective system of clinical governance in place which includes appropriate standard operating procedures in relation to the carrying out of appropriate tests;
  - (g) a registered clinical scientist has oversight of clinical practices undertaken by the test provider, and responsibility for reporting clinical issues;
  - (h) they have systems in place to identify any adverse incidents or quality control issues in relation to appropriate tests and be able to report them as soon as reasonably practicable to the Secretary of State;
  - (i) they administer or provide an appropriate test to P, on or after the fifth day after the day on which P arrived in England having received the information required by paragraph 4(b) and (c) (as appropriate); and
  - (j) if they arrange with another person (“X”) for X to carry out any element of the single end-to-end testing service on their behalf, the test provider ensures that X complies with any of paragraphs (c) to (i) and 5(2), (3) and (5) as is relevant to the carrying out of that element.
- (2) For the purposes of sub-paragraph (1)—
- (a) “point of care test” means a test processed outside a laboratory environment;
  - (b) “registered clinical scientist” means a person registered as a clinical scientist with the Health and Care Professions Council pursuant to article 5 of the Health Professions Order 2001 <sup>M84</sup>;
  - (c) “single end-to-end testing service” means a service which comprises accepting the booking from the person to be tested, collecting and processing the sample to be tested, carrying out genomic sequencing and providing the test result to P.

[<sup>F86</sup>(3A) For the purposes of sub-paragraph (1)(c) and (d), a person or laboratory (as the case may be) meets the relevant requirements for accreditation to a standard where the person who is the operator of the laboratory complies with the requirements of regulation 6 of the Health Protection (Coronavirus, Testing Requirements and Standards) (England) Regulations 2020 as if a reference to an applicable test were a reference to an appropriate test.]

#### Textual Amendments

**F86** Sch. 10 para. 3(3A) substituted for Sch. 10 para. 3(3)(4) (29.6.2021) by virtue of [The Health Protection \(Coronavirus, Testing Requirements and Standards\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/682\)](#), regs. 1(1), **3(4)**

#### Commencement Information

**I102** Sch. 10 para. 3 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)

#### Marginal Citations

**M83** ISO 22870 Point-of-care testing (POCT) requirements for quality and competence was published in November 2016.

**M84** S.I. 2002/254.

#### Required circumstances for undertaking testing **E+W**

4. The circumstances mentioned in paragraph 1 are that—
- (a) P undertakes the test on or after the fifth day after the day on which P arrived in England;
  - (b) subject to sub-paragraphs (c) and (d), at the time the test is booked P notifies the test provider that P wishes to undertake the test for the purposes of determining whether they may cease self-isolating under these Regulations, and provides the test provider with—
    - (i) their full name,
    - (ii) their sex,
    - (iii) their date of birth,
    - (iv) their NHS number (if known and applicable),
    - (v) their ethnicity,
    - (vi) their home address, and the address or addresses at which they intend to self-isolate in accordance with regulation 9 while in England (if different),
    - (vii) the date of their arrival in the United Kingdom,
    - (viii) their coach number, flight number or vessel name (as appropriate),
    - (ix) the date on which they last departed from or transited through a category 2 country or territory,
    - (x) the country or territory they were travelling from when they arrived in the United Kingdom, and any country or territory they transited through as part of that journey,
    - (xi) their email address,
    - (xii) their telephone number,
    - (xiii) their passport number, or travel document reference number (as appropriate);
  - (c) where P is a child, or a person with a disability who is unable for that reason to provide the notification and information set out in paragraph (b) to the test provider—
    - (i) the notification and information set out in paragraph (b), other than in paragraph (b) (xi) and (xii), is provided to the test provider on P's behalf by another person (“X”), and
    - (ii) either the information set out in paragraph (b)(xi) and (xii) is provided by X to the test provider or, where appropriate, X provides their own telephone number and email address to the test provider;
  - (d) at the time the test is booked and payment made the test provider gives P a test reference number in the format specified in sub-paragraph (e) and, where appropriate, also provides that test reference number to X;
  - (e) a test reference number must consist of 12 characters comprising 5 letters followed by 7 digits.

### Commencement Information

**I103** Sch. 10 para. 4 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

### Notification of test results **E+W**

5.—(1) Sub-paragraphs (2) to (6) apply to a test provider who administers or provides an appropriate test to P in the circumstances described in paragraph 4.

(2) The test provider must, within 24 hours of the result becoming available—

- (a) notify P or, where paragraph 4(c) applies, X by email, letter, or text message, of the result of P's test; or
- (b) make P's test result available to P, or to X where paragraph 4(c) applies, via a secure web portal,

in accordance with sub-paragraph (3).

(3) The notification of P's test result must include P's name, date of birth, passport number, or travel document reference number (as appropriate), the name and contact details of the test provider and P's test reference number, and must be conveyed using one of the following forms of words, as appropriate—

#### **Form A: negative test result**

Your coronavirus test result is negative. You did not have the virus when the test was done. If you are self-isolating as an international arrival from an amber-list country, region or territory you may stop self-isolating.

You should self-isolate if:

you get symptoms of coronavirus (you should get an NHS coronavirus test and self-isolate until you get the results)

you are going into hospital (self-isolating until the date you go in)

someone you live with tests positive

you have been traced as a contact of someone who tested positive

For advice on when you might need to self-isolate and what to do, go to [www.nhs.uk/conditions/coronavirus-covid-19](http://www.nhs.uk/conditions/coronavirus-covid-19) and read 'Self-isolation and treating symptoms'.

It is a legal requirement to self-isolate when you arrive in the UK from an amber-list country, territory or region. If you are contacted by the enforcement authorities or the police after you have received this negative result please show them this notification.

#### **Form B: positive test result**

Your coronavirus test result is positive. You had the virus when the test was done.

If you have not had symptoms of coronavirus, you must self-isolate for 10 days from the day after your test date. If you have symptoms of coronavirus, you must self-isolate for 10 days from the day your symptoms started, if earlier than when you took your test.

People you live with or are travelling with should also self-isolate for 10 days from the day after you took the test.

You may be contacted for contact tracing and to check that you, and those who you live or are travelling with, are self-isolating.

You must not travel, including to leave the UK, during self-isolation.

Contact 111 if you need medical help. In an emergency dial 999.

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)

### Form C: unclear test result

Your coronavirus test result is unclear. It is not possible to say if you had the virus when the test was done.

You must, by law, continue self-isolating for the remainder of your self-isolation period as an international arrival travelling to the UK from an amber-list country, territory or region. You may be contacted to check that you are self-isolating.

If you want to shorten your self-isolation period you will need to take another test for international arrivals from amber list countries, territories or regions. For more information, go to <https://www.gov.uk/guidance/coronavirus-covid-19-test-to-release-for-international-travel>.

(4) The test provider must, on request, provide a constable or any other person employed in or for the purposes of any police force, with—

- (a) P's passport number, or travel document reference number (as appropriate);
- (b) P's test result;
- (c) the date on which P undertook the test;
- (d) the date on which the test result was notified or made available to P or X in accordance with sub-paragraphs (2) and (3).

(5) Where—

- (a) regulation 4 or 4A of the Health Protection (Notification) Regulations 2010<sup>M85</sup> applies in relation to the test provider; or
- (b) if the test provider arranges with another person (“X”) for X to carry out any element of the single end-to-end testing service on their behalf, either of those regulations applies to X in the carrying out of that element,

the regulation applies as if it required the information described in sub-paragraph (6) to be included in the notification to Public Health England.

(6) The information mentioned in sub-paragraph (5) is—

- (a) the date on which P last departed from or transited through a category 2 country or territory;
- (b) P's coach number, flight number or vessel name (as appropriate);
- (c) the country or territory P was travelling from when P arrived in the United Kingdom, and any country or territory they transited through as part of that journey;
- (d) the date on which P undertook the appropriate test;
- (e) the fact that the test is an appropriate test for the purposes of this Schedule.

#### Commencement Information

**I104** Sch. 10 para. 5 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Marginal Citations

**M85** [S.I. 2010/659](#); regulation 4 was amended by [S.I. 2013/235](#), 2020/1175, 2020/764, 2021/150 and regulation 4A was inserted by [S.I. 2020/1175](#).

## SCHEDULE 11 **E+W**

Regulation 10

Additional measures applicable to arrivals from category 3 countries and territories

### Application of this Schedule **E+W**

1. Subject to paragraph 2, this Schedule applies to a person (“P”) who arrives in England from a category 3 country or territory or has at any time in the period beginning with the 10th day before the date of their arrival in England departed from or transited through a category 3 country or territory.

#### Commencement Information

**1105** Sch. 11 para. 1 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

- 2.—(1) This Schedule does not apply where P is—
- (a) a person described in paragraph 1(1)(a) to (h) or (k) of Schedule 4 (exemptions) or a member of the family forming part of the household of such a person;
  - (b) a person described in paragraph 1(1)(i) or (j) of Schedule 4 where the conditions in sub-paragraph (2) are met;
  - (c) a member of the family forming part of the household of a person to whom paragraph (b) applies, where—
    - (i) the conditions in sub-paragraph (2) are met in relation to the person to whom paragraph (b) applies,
    - (ii) the Foreign, Commonwealth and Development Office has been notified of P’s arrival, and
    - (iii) the Foreign Commonwealth and Development Office has confirmed that P is not required to comply with this Schedule;
  - (d) a person described in paragraph 16(1)(b) or (c) of Schedule 4 where the relevant Department has certified that P meets that description and that P is not required to comply with this Schedule;
  - (e) a Crown servant or government contractor who is required to undertake essential policing or essential government work in the United Kingdom within the period during which, but for this paragraph, they would have had to self-isolate in accordance with this Schedule, or is returning from conducting such work outside of the United Kingdom, where the relevant Department has certified that P meets this description and that P is not required to comply with this Schedule;
  - (f) a person who is required to undertake essential or emergency work in the United Kingdom or is returning from conducting such work outside of the United Kingdom, where the relevant Department has certified P’s work as necessary and that P is not required to comply with this Schedule;
  - (g) a person who falls within any of the following paragraphs of Schedule 4—
    - (i) paragraph 1(2) ([<sup>F87</sup>relevant international event] attendees etc),
    - (ii) paragraph 2 (UK border activities),
    - (iii) paragraph 3 (defence activities),
    - (iv) paragraph 4 (border security),

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**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

- (v) paragraph 6 (seamen and masters) [<sup>F88</sup>unless they have travelled to the United Kingdom to work, or have been repatriated to the United Kingdom after working, on board a cruise ship],
- (vi) paragraph 7 (pilots),
- (vii) paragraph 8 (inspectors and surveyors of ships) [<sup>F89</sup>unless they have travelled to the United Kingdom to work on board a cruise ship or after completing work on board a cruise ship],
- (viii) paragraph 9 (members of aircraft crew),
- (ix) paragraph 12 (transit passengers),
- (x) paragraph 13 (road haulage workers) unless P has at any time during the period beginning with the 10th day before the date of P's arrival in England departed from or transited through a country or territory listed in Schedule 4 apart from Turkey,
- (xi) paragraph [<sup>F90</sup>19 or 20] (extradition escorts),
- (xii) paragraph 34 (human tissue carriers);
- [<sup>F91</sup>(xiii) paragraph 47 (in-flight security officers);]
- (h) a domestic elite sportsperson of a kind described in paragraph (c)(i) of the definition of that expression in paragraph 44(2) of Schedule 4, provided they have departed from or transited through the category 3 country or territory in order to compete in an elite sports event specified in sub-paragraph (3), and have returned to England with the intention of continuing their activities as a sportsperson;
- (i) a domestic ancillary sportsperson as defined in paragraph 44(2) of Schedule 4, provided—
  - (i) the elite sports event which they are helping to run is specified in sub-paragraph (3), or
  - (ii) the domestic elite sportsperson who they are supporting is competing in an elite sports event specified in sub-paragraph (3);
- (j) a domestic elite sportsperson of a kind described in paragraph (c)(ii) of the definition of that expression in paragraph 44(2) of Schedule 4, provided the specified elite sports event for which they are travelling to England is also specified in sub-paragraph (3);
- (k) an international elite sportsperson as defined in paragraph 44(2) of Schedule 4, provided the competition for which they are travelling to England is an elite sports event specified in sub-paragraph (3);
- (l) an international ancillary sportsperson as defined in paragraph 44(2) of Schedule 4, provided—
  - (i) the specified competition which they are helping to run is an elite sports event specified in sub-paragraph (3), or
  - (ii) the international elite sportsperson who they are supporting is competing in an elite sports event specified in sub-paragraph (3).
- [<sup>F92</sup>(m) a Euro 2020 invitee, described in paragraph 44A(2)(a)(i) to (iv) or (vi) of Schedule 4.]
- [<sup>F93</sup>(n) a specified person travelling to the United Kingdom to conduct official business with the United Kingdom where—
  - (i) P has been invited to the United Kingdom by the Secretary of State for Foreign, Commonwealth and Development Affairs, and
  - (ii) prior to P's departure to the United Kingdom the Foreign, Commonwealth and Development Office has confirmed in writing to P that they are travelling to the

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- United Kingdom to conduct official business with the United Kingdom and are not required to comply with this Schedule;
- (o) a member of the family forming part of the household of a person to whom paragraph (n) applies where, prior to P's departure to the United Kingdom—
- (i) the Foreign, Commonwealth and Development Office has been notified of P's arrival, and
  - (ii) the Foreign, Commonwealth and Development Office has confirmed that P is not required to comply with this Schedule.]
- (2) The conditions specified in this sub-paragraph are that, prior to P's departure to the United Kingdom—
- (a) the relevant head of the mission, consular post, or office representing a foreign territory in the United Kingdom, or a Governor of a British overseas territory (as the case may be), or a person acting on their authority, confirms in writing to the Foreign, Commonwealth and Development Office that P is required to undertake work in the United Kingdom which is essential to the foreign country represented by the mission or consular post, the foreign territory represented by the office or the British overseas territory; and
  - (b) the Foreign, Commonwealth and Development Office has then confirmed in writing to the person giving the confirmation referred to in paragraph (a) that—
    - (i) it has received that confirmation, and
    - (ii) P is travelling to the United Kingdom to conduct official business with the United Kingdom and is not required to comply with this Schedule.
- (3) The following elite sports events are specified for the purposes of sub-paragraph (1)(h) to (l)—
- (a) the 2020 UEFA European Football Championship;
  - (b) All England Lawn Tennis Club – The Championships, Wimbledon;
  - (c) England & Wales Cricket Board International Cricket fixtures;
  - (d) ICC World Test Championship Final;
  - (e) Lawn Tennis Association – Birmingham Classic;
  - (f) Lawn Tennis Association – Cinch Championships;
  - (g) Lawn Tennis Association – Eastbourne International;
  - (h) Lawn Tennis Association – Nottingham Open;
  - (i) Lawn Tennis Association – Nottingham Trophy.
- [<sup>F94</sup>(j) R & A – The Open Championship;
- (k) British Grand Prix.]
- (4) Where a word or expression is defined for the purposes of Schedule 4 and is used in this paragraph, the same definition applies for the purposes of this paragraph.

#### Textual Amendments

- F87** Words in Sch. 11 para. 2(1)(g)(i) substituted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), **2(10)(a)(i)**
- F88** Words in Sch. 11 para. 2(1)(g)(v) inserted (19.5.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/589\)](#), regs. 1(1), **2(9)(a)** (with reg. 3(1))

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

- F89** Words in Sch. 11 para. 2(1)(g)(vii) inserted (19.5.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/589\)](#), regs. 1(1), **2(9)(b)** (with reg. 3(1))
- F90** Words in Sch. 11 para. 2(1)(g)(xi) substituted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), **2(10)(a)(ii)**
- F91** Sch. 11 para. 2(1)(g)(xiii) inserted (29.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), **13(a)** (with reg. 16(1))
- F92** Sch. 11 para. 2(1)(m) inserted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), **2(10)(b)**
- F93** Sch. 11 para. 2(1)(n)(o) inserted (8.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(4), **13(b)** (with reg. 16(1))
- F94** Sch. 11 para. 2(3)(j)(k) inserted (8.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(4), **13(c)** (with reg. 16(1))

#### Commencement Information

- I106** Sch. 11 para. 2 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

### Limitation on ports of entry **E+W**

3. P may only enter England at a port designated for the purposes of this Schedule.

#### Commencement Information

- I107** Sch. 11 para. 3 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

4. The following ports are designated for the purposes of this Schedule—

- (a) Heathrow Airport;
- (b) Gatwick Airport;
- (c) London City Airport;
- (d) Birmingham Airport;
- (e) Farnborough Airport;
- (f) Bristol Airport;
- [<sup>F95</sup>(fa) London Biggin Hill Airport.]
- (g) any military airfield or port.

#### Textual Amendments

- F95** Sch. 11 para. 4(fa) inserted (8.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/670\)](#), regs. 1(2), **8** (with reg. 10)

#### Commencement Information

- I108** Sch. 11 para. 4 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)



## Duties on arrival **E+W**

5. P must, on their arrival in England, be in possession of a managed self-isolation package.

### Commencement Information

**I109** Sch. 11 para. 5 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

6. P must, on arrival in England, travel directly to the accommodation designated in the managed self-isolation package booked for P, using the means of transport designated in that package.

### Commencement Information

**I110** Sch. 11 para. 6 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

7. If P is not in possession of a managed self-isolation package on their arrival in England, P must as soon as practicable obtain a managed self-isolation package and travel directly to the accommodation designated in that package, using the means of transport designated in that package.

### Commencement Information

**I111** Sch. 11 para. 7 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

8. In this Schedule a “managed self-isolation package” means—

- (a) a booking for a place in accommodation designated by the Secretary of State for the purposes of this Schedule;
- (b) a booking for transport facilitated by the Secretary of State to the accommodation referred to in sub-paragraph (a); and
- (c) a testing package required by regulation 6 (requirement to book and undertake tests).

### Commencement Information

**I112** Sch. 11 para. 8 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

## Charge for managed self-isolation package **E+W**

9. The Secretary of State or a person designated by the Secretary of State may impose a charge in relation to the accommodation, transport and testing package mentioned in the definition of a “managed self-isolation package” and the Secretary of State may recover any sum owed by P pursuant to such a charge as a debt.

### Commencement Information

**I113** Sch. 11 para. 9 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

## Duty to self-isolate and period of self-isolation **E+W**

10. Unless P leaves the common travel area where P is permitted to do so under these Regulations, P must self-isolate in the place in the accommodation designated in the managed self-isolation package until whichever is the later of—

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**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

- (a) the end of the period of 10 days beginning with the day after P's arrival in England;
- (b) the end of the period for which P is required to self-isolate under Schedule 8 (mandatory testing after arrival in England).

#### Commencement Information

**I114** Sch. 11 para. 10 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Exceptions from duty to self-isolate **E+W**

**11.** Paragraph 10 does not require P to remain in self-isolation—

- (a) from any person with whom they were travelling when they arrived in England and who is also self-isolating in the place where P is self-isolating;
- (b) from any person who is staying in the place where P is self-isolating whose assistance P reasonably requires by reason of—
  - (i) P being a child, or
  - (ii) any disability of P's.

#### Commencement Information

**I115** Sch. 11 para. 11 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**12.** Paragraph 10 does not require P to remain in self-isolation from a person (“V”) when V is at the place where P is self-isolating in exceptional circumstances such as—

- (a) to provide emergency assistance;
- (b) to provide care or assistance, including relevant personal care within the meaning of paragraph 1(1B) or 7(3B) of Schedule 4 to the Safeguarding Vulnerable Groups Act 2006<sup>M86</sup>;
- (c) to provide medical assistance to P or to any other person who is staying in the place where P is self-isolating where this is required urgently or on the advice of a registered medical practitioner;
- (d) to provide veterinary services where this is required urgently or on the advice of a veterinary surgeon;
- (e) to provide critical public services including social services or services provided to victims (such as victims of crime).

#### Commencement Information

**I116** Sch. 11 para. 12 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Marginal Citations

**M86** 2006 c. 47 paragraph 1(1B) was inserted by section 64 the [Protection of Freedoms Act 2012 \(c. 9\)](#) and paragraph 7(3B) was inserted by section 66 of that Act.

#### Permitted reasons to leave or be outside place of self-isolation **E+W**

**13.—(1)** During the period of their self-isolation P may not leave or be outside of the place where P is self-isolating except—

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- (a) to travel directly to a port to leave the common travel area;
  - (b) to fulfil a legal obligation, including attending court or satisfying bail conditions or to participate in legal proceedings;
  - (c) to take exercise;
  - (d) to visit a person (“D”) whom P reasonably believes is dying, and where P is a member of D's household or a close family member or friend of D;
  - (e) to attend the funeral of a member of P's household or a close family member;
  - (f) in other exceptional circumstances such as—
    - (i) to seek medical assistance where this is required urgently or on the advice of a registered medical practitioner including to access services from dentists, opticians, audiologists, chiropractors, chiropractors, osteopaths and other medical and health practitioners, including services relating to mental health,
    - (ii) to access critical public services including social services or services provided to victims (such as victims of crime),
    - (iii) to avoid injury or illness or to escape risk of harm,
    - (iv) to access veterinary services where this is required urgently or on the advice of a veterinary surgeon.
- (2) P may only leave or be outside of the place where P is self-isolating in reliance on the grounds mentioned in sub-paragraph (1)(c), (d) or (e)—
- (a) if P has been given prior permission by a person authorised by the Secretary of State for this purpose;
  - (b) if P complies with any reasonable requirements imposed by the person so authorised in relation to the exercise, the visit to the person or attendance at the funeral.

**Commencement Information**

I117 Sch. 11 para. 13 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**Meaning of “place”** **E+W**

**14.** For the purposes of this Schedule the place referred to in paragraphs 8 to 13 means the room in the designated accommodation where P is staying and, if connected to the room where P is staying, the room of any person referred to in paragraph 11(a) (travelling companion), including any balcony, and does not include the communal areas or any garden, yard, passage, stair, garage, outhouse or appurtenance of the accommodation in which the place is situated.

**Commencement Information**

I118 Sch. 11 para. 14 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**Designations** **E+W**

- 15.** The Secretary of State must designate for the purposes of this Schedule—
- (a) accommodation;
  - (b) transportation to the designated accommodation,

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and must publish details of the designations in such manner as appears to the Secretary of State to be appropriate.

**Commencement Information**

**I119** Sch. 11 para. 15 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**Duties where P is a child** **E+W**

**16.** If P is a child—

- (a) any person who has custody or charge of P when P is travelling to England must ensure, so far as is reasonably practicable, that P complies with the obligations in paragraphs 5 and 6;
- (b) any person who has custody or charge of P during P's period of self-isolation must ensure, so far as is reasonably practicable, that P self-isolates in accordance with this Schedule.

**Commencement Information**

**I120** Sch. 11 para. 16 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**Person caring for P** **E+W**

**17.** A person may reside in the place where P is residing pursuant to this Schedule to provide assistance P reasonably requires by reason of—

- (a) P being a child; or
- (b) any disability of P's,

and paragraphs 10 to 13 apply to that person as they apply to P for the period those paragraphs apply to P.

**Commencement Information**

**I121** Sch. 11 para. 17 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**Modification of application of this Schedule where P is a relevant person** **E+W**

**18.—(1)** Where P is a relevant person, this Schedule applies to P with the following modifications—

- (a) the reference in paragraph 6 to the means of transport designated in the managed self-isolation package booked for P is to be read as a reference to transport determined by the Secretary of State;
  - (b) the references in paragraphs 6, 9 and 10 to a managed self-isolation package are to be read as references to a self-isolation package containing such provisions as to accommodation, transport and testing as the Secretary of State considers appropriate;
  - (c) paragraph 7 does not apply to P.
- (2)** P is a relevant person if—
- (a) P is—
    - (i) a person requiring urgent medical assistance,
    - (ii) a person on immigration bail,

- (iii) a person who has been detained by an immigration officer,
  - (iv) a person who has been refused leave to enter the UK,
  - (v) an illegal entrant,
  - (vi) an asylum seeker,
  - (vii) a person who is in police custody,
  - (viii) a prisoner,
  - (ix) 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,
  - (x) a potential victim of modern slavery; and
- (b) the Secretary of State has confirmed in writing that this paragraph applies in relation to P and has not withdrawn that confirmation.
- (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 or over, 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) P is also a relevant person if—
- (a) P is vulnerable as a result of a severe medical or health condition;
  - (b) P would not receive appropriate support in designated accommodation and that condition would be severely detrimentally impacted if P were required to self-isolate in such accommodation;
  - (c) P has provided evidence from a suitably qualified or registered medical practitioner of the matters specified in paragraphs (a) and (b); and
  - (d) the Secretary of State has confirmed in writing that this paragraph applies in relation to P and has not withdrawn that confirmation.
- (5) P is also a relevant person if travelling with a person who is a relevant person by virtue of sub-paragraph (4), where it is necessary for P to care for that relevant person, and where the Secretary of State has confirmed in writing that this paragraph applies in relation to P and has not withdrawn that confirmation.
- (6) P is also a relevant person if—
- (a) P needs to visit a person (“D”) whom P reasonably believes is dying, or where D is severely ill;
  - (b) P is a member of D's household or a close family member or friend of D;
  - (c) it would not be reasonably practicable for P to visit D if P were required to self-isolate in designated accommodation; and
  - (d) the Secretary of State has confirmed in writing that this paragraph applies in relation to P and has not withdrawn that confirmation.
- (7) In this paragraph—
- (a) “boarding school” means a school or college, which—

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

- (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 <sup>M87</sup>,
  - (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 <sup>M88</sup>,
  - (iii) an independent school (as defined by section 463 of the Education Act 1996 <sup>M89</sup>) registered under section 95 of the Education and Skills Act 2008 <sup>M90</sup>,
  - (iv) a non-maintained special school (as defined in section 337A of the Education Act 1996 <sup>M91</sup>, or
  - (v) a pupil referral unit within the meaning of section 19(2B) of the Education Act 1996 <sup>M92</sup>,
- (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 <sup>M93</sup>, or
  - (ii) a 16 to 19 Academy within the meaning of section 1B of the Academies Act 2010 <sup>M94</sup>.

#### Commencement Information

**I122** Sch. 11 para. 18 in force at 17.5.2021 at 4.00 a.m., see **reg. 1(2)**

#### Marginal Citations

**M87** 2010 c. 32; **section 1C** was inserted by section 53(7) of the [Education Act 2011 \(c. 21\)](#).

**M88** 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.

**M89** 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

**M90** 2008 c. 25

**M91** 1996 c. 56; **section 337A** was substituted by section 142(1) of the [Education and Skills Act 2008 \(c. 25\)](#).

**M92** **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.

**M93** 1992 c. 13; **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 \(c. 29\)](#).

**M94** **Section 1B** was inserted by section 53(7) of the Education Act 2011.

#### Modification of application of this Schedule where P is taking up employment as an NHS nurse **E+W**

**19.—(1)** This paragraph applies where—

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

- (a) on P's arrival in England, P is entitled to enter the United Kingdom pursuant to a skilled worker visa granted in accordance with Appendix Skilled Worker to the immigration rules <sup>M95</sup>,
  - (b) P is eligible for the visa by virtue of being sponsored—
    - (i) for a job within the entry for occupation code 2231 (nurses) in Table 2 of Appendix Skilled Occupations to the immigration rules, and
    - (ii) by an NHS trust or an NHS foundation trust (“P's sponsor”); and
  - (c) prior to P's arrival in England, P's sponsor has confirmed in writing that this paragraph applies in relation to P and has not withdrawn that confirmation.
- (2) Where this paragraph applies, this Schedule applies in relation to P as if—
- (a) for paragraph 6 there were substituted—

“6. P must, on arrival in England, travel directly to the accommodation specified in P's managed self-isolation package, using the means of transport facilitated as part of that package.”;
  - (b) for paragraph 8 there were substituted—

“8. In this Schedule a “managed self-isolation package” means—

    - (a) written confirmation from P's sponsor of the details of—
      - (i) a place in accommodation provided by the sponsor for the purposes of this Schedule;
      - (ii) transport facilitated by the sponsor to the accommodation referred to in paragraph (i); and
    - (b) a testing package required by regulation 6.”;
  - (c) in paragraph 9, “accommodation, transport and” were omitted;
  - (d) in paragraph 10, for “designated” were substituted “ specified ”;
  - (e) in paragraph 14, “designated” were omitted.
- (3) In this paragraph—
- (a) “NHS foundation trust” has the meaning given in section 30 of the National Health Service Act 2006 <sup>M96</sup>;
  - (b) “NHS trust” means an NHS trust established under section 25 of the National Health Service Act 2006.

#### Commencement Information

**I123** Sch. 11 para. 19 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Marginal Citations

**M95** Laid before Parliament on 23rd May 1994 (HC 395), as amended. Appendix Skilled Worker and Appendix Skilled Occupations were laid before Parliament on 22nd October 2020 as part of a command paper that amended the immigration rules entitled “Statement of Changes in Immigration Rules” (HC 813). Appendix Skilled Worker and Appendix Skilled Occupations were amended by the statement of changes in immigration rules presented to Parliament on 4th March 2021 (HC 1248).

**M96** 2006 c. 41. Section 30 was amended by section 159 of the [Health and Social Care Act 2012 \(c. 7\)](#).

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)

SCHEDULE 12 **E+W**

Regulation 14

Information for passengers

**PART 1** **E+W**

**Commencement Information**

**1124** Sch. 12 Pt. 1 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**E+W**

The specified information is—

**ESSENTIAL INFORMATION TO ENTER ENGLAND FROM OVERSEAS** **E+W**

Everyone entering England from overseas (including UK nationals and residents) must provide proof of a negative COVID-19 test taken within 3 days of departure to England.

**E+W**

Fill in your Passenger Locator Form up to 48 hours before arrival. You must declare all countries you have visited or transited through in the 10 days prior to your arrival on your Passenger Locator Form.

**E+W**

Before departure check the list of red, amber, and green countries, as the list can change regularly.

**Red list passengers** **E+W**

1. Book a managed quarantine package

**E+W**

2. Complete a Passenger Locator Form

**E+W**

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 quarantine in a government approved hotel for 10 days

**Amber list passengers** **E+W**

1. Book tests for day 2 and 8

**E+W**

2. Complete a Passenger Locator Form



**E+W**

3. Make plans to self-quarantine in private accommodation for 10 full days after arrival (or full duration of stay if less than 10 days)

**Green list passengers** **E+W**

1. Book a test for day 2

**E+W**

2. Complete a Passenger Locator Form

**E+W**

These measures apply to all persons (including UK nationals and residents) arriving in England 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.

**E+W**

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

**E+W**

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

**E+W**

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

**E+W**

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

**E+W**

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.

**[<sup>F96</sup>PART 2** **E+W**

**Textual Amendments**

**F96** Sch. 12 Pt. 2 substituted (29.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/766\)](#), regs. 1(2), **14** (with reg. 16(2))

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

## Onboard announcement **E+W**

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

However long you intend to stay in the UK, everyone must take a pre-booked covid-19 test within the first two days after you arrive. If you have been in or transited through any countries on the red or amber list you must also take another pre-booked test 8 days after arrival.

If you have been in or transited through an amber or red country within the previous 10 days you must quarantine for the first 10 days after you arrive.

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.]

## PART 3 **E+W**

### Relevant websites

#### Commencement Information

**I125** Sch. 12 Pt. 3 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

1. The following are “the relevant websites” for the purposes of regulation 14—
- <https://www.gov.uk/government/publications/coronavirus-covid-19-travellers-exempt-from-uk-border-rules/coronavirus-covid-19-travellers-exempt-from-uk-border-rules>
  - <https://www.gov.uk/guidance/booking-and-staying-in-a-quarantine-hotel-when-you-arrive-in-england>
  - <https://www.gov.uk/guidance/coronavirus-covid-19-testing-for-people-travelling-to-england>
  - <http://www.gov.uk/travel-quarantine-and-testing>
  - <https://www.gov.uk/guidance/red-amber-and-green-list-rules-for-entering-england>
  - <https://www.gov.uk/provide-journey-contact-details-before-travel-uk>
  - <https://www.gov.uk/uk-border-control>
  - <https://www.nidirect.gov.uk/articles/coronavirus-covid-19-international-travel-advice>
  - <https://gov.wales/arriving-wales-overseas>
  - <https://www.gov.scot/publications/coronavirus-covid-19-international-travel-quarantine/>

## SCHEDULE 13 **E+W**

Regulation 18(3)

### Prohibition on the arrival of aircraft and vessels into England

#### Interpretation of this Schedule **E+W**

1.—(1) In this Schedule—

“controller” means—

- (a) in relation to a commercially operated aircraft or vessel, the person who has management control over the aircraft or vessel when it arrives in England,

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

(b) in relation to any other aircraft or vessel, the person who has physical control over the aircraft or vessel when it arrives in England;

“passenger” means a person carried in or on an aircraft or vessel other than a member of the aircraft or vessel's crew;

“port” has the same meaning as in the Merchant Shipping Act 1995<sup>M97</sup>.

(2) In the definition of “controller” in sub-paragraph (1) “arrives” means—

(a) in relation to an aircraft, lands;

(b) in relation to a vessel, moors at a port.

#### Commencement Information

**I126** Sch. 13 para. 1 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Marginal Citations

**M97** 1995 c. 21.

### Prohibition on arrival of aircraft into England **E+W**

**2.—**(1) A controller must not cause or permit an aircraft whose last point of departure was in a country or territory listed in paragraph 4 to land in England unless—

(a) landing in England is reasonably necessary to secure the safety of the aircraft or the health and safety of any person aboard it;

(b) the landing is only for the purpose of refuelling, or aircraft maintenance, and no passengers are permitted to board, or disembark from, the aircraft; or

(c) the aircraft is an air ambulance and landing for the purpose of transporting a person for medical treatment.

(2) This paragraph does not apply in relation to—

(a) a commercially operated aircraft carrying no passengers;

(b) an aircraft operated by or in support of Her Majesty's Government in the United Kingdom;

(c) an aircraft operated by or in support of a foreign country or territory where, prior to its arrival in England, 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.

[<sup>F97</sup>(d) a commercially operated aircraft carrying passengers that lands at—

(i) Birmingham Airport, or

(ii) Heathrow Airport]

#### Textual Amendments

**F97** Sch. 13 para. 2(2)(d) inserted (8.6.2021 at 4.00 a.m.) by *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2021* (S.I. 2021/670), regs. 1(2), **9(a)** (with reg. 10)

#### Commencement Information

**I127** Sch. 13 para. 2 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)

### Prohibition on arrival of vessels into England **E+W**

3.—(1) A controller must not cause or permit a vessel whose last point of departure was a country or territory listed in paragraph 5 to moor at a port in England unless mooring at a port in England—

- (a) is reasonably necessary to secure the safety of the vessel or the health and safety of any person aboard it; or
- (b) is otherwise required pursuant to a direction issued under Schedule 3A to the Merchant Shipping Act 1995.

(2) This paragraph does not apply in relation to—

- (a) a commercially operated vessel carrying no passengers;
- (b) a vessel operated by or in support of Her Majesty's Government in the United Kingdom;
- (c) a vessel operated by or in support of a foreign country or territory where, prior to its arrival in England, 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.

#### Commencement Information

**I128** Sch. 13 para. 3 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

4. The countries or territories referred to in paragraph 2(1) are—

- (a) Argentina;
- [<sup>F98</sup>(aa) Bahrain;
- (ab) Bangladesh;]
- (b) Brazil;
- (c) Cape Verde;
- (d) Chile;
- [<sup>F99</sup>(da) Dominican Republic;
- (db) Egypt;]
- (e) Ethiopia;
- [<sup>F100</sup>(ea) India;
- (eb) Kenya;]
- (f) The Maldives;
- (g) Oman;
- [<sup>F101</sup>(ga) Pakistan;]
- (h) Qatar;
- (i) South Africa;
- [<sup>F102</sup>(ia) Sri Lanka;]
- [<sup>F103</sup>(ib) Tunisia;]
- (j) Turkey;
- (k) United Arab Emirates.

#### Textual Amendments

- F98** Sch. 13 para. 4(aa)(ab) inserted (8.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2021](#) (S.I. 2021/670), regs. 1(2), **9(b)(i)** (with reg. 10)
- F99** Sch. 13 para. 4(da)(db) substituted for [Sch. 13 para. 4\(da\)](#) (30.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021](#) (S.I. 2021/766), regs. 1(3), **15(a)(i)** (with reg. 16(1))
- F100** Sch. 13 para. 4(ea)(eb) inserted (8.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2021](#) (S.I. 2021/670), regs. 1(2), **9(b)(iii)** (with reg. 10)
- F101** Sch. 13 para. 4(ga) inserted (8.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2021](#) (S.I. 2021/670), regs. 1(2), **9(b)(iv)** (with reg. 10)
- F102** Sch. 13 para. 4(ia) inserted (8.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2021](#) (S.I. 2021/670), regs. 1(2), **9(b)(v)** (with reg. 10)
- F103** Sch. 13 para. 4(ib) inserted (30.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 4\) Regulations 2021](#) (S.I. 2021/766), regs. 1(3), **15(a)(ii)** (with reg. 16(1))

#### Commencement Information

- I129** Sch. 13 para. 4 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

5. The countries or territories referred to in paragraph 3(1) are—  
Turkey

#### Commencement Information

- I130** Sch. 13 para. 5 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

6. A controller who contravenes paragraph 2(1) or 3(1) commits an offence punishable on summary conviction by a fine.

#### Commencement Information

- I131** Sch. 13 para. 6 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### <sup>F104</sup> Airport operators to ensure passengers use designated terminals **E+W**

7.—(1) An airport operator must not cause or permit—

- (a) passengers to arrive at a terminal or part of a terminal other than a terminal or part of a terminal designated for direct flights from category 3 countries or territories, if the landing of the aircraft on which they arrived in England would have been prohibited but for paragraph 2(2)(d);
- (b) other passengers, apart from Schedule 11 passengers, to arrive at a terminal or part of a terminal designated for direct flights from category 3 countries or territories.

(2) Sub-paragraph (1) does not apply where causing or permitting passengers to arrive at a terminal other than in accordance with that sub-paragraph is reasonably necessary to secure the safety of the aircraft or the health and safety of any person.

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

(3) An airport operator who contravenes sub-paragraph (1) commits an offence punishable on summary conviction by a fine.

(4) For the purposes of this paragraph—

- (a) “airport operator” has the meaning given in section 82 of the Airports Act 1986;
- (b) a passenger arrives at a terminal or part of a terminal if after disembarking from an aircraft they enter the terminal or part of the terminal for the purpose of entering the United Kingdom or as a transit passenger;
- (c) the following are designated for direct flights from category 3 countries or territories—
  - (i) the part of the terminal at Birmingham Airport known as “South arrival and immigration hall”;
  - (ii) Heathrow Airport Terminal [F1054].]

#### Textual Amendments

**F104** Sch. 13 para. 7 inserted (8.6.2021 at 4.00 a.m.) by *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2021* (S.I. 2021/670), regs. 1(2), **9(c)** (with reg. 10)

**F105** Word in Sch. 13 para. 7(4)(c)(ii) substituted (29.6.2021 at 4.00 a.m.) by *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 4) Regulations 2021* (S.I. 2021/766), regs. 1(2), **15(b)** (with reg. 16(1))

## SCHEDULE 14 **E+W**

Regulation 20(4)(c)

### Amounts of fixed penalties

#### Amounts of fixed penalties **E+W**

1. The amounts specified for the purposes of regulation 20(4)(c) are the amounts specified in paragraphs 2 to 17 in relation to the offences described in each paragraph.

#### Commencement Information

**I132** Sch. 14 para. 1 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Regulation 19(1)(a) **E+W**

2. Breach of regulation 3(1), (2) (3) (5), (7) or (8) (without reasonable excuse fail to provide passenger information, or evidence of having provided passenger information, or to update passenger information)—

- (a) in the case of the first fixed penalty notice, £500;
- (b) in the case of the second fixed penalty notice, £1,000;
- (c) in the case of the third fixed penalty notice, £2,000;
- (d) in the case of the fourth and subsequent fixed penalty notices, £4,000.

**Commencement Information**

**I133** Sch. 14 para. 2 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Regulation 19(6)** **E+W**

3. Breach of regulation 19(6) (intentionally or recklessly provide false passenger information)—
- (a) if the offence consists of the intentional or reckless provision of false or misleading passenger information relating to the person's travel history in relation to a category 3 country or territory), £10,000;
  - (b) in any other case—
    - (i) in the case of the first fixed penalty notice, £500,
    - (ii) in the case of the second fixed penalty notice, £1,000,
    - (iii) in the case of the third fixed penalty notice, £2,000,
    - (iv) in the case of the fourth and subsequent fixed penalty notices, £4,000.

**Commencement Information**

**I134** Sch. 14 para. 3 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Regulation 19(1)(b)** **E+W**

4. Breach of regulation 4 (1), (2), (3) or (4) (without reasonable excuse fail to possess or produce evidence of negative test result on arrival)—
- (a) in the case of the first fixed penalty notice, £500;
  - (b) in the case of the second fixed penalty notice, £1,000;
  - (c) in the case of the third fixed penalty notice, £2,000;
  - (d) in the case of the fourth and subsequent fixed penalty notices, £4,000.

**Commencement Information**

**I135** Sch. 14 para. 4 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Regulation 19(1)(c)** **E+W**

5. Breach of regulation 6 (requirement to book and undertake tests)—
- (a) in the case of a fixed penalty notice issued in respect of a failure to possess a testing package in accordance with regulation 6(3), £1,000;
  - (b) in the case of a fixed penalty notice issued in respect of a failure to obtain a testing package in accordance with regulation 6(4), £2,000;
  - (c) in the case of a fixed penalty notice issued in respect of a failure to obtain a testing package for a child in accordance with regulation 6(5), £1,000;
  - (d) in the case of the first fixed penalty notice issued in respect of a failure to undertake a test in accordance with regulation 6(6) or (8), £1,000;

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)

- (e) in the case of the second fixed penalty notice issued in respect of a failure to undertake a test in accordance with regulation 6(6) or (8), £2,000;
- (f) regulation 6(11) (duty to provide evidence), £1,000.

**Commencement Information**

**I136** Sch. 14 para. 5 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**Regulation 19(1)(d)** **E+W**

6. Breach of regulation 7(2), (3) or (9) (requirement to undertake workforce tests)—
- (a) in the case of a first fixed penalty notice, £1,000;
  - (b) in the case of a second fixed penalty notice, £2,000;
  - (c) in the case of a third and subsequent fixed penalty notice, £3,000.

**Commencement Information**

**I137** Sch. 14 para. 6 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**Regulation 19(1)(e)** **E+W**

7. Breach of regulation 8(2), (3), (4), (5), (7), (9), (10), (12) or (13) (requirement for offshore workers to undertake tests)—
- (a) in the case of a first fixed penalty notice, £1,000;
  - (b) in the case of a second fixed penalty notice, £2,000;
  - (c) in the case of a third and subsequent fixed penalty notice, £3,000.

**Commencement Information**

**I138** Sch. 14 para. 7 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**Regulation 19(1)(f)** **E+W**

8. Breach of regulation 9(2), (7) or (13) (requirement to self-isolate, travel to place of self-isolation or require child to self-isolate or travel to place of self-isolation)—
- (a) in the case of the first fixed penalty notice, £1,000;
  - (b) in the case of the second fixed penalty notice, £2,000;
  - (c) in the case of the third fixed penalty notice, £4,000;
  - (d) in the case of the fourth and subsequent fixed penalty notice, £10,000.

**Commencement Information**

**I139** Sch. 14 para. 8 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)



### Regulation 19(1)(g) **E+W**

9. Breach of requirement in or imposed under regulation 11 (self-isolation directions) unless the requirement relates to Schedule 11 (additional measures applicable to arrivals from category 3 countries or territories), £1,000.

#### Commencement Information

I140 Sch. 14 para. 9 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

### Regulation 19(1)(h) **E+W**

10. Breach of a requirement in or imposed under regulation 11 (self-isolation directions) where the requirement relates to Schedule 11, £10,000.

#### Commencement Information

I141 Sch. 14 para. 10 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

### Regulation 19(1)(i) and (j) **E+W**

11. Breach of a requirement in Schedule 11 except under paragraph 3 [<sup>F106</sup>, 5 or 16(a)] of that Schedule—

- (a) in the case of the first fixed penalty notice, £5,000;
- (b) in the case of the second fixed penalty notice, £8,000;
- (c) in the case of the third and subsequent fixed penalty notice, £10,000.

#### Textual Amendments

F106 Words in Sch. 14 para. 11 inserted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), **2(11)(a)**

#### Commencement Information

I142 Sch. 14 para. 11 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

### Regulation 19(1)(j) **E+W**

12. Breach of a requirement in paragraph 3 of Schedule 11, £10,000

#### Commencement Information

I143 Sch. 14 para. 12 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

[<sup>F107</sup>12A. Breach of a requirement in paragraph 5 or 16(a) of Schedule 11—

- (a) in the case of the first fixed penalty notice, £500;
- (b) in the case of the second fixed penalty notice, £1,000;
- (c) in the case of the third and subsequent fixed penalty notices, £2,000.]

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

#### Textual Amendments

**F107** Sch. 14 para. 12A inserted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), regs. 1(2), 2(11)(b)

#### Regulation 19(1)(k) **E+W**

**13.** Breach of a requirement in paragraph 4 of Schedule 9 (employers' obligations relating to workforce tests)—

- (a) in the case of the first fixed penalty notice, £1,000;
- (b) in the case of the second fixed penalty notice, £2,000;
- (c) in the case of the third fixed penalty notice, £4,000;
- (d) in the case of the fourth and subsequent fixed penalty notice, £10,000.

#### Commencement Information

**I144** Sch. 14 para. 13 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Regulation 19(7)(a) **E+W**

**14.** Breach of requirement under regulation 13(1) (passenger information requirement by operator), £4,000.

#### Commencement Information

**I145** Sch. 14 para. 14 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Regulation 19(7)(b) to (d) **E+W**

**15.** Breach of requirement under regulation 16(1), 17(1) or 18(1) (other operator offences), £2,000.

#### Commencement Information

**I146** Sch. 14 para. 15 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Regulation 19(13) **E+W**

**16.** Breach of requirement under regulation 15 (operator records and information), £500.

#### Commencement Information

**I147** Sch. 14 para. 16 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

## Regulation 19(14) **E+W**

17. Breach of regulation 19(14) (wilful obstruction of a person carrying out a function under these Regulations)—

- (a) obstruction of a function relating to regulation 3—
  - (i) in the case of the first fixed penalty notice, £500,
  - (ii) in the case of the second fixed penalty notice, £1,000,
  - (iii) in the case of the third fixed penalty notice, £2,000,
  - (iv) in the case of the fourth and subsequent fixed penalty notices, £4,000,

with no account taken of any fixed penalty notices given before 4.00 a.m. on 18th January 2021;

- (b) obstruction of a function relating to regulation 4—
  - (i) in the case of the first fixed penalty notice, £500,
  - (ii) in the case of the second fixed penalty notice, £1,000,
  - (iii) in the case of the third fixed penalty notice, £2,000,
  - (iv) in the case of the fourth and subsequent fixed penalty notices, £4,000;
- (c) obstruction of a function relating to regulations 9 or 11 apart from regulation 11(3), £1,000;
- (d) obstruction of a function relating to regulation 11(3) or in relation to regulation 10—
  - (i) in the case of the first fixed penalty notice, £5,000,
  - (ii) in the case of the second fixed penalty notice, £8,000,
  - (iii) in the case of the third and subsequent fixed penalty notice, £10,000;
- (e) in any other case, £500.

### Commencement Information

**I148** Sch. 14 para. 17 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

18. In determining how many fixed penalty notices a person (“P”) has received for the purposes of paragraph 8 (breach of requirement in regulation 9 to self-isolate etc), if P received more than one fixed penalty notice for that offence before 2nd October 2020, only one of those notices may be taken into account.

### Commencement Information

**I149** Sch. 14 para. 18 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

## SCHEDULE 15 **E+W**

Regulation 26(2)

### Consequential Amendments

1.—(1) The Health Protection (Notification) Regulations 2010<sup>M98</sup> are amended as follows.

(2) In regulation 4(3D)(b), for “regulation 3B of the Health Protection (Coronavirus, International Travel) (England) Regulations 2020” substitute “regulation 6 of the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021 ”.

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

- (3) In regulation 4ZA—
- (a) in the heading, for “the Health Protection (Coronavirus, International Travel) (England) Regulations 2020” substitute “ the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021 ”;
  - (b) in paragraph (1)(a), for “regulation 3B of the Health Protection (Coronavirus, International Travel) (England) Regulations 2020 (“the 2020 Regulations”)” substitute “ regulation 6 of the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021 (“the International Travel and Operator Liability Regulations”) ”;
  - (c) in paragraph (1)(c), for “paragraph 7(1)(f) of Schedule 2C to the 2020 Regulations” substitute “ paragraph 7(1)(g) of Schedule 11 to the International Travel and Operator Liability Regulations ”;
  - (d) in paragraph (3), for “paragraph 7(1)(f) of Schedule 2C to the Health Protection (Coronavirus, International Travel) (England) Regulations 2020” substitute “ paragraph 7(1)(g) of Schedule 11 to the International Travel and Operator Liability Regulations ”.

#### Commencement Information

**I150** Sch. 15 para. 1 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Marginal Citations

**M98** [S.I. 2010/659](#). Regulations 4(3D) and 4ZA were inserted by [S.I. 2021/150](#). There are other amendments but none is relevant.

2.—(1) The Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020<sup>M99</sup> are amended as follows.

(2) In regulation 2D(1)(c), for “regulation 4 of the Health Protection (Coronavirus, International Travel) (England) Regulations 2020” substitute “ regulation 9 of the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021 ”.

(3) In regulation 6(1)—

- (a) in the definitions of “designated place”, “isolation requirements” and “self-isolating worker”, for “regulation 4” substitute “ regulation 9 ”;
- (b) in the definition of “International Travel Regulations”, for “the Health Protection (Coronavirus, International Travel) (England) Regulations 2020” substitute “ the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021 ”.

#### Commencement Information

**I151** Sch. 15 para. 2 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Marginal Citations

**M99** [S.I. 2020/1045](#). Regulation 2D was inserted by [S.I. 2021/364](#). There are other amendments but none is relevant.

SCHEDULE 16 **E+W**

Regulation 26(3)

## Transitional provision

1. Passenger information provided before 4.00 a.m. on 17th May 2021 by a person pursuant to regulation 3 of the Health Protection (Coronavirus, International Travel) (England) Regulations 2020 (“the 2020 Regulations”) in advance of arrival in England is treated as passenger information provided for the purposes of these Regulations where the person arrives in England on or after that date.

**Commencement Information**

**I152** Sch. 16 para. 1 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

2. Confirmation given by the Foreign, Commonwealth and Development Office that a person is not required to comply with regulation 3B of the 2020 Regulations is treated as confirmation that the person is not required to comply with regulation 6 of these Regulations where the person arrives in England on or after 4.00 a.m. on 17th May 2021.

**Commencement Information**

**I153** Sch. 16 para. 2 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

3. A designation by the Secretary of State of a person as an authorised person under regulation 5(7) of the 2020 Regulations has effect as a designation of that person as an authorised person under of regulation 11(11)(c) of these Regulations.

**Commencement Information**

**I154** Sch. 16 para. 3 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

4. Regulation 5A of the 2020 Regulations continues to have effect in relation to a constable who exercises the powers in that regulation in relation to a person who arrived in England before 4.00 a.m. on 17th May 2021.

**Commencement Information**

**I155** Sch. 16 para. 4 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

5. A designation by the Secretary of State of a person as a designated officer under regulation 7(2) of the 2020 Regulations has effect as a designation of that person as a designated officer under regulation 20(9)(c)(i) of these [<sup>F108</sup>Regulations].

**Textual Amendments**

**F108** Word in [Sch. 16 para. 5](#) substituted (22.6.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/731\)](#), [regs. 1\(2\), 2\(12\)](#)

**Commencement Information**

**I156** Sch. 16 para. 5 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*. (See end of Document for details)

6. A designation by the Secretary of State of a person as an authorised person under regulation 7(10)(c) of the 2020 Regulations has effect as a designation of that person as an authorised person under regulation 20(9)(a)(iii) of these Regulations.

**Commencement Information**

**I157** Sch. 16 para. 6 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

7. A designation by the Secretary of State under regulation 8 of the 2020 Regulations as a person who may bring proceedings for an offence has effect as a designation under regulation 21(1) of these Regulations.

**Commencement Information**

**I158** Sch. 16 para. 7 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

8. A confirmation from the Foreign, Commonwealth and Development Office or other UK Government Department that a person is not required to comply with Schedule B1A to the 2020 Regulations is treated as confirmation that a person is not required to comply with Schedule 11 of these Regulations where the person arrives in England on or after 4.00 a.m. on 17th May 2021.

**Commencement Information**

**I159** Sch. 16 para. 8 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

9. A booking of a managed self-isolation package made before 4.00 a.m. on 17th May 2021 which satisfies the requirements of Schedule B1A to the 2020 Regulations is treated as satisfying the requirements of Schedule 11 to these Regulations where the person to whom the booking relates arrives in England after 4.00 a.m. on 17th May 2021.

**Commencement Information**

**I160** Sch. 16 para. 9 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

10. A designation by the Secretary of State under paragraph 9 of Schedule B1A to the 2020 Regulations as a person who may impose a charge under that Schedule has effect as a designation under paragraph 9 of Schedule 11 to these Regulations.

**Commencement Information**

**I161** Sch. 16 para. 10 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

11. Authorisation by the Secretary of State under paragraph 13(2)(a) of Schedule B1A to the 2020 Regulations as a person who may give a permission under that paragraph has effect as authorisation under paragraph 13(2)(a) of Schedule 11 to these Regulations.

**Commencement Information**

**I162** Sch. 16 para. 11 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)

12. A designation by the Secretary of State of accommodation or transportation under paragraph 15 of Schedule B1A to the 2020 Regulations has effect as designation of accommodation or transportation, as the case may be, under paragraph 15 of Schedule 11 to these Regulations.

**Commencement Information**

**I163** Sch. 16 para. 12 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

13. Confirmation by the Secretary of State that paragraph 18 of Schedule B1A to the 2020 Regulations applies to a person is treated as confirmation that paragraph 18 of Schedule 11 to these Regulations applies to that person where the person arrives in England after 4.00 a.m. on 17th May 2021.

**Commencement Information**

**I164** Sch. 16 para. 13 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

14. Confirmation by a sponsor that paragraph 19 of Schedule B1A to the 2020 Regulations applies to a person is treated as confirmation that paragraph 19 of Schedule 11 to these Regulations applies to that person where the person arrives in England after 4.00 a.m. on 17th May 2021.

**Commencement Information**

**I165** Sch. 16 para. 14 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

15. Confirmation by a UK Government Department under paragraph 1(1A)(d) of Schedule 2 to the 2020 Regulations that a person is of the description in that paragraph, is treated as confirmation that the person is of the description in paragraph 1(2)(d) of Schedule 4 to these Regulations where the person arrives in England after 4.00 a.m. on 17th May 2021.

**Commencement Information**

**I166** Sch. 16 para. 15 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

16. Certification by a UK Government Department under paragraphs 13 or 13A of Schedule 2 to the 2020 Regulations that a person is of the description or is undertaking work of the description in those paragraphs, is treated as certification that the person is of the description or is undertaking work of the description in paragraphs 16 or 17 of Schedule 4 to these Regulations where the person concerned arrives in England after 4.00 a.m. on 17th May 2021 (and accordingly such a person is not required to comply with regulation 4 of these Regulations).

**Commencement Information**

**I167** Sch. 16 para. 16 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

17. A designation by the Secretary of State under paragraph 12(1) of Schedule 2C to the 2020 Regulations as a person who may impose a charge under that Schedule has effect as a designation under paragraph 12(1) of Schedule 8 to these Regulations and publication of details of charges under paragraph 12(2)(a) of Schedule 2C to the 2020 Regulations satisfies the requirement under paragraph 12(2)(a) of Schedule 8 to these Regulations as to publication.

**Status:** Point in time view as at 08/07/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021. (See end of Document for details)

**Commencement Information**

**I168** Sch. 16 para. 17 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**18.** Guidance issued by the Secretary of State pursuant to paragraph 4(2) of Schedule 2D to the 2020 Regulations has effect as guidance issued pursuant to paragraph 4(2) of Schedule 9 to these Regulations.

**Commencement Information**

**I169** Sch. 16 para. 18 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

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**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations replace the Health Protection (Coronavirus, International Travel) (England) Regulations 2020 (“the International Travel Regulations”), the Health Protection (Coronavirus, Public Health Information for International Passengers) (England) Regulations 2020 and the Health Protection (Coronavirus, Pre-Departure Testing and Operator Liability) (England) (Amendment) Regulations 2021.

They impose requirements on certain categories of person to provide information upon arrival in England, to take coronavirus tests before and after arrival and to self-isolate in order to prevent the spread of infection or contamination from coronavirus or coronavirus disease. They also impose obligations on operators to ensure that passengers receive information and comply with the requirements.

An impact assessment has not been produced for this instrument. An explanatory memorandum has been published alongside this instrument at [www.legislation.gov.uk](http://www.legislation.gov.uk).



**Status:**

Point in time view as at 08/07/2021.

**Changes to legislation:**

There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021.