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## STATUTORY INSTRUMENTS

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# 2021 No. 582

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

### PART 1

#### Introductory

#### Citation, commencement, extent and application

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

**II** 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

2.—(1) In these Regulations—

F1  
...

F2  
...

“category 2 country or territory” means a country or territory or part of a country or territory specified in Schedule 2 <sup>M1</sup>;

“category 3 country or territory” means a country or territory or part of a country or territory specified in Schedule 3 <sup>M2</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>M3</sup>;

F3  
...

F4  
...

F5  
...

“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);

*Status: Point in time view as at 16/02/2022.*

*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>F6</sup>“COVID-19 vaccination eligibility criteria” means the conditions in any of regulations 3C to 3H;]

[<sup>F7</sup>“Crown servant” has the meaning given in section 12(1)(a) to (e) of the Official Secrets Act 1989;]

[<sup>F8</sup>“cruise ship” means a vessel, certified to carry more than 200 passengers, engaged on a voyage primarily for leisure or recreation during which passengers stay overnight on board for at least two nights;]

<sup>F9</sup>  
...

“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>M4</sup>;

“disability” has the meaning given in the Equality Act 2010 <sup>M5</sup> (see section 6 of, and Schedule 1 to, that Act);

<sup>F10</sup>  
...

[<sup>F11</sup>“eligible traveller” has the meaning given in regulation 3B;]

[<sup>F12</sup>“EU Digital COVID Certificate” means a COVID-19 vaccination, test or recovery certificate issued by either a member state of the European Union, European Economic Area or the European Free Trade Association, or a European microstate;

“European microstate” means Andorra, Monaco, San Marino, the Sovereign Order of St John or the Vatican City State;]

[<sup>F13</sup>“government contractor” has the meaning given in section 12(2) of the Official Secrets Act 1989;]

“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>M6</sup>;

<sup>F14</sup>  
...

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

[<sup>F15</sup>“non-category 3 arrival” means a person who arrives in England without having departed from or transited through a category 3 country or territory in the period beginning with the 10th day before the date of their arrival in England;]

[<sup>F16</sup>“North American Certificate” has the meaning given in regulation 3A(2);]

“operator” <sup>F17</sup> ... means an operator of a relevant service;

<sup>F18</sup>  
...

“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>M7</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>M8</sup>;

“qualifying test” means a test that is a qualifying test for the purposes of [<sup>F19</sup>regulation 3ZA];

[<sup>F20</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;]

[<sup>F21</sup>“Schedule 11-exempt passenger” means a person to whom Schedule 11 does not apply only by virtue of paragraph 2 of that Schedule;]

“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>M9</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;

<sup>F22</sup> ...

(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>M10</sup>.

(3) For the purposes of these [<sup>F23</sup>Regulations, except where they provide otherwise, 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 [<sup>F24</sup>or part] thereof by air, rail or sea and <sup>F25</sup>...—

- (a) [<sup>F26</sup>at all times whilst there] remains on the <sup>F27</sup>... vessel upon which P arrived and no other passenger is permitted to be taken on board; or
- (b) [<sup>F28</sup>at all times whilst there] remains on the train [<sup>F29</sup>or aircraft] upon which P arrived <sup>F30</sup>...; or

[<sup>F31</sup>(ba) remains, at all times whilst waiting for a flight departing from the airport at which P disembarked from an aircraft, within that airport, and departs on a flight from that airport without first passing through immigration control.]

<sup>F32</sup>(c) .....

(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.

**Status:** Point in time view as at 16/02/2022.

**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)

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

<sup>F33</sup>(6) .....

**Textual Amendments**

- F1** Words in reg. 2(1) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **3(2)(a)(i)** (with reg. 37(1)(2))
- F2** Words in reg. 2(1) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **3(2)(a)(ii)** (with reg. 37(1)(2))
- F3** Words in reg. 2(1) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **3(2)(a)(iii)** (with reg. 37(1)(2))
- F4** Words in reg. 2(1) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **3(2)(a)(iv)** (with reg. 37(1)(2))
- F5** Words in reg. 2(1) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **3(2)(a)(v)** (with reg. 37(1)(2))
- F6** Words in reg. 2 inserted (4.10.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/1107), regs. 1(2), **3(2)**
- F7** Words in reg. 2(1) inserted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **3(2)(b)** (with reg. 37(1)(2))
- F8** Words in reg. 2(1) inserted (22.9.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 12) Regulations 2021 (S.I. 2021/1066), regs. 1(2), **3**
- F9** Words in reg. 2(1) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **3(2)(c)** (with reg. 37(1)(2))
- F10** Words in reg. 2 omitted (4.10.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/1107), regs. 1(2), **3(4)**
- F11** Words in reg. 2 inserted (4.10.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/1107), regs. 1(2), **3(3)**
- F12** Words in reg. 2(1) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **3(a)** (with reg. 23)
- F13** Words in reg. 2(1) inserted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **3(2)(d)** (with reg. 37(1)(2))
- F14** Words in reg. 2(1) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **3(2)(e)** (with reg. 37(1)(2))
- F15** Words in reg. 2(1) inserted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **3(2)(f)** (with reg. 37(1)(2))

- F16** Words in reg. 2(1) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **3(b)** (with reg. 23)
- F17** Words in reg. 2(1) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **3(2)(g)** (with reg. 37(1)(2))
- F18** Words in reg. 2(1) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **3(2)(h)** (with reg. 37(1)(2))
- F19** Words in reg. 2(1) substituted (7.12.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 23) Regulations 2021 (S.I. 2021/1371), regs. 1(2), **6(1)(a)** (with reg. 11)
- F20** 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))
- F21** Words in reg. 2(1) inserted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **3(2)(i)** (with reg. 37(1)(2))
- F22** Words in reg. 2(1) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **3(2)(j)** (with reg. 37(1)(2))
- F23** Words in reg. 2(3) substituted (7.12.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 23) Regulations 2021 (S.I. 2021/1371), regs. 1(2), **3** (with reg. 11)
- F24** Words in reg. 2(3) substituted (1.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 17) Regulations 2021 (S.I. 2021/1210), regs. 1(2), **3(2)(a)(i)** (with reg. 17(1))
- F25** Words in reg. 2(3) omitted (1.11.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 17) Regulations 2021 (S.I. 2021/1210), regs. 1(2), **3(2)(a)(ii)** (with reg. 17(1))
- F26** Words in reg. 2(3)(a) inserted (1.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 17) Regulations 2021 (S.I. 2021/1210), regs. 1(2), **3(2)(b)(i)** (with reg. 17(1))
- F27** Words in reg. 2(3)(a) omitted (1.11.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 17) Regulations 2021 (S.I. 2021/1210), regs. 1(2), **3(2)(b)(ii)** (with reg. 17(1))
- F28** Words in reg. 2(3)(b) inserted (1.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 17) Regulations 2021 (S.I. 2021/1210), regs. 1(2), **3(2)(c)(i)** (with reg. 17(1))
- F29** Words in reg. 2(3)(b) inserted (1.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 17) Regulations 2021 (S.I. 2021/1210), regs. 1(2), **3(2)(c)(ii)** (with reg. 17(1))
- F30** Words in reg. 2(3)(b) omitted (1.11.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 17) Regulations 2021 (S.I. 2021/1210), regs. 1(2), **3(2)(c)(iii)** (with reg. 17(1))
- F31** Reg. 2(3)(ba) inserted (1.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 17) Regulations 2021 (S.I. 2021/1210), regs. 1(2), **3(2)(d)** (with reg. 17(1))
- F32** Reg. 2(3)(c) omitted (1.11.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 17) Regulations 2021 (S.I. 2021/1210), regs. 1(2), **3(2)(e)** (with reg. 17(1))

**Status:** Point in time view as at 16/02/2022.

**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)

**F33** Reg. 2(6) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022](#) (S.I. 2022/125), regs. 1(2), **3(3)** (with reg. 37(1)(2))

#### Commencement Information

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

#### Marginal Citations

- M1** Category 2 countries and territories are referred to colloquially and in guidance as “Amber List” countries and territories.
- M2** Category 3 countries and territories are referred to colloquially and in guidance as “Red List” countries and territories.
- M3** [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”.
- M4** [S.I. 2002/618](#).
- M5** [2010 c. 15](#).
- M6** 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](#).
- M7** 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.
- M8** [1987 c. 53](#).
- M9** [S.I. 2020/1045](#).
- M10** [1989 c. 41](#).

#### Exemptions for vaccinated travellers and others

<sup>F34</sup>**2A.** . . . . .

#### Textual Amendments

**F34** Reg. 2A omitted (4.10.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 13\) Regulations 2021](#) (S.I. 2021/1107), regs. 1(2), **4**

## [<sup>F35</sup>PART 1A

### [<sup>F36</sup>Requirements on persons arriving in England]]

#### Textual Amendments

- F35** Pt. 1A number and heading inserted before reg. 3 (4.10.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 13\) Regulations 2021](#) (S.I. 2021/1107), regs. 1(2), **5**
- F36** Pt. 1A heading substituted (7.12.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 23\) Regulations 2021](#) (S.I. 2021/1371), regs. 1(2), **4(2)** (with reg. 11)

### Requirement on passengers to provide information

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>M11</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<sup>F37</sup>... 9 (category 2 and category 3 arrivals) [<sup>F38</sup>or Schedule 11 (additional measures applicable to arrivals from category 3 countries or territories)], 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).

[<sup>F39</sup>(6) A person described in paragraph (1) to (3), or who has an obligation under paragraph (5), is treated as having complied with those paragraphs (as applicable) if they provide the specified passenger information on the Passenger Locator Form—

- (a) in the case of a person arriving in England on a cruise ship, in the 21 days before they are required to provide the information, or
- (b) in any other case, in the 48 hours before they are required to provide the information.]

(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) [<sup>F40</sup>The] following are not required to comply with this regulation—

- (a) a person described in regulation 9(14) [<sup>F41</sup>who is a non-category 3 arrival];
- [<sup>F42</sup>(b) a person described in any of the following provisions of Schedule 4—
  - (i) Part 2 (transport workers);
  - (ii) Part 3 (border security duties);

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- (iii) paragraph 19(1) (diplomats etc.);
- (iv) paragraph 19(2), (3) or (4) (international organisations etc.) where the Foreign, Commonwealth and Development Office has given confirmation under that paragraph in respect of this regulation;
- (v) paragraph 20 (defence personnel);
- (vi) paragraph 22 (non-disembarking cruise passengers);
- (vii) paragraph 23(2)(a) (non-CTA airside transit passengers).]

F <sup>43</sup> (bza)	.....
F <sup>43</sup> (ba)	.....
F <sup>43</sup> (c)	.....
F <sup>43</sup> (cza)	.....
F <sup>43</sup> (czb)	.....
F <sup>43</sup> (ca)	.....
F <sup>43</sup> (cb)	.....
F <sup>43</sup> (d)	.....
F <sup>43</sup> (e)	.....
F <sup>43</sup> (f)	.....
F <sup>44</sup> (11)	.....
F <sup>45</sup> (12)	.....

### Textual Amendments

- F37** Words in [reg. 3\(4\)\(a\)](#) omitted (7.1.2022 at 4:00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2022 \(S.I. 2022/11\)](#), [regs. 1\(2\)](#), [4](#)
- F38** Words in [reg. 3\(4\)\(a\)](#) inserted (7.12.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 23\) Regulations 2021 \(S.I. 2021/1371\)](#), [regs. 1\(2\)](#), [4\(3\)\(b\)](#) (with [reg. 11](#))
- F39** [Reg. 3\(6\)](#) substituted (1.10.2021) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 12\) Regulations 2021 \(S.I. 2021/1066\)](#), [regs. 1\(4\)](#), [5\(2\)](#)
- F40** Word in [reg. 3\(10\)](#) substituted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), [regs. 1\(2\)](#), [4\(3\)\(a\)](#) (with [reg. 37\(1\)\(2\)](#))
- F41** Words in [reg. 3\(10\)\(a\)](#) inserted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), [regs. 1\(2\)](#), [4\(3\)\(b\)](#) (with [reg. 37\(1\)\(2\)](#))
- F42** [Reg. 3\(10\)\(b\)](#) substituted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), [regs. 1\(2\)](#), [4\(3\)\(c\)](#) (with [reg. 37\(1\)\(2\)](#))
- F43** [Reg. 3\(10\)\(bza\)-\(f\)](#) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), [regs. 1\(2\)](#), [4\(3\)\(d\)](#) (with [reg. 37\(1\)\(2\)](#))



- F44** Reg. 3(11) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **4(4)** (with reg. 37(1)(2))
- F45** Reg. 3(12) omitted (9.10.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 14\) Regulations 2021 \(S.I. 2021/1130\)](#), regs. 1(2), **4** (with reg. 23)

#### Commencement Information

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

#### Marginal Citations

- M11** 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.

#### [<sup>F46</sup>Requirement to possess notification of negative test result

**3ZA.—**(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.

<sup>F47</sup>(3) .....

(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 officer requires the person to undertake such a test.

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

- [ a child who—
  - <sup>F48</sup>(a) (i) is under the age of 12, and
  - (ii) arrives in England from a category 3 country 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;

[<sup>F49</sup>(b) a person described in any of the following provisions of Schedule 4—

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- (i) Part 2 (transport workers);
- (ii) Part 3 (border security duties);
- (iii) paragraph 16 (transporting human cells);
- (iv) paragraph 17 or 18 (essential government work etc.) where the relevant Department has certified under either of those paragraphs in respect of this regulation;
- (v) paragraph 19(2), (3) or (4) (international organisations etc.) where the Foreign, Commonwealth and Development Office has given confirmation under that paragraph in respect of this regulation;
- (vi) paragraph 20 (defence personnel);
- (vii) paragraph 22 (non-disembarking cruise passengers)]

<sup>F50</sup>(c) . . . . .

<sup>F51</sup>(d) . . . . .

[ an eligible traveller.]

<sup>F52</sup>(e)

(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 —
  - (i) it is provided through the EU Digital COVID Certificate, or
  - (ii) it includes the information specified in paragraph 2 of Schedule 7;

<sup>F53</sup>(c) . . . . .]

**Textual Amendments**

- F46** Reg. 3ZA inserted (7.12.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 23\) Regulations 2021 \(S.I. 2021/1371\)](#), regs. 1(2), **4(4)** (with reg. 11)
- F47** Reg. 3ZA(3) omitted (7.1.2022 at 4:00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2022 \(S.I. 2022/11\)](#), regs. 1(2), **5(2)**
- F48** Reg. 3ZA(6)(a) inserted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **5(a)** (with reg. 37(1)(2))
- F49** Reg. 3ZA(6)(b) substituted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **5(b)** (with reg. 37(1)(2))
- F50** Reg. 3ZA(6)(c) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **5(c)** (with reg. 37(1)(2))
- F51** Reg. 3ZA(6)(d) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **5(c)** (with reg. 37(1)(2))
- F52** Reg. 3ZA(6)(e) inserted (7.1.2022 at 4:00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2022 \(S.I. 2022/11\)](#), regs. 1(2), **5(3)(b)**

**F53** Reg. 3ZA(7)(c) omitted (7.1.2022 at 4:00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2022 \(S.I. 2022/11\)](#), regs. 1(2), **5(4)**

## [<sup>F54</sup>PART 1B

### Additional requirements for eligible travellers

#### Textual Amendments

**F54** Pt. 1B inserted (4.10.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 13\) Regulations 2021 \(S.I. 2021/1107\)](#), regs. 1(2), **6**

#### Interpretation of Part

**3A.—**(1) For the purposes of this Part—

- (a) a child is to be treated as making a declaration on a Passenger Locator Form, and providing any proof required, if that declaration is made, and the proof provided, by a person who is travelling with and has responsibility for that child;
- (b) a person is not treated as having been in a country or territory if that person would not be treated as having departed from or transited through that country or territory by virtue of regulation 2(3);

[ a reference to a country does not include a reference to the overseas territories and <sup>F55</sup>(c) dependencies of that country unless otherwise stated.]

(2) In this Part—

“authorised vaccine” means a medicinal product for vaccination against coronavirus—

- (a) in relation to doses received in the United Kingdom, authorised—
  - (i) for supply in the United Kingdom in accordance with a marketing authorisation, or
  - (ii) by the licensing authority on a temporary basis under regulation 174 of the Human Medicines Regulations 2012,
- (b) in relation to doses received in a relevant country listed in the table in paragraph (3), authorised for supply in that relevant country following evaluation by the regulator for the relevant country,
- (c) in relation to doses received in [<sup>F56</sup>any other country or territory (including] a relevant country listed in paragraph (4)[<sup>F57</sup>], which [<sup>F58</sup>—
  - (i) would be authorised as provided for in paragraph (a)(i) or (ii) if the doses were received in the United Kingdom, or
  - (ii) are listed in lines [<sup>F59</sup>10, 11, 12, 13 or 14] of the Guidance Document “Status of COVID-19 Vaccines within WHO EUL/PQ evaluation process” published by the World Health Organisation on [<sup>F60</sup>23rd December] 2021, and authorised or certified in a relevant country listed in paragraph (4);]

“clinical trial” has the meaning given in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004;

<sup>F61</sup> ...

*Status: Point in time view as at 16/02/2022.*

*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)*

F62 ...

“the licensing authority” has the meaning given in regulation 6(2) (the licensing authority and the Ministers) of the Human Medicines Regulations 2012;

“marketing authorisation”—

- (a) in relation to a vaccine authorised for supply in the United Kingdom or in a member State, has the meaning given in regulation 8(1) (general interpretation) of the Human Medicines Regulations 2012,
- (b) in relation to a vaccine authorised for supply in a relevant country listed in the table in paragraph (3) other than a member State, means a marketing authorisation granted by the relevant regulator for the country;

“medicinal product” has the meaning given in regulation 2 (medicinal products) of the Human Medicines Regulations 2012;

“NHS COVID pass” means the COVID-19 records [<sup>F63</sup>available] on the NHS smartphone app developed and operated by the Secretary of State, through the website at NHS.uk or [<sup>F64</sup>in] a COVID-19 post-vaccination letter obtained from the NHS;

“NHS” means the health service continued under section 1(1) of the National Health Service Act 2006;

“NHS Scotland” means the health service continued under section 1(1) of the National Health Service (Scotland) Act 1978;

“NHS Wales” means the health service continued under section 1(1) of the National Health Service (Wales) Act 2006;

[<sup>F65</sup>“North American Certificate” means, in relation to a State listed in the table in paragraph (2B), the certificate identified in the corresponding row of the second column of that table;]

[<sup>F66</sup>“Regulation (EU) 2021/953” means Regulation (EU) 2021/953 of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) to facilitate free movement during the COVID-19 pandemic;]

“relevant country” means a country or territory listed in the first column of the table in paragraph (3) or a country or territory listed in paragraph (4);

“regulator”, in relation to a relevant country listed in the table in paragraph (3), means the regulator identified in the corresponding row of the second column of the table in that paragraph, and a reference to a regulator in that table is a reference to the regulatory authority of that name designated as a Stringent Regulatory Authority by the World Health Organization pursuant to the operation of the COVAX Facility;

“United Kingdom vaccine roll-out overseas” means the administration of vaccination against coronavirus to—

- (a) Crown servants, government contractors or other personnel posted or based overseas and their dependants under the scheme known as the Foreign, Commonwealth and Development Office staff COVID-19 vaccination programme; [<sup>F67</sup>or]
- (b) <sup>F68</sup> ...
- (c) military or civilian personnel, government contractors and their dependants at a military posting overseas, including the British overseas territories, the Channel Islands and the Isle of Man, under the vaccination scheme provided or approved by the UK Defence Medical Services.

[<sup>F69</sup>“vaccine certificate”, in relation to a passenger (“P”), means a certificate in English, French or Spanish issued by the competent health authority of a relevant country, other than a European country listed in the table in paragraph (3) or the United States of America, which contains—

- (a) P’s full name;
- (b) P’s date of birth;
- (c) the name and manufacturer of the vaccine that P received;
- (d) the date that P received the dose of the vaccine or, as the case may be, each dose of the vaccine;
- (e) details of the identity of the issuer of the certificate or the country of vaccination or both.]

[<sup>F70</sup>(2A) The following countries and territories are approved third countries or territories for the purposes of this Part—

Albania  
 Armenia  
 [<sup>F71</sup>Cape Verde]  
 [<sup>F71</sup>El Salvador]  
 Faroe Islands  
 Israel  
 Morocco  
 North Macedonia  
 Panama  
 [<sup>F71</sup>Togo ]  
 Turkey  
 Ukraine.

(2B) The table referred to in the definition of “North American Certificate” in paragraph (2) is—

<i>State</i>	<i>Certificate Name</i>
California	Digital COVID-19 Vaccine Record
New York	Excelsior Pass Plus
Washington State	WA Verify]

(3) The table referred to in paragraph (2) [<sup>F72</sup>except in the definition of “North American Certificate] is—

<i>Relevant country</i>	<i>Regulator</i>
A member State	European Medicines Agency
Andorra	European Medicines Agency
Iceland	European Medicines Agency
Liechtenstein	European Medicines Agency
Monaco	European Medicines Agency

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<i>Relevant country</i>	<i>Regulator</i>
Norway	European Medicines Agency
San Marino	European Medicines Agency
The Vatican City State	European Medicines Agency
Switzerland	Swissmedic
The United States of America	United States Food and Drug Administration
Australia	The Therapeutic Goods Administration
Canada	Health Canada

(4) The countries and territories referred to in the definitions of “relevant country” and “authorised vaccine” are—

- [<sup>F73</sup>Albania]
- [<sup>F74</sup>Algeria]
- [<sup>F75</sup>Angola]
- [<sup>F75</sup>Anguilla]
- Antigua and Barbuda
- [<sup>F75</sup>Argentina]
- [<sup>F75</sup>Armenia]
- [<sup>F75</sup>Azerbaijan]
- [<sup>F73</sup>Bahamas]
- Bahrain
- [<sup>F73</sup>Bangladesh]
- Barbados
- [<sup>F76</sup>Belarus]
- [<sup>F75</sup>Belize]
- [<sup>F75</sup>Bermuda]
- [<sup>F77</sup>Bhutan]
- [<sup>F76</sup>Bolivia]
- [<sup>F73</sup>Bosnia and Herzegovina]
- [<sup>F75</sup>Botswana]
- [<sup>F73</sup>Brazil]
- [<sup>F75</sup>British Antarctic Territory]
- [<sup>F75</sup>British Indian Ocean Territory]
- [<sup>F75</sup>British Virgin Islands]
- Brunei
- [<sup>F75</sup>Cambodia]
- [<sup>F77</sup>Cameroon]

[<sup>F75</sup>Cayman Islands]  
[<sup>F73</sup>Chile]  
[<sup>F74</sup>China]  
[<sup>F73</sup>Colombia]  
[<sup>F75</sup>Costa Rica]  
[<sup>F77</sup>Côte d'Ivoire]  
[<sup>F77</sup>Cyprus, northern]  
[<sup>F76</sup>Democratic Republic of the Congo]  
[<sup>F75</sup>Djibouti]  
Dominica  
[<sup>F76</sup>Dominican Republic]  
[<sup>F76</sup>Ecuador]  
[<sup>F73</sup>Egypt]  
[<sup>F75</sup>Eswatini]  
[<sup>F75</sup>Falkland Islands]  
[<sup>F77</sup>Fiji]  
[<sup>F73</sup>Georgia]  
[<sup>F73</sup>Ghana]  
[<sup>F75</sup>Gibraltar]  
[<sup>F73</sup>Grenada]  
[<sup>F74</sup>Guatemala]  
[<sup>F75</sup>Guernsey]  
[<sup>F75</sup>Guyana]  
[<sup>F75</sup>Honduras]  
[<sup>F73</sup>Hong Kong]  
[<sup>F73</sup>India]  
[<sup>F73</sup>Indonesia]  
[<sup>F74</sup>Iran]  
[<sup>F77</sup>Iraq]  
[<sup>F75</sup>Isle of Man]  
Israel  
[<sup>F73</sup>Jamaica]  
Japan  
[<sup>F75</sup>Jersey]  
[<sup>F73</sup>Jordan]  
[<sup>F74</sup>Kazakhstan]

**Status:** Point in time view as at 16/02/2022.

**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>F73</sup>Kenya]  
[<sup>F73</sup>Kosovo]  
Kuwait  
[<sup>F74</sup>Kyrgyzstan]  
[<sup>F76</sup>Laos]  
[<sup>F75</sup>Lebanon]  
[<sup>F75</sup>Lesotho]  
[<sup>F77</sup>Liberia]  
[<sup>F76</sup>Libya]  
[<sup>F74</sup>Macao SAR]  
[<sup>F75</sup>Madagascar]  
[<sup>F76</sup>Malawi]  
Malaysia  
[<sup>F73</sup>Maldives]  
[<sup>F77</sup>Mali]  
[<sup>F77</sup>Mauritania]  
[<sup>F75</sup>Mauritius]  
[<sup>F74</sup>Mexico]  
[<sup>F73</sup>Moldova]  
[<sup>F75</sup>Mongolia]  
[<sup>F73</sup>Montenegro]  
[<sup>F75</sup>Montserrat]  
[<sup>F73</sup>Morocco]  
[<sup>F76</sup>Mozambique]  
[<sup>F73</sup>Namibia]  
[<sup>F75</sup>Nepal]  
New Zealand  
[<sup>F77</sup>Niger]  
[<sup>F73</sup>Nigeria]  
[<sup>F73</sup>North Macedonia]  
[<sup>F75</sup>Occupied Palestinian Territories]  
[<sup>F73</sup>Oman]  
[<sup>F73</sup>Pakistan]  
[<sup>F77</sup>Palau]  
[<sup>F75</sup>Panama]  
[<sup>F77</sup>Papua New Guinea]



[<sup>F77</sup>Paraguay]  
[<sup>F75</sup>Peru]  
[<sup>F73</sup>The Philippines]  
[<sup>F75</sup>Pitcairn, Henderson, Ducie and Oeno Islands]  
Qatar  
[<sup>F75</sup>Rwanda]  
[<sup>F75</sup>Saint Helena, Ascension and Tristan da Cunha]  
[<sup>F76</sup>Samoa]  
[<sup>F74</sup>Sao Tome and Principe]  
Saudi Arabia  
[<sup>F76</sup>Senegal]  
[<sup>F73</sup>Serbia]  
[<sup>F75</sup>Seychelles]  
[<sup>F75</sup>Sierra Leone]  
Singapore  
[<sup>F77</sup>Solomon Islands]  
[<sup>F73</sup>South Africa]  
[<sup>F75</sup>South Georgia and the South Sandwich Islands]  
South Korea  
[<sup>F74</sup>South Sudan]  
[<sup>F75</sup>The Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus]  
[<sup>F75</sup>Sri Lanka]  
[<sup>F73</sup>St Kitts and Nevis]  
[<sup>F73</sup>St Lucia]  
[<sup>F73</sup>St Vincent and the Grenadines]  
[<sup>F75</sup>Suriname]  
Taiwan  
[<sup>F75</sup>Tanzania]  
[<sup>F73</sup>Thailand]  
[<sup>F77</sup>The Gambia]  
[<sup>F74</sup>Timor-Leste]  
[<sup>F74</sup>Tonga]  
[<sup>F75</sup>Trinidad and Tobago]  
[<sup>F75</sup>Tunisia]  
[<sup>F73</sup>Turkey]  
[<sup>F74</sup>Turkmenistan]

*Status: Point in time view as at 16/02/2022.*

*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>F75</sup>Turks and Caicos Islands]

[<sup>F75</sup>Uganda]

[<sup>F73</sup>Ukraine]

United Arab Emirates.

[<sup>F75</sup>Uruguay]

[<sup>F77</sup>Uzbekistan]

[<sup>F76</sup>Vanuatu]

[<sup>F73</sup>Vietnam]

[<sup>F76</sup>Zambia]

[<sup>F76</sup>Zimbabwe.]

[<sup>F78</sup>(5) Where a course of doses of an authorised vaccine has been administered to a person (“P”) by a person acting on behalf of the United Nations and authorised to administer the vaccination in that capacity, P is to be treated as if they have received those doses in a relevant country listed in paragraph (4), and any reference to doses received in a relevant country, or to the competent health authority of a relevant country in these Regulations is to be construed as including doses administered by a person acting on behalf of the United Nations.]

#### Textual Amendments

- F55** Reg. 3A(1)(c) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **4(a)** (with reg. 23)
- F56** Words in reg. 3A(2) inserted (1.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 17) Regulations 2021 (S.I. 2021/1210), regs. 1(2), **5(2)(a)(i)** (with reg. 17(1))
- F57** Reg. 3A(2): closing bracket inserted (1.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 17) Regulations 2021 (S.I. 2021/1210), regs. 1(2), **5(2)(a)(ii)** (with reg. 17(1))
- F58** Words in reg. 3A(2) substituted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **4(b)(i)** (with reg. 23)
- F59** Words in reg. 3A(2)(c)(ii) substituted (10.1.2022 at 4:00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) Regulations 2022 (S.I. 2022/11), regs. 1(2)(b), **6(2)(a)**
- F60** Words in reg. 3A(2)(c)(ii) substituted (10.1.2022 at 4:00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) Regulations 2022 (S.I. 2022/11), regs. 1(2)(b), **6(2)(b)**
- F61** Words in reg. 3A(2) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **6(2)(a)** (with reg. 37(1)(2))
- F62** Words in reg. 3A(2) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **6(2)(b)** (with reg. 37(1)(2))
- F63** Word in reg. 3A(2) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **4(b)(ii)(aa)** (with reg. 23)

- F64** Word in reg. 3A(2) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **4(b)(ii)(bb)** (with reg. 23)
- F65** Words in reg. 3A(2) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **4(b)(iii)** (with reg. 23)
- F66** Words in reg. 3A(2) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **4(b)(iv)** (with reg. 23)
- F67** Word in reg. 3A(2) inserted (1.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 17) Regulations 2021 (S.I. 2021/1210), regs. 1(2), **5(2)(b)(i)** (with reg. 17(1))
- F68** Words in reg. 3A(2) omitted (1.11.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 17) Regulations 2021 (S.I. 2021/1210), regs. 1(2), **5(2)(b)(ii)** (with reg. 17(1))
- F69** Words in reg. 3A(2) inserted (1.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 17) Regulations 2021 (S.I. 2021/1210), regs. 1(2), **5(2)(c)** (with reg. 17(1))
- F70** Reg. 3A(2A)(2B) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **4(c)** (with reg. 23)
- F71** Words in reg. 3A(2A) inserted (11.2.2022 at 4.00 a.m. for entries "Cape Verde", "El Salvador" and "Togo, 28.2.2022 at 4.00 a.m. in so far as not already in force) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2)(b)(ii), **6(3)** (with reg. 37(1)(2))
- F72** Words in reg. 3A(3) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **4(d)** (with reg. 23)
- F73** Words in reg. 3A(4) inserted (11.10.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/1130), regs. 1(3), **5(2)** (with reg. 23(2))
- F74** Words in reg. 3A(4) inserted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **6(4)(a)** (with reg. 37(1)(2))
- F75** Words in reg. 3A(4) inserted (1.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 17) Regulations 2021 (S.I. 2021/1210), regs. 1(2), **5(3)** (with reg. 17(1)) (as amended by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 17) (Amendment) Regulations 2021 (S.I. 2021/1213), regs. 1(2), 2(2))
- F76** Words in reg. 3A(4) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **4(e)** (with reg. 23)
- F77** Words in reg. 3A(4) inserted (10.1.2022 at 4:00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) Regulations 2022 (S.I. 2022/11), regs. 1(2)(b), **6(3)**
- F78** Reg. 3A(5) inserted (11.10.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/1130), regs. 1(3), **5(3)** (with reg. 23(2))

**Eligible travellers**

**3B.—**(1) A person (“P”) is an eligible traveller if—

Status: Point in time view as at 16/02/2022.

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) in the period beginning with the 10th day before the date of P’s arrival in England [<sup>F79</sup>—
  - (i) P has been in a category 2 country or territory, and
  - (ii) P has not been in a category 3 country or territory, and]
- (b) P meets the conditions of any of regulations 3C to 3H.

<sup>F80</sup>(2) .....

**Textual Amendments**

**F79** Reg. 3B(1)(a)(i)(ii) substituted for words in reg. 3B(1)(a) (22.11.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 18\) Regulations 2021 \(S.I. 2021/1289\)](#), regs. 1(2), 5 (with reg. 23)

**F80** Reg. 3B(2) omitted (11.10.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 14\) Regulations 2021 \(S.I. 2021/1130\)](#), regs. 1(3), 6(2) (with reg. 23(2))

**Eligible travellers: vaccination conditions**

3C.—(1) P meets the conditions of this regulation if P—

- (a) has completed a course of doses of an authorised vaccine with the final dose having been received before the start of the period beginning with the 14th day before the date of their arrival in England;

<sup>F81</sup>(b) .....

<sup>F82</sup>(c) .....

- (d) is able to provide proof if required by an immigration officer or the operator of the relevant service on which P travels to England of meeting the requirement in sub-paragraph (a) through—

- (i) the NHS COVID pass, or equivalent from NHS Scotland, NHS Wales or the Department of Health in Northern Ireland,

- (ii) the EU Digital COVID Certificate,

- [ a North American Certificate,

<sup>F83</sup>(iia)

- (iib) a COVID-19 vaccination certificate issued by an approved third country or territory and considered by the European Commission to be equivalent to an EU Digital COVID Certificate issued in accordance with Regulation (EU) 2021/953,]

- (iii) the Centers for Disease Control and Prevention vaccination card, or

- (iv) a vaccine certificate; [<sup>F84</sup>and]

<sup>F85</sup>(e) .....

- (f) [<sup>F86</sup>Except where P is a person described in regulation 3(10) (person not required to comply with regulation 3),] has declared on the Passenger Locator Form that P meets the COVID-19 vaccination eligibility criteria.

(2) For the purposes of this regulation—

- (a) P has completed a course of doses if P has received the complete course of doses specified—

- (i) in the summary of product characteristics approved as part of the marketing authorisation for the authorised vaccine, or

(ii) in the instructions for usage approved as part of the authorisation by the licensing authority on a temporary basis under regulation 174 (supply in response to spread of pathogenic agents etc) of the Human Medicines Regulations 2012 for the authorised vaccine;

<sup>F87</sup>(ab) [ if P has received at least 2 doses of any of the vaccines referred in sub-paragraph (c)(ii) of the definition of “authorised vaccine” in regulation 3A(2), P is deemed to have completed a course of doses of an authorised vaccine.]

(b) if P has received a dose of one authorised vaccine and a dose of a different authorised vaccine, P is deemed to have completed a course of doses of an authorised vaccine.

<sup>F88</sup>(3) .....

#### Textual Amendments

- F81** Reg. 3C(1)(b) omitted (1.11.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 17\) Regulations 2021](#) (S.I. 2021/1210), regs. 1(2), **6(a)** (with reg. 17(1))
- F82** Reg. 3C(1)(c) omitted (22.11.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 18\) Regulations 2021](#) (S.I. 2021/1289), regs. 1(2), **6(a)(i)** (with reg. 23)
- F83** Reg. 3C(1)(d)(iia)(iib) inserted (22.11.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 18\) Regulations 2021](#) (S.I. 2021/1289), regs. 1(2), **6(a)(ii)(aa)** (with reg. 23)
- F84** Word in reg. 3C(1)(d) inserted (22.11.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 18\) Regulations 2021](#) (S.I. 2021/1289), regs. 1(2), **6(a)(ii)(bb)** (with reg. 23)
- F85** Reg. 3C(1)(e) omitted (22.11.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 18\) Regulations 2021](#) (S.I. 2021/1289), regs. 1(2), **6(a)(iii)** (with reg. 23)
- F86** Words in reg. 3C(1)(f) inserted (11.10.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 14\) Regulations 2021](#) (S.I. 2021/1130), regs. 1(3), **7(2)(b)** (with reg. 23(2))
- F87** Reg. 3C(2)(ab) inserted (22.11.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 18\) Regulations 2021](#) (S.I. 2021/1289), regs. 1(2), **6(b)** (with reg. 23)
- F88** Reg. 3C(3) omitted (1.11.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 17\) Regulations 2021](#) (S.I. 2021/1210), regs. 1(2), **6(b)** (with reg. 17(1))

#### Eligible travellers: UK clinical trial conditions

**3D.** P meets the conditions of this regulation if P—

- (a) has participated, or is participating, in a clinical trial of a vaccine for vaccination against coronavirus carried out in accordance with the requirements of the Medicines for Human Use (Clinical Trials) Regulations 2004;
- (b) is able to provide proof of such participation if required by an immigration officer or the operator of the relevant service on which P travels to England; and
- (c) has declared on the Passenger Locator Form that P meets the COVID-19 vaccination eligibility criteria.

**Status:** Point in time view as at 16/02/2022.

**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)

### Eligible travellers: US clinical trial conditions

**3E.** P meets the conditions of this regulation if P—

- (a) has participated, or is participating, in a clinical trial regulated in the United States of America by the Food and Drugs Administration of a vaccine for vaccination against coronavirus;
- (b) if required by an immigration officer or the operator of the relevant service on which P travels to England, is able to provide proof of such participation through a vaccination card issued by the Centers for Disease Control and Prevention; [<sup>F89</sup>and]
- (c) has declared on the Passenger Locator Form that P meets the COVID-19 vaccination eligibility criteria <sup>F90</sup> ...

<sup>F91</sup>(d) .....

#### Textual Amendments

**F89** Word in reg. 3E(b) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), 7(a) (with reg. 23)

**F90** Word in reg. 3E(c) omitted (22.11.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), 7(b) (with reg. 23)

**F91** Reg. 3E(d) omitted (22.11.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), 7(c) (with reg. 23)

### [<sup>F92</sup>Eligible travellers: Non-UK or US clinical trial conditions

**3EA.—**(1) P meets the conditions of this regulation if P—

- (a) has participated, or is participating in, phase 2 (therapeutic exploratory studies) or phase 3 (clinical efficacy and safety studies) of a clinical trial of a vaccine for vaccination against coronavirus which is regulated by—
  - (i) the European Medicines Agency, or
  - (ii) a regulatory authority (other than such an authority in the United Kingdom or the United States of America) which is designated as a Stringent Regulatory Authority by the World Health Organization,
- (b) if required by an immigration officer or the operator of the relevant service on which P travels to England is able to provide proof of such participation through a participation document, and
- (c) has declared on the Passenger Locator Form that P meets the COVID-19 vaccination eligibility criteria.

(2) For the purposes of this regulation “participation document” means a document in English, French or Spanish issued by a relevant person which confirms—

- (a) P’s full name;
- (b) P’s date of birth;
- (c) the name and manufacturer of the vaccine;
- (d) the country or territory in which the clinical trial is taking, or took, place;
- (e) the regulatory authority responsible for the regulation of the clinical trial;

- (f) the phase of the clinical trial in which P is participating or participated.
- (3) For the purposes of paragraph (2) “relevant person” means—
  - (a) the competent health authority of the country or territory in which the relevant clinical trial is being, or was, carried out, or
  - (b) the person who is conducting, or conducted, the relevant clinical trial.]

#### Textual Amendments

**F92** Reg. 3EA inserted (1.11.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 17\) Regulations 2021 \(S.I. 2021/1210\)](#), regs. 1(2), 7 (with reg. 17(1))

#### Eligible travellers: UK clinical exemption conditions

- 3F.**—[
- <sup>F93</sup>(1)] P meets the conditions of this regulation if P—
- (a) has been advised by a registered medical practitioner that for clinical reasons P should not be vaccinated with an authorised vaccine;
  - (b) is able to provide proof of that advice through [<sup>F94</sup>a relevant document] if required by an immigration officer or the operator of the relevant service on which P travels to England; and
  - (c) has declared on the Passenger Locator Form that P meets the COVID-19 vaccination eligibility criteria.

- [
- <sup>F95</sup>(2) In this regulation “relevant document” means—
- (a) a letter issued by the NHS in response to an NHS COVID pass medical exemptions application,
  - (b) a certification in paper or electronic form issued by NHS Scotland, or
  - (c) a maternity certificate.
- (3) For the purposes of paragraph (2) “maternity certificate” means a maternity certificate which satisfies the requirements of—
- (a) regulation 2(3) of the Social Security (Medical Evidence) Regulations 1976, or
  - (b) regulation 2 of the Statutory Maternity Pay (Medical Evidence) Regulations 1987.]

#### Textual Amendments

**F93** Reg. 3F renumbered as reg. 3F(1) (1.11.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 17\) Regulations 2021 \(S.I. 2021/1210\)](#), regs. 1(2), **8(2)** (with reg. 17(1))

**F94** Words in reg. 3F(1)(b) substituted (1.11.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 17\) Regulations 2021 \(S.I. 2021/1210\)](#), regs. 1(2), **8(3)** (with reg. 17(1))

**F95** Reg. 3F(2)(3) inserted (1.11.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 17\) Regulations 2021 \(S.I. 2021/1210\)](#), regs. 1(2), **8(4)** (with reg. 17(1))

Status: Point in time view as at 16/02/2022.

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)

**Eligible travellers: age [<sup>F96</sup> condition]**

**3G.** P meets the conditions of this regulation if P is—

(a) under the age of 18 years upon arrival in England <sup>F97</sup> ...

<sup>F98</sup>(b) .....

**Textual Amendments**

**F96** Word in reg. 3G heading substituted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **8(a)** (with reg. 23)

**F97** Word in reg. 3G(a) omitted (22.11.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **8(b)** (with reg. 23)

**F98** Reg. 3G(b) omitted (22.11.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **8(c)** (with reg. 23)

**Eligible travellers: UK vaccine rollout overseas conditions**

**3H.—**(1) P meets the conditions of this regulation if P is <sup>F99</sup> ...—

(a) a person who—

(i) has completed a course of doses of a vaccine under the United Kingdom vaccine roll-out overseas, with the final dose having been received before the start of the period beginning with the 14th day before the date of their arrival in England,

(ii) is able to provide proof if required by an immigration officer or the operator of the relevant service on which P travels to England of meeting the condition in paragraph (i), and

(iii) has declared on the Passenger Locator Form that P meets the COVID-19 vaccination eligibility criteria <sup>F100</sup> ...

<sup>F101</sup>(b) .....

(2) For the purposes of this regulation—

(a) P has completed a course of doses of a vaccine if P has received the complete course of doses of the vaccine as specified in the manufacturer’s guidance for that vaccine;

(b) where P has received a dose of an authorised vaccine <sup>F102</sup> ... and a dose of a vaccine under the United Kingdom vaccine roll-out overseas, P is deemed to have completed a course of doses of a vaccine under the United Kingdom vaccine roll-out overseas;

(c) where P has received a dose of one vaccine under the United Kingdom vaccine roll-out overseas, and a dose of a different vaccine under the United Kingdom vaccine roll-out overseas, P is deemed to have completed a course of doses of a vaccine under the United Kingdom vaccine roll-out overseas.

[  
<sup>F103</sup>(3) Where P is a person described in paragraph (2)(b), the proof which P provides for the purposes of paragraph (1)(a)(ii) must include proof of having received the dose of an authorised vaccine through—

(a) the NHS COVID pass, or equivalent from NHS Scotland, NHS Wales or the Department of Health in Northern Ireland,



- (b) the EU Digital COVID certificate,
  - [ a North American Certificate,
- <sup>F104</sup>(ba)
- (bb) a COVID-19 vaccination certificate issued by an approved third country or territory and considered by the European Commission to be equivalent to an EU Digital COVID Certificate issued in accordance with Regulation (EU) 2021/953,]
- (c) the Centers for Disease Control and Prevention vaccination card, or
- (d) a vaccine certificate.]]

**Textual Amendments**

- F99** Word in reg. 3H(1) omitted (22.11.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 18\) Regulations 2021 \(S.I. 2021/1289\)](#), regs. 1(2), **9(a)(i)** (with reg. 23)
- F100** Word in reg. 3H(1)(a) omitted (22.11.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 18\) Regulations 2021 \(S.I. 2021/1289\)](#), regs. 1(2), **9(a)(ii)** (with reg. 23)
- F101** Reg. 3H(1)(b) omitted (22.11.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 18\) Regulations 2021 \(S.I. 2021/1289\)](#), regs. 1(2), **9(a)(iii)** (with reg. 23)
- F102** Words in reg. 3H(2)(b) omitted (1.11.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 17\) Regulations 2021 \(S.I. 2021/1210\)](#), regs. 1(2), **9(2)** (with reg. 17(1))
- F103** Reg. 3H(3) inserted (1.11.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 17\) Regulations 2021 \(S.I. 2021/1210\)](#), regs. 1(2), **9(3)** (with reg. 17(1))
- F104** Reg. 3H(3)(ba)(bb) inserted (22.11.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 18\) Regulations 2021 \(S.I. 2021/1289\)](#), regs. 1(2), **9(b)** (with reg. 23)

**Testing requirements on eligible travellers (workers)**

<sup>F105</sup>**3I.** .....

**Textual Amendments**

- F105** Reg. 3I omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **7** (with reg. 37(1)(2))

**Testing requirements on eligible travellers (non-workers)**

<sup>F106</sup>**3J.** .....

**Textual Amendments**

- F106** Reg. 3J omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **7** (with reg. 37(1)(2))

*Status: Point in time view as at 16/02/2022.*

*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)*

**Self-isolation requirements on eligible travellers**

<sup>F107</sup>**3K.** .....

**Textual Amendments**  
**F107** Reg. 3K omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), 7 (with reg. 37(1)(2))

**Application of this Part to a person who was required to be in isolation in accordance with Schedule 11 immediately before 4.00 pm on 15th December 2021 and who meets the conditions in any of regulations 3C to 3H**

<sup>F108</sup>**3L.** .....

**Textual Amendments**  
**F108** Reg. 3L omitted (7.1.2022 at 4:00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2022 \(S.I. 2022/11\)](#), regs. 1(2), 9

**[<sup>F109</sup>PART 2**

**Additional requirements on persons arriving in England who are not eligible travellers]**

**Textual Amendments**  
**F109** Pt. 2 heading substituted and moved to appear before reg. 4 (4.10.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 13\) Regulations 2021 \(S.I. 2021/1107\)](#), regs. 1(2), 7

**Requirement to possess notification of negative test result**

<sup>F110</sup>**4.** .....

**Textual Amendments**  
**F110** Reg. 4 omitted (7.12.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 23\) Regulations 2021 \(S.I. 2021/1371\)](#), regs. 1(2), 5 (with reg. 11)

**Requirements relating to tests**

- 5.—<sup>F111</sup>(1) Except as provided in paragraph (6), regulation 6 applies to—
  - (a) a non-category 3 arrival who—
    - (i) arrives in England from outside the common travel area, and

- (ii) is not a person to whom regulation 7(2)(b) (workforce tests) applies by virtue of paragraph (4) of this regulation;
- (b) a Schedule 11-exempt passenger who is a person described in any of the following provisions of Schedule 4—
  - (i) paragraph 8 (seafarers) so far as it applies to a seaman or a master of a fishing vessel within the meaning of the Merchant Shipping Act 1995;
  - (ii) paragraph 12 (foreign Government border security duties);
  - (iii) Part 4 (law enforcement);
  - (iv) paragraph 17 or 18 (essential government work etc.);
  - (v) paragraph 19(2), (3) or (4) (international organisations etc.);
  - (vi) paragraph 21 (in-flight security officers);
- (c) a Schedule 11 passenger.]

<sup>F112</sup>(2) .....

[<sup>F113</sup>(3) Paragraph (2)(a) of regulation 7 (requirement to undertake workforce tests) applies to a Schedule 11-exempt passenger who is described in any of the following provisions of Schedule 4—

- (a) paragraph 2 (aircraft crew);
- (b) paragraph 5 (road haulage workers);
- (c) paragraph 8 (seafarers), other than a seaman or master of a fishing vessel within the meaning of the Merchant Shipping Act 1995;
- (d) paragraph 11 (UK officials with border security duties);
- (e) paragraph 16 (transporting human cells);
- (f) paragraph 20 (defence personnel).]

[<sup>F114</sup>(4) Paragraph (2)(b) of regulation 7 applies to a non-category 3 arrival who—

- (a) arrives in England from outside the common travel area,
- (b) is not an eligible traveller, and
- (c) is described in any of the following provisions of Schedule 4—
  - (i) Part 1 (seasonal and temporary horticultural and food processing workers);
  - (ii) paragraph 2 (aircraft crew);
  - (iii) paragraph 4 (road passenger transport workers);
  - (iv) paragraph 5 (road haulage workers);
  - (v) paragraph 6 (Channel Tunnel system workers);
  - (vi) paragraph 7 (international rail crew, passenger and freight operators);
  - (vii) paragraph 8 (seafarers), other than a seaman or master of a fishing vessel within the meaning of the Merchant Shipping Act 1995;
  - (viii) paragraph 9 (essential port workers);
  - (ix) paragraph 10 (border control and preparedness advisers);
  - (x) paragraph 11 (UK officials with border security duties);
  - (xi) paragraph 16 (transporting human cells);
  - (xii) paragraph 20 (defence personnel).]

<sup>F115</sup>(5) .....

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

*Status: Point in time view as at 16/02/2022.*

*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>F116</sup>(a) an eligible traveller;
- (b) a person described in any of the following provisions of Schedule 4—
  - (i) paragraph 12 (foreign Government border security duties), where P is engaged pursuant to a binding bilateral or multilateral agreement concerning controls at St Pancras, Ebbsfleet, Cheriton, Ashford or Dover;
  - (ii) paragraph 17 or 18 (essential government work etc.) where the relevant Department has certified under either of those paragraphs in respect of regulation 6;
  - (iii) paragraph 19(1) (diplomats etc.);
  - (iv) paragraph 19(2), (3) or (4) (international organisations etc.) where the Foreign, Commonwealth and Development Office has given confirmation under that paragraph in respect of regulation 6;
  - (v) paragraph 22 (non-disembarking cruise passengers);
  - (vi) paragraph 23 (non-CTA transit passengers);
  - (vii) paragraph 24 (CTA transit passengers);
  - (viii) paragraph 25 (short-stay cruise passengers)].

<sup>F117</sup>(7) .....

<sup>F118</sup>(7A) .....

<sup>F119</sup>(8) .....

**Textual Amendments**

- F111** Reg. 5(1) substituted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **8(2)** (with reg. 37(1)(2))
- F112** Reg. 5(2) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **8(3)** (with reg. 37(1)(2))
- F113** Reg. 5(3) substituted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **8(4)** (with reg. 37(1)(2))
- F114** Reg. 5(4) substituted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **8(5)** (with reg. 37(1)(2))
- F115** Reg. 5(5) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **8(6)** (with reg. 37(1)(2))
- F116** Reg. 5(6)(a)(b) substituted for reg. 5(6)(a)-(j) (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **8(7)** (with reg. 37(1)(2))
- F117** Reg. 5(7) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **8(8)** (with reg. 37(1)(2))
- F118** Reg. 5(7A) omitted (9.10.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 14\) Regulations 2021 \(S.I. 2021/1130\)](#), regs. 1(2), **10(4)** (with reg. 23)
- F119** Reg. 5(8) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **8(8)** (with reg. 37(1)(2))

### Commencement Information

14 Reg. 5 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

### Requirement to book and undertake tests

6.—(1) This regulation applies to a person (“P”) specified in paragraph (1) of regulation 5 (requirements relating to tests) [<sup>F120</sup>(other than a person specified in paragraph (6) of that regulation)].

<sup>F121</sup>(2) .....

(3) Where P is an adult, P must on their arrival in England possess a testing package—

(a) for themselves; and

(b) [<sup>F122</sup>if P arrives in England from a category 3 country or territory,] 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 [<sup>F123</sup>from a category 3 country or territory] 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>F124</sup>is in England and]—

(a) is an adult, they must undertake the tests in accordance with their testing package;

(b) is a child [<sup>F125</sup>who arrives from a category 3 country or territory], 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 [<sup>F126</sup>P arrives from a category 3 country or territory and] P's day 2 test generates a positive result, P is not required to undertake a day 8 test.

(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—

**Status:** Point in time view as at 16/02/2022.

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- (i) where P is a person falling within regulation 5(1)(a) [<sup>F127</sup>(arrivals from places other than category 3 countries or territories)], a booking for a day 2 test,
- [<sup>F128</sup>(ii) where P is a person falling within regulation 5(1)(b) [<sup>F129</sup>and (c) (arrivals from category 3 countries or territories)], a booking for a day 2 test and a day 8 test.]

#### Textual Amendments

- F120** 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)
- F121** 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)
- F122** Words in reg. 6(3)(b) inserted (22.11.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 18\) Regulations 2021 \(S.I. 2021/1289\)](#), regs. 1(2), **12(a)** (with reg. 23)
- F123** Words in reg. 6(5) inserted (22.11.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 18\) Regulations 2021 \(S.I. 2021/1289\)](#), regs. 1(2), **12(b)** (with reg. 23)
- F124** 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)
- F125** Words in reg. 6(6)(b) inserted (22.11.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 18\) Regulations 2021 \(S.I. 2021/1289\)](#), regs. 1(2), **12(c)** (with reg. 23)
- F126** Words in reg. 6(7) inserted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **9(2)** (with reg. 37(1)(2))
- F127** Words in reg. 6(12)(c)(i) substituted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **9(3)(a)** (with reg. 37(1)(2))
- F128** 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)
- F129** Words in reg. 6(12)(c)(ii) substituted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **9(3)(b)** (with reg. 37(1)(2))

#### Commencement Information

- I5** Reg. 6 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Requirement to undertake workforce tests

- 7.—(1) This regulation applies to a person (“P”), to whom regulation 5(3) or (4) applies.
- (2) Subject to [<sup>F130</sup>paragraphs (7) and (10)]—
- [<sup>F131</sup>(a) where this sub-paragraph applies to P by virtue of regulation 5(3), 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]
- [<sup>F132</sup>(b) where this sub-paragraph applies to P by virtue of regulation 5(4), 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>M12</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 [F1335] of Schedule 4 (road haulage workers).

(9) [F134Subject to paragraph (10), 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 16/02/2022.*

*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.

[<sup>F135</sup>(10) Paragraphs (2) and (9) do not apply where—

(a) P is a person described in any of the following paragraphs of Schedule 4—

[<sup>F136</sup>(i) paragraph 2 (aircraft crew);

(ii) paragraph 6 (Channel Tunnel system workers);

(iii) paragraph 7 (international rail crew, passenger and freight operators);

(iv) paragraph 8 (seafarers)];

(b) P [<sup>F137</sup>has, on their journey to England, travelled only—

(i) on a conveyance which does not carry passengers;

(ii) in an area of a conveyance which is not accessible to passengers; or

(iii) in an area of a conveyance which is accessible to passengers in vehicles, where passengers remain within their vehicles while P is present in that area of the conveyance]; and

(c) P—

(i) does not disembark from or leave the conveyance on which P travelled to England at any time when the conveyance is moored at a port in England or is otherwise stationary in England, or

(ii) travelled to England on the same conveyance on which they left England and did not disembark from or leave that conveyance at any time when it was moored at a port in a country outside the common travel area or was otherwise stationary in such a country.]

[<sup>F138</sup>(11) In paragraph (10)(b), “passenger” does not include a worker carrying out an essential role 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.]

#### Textual Amendments

**F130** Words in reg. 7(2) substituted (2.8.2021 at 4.00 a.m.) by *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 7) Regulations 2021* (S.I. 2021/914), regs. 1(2), **4(2)** (with reg. 12(a))

**F131** Reg. 7(2)(a) substituted (11.2.2022 at 4.00 a.m.) by *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022* (S.I. 2022/125), regs. 1(2), **10(2)(a)** (with reg. 37(1)(2))

**F132** Reg. 7(2)(b) substituted (11.2.2022 at 4.00 a.m.) by *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022* (S.I. 2022/125), regs. 1(2), **10(2)(b)** (with reg. 37(1)(2))

**F133** Word in reg. 7(8) substituted (11.2.2022 at 4.00 a.m.) by *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022* (S.I. 2022/125), regs. 1(2), **10(3)** (with reg. 37(1)(2))

**F134** Words in reg. 7(9) substituted (2.8.2021 at 4.00 a.m.) by *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 7) Regulations 2021* (S.I. 2021/914), regs. 1(2), **4(3)** (with reg. 12(a))

**F135** Reg. 7(10) inserted (2.8.2021 at 4.00 a.m.) by *The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 7) Regulations 2021* (S.I. 2021/914), regs. 1(2), **4(4)** (with reg. 12(a))



- F136** Reg. 7(10)(a)(i)-(iv) substituted for reg. 7(10)(a)(i)-(vi) (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **10(4)(a)** (with reg. 37(1)(2))
- F137** Words in reg. 7(10)(b) substituted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **10(4)(b)** (with reg. 37(1)(2))
- F138** Reg. 7(11) inserted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **10(5)** (with reg. 37(1)(2))

**Commencement Information**

**I6** Reg. 7 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**Marginal Citations**

**M12** 2006 c. 41.

**Test requirements: offshore installation workers**

<sup>F139</sup>8. ....

**Textual Amendments**

**F139** Reg. 8 omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **11** (with reg. 37(1)(2))

**[<sup>F140</sup>(Self-isolation requirements on arrivals other than eligible travellers)]**

- 9.—<sup>F141</sup>(1) This regulation applies where a person (“P”)—
- (a) arrives in England from a category 3 country 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, other than—
    - (i) a Schedule 11 passenger;
    - (ii) a Schedule 11-exempt passenger who is a person described in any of the following provisions of Schedule 4—
      - (aa) paragraph 2 (aircraft crew);
      - (bb) paragraph 5 (road haulage workers);
      - (cc) paragraph 8 (seafarers);
      - (dd) Part 3 (border security duties);
      - (ee) Part 4 (law enforcement);
      - (ff) paragraph 20 (defence personnel);
      - (gg) paragraph 22 (non-disembarking cruise passengers);
      - (hh) paragraph 23 (non-CTA transit passengers), or
  - (b) is required to—
    - (i) undertake a test in accordance with regulation 6, and
    - (ii) self-isolate in accordance with paragraph 2 or 3 of Schedule 8.]

Status: Point in time view as at 16/02/2022.

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) P must remain in isolation from others (“self-isolate”) in accordance with this regulation.
- (3) P must self-isolate—
  - (a) unless sub-paragraph (b) [<sup>F142</sup>or (c)] 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,
    - [<sup>F143</sup>(ii) where P—
      - (aa) is a person described in paragraph 19(1) (diplomats etc.) of Schedule 4, or
      - (bb) is a person described in paragraph 19(2), (3) or (4) (international organisations etc.) of Schedule 4 who is not required to comply with regulation 3,
 at a place at which they intend to self-isolate 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>M13</sup>; [<sup>F144</sup>or]
  - (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>M14</sup>, in accommodation provided or arranged under that paragraph <sup>F145</sup>...
  - <sup>F146</sup>(d) .....
- (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.
  - <sup>F147</sup>(h) .....
- (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) <sup>F148</sup>Where P is required to self-isolate in accordance with this regulation, P must] 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>M15</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>M16</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 <sup>F149</sup>paragraphs 2(9) and 3(1) and (8)] of Schedule 8);

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- (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;
- (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<sup>F150</sup> ...;

<sup>F151</sup>(k) .....

(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.

<sup>F152</sup>(13) .....

(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.

<sup>F153</sup>(15) If P is a person described in one of the following provisions of Schedule 4—

- (a) paragraph 16 (transport of human cells), P is not required to comply with this regulation while undertaking the work described in that paragraph;
- (b) paragraph 17 or 18 (essential government work etc.), P is not required to comply with this regulation where the relevant Department has certified under either of those paragraphs in respect of this regulation;
- (c) paragraph 19(2), (3) or (4) (international organisations etc.), P is not required to comply with this regulation if the Foreign, Commonwealth and Development Office has given confirmation under that paragraph in respect of this regulation.]

[<sup>F154</sup>(15A) Paragraph (3)(b) and (c) does not apply to P if P is a person described in—  
(a) paragraph 19(1) (diplomats etc.) of Schedule 4, or  
(b) paragraph 19(2), (3) or (4) (international organisations etc.) of that Schedule who is otherwise required to comply with this regulation.]

<sup>F155</sup>(16) .....

<sup>F155</sup>(17) .....

<sup>F155</sup>(18) .....

<sup>F155</sup>(19) .....

**Textual Amendments**

- F140** Reg. 9 heading substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **12(2)** (with reg. 37(1)(2))
- F141** Reg. 9(1) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **12(3)** (with reg. 37(1)(2))
- F142** Words in reg. 9(3)(a) substituted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **13(a)(i)** (with reg. 23)
- F143** Reg. 9(3)(a)(ii) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **12(4)** (with reg. 37(1)(2))
- F144** Word in reg. 9(3)(b) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **13(a)(ii)** (with reg. 23)
- F145** Word in reg. 9(3)(c) omitted (22.11.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **13(a)(iii)** (with reg. 23)
- F146** Reg. 9(3)(d) omitted (22.11.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **13(a)(iv)** (with reg. 23)
- F147** Reg. 9(4)(h) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **12(5)** (with reg. 37(1)(2))
- F148** Words in reg. 9(7) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **12(6)** (with reg. 37(1)(2))
- F149** Words in reg. 9(11)(a) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **12(7)(a)** (with reg. 37(1)(2))
- F150** Words in reg. 9(11)(j) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **12(7)(b)** (with reg. 37(1)(2))
- F151** Reg. 9(11)(k) omitted (22.11.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **13(b)** (with reg. 23)
- F152** Reg. 9(13) omitted (22.11.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **13(c)** (with reg. 23)

**Status:** Point in time view as at 16/02/2022.

**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)

- F153** Reg. 9(15) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **12(8)** (with reg. 37(1)(2))
- F154** Reg. 9(15A) inserted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **12(9)** (with reg. 37(1)(2))
- F155** Reg. 9(16)-(19) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **12(10)** (with reg. 37(1)(2))

**Commencement Information**

- I7** Reg. 9 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Marginal Citations**

- M13** 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.
- M14** 2016 c. 19.
- M15** 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.
- M16** 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.

**Application of this Part to a person who was required to be in isolation in accordance with Schedule 11 immediately before 4.00 pm on 15th December 2021 and to whom regulation 3L does not apply**

**F156** 9A. ....

**Textual Amendments**

- F156** Reg. 9A omitted (7.1.2022 at 4:00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) Regulations 2022 (S.I. 2022/11), regs. 1(2), **9**

**Further requirements on arrivals from category 3 countries or territories**

- 10.**—(1) This regulation applies to a person (“P”) where P is a Schedule 11 passenger <sup>F157</sup> ....
- (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.

#### Textual Amendments

**F157** Words in [reg. 10\(1\)](#) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), [regs. 1\(2\), 13](#) (with [reg. 37\(1\)\(2\)](#))

#### Commencement Information

**I8** Reg. 10 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

## PART 3

### Enforcement

#### Enforcement of requirement to self-isolate

**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 [<sup>F158</sup>regulation <sup>F159</sup>... 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,
  - (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—

**Status:** Point in time view as at 16/02/2022.

**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) 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 [F160 paragraph 19 of Schedule 4 (diplomats 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 <sup>F161</sup>..., 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 <sup>F162</sup>..., and an authorised person has reasonable grounds to believe that P is repeatedly failing to comply with [F163 regulation <sup>F164</sup>... 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 [F165 regulation <sup>F166</sup>... 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.

### Textual Amendments

- F158** Words in [reg. 11\(1\)](#) substituted (7.12.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 23\) Regulations 2021 \(S.I. 2021/1371\)](#), [regs. 1\(2\), 7\(a\)](#) (with [reg. 11](#))
- F159** Words in [reg. 11\(1\)](#) omitted (7.1.2022 at 4:00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2022 \(S.I. 2022/11\)](#), [regs. 1\(2\), 10](#)
- F160** Words in [reg. 11\(6\)](#) substituted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), [regs. 1\(2\), 14](#) (with [reg. 37\(1\)\(2\)](#))
- F161** Words in [reg. 11\(8\)](#) omitted (7.12.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 23\) Regulations 2021 \(S.I. 2021/1371\)](#), [regs. 1\(2\), 7\(b\)](#) (with [reg. 11](#))
- F162** Words in [reg. 11\(9\)](#) omitted (7.12.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 23\) Regulations 2021 \(S.I. 2021/1371\)](#), [regs. 1\(2\), 7\(c\)\(i\)](#) (with [reg. 11](#))
- F163** Words in [reg. 11\(9\)](#) substituted (7.12.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 23\) Regulations 2021 \(S.I. 2021/1371\)](#), [regs. 1\(2\), 7\(c\)\(ii\)](#) (with [reg. 11](#))



- F164** Words in [reg. 11\(9\)](#) omitted (7.1.2022 at 4:00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2022 \(S.I. 2022/11\)](#), [regs. 1\(2\)](#), **10**
- F165** Words in [reg. 11\(10\)](#) substituted (7.12.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 23\) Regulations 2021 \(S.I. 2021/1371\)](#), [regs. 1\(2\)](#), **7(d)** (with [reg. 11](#))
- F166** Words in [reg. 11\(10\)](#) omitted (7.1.2022 at 4:00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) Regulations 2022 \(S.I. 2022/11\)](#), [regs. 1\(2\)](#), **10**

#### Commencement Information

- I9** Reg. 11 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

### Power of entry

- 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

- I10** Reg. 12 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

*Status: Point in time view as at 16/02/2022.*

*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)*

## PART 4

### Requirements on operators

#### Passenger information requirement

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—

<sup>F167</sup>(a) .....

<sup>F168</sup>(b) where a booking was made for the passenger to travel on the relevant service (“the pre-departure information requirement”)—

(i) at least 24 hours prior to departure of the service, at least 24 hours prior to departure;

(ii) within 24 hours prior to departure of the service, at any point prior to departure; and]

<sup>F169</sup>(c) .....

(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), [<sup>F170</sup>the pre-departure 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.

<sup>F171</sup>(4) .....

<sup>F172</sup>(5) .....

#### Textual Amendments

**F167** Reg. 13(2)(a) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **15(2)(a)** (with reg. 37(1)(2))

**F168** Reg. 13(2)(b) substituted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **15(2)(b)** (with reg. 37(1)(2))

**F169** Reg. 13(2)(c) and word omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **15(2)(c)** (with reg. 37(1)(2))

**F170** Words in reg. 13(3) substituted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **15(3)** (with reg. 37(1)(2))

**F171** Reg. 13(4) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **15(4)** (with reg. 37(1)(2))

**F172** Reg. 13(5) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **15(4)** (with reg. 37(1)(2))

**Commencement Information**

**I11** Reg. 13 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**Required information and manner**

**14.**—<sup>F173</sup>(1) .....

[<sup>F174</sup>(2) For the purposes of regulation 13(2)(b) (pre-departure information requirement), the required information—

- (a) may be provided orally or in writing;
- (b) where provided orally is the information specified in Part 1 of Schedule 12;
- (c) where provided in writing is the information specified in Part 1 of Schedule 12 and—
  - (i) where it is provided by electronic means, a hyperlink to each of the relevant websites;
  - (ii) where it is provided other than by electronic means, the text of the URLs of each of the relevant websites;
  - (iii) in any event, must be provided in a way that draws the passenger’s attention to it by being particularly prominent and distinct from other written information provided in relation to the booking.]

<sup>F175</sup>(3) .....

(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.

**Textual Amendments**

**F173** Reg. 14(1) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), [regs. 1\(2\), 16\(2\)](#) (with [reg. 37\(1\)\(2\)](#))

**F174** Reg. 14(2) substituted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), [regs. 1\(2\), 16\(3\)](#) (with [reg. 37\(1\)\(2\)](#))

**F175** Reg. 14(3) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), [regs. 1\(2\), 16\(4\)](#) (with [reg. 37\(1\)\(2\)](#))

**Commencement Information**

**I12** Reg. 14 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

**Records and information**

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

*Status: Point in time view as at 16/02/2022.*

*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) 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—

- (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**

**I13** Reg. 15 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### **[<sup>F176</sup>Requirement to implement and maintain processes and systems**

**15A.**—(1) An operator must implement and maintain adequate processes and systems to ensure that passengers arriving in England on relevant services operated by the operator—

(a) are, at the relevant time, in possession of—

- (i) a completed Passenger Locator Form, if they are passengers required to comply with regulation 3;
- (ii) evidence that they are a person described in Schedule 4, if they claim to be such a person in their Passenger Locator Form;
- (iii) a required notification, if they are passengers required to comply with regulation 3ZA;
- (iv) eligibility evidence, if they have indicated on their Passenger Locator Form that they meet the COVID-19 vaccination eligibility criteria;

(b) arrive only at designated ports, if they are Schedule 11 passengers.

(2) For the purposes of paragraph (1) a passenger (“P”) is not considered to be required to comply with regulation 3 or 3ZA if the operator, or a person acting on behalf of the operator, might reasonably believe that—

- (a) P is not required to comply with the requirement,
- (b) P has a reasonable excuse which would protect P from liability for breach of the requirement under regulation 19 (offences, proceedings and information), or
- (c) P is being lawfully compelled to travel to the United Kingdom in the course of an extradition, prisoner transfer or deportation.

(3) An operator must retain such records and information as are required to show that they have complied with paragraph (1).

(4) An authorised person may request from an operator copies of such records and information as the authorised person considers are required to determine whether the operator has complied with paragraph (1).

(5) A request under paragraph (4) must specify the period within which the operator must provide the records and information requested.

(6) In determining whether an operator has complied with paragraph (1), an authorised person must have regard to the following matters so far as it has information about them—

- (a) the regime by which passengers are checked for compliance with the passenger requirements, together with the approach to retaining contemporaneous evidence obtained as a result of such checks;
  - (b) the information the operator has collected about passengers who have not complied with a passenger requirement;
  - (c) the existence and quality of any guidance or training programmes for those involved in the day-to-day operation of the processes and systems;
  - (d) whether the operator has—
    - (i) appointed a named contact to assist the authorised person in determining whether the operator has complied with paragraph (1), and
    - (ii) notified the authorised person of the identity of that contact;
  - (e) the speed and effectiveness of any response the operator makes to any recommendations made by the authorised person intended to secure the operator’s compliance with paragraph (1);
  - (f) any failure to comply with a request under paragraph (4);
  - (g) any other matter the authorised person considers appropriate.
- (7) In this regulation—
- “authorised person” means—
- (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 passengers arriving by rail, the Office of Rail and Road;
- “eligibility evidence” means—
- (a) evidence described in regulation 3C(1)(d), 3D(b), 3E(b), 3EA(1)(b), 3F(1)(b) or 3H(1)(a)(ii),
  - (b) where P intends to take advantage of the exemption in regulation 3G (P aged under 18 years), evidence of P’s age, or
  - (c) a Passenger Locator Form which indicates that P’s vaccine status is: “Vaccine Status: Verified Exempt/Full”;
- “relevant time” means—
- (a) if P presents at immigration control at the Channel Tunnel terminal area in France, with the intention of boarding a shuttle service to the United Kingdom, when P so presents;
  - (b) if P arrives at a port in England on a relevant service other than a shuttle service, when P so arrives.]

**Textual Amendments**

**F176** Reg. 15A inserted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **17** (with reg. 37(1)(2))

**Requirement to ensure passengers have completed a Passenger Locator Form**

<sup>F177</sup>**16.** . . . . .

**Status:** Point in time view as at 16/02/2022.

**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**

**F177** Regs. 16-18 omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **18** (with reg. 37(1)(2))

**Requirement to ensure passengers possess notification of negative test result**

<sup>F177</sup>**17.** . . . . .

**Textual Amendments**

**F177** Regs. 16-18 omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **18** (with reg. 37(1)(2))

**Requirement to ensure passengers possess evidence of vaccination**

<sup>F177</sup>**17A.** . . . . .

**Textual Amendments**

**F177** Regs. 16-18 omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **18** (with reg. 37(1)(2))

**Requirement to ensure that certain passengers arrive only at designated ports**

<sup>F177</sup>**18.** . . . . .

**Textual Amendments**

**F177** Regs. 16-18 omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **18** (with reg. 37(1)(2))

<sup>F178</sup>**PART 4A**

**Requirements on private test providers and diagnostic laboratories**

**Textual Amendments**

**F178** Pt. 4A inserted (21.9.2021) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/966\)](#), regs. 1(4)(a), **7**

### Requirements on test providers

**18A.**—(1) A private provider who provides a test for the purposes of regulation <sup>F179</sup>... 6 (requirement to book and undertake tests) <sup>F180</sup>... must comply with the requirements set out in the following provisions of Schedule 8 (mandatory testing after arrival in England)—

- [<sup>F181</sup>(a) paragraphs (za) to (m) of paragraph 7(1) (day 2 tests: private provider requirements)]
- <sup>F182</sup>(b) .....
- [<sup>F183</sup>(c) paragraph 10(5) (requirement for private provider to give test reference number);
- (d) paragraph 11(2) (notification of test results)].
- <sup>F184</sup>(1A) .....
- <sup>F185</sup>(2) .....

(3) In this regulation, “private provider” has the meaning given in paragraph 1(e) of Schedule 8.

#### Textual Amendments

- F179** Words in reg. 18A(1) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **19(2)(a)(i)** (with reg. 37(1)(2))
- F180** Words in reg. 18A(1) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **19(2)(a)(ii)** (with reg. 37(1)(2))
- F181** Reg. 18A(1)(a) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **19(2)(b)** (with reg. 37(1)(2))
- F182** Reg. 18A(1)(b) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **19(2)(c)** (with reg. 37(1)(2))
- F183** Reg. 18A(1)(c)(d) substituted for reg. 18A(1)(c) (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **19(2)(d)** (with reg. 37(1)(2))
- F184** Reg. 18A(1A) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **19(3)** (with reg. 37(1)(2))
- F185** Reg. 18A(2) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **19(3)** (with reg. 37(1)(2))

### Requirements on other persons carrying out testing services

**18B.**—(1) A person who carries out an element of a single end-to-end testing service on behalf of a test provider must comply with the requirements set out in the following provisions so far as relevant to the carrying out of that element—

- (a) in relation to a <sup>F186</sup>... test provided for the purposes of regulation [<sup>F187</sup>6] paragraph [<sup>F188</sup>7(1)(m)(ii) and (iii)] of Schedule 8;
- <sup>F189</sup>(ab) .....
- <sup>F190</sup>(b) .....
- <sup>F191</sup>(c) .....

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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)

[<sup>F192</sup>(2) In this regulation, “single end-to-end testing service” has the meaning given by paragraph 7(2) of Schedule 8.]]

**Textual Amendments**

- F186** Words in reg. 18B(1)(a) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **20(2)(a)(i)** (with reg. 37(1)(2))
- F187** Word in reg. 18B(1)(a) substituted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **20(2)(a)(ii)** (with reg. 37(1)(2))
- F188** Words in reg. 18B(1)(a) substituted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **20(2)(a)(iii)** (with reg. 37(1)(2))
- F189** Reg. 18B(1)(ab) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **20(2)(b)** (with reg. 37(1)(2))
- F190** Reg. 18B(1)(b) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **20(2)(b)** (with reg. 37(1)(2))
- F191** Reg. 18B(1)(c) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **20(2)(b)** (with reg. 37(1)(2))
- F192** Reg. 18B(2) substituted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **20(3)** (with reg. 37(1)(2))

**PART 5**

Offences, proceedings and information

**Offences and penalties**

- 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 [<sup>F193</sup>regulation 3ZA] (requirement to possess notification of negative test result);
  - (c) without reasonable excuse P contravenes a requirement in [<sup>F194</sup>regulation 6] (requirement to book and undertake tests);
  - (d) without reasonable excuse P contravenes a requirement in regulation 7 (requirement to undertake workforce tests);
  - <sup>F195</sup>(e) .....
  - (f) P contravenes a requirement in regulation 9 (requirement to self-isolate) <sup>F196</sup> ...;
  - (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);
  - [<sup>F197</sup>(iza) without reasonable excuse P contravenes a requirement in regulation 2A of the Self-Isolation Regulations as that regulation applies to P by virtue of paragraph 3(2A) of Schedule 8;]
  - [<sup>F198</sup>(ia) without reasonable excuse P contravenes a requirement in paragraph 16(aa) of Schedule 11 (requirement for responsible adult to quarantine with child);]
  - [<sup>F199</sup>(ib) without reasonable excuse P contravenes a requirement in paragraph 18A of Schedule 11 (requirement to provide contact details);
  - (ic) without reasonable excuse P contravenes a requirement in paragraph 18B of Schedule 11 (requirement to self-isolate with P);
  - (id) without reasonable excuse P contravenes a requirement in paragraph 18C of Schedule 11 (requirement on employers of self-isolating workers);]
  - (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 [<sup>F200</sup>regulation 3ZA], 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) [<sup>F201</sup>or (11)(j)] of that regulation, if P reasonably believed at the time of the contravention that the test was [<sup>F202</sup>a day 2 test (within the meaning of regulation 6(12)(a) or a workforce test (within the meaning of regulation 7(6)(b))]; or
  - [<sup>F203</sup>(c) Schedule 11—
    - (i) in paragraph 3, if P enters England at a place other than a designated port in the circumstances specified in regulation 18(2), or
    - (ii) in paragraphs 5 to 7 or 10, 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

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- 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 <sup>F204</sup>;
- (h) P undertook a qualifying test on board the cruise ship on which P arrived in England, the result of that test was positive, and it was not reasonably practicable for P to disembark in a country or territory other than England].
- (4) For the purposes of paragraph (1)(c)—
- (a) reasonable excuses for contravening <sup>F205</sup>[<sup>F206</sup>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 <sup>F207</sup>regulation <sup>F208</sup>... 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 <sup>F209</sup>[<sup>F210</sup>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 <sup>F211</sup>9(11)(a)], 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).

[<sup>F212</sup>(5A) For the purposes of paragraph (1)(ic), reasonable excuses for contravening paragraph 18B (requirement to self-isolate with P) of Schedule 11 include, in particular, where it is necessary for the person (“B”) to leave the place where they are self-isolating—

- (a) 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;
- (b) to access veterinary services, where this is required urgently or on the advice of a veterinary surgeon;
- (c) to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (d) to escape a risk of harm or to avoid injury or illness;
- (e) to attend a funeral of B’s household or a close family member;
- (f) to obtain basic necessities, such as food and medical supplies for those in the accommodation (including any pets or animals in the accommodation) where it is not possible to obtain these provisions in any other manner;
- (g) to access critical public services, including—
  - (i) social services;
  - (ii) services provided to victims (such as victims of crime);
- (h) to attend a testing site to take a test for the detection of coronavirus;
- (i) to accompany a child (“C”) for whom B is a responsible adult to a testing site, so that C can take a test for the detection of coronavirus;
- (j) to post a completed home test for the detection of coronavirus or antibodies to coronavirus carried out by B, or any person living in the same household as B, in accordance with the postal testing scheme operated on behalf of the Secretary of State.]

(6) A person who intentionally or recklessly provides false or misleading passenger information, except for reasons of national security, commits an offence.

[<sup>F213</sup>(6A) A person (“P”) who knowingly gives false information pursuant to any relevant provision of the Self-Isolation Regulations as it applies to P by virtue of paragraph 3(2A) of Schedule 8 commits an offence.

(6B) For the purposes of paragraph (6A), the relevant provisions of the Self-Isolation Regulations are—

- (a) regulation 2A(2)(b);
- (b) regulation 2A(3)(b);
- (c) regulation 2A(7).]

(7) An operator commits an offence where it fails to comply with the requirements in—

- (a) regulation 13(1);

[<sup>F214</sup>(aa) regulation 15A(1);]

<sup>F215</sup>(b) .....

<sup>F215</sup>(c) .....

<sup>F215</sup>(ca) .....

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<sup>F215</sup>(cb) .....

<sup>F215</sup>(d) .....

(8) In relation to the offence in paragraph (7)(a) and the requirement to provide information at the [<sup>F216</sup>time set out in regulation 13(2)(b)] 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.

<sup>F217</sup>(9) .....

<sup>F217</sup>(10) .....

<sup>F217</sup>(10A) .....

<sup>F217</sup>(10B) .....

<sup>F217</sup>(11) .....

(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—

- (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.

[<sup>F218</sup>(13A) An operator who without reasonable excuse fails to comply—

- (a) with the requirement to [<sup>F219</sup>retain records and information in regulation 15A(3)]; or
- (b) with a request under regulation [<sup>F220</sup>15A(4)] to provide [<sup>F221</sup>records and information] within the period specified for the purposes of regulation [<sup>F222</sup>15A(5)],

commits an offence.]

[<sup>F223</sup>(13B) A person who, without reasonable excuse, contravenes a requirement in—

- (a) regulation 18A(1) <sup>F224</sup> ... <sup>F225</sup> (requirements on test providers); or
- (b) regulation 18B(1) (requirements on other persons carrying out testing services),

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>M17</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.

F226(18) .....

F227(19) .....

### Textual Amendments

- F193** Words in reg. 19(1)(b) substituted (7.12.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 23) Regulations 2021 (S.I. 2021/1371), regs. 1(2), **6(1)(d)(i)** (with reg. 11)
- F194** Words in reg. 19(1)(c) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **21(2)(a)** (with reg. 37(1)(2))
- F195** Reg. 19(1)(e) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **21(2)(b)** (with reg. 37(1)(2))
- F196** Words in reg. 19(1)(f) omitted (7.1.2022 at 4:00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) Regulations 2022 (S.I. 2022/11), regs. 1(2), **14(2)(b)**
- F197** Reg. 19(1)(iza) inserted (30.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 21) Regulations 2021 (S.I. 2021/1339), regs. 1(2), **8(2)(c)** (with reg. 16)
- F198** Reg. 19(1)(ia) inserted (30.8.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 9) Regulations 2021 (S.I. 2021/966), regs. 1(2), **8(2)**
- F199** Reg. 19(1)(ib)-(id) inserted (24.9.2021) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 12) Regulations 2021 (S.I. 2021/1066), regs. 1(3), **10(2)**
- F200** Words in reg. 19(2)(a) substituted (7.12.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 23) Regulations 2021 (S.I. 2021/1371), regs. 1(2), **6(1)(d)(ii)** (with reg. 11)
- F201** Words in reg. 19(2)(b) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **21(3)(a)** (with reg. 37(1)(2))
- F202** Words in reg. 19(2)(b) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **21(3)(b)** (with reg. 37(1)(2))
- F203** Reg. 19(2)(c) substituted (28.8.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 9) Regulations 2021 (S.I. 2021/966), regs. 1(3)(b), **8(3)**
- F204** Reg. 19(3)(h) inserted (22.9.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 12) Regulations 2021 (S.I. 2021/1066), regs. 1(2), **10(3)**
- F205** Words in reg. 19(4)(a) substituted (4.10.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/1107), regs. 1(2), **16(3)(a)(i)**
- F206** Word in reg. 19(4)(a) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **21(4)(a)(i)** (with reg. 37(1)(2))
- F207** Words in reg. 19(4)(a)(ii) substituted (4.10.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/1107), regs. 1(2), **16(3)(a)(ii)**

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- F208** Words in reg. 19(4)(a)(ii) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **21(4)(a)(ii)** (with reg. 37(1)(2))
- F209** Words in reg. 19(4)(b) substituted (4.10.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/1107), regs. 1(2), **16(3)(b)**
- F210** Word in reg. 19(4)(b) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **21(4)(b)(i)** (with reg. 37(1)(2))
- F211** Word in reg. 19(4)(b)(iv) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **21(4)(b)(ii)** (with reg. 37(1)(2))
- F212** Reg. 19(5A) inserted (24.9.2021) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 12) Regulations 2021 (S.I. 2021/1066), regs. 1(3), **10(4)**
- F213** Reg. 19(6A)(6B) inserted (18.12.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 26) Regulations 2021 (S.I. 2021/1463), regs. 1(2), **6** (with reg. 12)
- F214** Reg. 19(7)(aa) inserted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **21(5)(a)** (with reg. 37(1)(2))
- F215** Reg. 19(7)(b)-(d) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **21(5)(b)** (with reg. 37(1)(2))
- F216** Words in reg. 19(8) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **21(6)** (with reg. 37(1)(2))
- F217** Reg. 19(9)-(11) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **21(7)** (with reg. 37(1)(2))
- F218** Reg. 19(13A) inserted (19.7.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 6) Regulations 2021 (S.I. 2021/865), regs. 1(2), **12(c)** (with reg. 23)
- F219** Words in reg. 19(13A)(a) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **21(8)(a)** (with reg. 37(1)(2))
- F220** Word in reg. 19(13A)(b) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **21(8)(b)(i)** (with reg. 37(1)(2))
- F221** Words in reg. 19(13A)(b) substituted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1289), regs. 1(2), **17** (with reg. 23)
- F222** Word in reg. 19(13A)(b) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **21(8)(b)(ii)** (with reg. 37(1)(2))
- F223** Reg. 19(13B) inserted (21.9.2021) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 9) Regulations 2021 (S.I. 2021/966), regs. 1(4)(b), **8(4)**
- F224** Words in reg. 19(13B)(a) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **21(9)** (with reg. 37(1)(2))

- F225** Word in reg. 19(13B)(a) omitted (30.11.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 21\) Regulations 2021 \(S.I. 2021/1339\)](#), regs. 1(2), **8(4)** (with reg. 16)
- F226** Reg. 19(18) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **21(10)** (with reg. 37(1)(2))
- F227** Reg. 19(19) omitted (11.2.2022 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **21(10)** (with reg. 37(1)(2))

#### Commencement Information

- I14** Reg. 19 in force at 17.5.2021 at 4.00 a.m., see [reg. 1\(2\)](#)

#### Marginal Citations

- M17** [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

**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

*Status: Point in time view as at 16/02/2022.*

*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) and offence under regulation 19(14) (obstruction) in relation to an offence under regulation 19(7).

[<sup>F228</sup>(7A) Where—

- (a) a fixed penalty notice has been issued in respect of an offence under regulation 19(7)(aa) and paid in accordance with this regulation, and
- (b) the breach of the requirements amounting to the offence in respect of which the fixed penalty notice was issued continues,

an authorised person may issue another fixed penalty notice in relation to the offence (and the provisions of this regulation apply to that fixed penalty notice).]

(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 [<sup>F229</sup>or a test provision 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;

[<sup>F230</sup>(ba) in relation to a test provision offence, “authorised person” means the local authority in whose area the offence is alleged to have been committed and for the purposes of this sub-paragraph—

- (i) the reference to “local authority” includes a reference to a county council;
- (ii) a county council for an area for which there is also a district council is to be regarded, with respect to its functions under this regulation, as a relevant health protection authority for the purposes of the Public Health (Control of Disease) Act 1984;]

(c) “the designated officer” means—

- (i) in relation to an offence other than an operator offence [<sup>F231</sup>or a test provision offence], an officer designated by the Secretary of State for the purposes of this regulation,
- (ii) in relation to an operator offence [<sup>F232</sup>or a test provision offence], the authorised person;

(d) “operator offence” means an offence—

- (i) under regulation 19(7),
- (ii) under regulation 19(13), <sup>F233</sup>...

[<sup>F234</sup>(ia) under regulation [<sup>F235</sup>19(13A)], or]



(iii) under regulation 19(14) (obstruction) in relation to a function relating to an offence under regulation 19(7);

[<sup>F236</sup>(e) “test provision offence” means an offence—

(i) under regulation 19(13B), or

(ii) under regulation 19(14) in relation to a function relating to an offence under regulation 19(13B)]

### Textual Amendments

- F228** Reg. 20(7A) inserted (11.2.2022 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/125\)](#), regs. 1(2), **22** (with reg. 37(1)(2))
- F229** Words in reg. 20(9)(a) inserted (21.9.2021) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/966\)](#), regs. 1(4)(c), **9(a)**
- F230** Reg. 20(9)(ba) inserted (21.9.2021) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/966\)](#), regs. 1(4)(c), **9(b)**
- F231** Words in reg. 20(9)(c)(i) inserted (21.9.2021) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/966\)](#), regs. 1(4)(c), **9(c)(i)**
- F232** Words in reg. 20(9)(c)(ii) inserted (21.9.2021) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/966\)](#), regs. 1(4)(c), **9(c)(ii)**
- F233** Word in reg. 20(9)(d) omitted (19.7.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 6\) Regulations 2021 \(S.I. 2021/865\)](#), regs. 1(2), **13** (with reg. 23)
- F234** Reg. 20(9)(d)(iia) inserted (19.7.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 6\) Regulations 2021 \(S.I. 2021/865\)](#), regs. 1(2), **13** (with reg. 23)
- F235** Word in reg. 20(9)(d)(iia) substituted (4.10.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 13\) Regulations 2021 \(S.I. 2021/1107\)](#), regs. 1(2), **17(2)**
- F236** Reg. 20(9)(e) inserted (21.9.2021) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/966\)](#), regs. 1(4)(c), **9(d)**

### Commencement Information

- I15** Reg. 20 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

### Prosecutions

**21.—(1)** Proceedings for an offence under these Regulations, apart from an operator offence [<sup>F237</sup>or a test provision offence], may be brought by the Crown Prosecution Service and any person designated by the Secretary of State.

(2) Proceedings for an operator offence [<sup>F238</sup>or a test provision offence] may be brought by an authorised person.

(3) In this regulation—

[<sup>F239</sup>(a) “authorised person”—

**Status:** Point in time view as at 16/02/2022.

**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) in relation to an operator offence, has the meaning given by regulation 20(9)(b);
- (ii) in relation to a test provision offence, has the meaning given by regulation 20(9)(ba);]
- (b) “operator offence” means an offence—
  - (i) under regulation 19(7),
  - (ii) under regulation 19(13),
  - [<sup>F240</sup>(ia) regulation 19(13A),]
  - (iii) under regulation 19(14) (obstruction) in relation to a function relating to an offence under regulation 19(7), or
  - [<sup>F241</sup>(iv) under paragraph 6 or 7(3) of Schedule 13;]
- [<sup>F242</sup>(c) “test provision offence” has the meaning given by regulation 20(9)(e)]

**Textual Amendments**

- F237** Words in reg. 21(1) inserted (21.9.2021) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/966\)](#), regs. 1(4)(d), **10(a)**
- F238** Words in reg. 21(2) inserted (21.9.2021) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/966\)](#), regs. 1(4)(d), **10(b)**
- F239** Reg. 21(3)(a) substituted (21.9.2021) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/966\)](#), regs. 1(4)(d), **10(c)(i)**
- F240** Reg. 21(3)(b)(ia) inserted (4.10.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 13\) Regulations 2021 \(S.I. 2021/1107\)](#), regs. 1(2), **18(2)**
- F241** 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)
- F242** Reg. 21(3)(c) inserted (21.9.2021) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/966\)](#), regs. 1(4)(d), **10(c)(ii)**

**Commencement Information**

- I16** Reg. 21 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Power to use and disclose information**

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);
  - [<sup>F243</sup>(c) .....
  - (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 [F244 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 [F245 a test or a testing package or undertake a test under [F246 regulation] 6] or Schedule 8—
- (i) information generated where P books, or attempts to book, F247 [F248 ... a testing package for the purposes of [F249 regulation] 6],
  - (ii) a copy of any notice given to P which contains information about the requirement to book F250 [F251 ... 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 [F252 3(7), 3ZA(4) F253 ...] or 6(11);
- (g) where a sample taken in respect of a day 2 test under [F254 [F255 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, [F256 3ZA F257 ... F258 ...] 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—
- (a) for the purpose of carrying out a function under these Regulations;
  - (b) for the purpose of—

*Status: Point in time view as at 16/02/2022.*

*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) 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 [F259 from P] the following information—
- (a) confirmation that P possesses a testing package for the purposes of regulation 6<sup>F260</sup> ... and the details of that testing package<sup>F261</sup> ... (including the time and date of the [F262 test or] tests);
  - (b) confirmation that P has undertaken any test in accordance with a testing package<sup>F263</sup> ... and, if not, an account of the reasons;
  - (c) the result of any test P has undertaken in accordance with a testing package<sup>F264</sup> ....
- (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>M18</sup>;

**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) “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

- F243** Reg. 22(2)(c) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **23(2)(a)** (with reg. 37(1)(2))
- F244** 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)**
- F245** Words in reg. 22(2)(e) substituted (4.10.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/1107), regs. 1(2), **19(2)(a)**
- F246** Word in reg. 22(2)(e) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **23(2)(b)(i)** (with reg. 37(1)(2))
- F247** Words in reg. 22(2)(e)(i) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **23(2)(b)(ii)(aa)** (with reg. 37(1)(2))
- F248** Words in reg. 22(2)(e)(i) substituted (4.10.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/1107), regs. 1(2), **19(2)(b)**
- F249** Word in reg. 22(2)(e)(i) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **23(2)(b)(ii)(bb)** (with reg. 37(1)(2))
- F250** Words in reg. 22(2)(e)(ii) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **23(2)(b)(iii)** (with reg. 37(1)(2))
- F251** Words in reg. 22(2)(e)(ii) substituted (4.10.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/1107), regs. 1(2), **19(2)(c)**
- F252** Words in reg. 22(2)(f) substituted (7.12.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 23) Regulations 2021 (S.I. 2021/1371), regs. 1(2), **6(3)(a)** (with reg. 11)
- F253** Word in reg. 22(2)(f) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **23(2)(c)** (with reg. 37(1)(2))
- F254** Words in reg. 22(2)(g) substituted (4.10.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/1107), regs. 1(2), **19(3)**
- F255** Word in reg. 22(2)(g) substituted (11.2.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **23(2)(d)** (with reg. 37(1)(2))
- F256** Words in reg. 22(2)(h) substituted (7.12.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 23) Regulations 2021 (S.I. 2021/1371), regs. 1(2), **6(3)(b)** (with reg. 11)

**Status:** Point in time view as at 16/02/2022.

**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)

- F257** Word in reg. 22(2)(h) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **23(2)(e)** (with reg. 37(1)(2))
- F258** Word in reg. 22(2)(h) omitted (7.1.2022 at 4:00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) Regulations 2022 (S.I. 2022/11), regs. 1(2), **15(2)(b)**
- F259** 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)**
- F260** Words in reg. 22(5)(a) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **23(3)(a)(i)** (with reg. 37(1)(2))
- F261** Words in reg. 22(5)(a) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **23(3)(a)(ii)** (with reg. 37(1)(2))
- F262** Words in reg. 22(5)(a) inserted (7.1.2022 at 4:00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) Regulations 2022 (S.I. 2022/11), regs. 1(2), **15(3)(a)(iii)**
- F263** Words in reg. 22(5)(b) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **23(3)(b)** (with reg. 37(1)(2))
- F264** Words in reg. 22(5)(c) omitted (11.2.2022 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/125), regs. 1(2), **23(3)(c)** (with reg. 37(1)(2))

#### Commencement Information

- I17** Reg. 22 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Marginal Citations

- M18** 2018 c. 12; relevant amendments to the definition of “data protection amendment” were made by S.I. 2019/419.

#### Self-incrimination

**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—
- no evidence relating to the information may be adduced by or on behalf of the prosecution; and
  - 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—
- an offence under these Regulations;
  - an offence under section 5 of the Perjury Act 1911 (false statements made otherwise than on oath) <sup>M19</sup>;
  - an offence under section 1 of the Fraud Act 2006 (fraud) <sup>M20</sup>.
- (4) Paragraph (2) does not apply if, in the proceedings—
- evidence relating to the information is adduced by or on behalf of the person who provided it; or
  - a question relating to the information is asked by or on behalf of that person.

**Commencement Information**

**I18** Reg. 23 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Marginal Citations**

**M19** 1911 c. 6. Section 5 was amended by section 1(2) of the [Criminal Justice Act 1948 \(c. 58\)](#).

**M20** 2006 c. 35.

## PART 6

### Final provisions

#### Review of need for requirements

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**

**I19** Reg. 24 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Expiry of Regulations

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

**Commencement Information**

**I20** Reg. 25 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

#### Revocations, transitional provision consequential amendments and savings

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

- (a) the Health Protection (Coronavirus, Public Health Information for International Passengers) (England) Regulations 2020 <sup>M21</sup>;
- (b) the Health Protection (Coronavirus, International Travel) (England) Regulations 2020 (“the International Travel Regulations”) <sup>M22</sup>; and
- (c) the Health Protection (Coronavirus, Pre-Departure Testing and Operator Liability) (England) (Amendment) Regulations 2021 <sup>M23</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**

**I21** Reg. 26 in force at 17.5.2021 at 4.00 a.m., see reg. 1(2)

**Status:** Point in time view as at 16/02/2022.

**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**

**M21** S.I. 2020/567.

**M22** S.I. 2020/568.

**M23** 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 16/02/2022.

**Changes to legislation:**

There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021.