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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.

**Interpretation and introduction of Schedules 1 to 4**

**2.—**(1) In these Regulations—

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

“category 1 country or territory” means a country or territory, or part of a country or territory, specified in Schedule 1(1);

“category 2 country or territory” means a country or territory or part of a country or territory specified in Schedule 2(2);

“category 3 country or territory” means a country or territory or part of a country or territory specified in Schedule 3(3);

“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(4);

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

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

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

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(1) Category 1 countries and territories are referred to colloquially and in guidance as “Green List” countries and territories.  
(2) Category 2 countries and territories are referred to colloquially and in guidance as “Amber List” countries and territories.  
(3) Category 3 countries and territories are referred to colloquially and in guidance as “Red List” countries and territories.  
(4) 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”.

“device” means an in vitro diagnostic medical device within the meaning given in regulation 2(1) of the Medical Devices Regulations 2002<sup>(5)</sup>;

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

“immigration officer” means a person appointed by the Secretary of State as an immigration officer under paragraph 1 of Schedule 2 to the Immigration Act 1971<sup>(7)</sup>;

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

“operator” except in regulation 18, means an operator of a relevant service;

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

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

“Passenger Locator Form” means the form published electronically by the Secretary of State for the provision of passenger information<sup>(8)</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>(9)</sup>;

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

“relevant service” means a commercial transport service carrying passengers travelling to England from outside the common travel area, other than a shuttle service;

“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>(10)</sup>;

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

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

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

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

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

- (a) has custody or charge of the child for the time being, or

<sup>(5)</sup> S.I. 2002/618.

<sup>(6)</sup> 2010 c. 15.

<sup>(7)</sup> 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.

<sup>(8)</sup> The Passenger Locator Form is available on [www.gov.uk](http://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.

<sup>(9)</sup> 1987 c. 53.

<sup>(10)</sup> S.I. 2020/1045.

- (b) has parental responsibility for the child within the meaning given in section 3 of the Children Act 1989<sup>(11)</sup>.
- (3) For the purposes of these Regulations, a person (“P”) is not treated as departing from or transiting through a country or territory, or part of a country or territory, if P arrives in and leaves that country, territory or part thereof by air, rail or sea and at all times whilst there—
- (a) remains on the aircraft or vessel upon which P arrived and no other passenger is permitted to be taken on board; or
  - (b) remains on the train upon which P arrived and no other passenger is permitted to be taken on board the carriage in which P is travelling; or
  - (c) is kept separated from passengers who did not arrive on the same aircraft, train or vessel as P, and no such passengers are permitted to be taken on board the aircraft, train or vessel on which P leaves that country, territory, or part.
- (4) For the purposes of these Regulations a person is not treated as having been in a country or territory if—
- (a) the person has only been on a vessel which has been in the territorial waters of that country or territory;
  - (b) the person did not disembark from that vessel while it was in the territorial waters of that country or territory;
  - (c) that vessel did not moor at a port in that country or territory; and
  - (d) no passenger was permitted to be taken on board that vessel while it was in the territorial waters of that country or territory.
- (5) Schedule 4 (exemptions) describes categories of person who are exempt from certain requirements in accordance with these Regulations.

## PART 2

### Requirements on persons arriving in England

#### 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>(12)</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.

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<sup>(11)</sup> 1989 c. 41.

<sup>(12)</sup> 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.

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

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

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

- (a) on their arrival in England, in the case of a person described in paragraph (1) or (3); or
- (b) when they present at immigration control, in the case of a person described in paragraph (2).

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

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

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

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

(10) Subject to paragraph (11) following are not required to comply with this regulation—

- (a) a person described in regulation 9(14);
- (b) a person described in any of paragraphs 1 to 4 of Schedule 4;
- (c) a person described in any of paragraphs 5 to 10 of Schedule 4 who meets the condition in paragraph 11 of that Schedule;
- (d) a person described in paragraph 15 of Schedule 4.

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

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

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

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

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

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

- (a) on their arrival in England, in the case of a person described in paragraph (1); or
  - (b) when they present at immigration control, in the case of a person described in paragraph (2),
- possess valid notification of a negative result from a qualifying test taken by that child.

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

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

- (a) the person requires leave to enter or remain in the United Kingdom;
  - (b) an immigration officer suspects the person has—
    - (i) evaded, or attempted to evade, immigration control, or
    - (ii) been arrested, detained or granted immigration bail by an immigration officer in accordance with the Immigration Acts;
  - (c) the person fails to produce valid notification of a negative result from a qualifying test when requested to do so by an immigration officer; and
  - (d) the immigration office requires the person to undertake such a test.
- (6) The following persons are not required to comply with this regulation—
- (a) a child who is under the age of 11;
  - (b) a person described in paragraph 2, 3, 4, 6, 7, 8, 9, 10, 13, 14, 15 or 34 of Schedule 4 (exemptions);
  - (c) a person described in any sub-paragraph of paragraph 3(1) of Schedule 7 (testing before arrival in England).
- (7) For the purposes of this regulation—
- (a) a test is a qualifying test if it complies with paragraph 1 of Schedule 7;
  - (b) a notification of a negative result is valid if it includes the information specified in paragraph 2 of Schedule 7;
  - (c) a child is to be treated as possessing valid notification of a negative result from a qualifying test taken by that child even if that notification is possessed by a person who is travelling with, and has responsibility for, that child.

### **Requirements relating to tests**

**5.—(1)** Except as provided in paragraph (6) and subject to the provisions relating to length of stay in paragraph (1) of regulation 6 (requirement to book and undertake tests), regulation 6 applies to a person who arrives in England who—

- (a) is a category 1 arrival, other than a person of the description in paragraph (4);
- (b) is required to self-isolate under—
  - (i) regulation 9 (requirement to self-isolate), or
  - (ii) Schedule 11 (additional measures applicable to arrivals from category 3 countries and territories);
- (c) is not required to self-isolate under regulation 9 only by virtue of one or more of the following paragraphs of Schedule 4 (exemptions)—
  - (i) paragraph 1(1)(i) (representatives of foreign countries or territories on official business),
  - (ii) paragraph 1(1)(j) (representatives of government of British overseas territory),

- (iii) paragraph 4 (foreign officials or contractors with border security duties),
- (iv) paragraph 5 (road passenger transport workers),
- (v) paragraph 14 (civil aviation inspectors),
- (vi) paragraph 16 (certain Crown Servants, persons certified as returning from essential state business etc.),
- (vii) paragraph 17 (essential or emergency work outside the United Kingdom), or
- (viii) paragraph 30 (postal operators);
- (d) falls within the description in paragraph 44 (elite sportspersons and ancillary sportspersons) of Schedule 4; or
- (e) may temporarily cease to self-isolate by virtue of paragraph (15)(f)(ii) or (15)(i) of regulation 9 and the following paragraphs of Schedule 4—
  - (i) paragraph 4 (foreign officials with border security duties),
  - (ii) paragraph 5 (road passenger transport workers),
  - (iii) paragraph 14 (civil aviation inspectors),
  - (iv) paragraph 21 (water and sewerage workers),
  - (v) paragraph 22 (flood and coastal defence workers),
  - (vi) paragraph 23 (electricity workers),
  - (vii) paragraph 24 (nuclear power workers),
  - (viii) paragraph 25 (chemical weapons inspectors),
  - (ix) paragraph 26 (space workers),
  - (x) paragraph 28 (oil workers),
  - (xi) paragraph 29 (offshore oil and gas workers) unless paragraph (4) applies to the person,
  - (xii) paragraph 31 (specialist technical workers),
  - (xiii) paragraph 32 (specialist waste management workers),
  - (xiv) paragraph 35 (medicines inspectors),
  - (xv) paragraph 36 (clinical trial conductors),
  - (xvi) paragraph 37 (clinical investigators),
  - (xvii) paragraph 38 (medical and veterinary specialists),
  - (xviii) paragraph 39 (infrastructure workers), or
  - (xix) paragraph 40 (communications operation workers).

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

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

- (a) paragraph 2 (UK officials with border security duties);
- (b) paragraph 3 (officials involved in essential defence activities);

- (c) paragraph 6 (seamen and masters) other than seamen and masters of fishing vessels within the meaning of the Merchant Shipping Act 1995(13);
- (d) paragraph 7 (pilots);
- (e) paragraph 8 (inspectors and surveyors of ships);
- (f) paragraph 9 (aircraft crew and pilots);
- (g) paragraph 10 (international rail crew, passenger and freight operators);
- (h) paragraph 13 (road haulage workers);
- (i) paragraph 15 (Channel Tunnel system workers);
- (j) paragraph 18 (repatriated prisoners);
- (k) paragraph 19 (international prison escorts);
- (l) paragraph 27 (aerospace engineers and aerospace workers);
- (m) paragraph 34 (persons transporting human blood etc.); or
- (n) paragraph 43 (seasonal agricultural workers).

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

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

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

- (a) a person described in paragraph 1(1)(a) to (h) or (k) of Schedule 4 or a member of the family forming part of the household of such a person;
- (b) a person described in paragraph 1(1)(i) or (j) (representatives of foreign countries or territories or British Overseas Territories) of Schedule 4 where the conditions in paragraph (7) of this regulation are met;
- (c) a member of the family forming part of the household of a person to whom paragraph (b) applies, where—
  - (i) the conditions in paragraph (7) are met in relation to the person to whom paragraph (b) applies,
  - (ii) the Foreign, Commonwealth and Development Office has been notified of P’s arrival, and
  - (iii) the Foreign, Commonwealth and Development Office has confirmed that P is not required to comply with regulation 6;
- (d) a person described in paragraph 1(2) (G7 attendees etc) of Schedule 4;
- (e) a person described in paragraph 16(1)(a) or (b) (persons certified as returning from essential state business etc.) of Schedule 4 where the relevant Department has certified that P meets this description and is not required to comply with regulation 6;
- (f) a person described in paragraph 17 (essential or emergency work outside the United Kingdom) of Schedule 4 where the relevant Department has certified that P is not required to comply with regulation 6.

(7) The conditions specified in this paragraph are that, prior to P’s departure to the United Kingdom—

- (a) the relevant head of the mission, consular post, or office representing a foreign territory in the United Kingdom, or a Governor of a British overseas territory (as the case may be), or a person acting on their authority, confirms in writing to the Foreign, Commonwealth and Development Office that P is required to undertake work in the United Kingdom which is essential to the foreign country represented by the mission or consular post, the foreign territory represented by the office or the British overseas territory; and
  - (b) the Foreign, Commonwealth and Development Office has then confirmed in writing to the person giving the confirmation referred to in paragraph (a) that—
    - (i) it has received that confirmation, and
    - (ii) P is travelling to the United Kingdom to conduct official business with the United Kingdom and is not required to comply with regulation 6.
- (8) Where a word or expression is defined for the purposes of Schedule 4 and is used in paragraphs (6) or (7) of this regulation, the same definition applies for the purposes of those paragraphs.

#### **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) who—
- (a) intends to remain in England for two days or more after the day of their arrival; or
  - (b) intended to remain in England for less than two days after the day of their arrival but in fact remains in England for two days or more.
- (2) Where P is a person mentioned in paragraph (1)(b)—
- (a) the obligation under paragraph (3) to possess a testing package on arrival does not apply;
  - (b) paragraph (4) applies to P as if the words “required under paragraph (3)” were omitted.
- (3) Where P is an adult, P must on their arrival in England possess a testing package—
- (a) for themselves; and
  - (b) for any child aged 5 or older with whom they are travelling and for whom they have responsibility.
- (4) Where P is an adult who arrives in England without possessing a testing package required under paragraph (3), P must as soon as practicable obtain such a testing package.
- (5) Where P is a child aged 5 or older, who is unaccompanied by an adult who has responsibility for P, and who arrives in England without possessing a testing package, an adult with responsibility for P must obtain a testing package as soon as practicable after P arrives in England.
- (6) Subject to paragraph (7), where P—
- (a) is an adult, they must undertake the tests in accordance with their testing package;
  - (b) is a child, an adult with responsibility for P must, so far as reasonably practicable, ensure that P undertakes the tests in accordance with the testing package.
- (7) Where P’s day 2 test generates a positive result, P is not required to undertake a day 8 test.
- (8) Where P does not undertake a test as required by this regulation by reason of a reasonable excuse (see regulation 19(1)(c) and (4)), P must, as soon as practicable after the matters giving rise to the reasonable excuse no longer pertain, undertake a test (“a replacement test”) complying with the requirements that apply to the test that was missed.
- (9) Where a replacement test is undertaken instead of—
- (a) a day 2 test, P is to be treated as if they had undertaken a day 2 test in accordance with this regulation;



- (b) a day 8 test, P is to be treated as if they had undertaken a day 8 test in accordance with this regulation.
- (10) Schedule 8 (mandatory testing after arrival in England) makes further provision about day 2 and day 8 tests (including the consequences of testing).
- (11) A person who possesses a testing package must provide evidence of it if requested by an immigration officer or a constable.
- (12) In this regulation—
  - (a) “day 2 test” means a test for coronavirus which complies with paragraph 6 of Schedule 8 and is undertaken in the circumstances described in paragraph 10 of that Schedule;
  - (b) “day 8 test” means a test for coronavirus which complies with paragraph 8 of Schedule 8 and is undertaken in the circumstances described in paragraph 10 of that Schedule;
  - (c) “testing package” means—
    - (i) where P is a person falling within regulation 5(1)(a) (arrivals from category 1 countries or territories), a booking for a day 2 test,
    - (ii) where P is a person falling within regulation 5(1)(b) to (e) (arrivals from category 2 and 3 countries or territories) and—
      - (aa) intends to remain in England for 8 days or more, a booking for a day 2 test and a day 8 test,
      - (bb) intends to leave England on or before the 7th day after P’s arrival in England, a booking for a day 2 test.

**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 paragraph (7)—
  - (a) where P is a person to whom regulation 5(3) applies, P must undertake a workforce test for day 2, day 5 and day 8 in accordance with paragraph (6) in relation to each category of test;
  - (b) where P is a person to whom regulation 5(4) applies, P must undertake a workforce test for day 2 in accordance with paragraph (6)(c).
- (3) Where P does not undertake a workforce test as required by this regulation by reason of a reasonable excuse (see regulation 19(1)(d) and (5)), P must, as soon as practicable after the matters giving rise to the reasonable excuse no longer pertain, undertake a replacement workforce test.
- (4) Where a replacement workforce test is undertaken instead of—
  - (a) a workforce test to be undertaken for day 2, P is to be treated as if they had undertaken a workforce test on day 2 in accordance with this regulation;
  - (b) a workforce test to be undertaken for day 5, P is to be treated as if they had undertaken a workforce test on day 5 in accordance with this regulation;
  - (c) a workforce test to be undertaken for day 8, P is to be treated as if they had undertaken a workforce test on day 8 in accordance with this regulation.
- (5) Schedule 9 (workforce tests) makes further provision about workforce tests (including the consequences of testing).
- (6) In these Regulations—
  - (a) “a replacement workforce test” means a workforce test complying with the requirements that apply to the workforce test that was missed;

- (b) “a workforce test” means a test for the detection of coronavirus which is provided or administered under the National Health Service Act 2006<sup>(14)</sup>;
  - (c) “a workforce test undertaken for day 2” means a test which is undertaken no later than the end of the second day after the day on which P arrived in England;
  - (d) “a workforce test undertaken for day 5” means a workforce test which—
    - (i) is undertaken after a workforce test for day 2,
    - (ii) is undertaken no earlier than the end of the second day after the day on which P arrived in England, and
    - (iii) is undertaken before the end of the fifth day after the day on which P arrived in England;
  - (e) “a workforce test undertaken for day 8” means a workforce test which—
    - (i) is undertaken after a workforce test undertaken for day 5,
    - (ii) is undertaken no earlier than the end of the fourth day after the day on which P arrived in England, and
    - (iii) is undertaken before the end of the eighth day after the day on which P arrived in England.
- (7) For any period during which P is a recurring work traveller, paragraph (2) does not apply and paragraph (9) applies to P instead.
- (8) P is a “recurring work traveller” where—
- (a) P is undertaking work that requires P to enter and leave England on a daily basis, or at intervals of no greater than two days, and is entering and leaving accordingly; and
  - (b) P does not fall within the description in paragraph 13 of Schedule 4 (road haulage workers).
- (9) Where this paragraph applies, P must undertake a workforce test—
- (a) before the end of the second day after the day P first arrives in England during the period during which P is a recurring work traveller or as soon as reasonably practicable during the time P is next in England after the end of the second day; and
  - (b) subsequently, within each successive period of three days, beginning with the day after the day on which P took the previous workforce test.

#### **Test requirements: offshore installation workers**

- 8.—(1) This regulation applies to a person (“P”) to whom regulation 5(4) applies.
- (2) P must undertake a day 2 test after arriving in England but before P departs to the offshore installation.
- (3) If P intends to depart to the offshore installation before P has received the result of the day 2 test undertaken pursuant to paragraph (2), P must also take a workforce test before P departs to the offshore installation.
- (4) If a workforce test undertaken pursuant to paragraph (3) generates a positive result P must self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until P has received the result of the day 2 test undertaken pursuant to paragraph (2).
- (5) If the day 2 test undertaken pursuant to paragraph (2) generates a positive result P must self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until the end of the 10th day after P undertook that test.

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<sup>(14)</sup> 2006 c. 41.

(6) If the day 2 test undertaken pursuant to paragraph (2) generates a negative result, from the time that P is notified of that result, P is no longer subject to any requirement to self-isolate by virtue of paragraph (4).

(7) Subject to paragraph (8), while P is on an offshore installation, P must undertake a workforce test before the end of the third day following the day P arrives on the installation and then within each successive 3 day period within 3 days of the test most recently taken.

(8) P is not required to undertake any workforce test after the 10th day after the day P arrived in England.

(9) If a workforce test undertaken pursuant to paragraph (7) generates a positive result, P must—

- (a) undertake a day 2 test as soon as reasonably practicable; and
- (b) self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until the earlier of—

- (i) the time P is notified of the result of the day 2 test undertaken pursuant to sub-paragraph (a), or
  - (ii) the end of the 10th day after the day P arrived in England.

(10) If a day 2 test undertaken pursuant to paragraph (9)(a) generates a positive result, P must self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until the 10th day after the day P undertook that test.

(11) If a day 2 test undertaken pursuant to paragraph (9)(a) generates a negative result, from the time that P is notified of that result P is no longer subject to any requirement to self-isolate by virtue of paragraph (9)(b).

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

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

(14) In this regulation—

- “day 2 test” has the same meaning as in regulation 6(12)(a);
- “day 8 test” has the same meaning as in regulation 6(12)(b);
- “offshore installation” has the same meaning as in paragraph 29 of Schedule 4;
- “workforce test” has the same meaning as in regulation 7(6)(b).

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

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

- (a) arrives in England from—
  - (i) a category 2 country or territory,
  - (ii) within the common travel area or from a category 1 country or territory, and has at any time in the period beginning with the 10th day before the date of their arrival in England, departed from or transited through a category 2 country or territory, or
  - (iii) a category 3 country or territory or has at any time in the period beginning with the 10th day before the date of their arrival in England departed from or transited through a category 3 country or territory; and
- (b) is not a Schedule 11 passenger.

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

- (3) P must self-isolate—
- (a) unless sub-paragraph (b), (c), or (d) applies—
    - (i) where P has arrived from outside the common travel area, at an address specified in P’s Passenger Locator Form, as required by regulation 3 and paragraph 2(a) of Schedule 6,
    - (ii) where P has arrived from within the common travel area, or is a person described in paragraph 1 of Schedule 4 (other than one described in paragraph (15)(a)(i) or (b)), at a place at which they intend to self-isolate while in England,
    - (iii) where it is not possible for P to self-isolate in accordance with paragraph (i) or (ii), in accommodation facilitated by the Secretary of State for the purposes of P’s self-isolation;
  - (b) where P is an asylum seeker, in accommodation provided or arranged under section 4, 95 or 98 of the Immigration and Asylum Act 1999<sup>(15)</sup>;
  - (c) where P is a person described in paragraph 9(1) of Schedule 10 to the Immigration Act 2016 (powers of Secretary of State to enable person to meet bail conditions)<sup>(16)</sup>, in accommodation provided or arranged under that paragraph; or
  - (d) where P is a person described in paragraph 13(2)(c)(i) of Schedule 4 (driver of a goods vehicle)—
    - (i) in the goods vehicle while undertaking the work described in that paragraph,
    - (ii) in the goods vehicle while not undertaking the work described in that paragraph if P is travelling alone in a goods vehicle with a compartment behind the driver’s seat intended to be used for sleeping (“a sleeper cab”), unless paragraph (iii)(bb) applies to P,
    - (iii) in a hotel, hostel or bed and breakfast accommodation while not undertaking the work described in that paragraph—
      - (aa) if P is travelling in a goods vehicle without a sleeper cab, or
      - (bb) if self-isolating in a goods vehicle would contravene Article 8 of Regulation (EC) No. 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport,
    - (iv) in the goods vehicle or a hotel, hostel or bed and breakfast accommodation while not undertaking the work described in that paragraph if P is travelling with another person in a goods vehicle with a sleeper cab.
- (4) The address specified by P in the Passenger Locator Form pursuant to paragraph 2(a) of Schedule 6 must be—
- (a) their home;
  - (b) the home of a friend or family member;
  - (c) a hotel, hostel, bed and breakfast accommodation, holiday apartment or home, campsite, caravan park or boarding house, canal boat or any other vessel;
  - (d) a military site or establishment;
  - (e) accommodation facilitated by the Secretary of State for the purposes of P’s self-isolation;

(15) 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.

(16) 2016 c. 19.

- (f) where P is an asylum seeker, accommodation provided or arranged under section 4, 95 or 98 of the Immigration and Asylum Act 1999; or
  - (g) where P is a person described in paragraph 9(1) of Schedule 10 to the Immigration Act 2016 (powers of Secretary of State to enable person to meet bail conditions), accommodation provided or arranged under that paragraph.
- (5) More than one address may be specified as the place at which P intends to self-isolate in the Passenger Locator Form where—
- (a) a legal obligation requires P to change addresses; or
  - (b) it is necessary for P to stay overnight at an address on their arrival in England before travelling directly to another address at which they will be self-isolating.
- (6) In paragraph (3)(a)(ii) “a place at which they intend to self-isolate while in England” means—
- (a) where the person has completed a Passenger Locator Form, at an intended place of self-isolation specified in that form;
  - (b) where the person has completed a form equivalent to a Passenger Locator Form pursuant to an enactment in Scotland, Wales or Northern Ireland, at an intended place of self-isolation specified in that form;
  - (c) in any other case at a place described in paragraph (4)(a) to (c).
- (7) P must, on their arrival in England, travel directly to the place at which they are to self-isolate, and must then self-isolate until whichever is the earlier of—
- (a) the end of the 10th day after the day on which they arrived in England or, if later, the end of any period that applies by virtue of paragraph 2 or 3 of Schedule 8;
  - (b) their departure from England; or
  - (c) the beginning of P’s period of self-isolation, where P or R, where P is a child, is notified under regulation 2A or 2B of the Self-Isolation Regulations<sup>(17)</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;

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(17) 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](#).

- (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>(18)</sup>, to P or to any other person who is living in the place where P is self-isolating;
  - (c) to provide medical assistance, including to provide any of the services mentioned in paragraph (11)(b), to P or to any other person who is living in the place where P is self-isolating, where this is required urgently or on the advice of a registered medical practitioner;
  - (d) to provide veterinary services, where this is required urgently or on the advice of a veterinary surgeon;
  - (e) to provide critical public services, including those mentioned in paragraph (11)(i)(ii);
  - (f) to administer a test to P in accordance with Schedule 9.
- (11) During the period of their self-isolation, P may not leave, or be outside of, the place where P is self-isolating except—
- (a) to travel in order to leave England, provided that they do so directly (subject to paragraph 3(1) of Schedule 8);
  - (b) to seek medical assistance, where this is required urgently or on the advice of a registered medical practitioner, including to access services from dentists, opticians, audiologists, chiropodists, chiropractors, osteopaths and other medical or health practitioners, including services relating to mental health;
  - (c) to undertake a workforce test required by regulation 7;
  - (d) to access veterinary services where this is required urgently or on the advice of a veterinary surgeon;
  - (e) to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
  - (f) to avoid injury or illness or to escape a risk of harm;
  - (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;

<sup>(18)</sup> 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.

- (j) for the purposes of, or connected with, undertaking a test in accordance with Schedule 8 or Schedule 10;
- (k) if self-isolating in a goods vehicle by virtue of paragraph (3)(d)—
  - (i) for sanitary reasons,
  - (ii) to take exercise outside,
  - (iii) where required or permitted by that paragraph, to move to a different place for self-isolation,
  - (iv) to inspect the vehicle or its load or to carry out any other task required for the safe and continued operation of the vehicle, including refuelling, and
  - (v) for any other reason or purpose specified in this paragraph.

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

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

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

(15) If P is a person described—

- (a) in paragraph 1(1) of Schedule 4—
  - (i) where P is a person described in paragraph 1(1)(a) to (k) of, and meets the conditions set out in paragraph 1(3) of, that Schedule, P is not required to comply with this regulation,
  - (ii) in any other case, paragraph (3)(b) and (c) does not apply to P;
- (b) in paragraph 1(2) of Schedule 4 (essential work for foreign country etc), P is not required to comply with this regulation;
- (c) in paragraph 33 of Schedule 4 (healthcare), paragraph (2) does not require P to remain in isolation in the circumstances set out in paragraph 33 of that Schedule;
- (d) in paragraph 43 of Schedule 4 (horticultural work)—
  - (i) paragraph (2) does not require P to remain in isolation from any other person who is living or working on the specified farm,
  - (ii) paragraph (3)(a)(i) applies with the modification that the address specified by P as the address at which they intend to self-isolate must be the specified farm, where “specified farm” has the meaning given in paragraph 43 of Schedule 4;
- (e) either—
  - (i) in paragraph 44 of Schedule 4 (elite sports),
  - (ii) in sub-paragraphs (1)(h) to (l) of paragraph 2 of Schedule 11 (exemptions from additional measures applicable to arrivals from category 3 countries and territories),  
P satisfies the requirements of paragraph (2) if P complies with the relevant conditions specified in paragraph 44(4) of Schedule 4;
- (f) in paragraph 4, 5, 6, 7, 8, 9, 13(2)(c)(ii), 14, 18, 19, 20 or 27 of Schedule 4 and is—
  - (i) ordinarily resident in the United Kingdom, P is not required to comply with this regulation,

- (ii) not ordinarily resident in the United Kingdom, P is not required to comply with this regulation while undertaking the work or activity described in the relevant paragraph of that Schedule;
  - (g) in paragraph 10 of Schedule 4, is engaged in work relating to the carriage of passengers by way of the tunnel system and is—
    - (i) ordinarily resident in the United Kingdom, P is not required to comply with this regulation,
    - (ii) not ordinarily resident in the United Kingdom, P is not required to comply with this regulation while undertaking that work;
  - (h) in paragraph 13(2)(c)(i) of Schedule 4 (driver of a goods vehicle) and is ordinarily resident in the United Kingdom, P is only required to comply with this regulation while undertaking the work described in that paragraph;
  - (i) in paragraph 21, 22, 23, 24, 25, 26, 28, 29, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41 or 45 of Schedule 4, P is not required to comply with this regulation while undertaking the work or activity described in the relevant paragraph of that Schedule;
  - (j) in any other paragraph of Schedule 4, including paragraph 10 in so far as it relates to work other than the carriage of passengers by way of the tunnel system, P is not required to comply with this regulation.
- (16) P ceases to be required to comply with this regulation, where P—
- (a) has undertaken a test in accordance with Schedule 10; and
  - (b) is notified in accordance with paragraph 5(2) of that Schedule that the result of that test is negative,
- from the time P is so notified.
- (17) The full or partial disapplication of the requirement to self-isolate under this regulation that is provided for in paragraphs (15) and (16) does not apply to person who is both—
- (a) described in paragraph (1)(a)(iii) of this regulation; and
  - (b) described in paragraph 1(1)(a) to (h) or (k) of Schedule 4.

### **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.
- (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.

## **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 regulation 9, Schedule 8 or Schedule 11, the authorised person may—



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

(10) An authorised person may only exercise a power in paragraph (1), (2), (8) or (9) if the authorised person considers that it is a necessary and proportionate means of ensuring compliance with regulation 9 or Schedule 11.

(11) For the purposes of this regulation, “authorised person” means—

- (a) a constable;
- (b) for the purposes of paragraphs (2) and (3) only, an immigration officer; or
- (c) a person designated by the Secretary of State for the purposes of this regulation.

### **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.

## **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—

- (a) where prior to departure a booking was made for the passenger to travel on the relevant service, before the booking was made (“the pre-booking information requirement”);

- (b) where, at least 48 hours prior to the scheduled departure time of the relevant service, a booking was made for the passenger to travel on it, between 24 and 48 hours prior to the scheduled departure time of that service (“the pre-departure information requirement”);
- (c) where prior to departure the passenger was checked in to travel on the relevant service, at the time of check-in (“the check-in information requirement”); and
- (d) while the passenger was on board the vessel, aircraft or train (“the on-board information requirement”).

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

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

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

### **Required information and manner**

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

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

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

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

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

### **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).

(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.

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

- 16.—(1) An operator must ensure that a passenger—
- (a) who presents at immigration control at the Channel Tunnel shuttle terminal area in France, with the intention of boarding a shuttle service destined for the United Kingdom, has completed a Passenger Locator Form;
  - (b) who arrives at a port in England on a relevant service has completed a Passenger Locator Form.
- (2) Paragraph (1) does not apply in relation to a passenger—
- (a) whom the operator, or a person acting on behalf of the operator, reasonably believes is not required to comply with the requirement in regulation 3(1) or (2);
  - (b) who informs the operator, or a person acting on behalf of the operator, that they have a disability which prevents them from completing a Passenger Locator Form; or
  - (c) who is a child, travelling without an individual who has responsibility for them.

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

- 17.—(1) An operator must ensure that a passenger—
- (a) who presents at immigration control at the Channel Tunnel shuttle terminal area in France, with the intention of boarding a shuttle service destined for the United Kingdom, is in possession of a required notification, on so presenting;
  - (b) who arrives at a port in England on a relevant service is in possession of a required notification.
- (2) Paragraph (1) does not apply in relation to a passenger—
- (a) whom the operator, or a person acting on behalf of the operator, reasonably believes is not required to comply with the requirement to possess notification of a negative test result under regulation 4(1) or has a reasonable excuse for failing to comply with that requirement;
  - (b) who is a child, travelling without an individual who has responsibility for them; or
  - (c) who is a transit passenger who does not have the right to enter the country or territory from which the relevant service departs.
- (3) In this regulation—
- “required notification” means notification of the result of a test for the detection of coronavirus which includes, in English, French or Spanish, the following information—
- (a) the name of the person from whom the test sample was taken,
  - (b) that person’s date of birth or age,
  - (c) the negative result of that test,
  - (d) the date the test sample was collected or received by the test provider,
  - (e) the name of the test provider and information sufficient to contact that provider,
  - (f) a statement—
    - (i) that the test was a polymerase chain reaction test, or
    - (ii) of the name of the device that was used for the test;

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

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

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

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

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

(3) Schedule 13 makes further provision regarding the arrival of aircraft and vessels into England.

(4) In this regulation—

“authorised person” means—

- (a) a constable,
- (b) the Civil Aviation Authority,
- (c) the Secretary of State, or
- (d) a person authorised by the Civil Aviation Authority or the Secretary of State under the Air Navigation Order 2016<sup>(19)</sup>;

“operator” has the meaning given in article 4 of the Air Navigation Order 2016;

“pilot in command” and “private aircraft” have the meanings given in the Air Navigation Order 2016 (see Schedule 1 to that Order);

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

“transport service” means—

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

## 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 regulation 4 (requirement to possess notification of negative test result);
  - (c) without reasonable excuse P contravenes a requirement in regulation 6 (requirement to book and undertake tests);
  - (d) without reasonable excuse P contravenes a requirement in regulation 7 (requirement to undertake workforce tests);
  - (e) without reasonable excuse P contravenes a requirement in regulation 8 (requirement for offshore installation workers to take tests);
  - (f) P contravenes a requirement in regulation 9 (requirement to self-isolate);
  - (g) without reasonable excuse P contravenes a requirement in or imposed under regulation 11 (enforcement of requirement to self-isolate) apart from paragraph (2) of that regulation;
  - (h) without reasonable excuse P contravenes a requirement in or imposed under regulation 11(2);
  - (i) without reasonable excuse P contravenes a requirement in paragraph 5 or 16(a), so far as it relates to paragraph 5, of Schedule 11 (requirement to possess managed self-isolation package);
  - (j) P contravenes any other requirement in Schedule 11 (except paragraph 15); or
  - (k) without reasonable excuse P contravenes a requirement in paragraph 4 of Schedule 9 (employers’ obligations relating to workforce tests).
- (2) But P does not commit an offence where P contravenes a requirement in—
- (a) paragraph (1), (2), (3) or (4) of regulation 4, if P reasonably believed at the time of the contravention that the notification of a negative result was valid and from a qualifying test;
  - (b) regulation 9 in the circumstances described in paragraph (9)(d), (10)(f), (13)(j) or (16) of that regulation, if P reasonably believed at the time of the contravention that the test was an appropriate test (within the meaning given in paragraph 2 of Schedule 10); or
  - (c) Schedule 11 if accommodation or transport booked is no longer available for reasons beyond the P’s control.
- (3) For the purposes of paragraph (1)(b), reasonable excuses include, in particular, where—
- (a) P was medically unfit to provide a sample for a qualifying test and possessed a document, in English or accompanied by a certified English translation, signed by a medical practitioner entitled to practise in the country or territory in which that practitioner was based, to that effect;
  - (b) it was not reasonably practicable for P to obtain a qualifying test due to a disability;
  - (c) P required medical treatment with such urgency that obtaining a qualifying test was not reasonably practicable;
  - (d) P contracted coronavirus and required emergency medical treatment;

- (e) P was accompanying, in order to provide support, whether medical or otherwise, a person described in sub-paragraph (c) or (d) where it was not reasonably practicable for P to obtain a qualifying test;
  - (f) P began the journey to England in a country or territory in which a qualifying test was not available to the public, with or without payment, or in which it was not reasonably practicable for P to obtain a qualifying test due to a lack of reasonable access to a qualifying test or testing facility and it was not reasonably practicable for P to obtain a qualifying test in P's last point of departure if this was different to where P began the journey;
  - (g) the time it has taken P to travel from the country or territory where P began the journey to the country or territory of their last point of departure prior to arriving in England meant that it was not reasonably practicable for P to meet the requirement in paragraph 1(c) of Schedule 7, and it was not reasonably practicable for P to obtain a qualifying test in P's last point of departure.
- (4) For the purposes of paragraph (1)(c)—
- (a) reasonable excuses for contravening regulation 6(3), (4) or (5) include, in particular, where—
    - (i) it was not reasonably practicable for P to book a test due to a disability,
    - (ii) P reasonably considered before arriving in England that it would not be reasonably practicable for P (or, as the case may be, the child for whom P has responsibility) to provide a sample for a test in accordance with regulation 6 due to a disability,
    - (iii) P required medical treatment with such urgency that booking a test was not reasonably practicable,
    - (iv) P was accompanying, in order to provide support, whether medical or otherwise, a person described in paragraph (i) or (iii) where it was not reasonably practicable for P to book a test,
    - (v) P began the journey to England in a country or territory in which P did not have reasonable access to the facilities or services required to book a test, with or without payment, and such facilities or services were not reasonably accessible in P's last point of departure if this was different to where P began the journey;
  - (b) reasonable excuses for contravening regulation 6(6) include, in particular, where—
    - (i) it is not reasonably practicable for P to undertake a test due to a disability,
    - (ii) P requires medical treatment with such urgency that undertaking a test is not reasonably practicable,
    - (iii) a test is cancelled for reasons beyond P's control,
    - (iv) P has left England in accordance with regulation 9(11)(b), or left the common travel area in accordance with paragraph 13(a) of Schedule 11.
- (5) For the purposes of paragraph (1)(d), reasonable excuses for contravening regulation 7 include, in particular, where—
- (a) it is not reasonably practicable for P to undertake a test due to a disability;
  - (b) P requires medical treatment with such urgency that undertaking a test is not reasonably practicable;
  - (c) a test is cancelled for reasons beyond P's control;
  - (d) P has left England;
  - (e) P is employed as air crew and is undertaking a rest period for a continuous, uninterrupted and defined period of time, following duty or prior to duty, during which P is free of all duties, standby or reserve (and for these purposes, "duties" "standby" and "reserve"



have the meanings given in paragraph ORO.FTL.105 of [Commission Regulation \(EU\) No. 965/2012](#).

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

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

- (a) regulation 13(1);
- (b) regulation 16(1);
- (c) regulation 17(1); or
- (d) regulation 18(1).

(8) In relation to the offence in paragraph (7)(a) and the requirement to provide information at the times set out in regulation 13(2)(a), (b) or (c) it is a defence if the operator can demonstrate that—

- (a) the booking or check-in process was not managed directly by the operator; and
- (b) the operator took reasonable steps to ensure that the person managing the process would provide the required information at that time and in the required manner.

(9) In relation to the offence in paragraph (7)(b), it is a defence for an operator to show that they recorded a unique passenger reference number for the passenger before that passenger—

- (a) presented at immigration control at the Channel Tunnel shuttle terminal area; or
- (b) boarded the relevant service,

as the case may be.

(10) In relation to the offence in paragraph (7)(c), it is a defence for an operator to show that the relevant passenger presented a document purporting to be a required notification which the operator, or a person acting on behalf of the operator, could not reasonably have been expected to know was not a required notification.

(11) In relation to the offence in paragraph (7)(d), it is a defence for an operator to show that the operator, or a person acting on behalf of the operator, could not have reasonably been expected to know that a passenger was a Schedule 11 passenger.

(12) If, following the coming into force of any provision which amends the information required to be provided by regulation 14, an operator provides information to a passenger that would have complied with the requirements in regulation 13(1) but for the coming into force of that amending provision, it is a defence for the operator to show that it was not reasonably practicable for the amended information to be provided.

(13) An operator who, without reasonable excuse, fails to comply—

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

commits an offence.

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

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

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

(17) Section 24 of the Police and Criminal Evidence Act 1984(20) applies in relation to an offence under this regulation as if the reasons in subsection (5) of that section included—

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

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

(19) In paragraphs (9) and (11), “relevant passenger” means a passenger who fails, without reasonable excuse—

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

### **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

(20) 1984 c. 60. Section 24 was substituted by section 110(1) of the Serious Organised Crime and Police Act 2005 (c. 15).

- (b) and offence under regulation 19(14) (obstruction) in relation to an offence under regulation 19(7).
- (8) In any proceedings, a certificate that—
  - (a) purports to be signed by or on behalf of the designated officer; and
  - (b) states that the payment of a fixed penalty was, or was not, received by the date specified in the certificate,is evidence of the facts stated.
- (9) For the purposes of this regulation—
  - (a) other than in relation to an operator offence, “authorised person” means—
    - (i) a constable,
    - (ii) an immigration officer, but only in relation to the issue of a fixed penalty notice in respect of an information offence or an offence described in regulation 19(1)(a), (b), (c), (g), (h), (i), (j), (5) and (6), or
    - (iii) a person designated by the Secretary of State for the purposes of this regulation;
  - (b) in relation to an operator offence, “authorised person” means—
    - (i) in relation to passengers arriving by sea, the Secretary of State for Transport,
    - (ii) in relation to passengers arriving by air, the Civil Aviation Authority,
    - (iii) in relation to passenger arriving by rail, the Office of Rail and Road;
  - (c) “the designated officer” means—
    - (i) in relation to an offence other than an operator offence, an officer designated by the Secretary of State for the purposes of this regulation,
    - (ii) in relation to an operator offence, the authorised person;
  - (d) “operator offence” means an offence—
    - (i) under regulation 19(7),
    - (ii) under regulation 19(13), or
    - (iii) under regulation 19(14) (obstruction) in relation to a function relating to an offence under regulation 19(7).

### **Prosecutions**

- 21.**—(1) Proceedings for an offence under these Regulations, apart from an operator offence, may be brought by the Crown Prosecution Service and any person designated by the Secretary of State.
- (2) Proceedings for an operator offence may be brought by an authorised person.
  - (3) In this regulation—
    - (a) “authorised person” means—
      - (i) in relation to passengers arriving by sea, the Secretary of State for Transport,
      - (ii) in relation to passengers arriving by air, the Civil Aviation Authority,
      - (iii) in relation to passenger arriving by rail, the Office of Rail and Road;
    - (b) “operator offence” means an offence—
      - (i) under regulation 19(7),
      - (ii) under regulation 19(13),
      - (iii) under regulation 19(14) (obstruction) in relation to a function relating to an offence under regulation 19(7), or

(iv) under paragraph 2(1) or 3(1) of Schedule 13.

### **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);
- (c) the result of any test undertaken in accordance with Schedule 10 and any information A obtained under paragraph 4(b) or (c) of that Schedule;
- (d) where a person (“P”) is required to self-isolate under these Regulations—
  - (i) the details of any such period of self-isolation (including the start and end dates of that period and the reason it was imposed),
  - (ii) a copy of any notice given to P which contains information about the requirement to self-isolate,
  - (iii) information generated where P books, or attempts to book, accommodation as part of a managed self-isolation package,
  - (iv) the details of any location in which P undertakes any period of managed self-isolation (including the name and address of the location),
  - (v) information relating to P obtained by A in the course of providing accommodation to B pursuant to a managed self-isolation package (including P’s room number, the personal details of any of P’s co-habitants, and the details of any absence of P, authorised or otherwise, from the place where P is self-isolating),
  - (vi) information relating to P obtained by A in the course of providing transport to a location at which P undertakes, or is due to undertake, any period of managed self-isolation,
  - (vii) information relating to P obtained by A in the course of providing any service in connection with a managed self-isolation package;
- (e) where P is required to obtain a testing package or undertake a test under regulation 6 or Schedule 8—
  - (i) information generated where P books, or attempts to book, a testing package for the purposes of regulation 6,
  - (ii) a copy of any notice given to P which contains information about the requirement to book a testing package or to undertake a test,
  - (iii) information A obtained under paragraph 10(3) or (4) of Schedule 8,
  - (iv) the results of a test undertaken by P in accordance with Schedule 8 (whether or not that test was provided as part of a testing package),
  - (v) information obtained by A in the course of providing a test that falls within paragraph (iv) and is undertaken, or in the course of arranging for such a test to be undertaken, by P (including confirmation that the test was undertaken, details of when and where it was undertaken, any reasons for a test not being undertaken and the details of any replacement test to be undertaken);
- (f) information provided to an immigration officer pursuant to regulations 3(7), 4(4) or 6(11);

- (g) where a sample taken in respect of a day 2 test under regulation 6 has been sequenced, the sorted BAM file relating to that sample containing all reads aligning to the SARS-CoV-2 reference genome with unaligned and human reads removed;
  - (h) information provided by, or on behalf of, A by way of explanation for failing to comply with regulation 3, 4 or 6, or paragraph 3 of Schedule 8; or
  - (i) information about any steps taken in relation to A, including details of any fixed penalty notice issued under these Regulations.
- (3) A may only use relevant information where it is necessary—
- (a) for the purpose of carrying out a function under these Regulations;
  - (b) for the purpose of—
    - (i) preventing danger to public health as a result of the spread of infection or contamination with coronavirus or coronavirus disease,
    - (ii) monitoring the spread of infection or contamination with coronavirus or coronavirus disease, or
    - (iii) giving effect to any international agreement or arrangement relating to the spread of infection or contamination with coronavirus or coronavirus disease; or
  - (c) for a purpose connected with, or otherwise incidental to, a purpose described in sub-paragraph (a) or (b).
- (4) Subject to paragraph (7), A may only disclose relevant information to another person (the “recipient”) where it is necessary for the recipient to have the information —
- (a) for the purpose of carrying out a function of the recipient under—
    - (i) these Regulations, or
    - (ii) an enactment which, in Scotland, Wales or Northern Ireland, has the effect of requiring the isolation or quarantine of persons who have been outside the common travel area, for any of the purposes described in sub-paragraph (b);
  - (b) for the purpose of—
    - (i) preventing danger to public health as a result of the spread of infection or contamination with coronavirus or coronavirus disease,
    - (ii) monitoring the spread of infection or contamination with coronavirus or coronavirus disease, or
    - (iii) giving effect to any international agreement or arrangement relating to the spread of infection or contamination with coronavirus or coronavirus disease; or
  - (c) for a purpose connected with, or otherwise incidental to, a purpose described in sub-paragraph (a) or (b).
- (5) A constable or a person responsible for arranging or providing services (including security services) in respect of accommodation as part of a managed self-isolation package may, where necessary for the purpose of carrying out a function under these Regulations, request from B the following information—
- (a) confirmation that P possesses a testing package for the purposes of regulation 6 and the details of that testing package (including the time and date of the tests);
  - (b) confirmation that P has undertaken any test in accordance with a testing package and, if not, an account of the reasons;
  - (c) the result of any test P has undertaken in accordance with a testing package.
- (6) Subject to paragraph (8), disclosure which is authorised by this regulation does not breach—
- (a) an obligation of confidence owed by the person making the disclosure; or

- (b) any other restriction on the disclosure of information (however imposed).
- (7) This regulation does not limit the circumstances in which information may otherwise lawfully be disclosed under any other enactment or rule of law.
- (8) Nothing in this regulation authorises the use or disclosure of personal data where doing so contravenes the data protection legislation.
- (9) For the purposes of this regulation—
  - (a) “data protection legislation” and “personal data” have the same meanings as in section 3 of the Data Protection Act 2018<sup>(21)</sup>;
  - (b) “DA information” means information provided in accordance with, or as described in, an enactment which, in Scotland, Wales or Northern Ireland, has the effect of requiring the isolation or quarantine of persons who have been outside the common travel area, for any of the purposes described in paragraph (3)(b);
  - (c) “managed self-isolation” means self-isolation in accordance with Schedule 11.

### **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—
    - (a) no evidence relating to the information may be adduced by or on behalf of the prosecution; and
    - (b) no question relating to the information may be asked by or on behalf of the prosecution.
  - (3) Paragraph (2) does not apply if the proceedings are for—
    - (a) an offence under these Regulations;
    - (b) an offence under section 5 of the Perjury Act 1911 (false statements made otherwise than on oath)<sup>(22)</sup>;
    - (c) an offence under section 1 of the Fraud Act 2006 (fraud)<sup>(23)</sup>.
  - (4) Paragraph (2) does not apply if, in the proceedings—
    - (a) evidence relating to the information is adduced by or on behalf of the person who provided it; or
    - (b) a question relating to the information is asked by or on behalf of that person.

## **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.

<sup>(21)</sup> 2018 c. 12; relevant amendments to the definition of “data protection amendment” were made by S.I. 2019/419.

<sup>(22)</sup> 1911 c. 6. Section 5 was amended by section 1(2) of the Criminal Justice Act 1948 (c. 58).

<sup>(23)</sup> 2006 c. 35.

### **Expiry of Regulations**

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

### **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>(24)</sup>;
- (b) the Health Protection (Coronavirus, International Travel) (England) Regulations 2020 (“the International Travel Regulations”)<sup>(25)</sup>; and
- (c) the Health Protection (Coronavirus, Pre-Departure Testing and Operator Liability) (England) (Amendment) Regulations 2021<sup>(26)</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).

Signed by authority of the Secretary of State

At 10.32 a.m. on 14th May 2021

*Robert Courts*  
Parliamentary Under Secretary of State  
Department for Transport

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<sup>(24)</sup> S.I. 2020/567.

<sup>(25)</sup> S.I. 2020/568.

<sup>(26)</sup> S.I. 2021/38.