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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 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.