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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.