

This Statutory Instrument corrects errors in S.I. 2021/582 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2021 No. 589

PUBLIC HEALTH, ENGLAND

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

<i>Made</i>	- - - -	<i>17th May 2021</i>
<i>Laid before Parliament</i>		<i>18th May 2021</i>
<i>Coming into force</i>	- -	<i>at 4.00 a.m. on 19th May 2021</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 45B, 45F(2) and 45P(2) of the Public Health (Control of Disease) Act 1984(1).

Citation, commencement, extent, application and interpretation

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) Regulations 2021 and come into force at 4.00 a.m. on 19th May 2021.

(2) These Regulations extend to England and Wales and apply in relation to England only.

(3) In these Regulations, “the principal Regulations” means the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021(2).

Amendment to the principal Regulations

2.—(1) The principal Regulations are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) in the definition of “operator”, for “in regulation 18”, substitute “where the context otherwise requires”;

(b) for the definition of “relevant service”, substitute—

““relevant service” means a commercial transport service on which passengers travel to England from outside the common travel area on a vessel, aircraft or train;”.

(1) 1984 c. 22. Part 2A was inserted by section 129 of the Health and Social Care Act 2008 (c. 14).

(2) S.I. 2021/582.

- (3) In regulation 9(17) (disapplication of self-isolation exemption for certain diplomats etc.), after “apply to”, insert “a”.
- (4) In regulation 16(1) (operator requirement in relation to passenger locator form), in sub-paragraph (b), after “relevant service”, insert “other than a shuttle service”.
- (5) In regulation 17(1) (operator requirement in relation to negative test result), in sub-paragraph (b), after “relevant service”, insert “other than a shuttle service”.
- (6) In regulation 18(4) (operator requirement in relation to designated ports)—
- (a) for the definition of “operator”, substitute—
- ““operator” includes, in relation to a transport service provided by means of an aircraft, any person who is an operator within the meaning of article 4 of the Air Navigation Order 2016(3);”;
- (b) in the definition of “transport service”, omit sub-paragraph (b).
- (7) After regulation 18(4) insert—
- “(5) For the purposes of regulation 19(7)(d) and regulation 19(11) “operator” has the wider meaning given in paragraph (4).”.
- (8) In Schedule 6 (passenger information), in paragraph 2(a)(i)—
- (a) after “with regulation 9”, insert “or 10”;
- (b) for “9(1)(c)”, substitute “10”.
- (9) In Schedule 11 (additional measures applicable to arrivals from category 3 countries and territories), in paragraph 2(1)(g) (exemptions)—
- (a) in sub-paragraph (v), after “(seamen and masters)”, insert “unless they have travelled to the United Kingdom to work, or have been repatriated to the United Kingdom after working, on board a cruise ship”;
- (b) in sub-paragraph (vii), after “(inspectors and surveyors of ships)”, insert “unless they have travelled to the United Kingdom to work on board a cruise ship or after completing work on board a cruise ship”.

Transitional and saving provision

3.—(1) In relation to any person who arrived in England before the coming into force of these Regulations, the principal Regulations apply as if the amendments made by regulation 2(8) and (9) had not been made.

(2) In relation to any journey by rail or sea that began before the coming into force of these Regulations, the principal Regulations apply as if the amendments made by regulation 2(2) and (4) to (7) had not been made.

Signed by authority of the Secretary of State

17th May 2021

Robert Courts
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021 (S.I. 2021/582) to—

- (a) exclude seafarers and inspectors and surveyors of ships who work on cruise ships from the exemptions for such roles from the requirements imposed by Schedule 11 to those Regulations (managed self-isolation for category 3/red list arrivals);
- (b) correct errors in those Regulations, namely a typographical error in regulation 9, two inaccurate cross-references in Schedule 6, and provisions that do not clearly apply all of the operator liability requirements (in Part 4 of the Regulations) to journeys by rail and sea (in addition to journeys by air, which are unaffected by the issue).

An impact assessment has not been produced for this instrument. An explanatory memorandum has been published alongside this instrument at www.legislation.gov.uk.