
STATUTORY INSTRUMENTS

2021 No. 582

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

PART 2

Requirements on persons arriving in England

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.