

*Status: Point in time view as at 23/04/2021.*

*Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)*

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## WELSH STATUTORY INSTRUMENTS

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### 2020 No. 574 (W. 132)

## PUBLIC HEALTH, WALES

### The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020

<i>Made</i>	- - - -	<i>5th June 2020</i>
		<i>at 11.00 a.m. on 8</i>
<i>Laid before Senedd Cymru</i>		<i>June 2020</i>
		<i>at 12.01 a.m. on 8</i>
<i>Coming into force</i>	- -	<i>June 2020</i>

The Welsh Ministers, in exercise of the powers conferred by sections 45B, 45F(2) and 45P(2) of the Public Health (Control of Disease) Act 1984 <sup>M1</sup>, make the following Regulations.

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#### Marginal Citations

**M1** 1984 c. 22. Part 2A was inserted by section 129 of the [Health and Social Care Act 2008 \(c. 14\)](#).

## PART 1

### General

#### Title and coming into force

1.—(1) The title of these Regulations is the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020.

(2) These Regulations come into force at 12.01 a.m. on 8 June 2020.

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#### Commencement Information

**I1** Reg. 1 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

#### General interpretation

2.—(1) In these Regulations –

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“child” (“*plentyn*”) means a person under 18 years of age and any reference to an “adult” (“*oedolyn*”) is to be interpreted accordingly;

“coronavirus” (“*coronafeirws*”) means severe acute respiratory syndrome coronavirus 2 (SARS-Cov-2);

[<sup>F1</sup>“device” (“*dyfais*”) means an in vitro diagnostic medical device within the meaning given in regulation 2(1) of the Medical Devices Regulations 2002;]

“Immigration Acts” (“*y Deddfau Mewnfudo*”) has the meaning given by section 61 of the UK Borders Act 2007 <sup>M2</sup>;

“immigration officer” (“*swyddog mewnfudo*”) 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>M3</sup>;

“passenger information” (“*gwybodaeth am deithiwr*”) means the information specified in Schedule 1;

“premises” (“*mangre*”) includes any garden, yard, passage, stair, garage, outhouse, or other appurtenance of such premises.

[<sup>F2</sup>“qualifying test” (“*prawf cymhwysol*”) means a test that is a qualifying test for the purposes of regulation 6A;]

[<sup>F3</sup>“sensitivity” (“*sensitifrwydd*”), in relation to a device, means how often the device correctly generates a positive result;]

[<sup>F4</sup>“specificity” (“*penodolrwydd*”), in relation to a device, means how often the device correctly generate a negative result;]

(2) For the purpose of these Regulations, a person has responsibility for a child if—

- (a) the person has custody or charge of the child, or
- (b) the person has parental responsibility for the child (within the meaning of the Children Act 1989) <sup>M4</sup>.

(3) In these Regulations—

“aircraft” (“*awyren*”) <sup>M5</sup>;

“the common travel area” (“*yr ardal deithio gyffredin*”) <sup>M6</sup>;

“port” (“*porthladd*”) <sup>M7</sup>;

“ship” (“*llong*”) <sup>M8</sup>,

have the same meaning as they have in the Immigration Act 1971.

[<sup>F5</sup>(4) For the purposes of these Regulations, a person who arrives by ship or aircraft in a non-exempt country or territory (within the meaning of regulation 9(1)) is not to be treated as having been in that place unless—

- (a) the person disembarks from the aircraft or ship while it is at the place, or
- (b) where the person remains on the ship or aircraft while it is at the place, any other passengers embark on the aircraft or ship at the place.]

### Textual Amendments

- F1** Words in reg. 2(1) inserted (18.1.2021) by [The Health Protection \(Coronavirus, International Travel, Pre-Departure Testing and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/48\)](#), regs. 1(2), **3(2)(a)** (with reg. 11)

- F2** Words in reg. 2(1) inserted (18.1.2021) by [The Health Protection \(Coronavirus, International Travel, Pre-Departure Testing and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/48\)](#), regs. 1(2), **3(2)(b)** (with reg. 11)
- F3** Words in reg. 2(1) inserted (18.1.2021) by [The Health Protection \(Coronavirus, International Travel, Pre-Departure Testing and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/48\)](#), regs. 1(2), **3(2)(c)** (with reg. 11)
- F4** Words in reg. 2(1) inserted (18.1.2021) by [The Health Protection \(Coronavirus, International Travel, Pre-Departure Testing and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/48\)](#), regs. 1(2), **3(2)(d)** (with reg. 11)
- F5** Reg. 2(4) inserted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **4(6)** (with reg. 7)

**Commencement Information**

- I2** Reg. 2 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

**Marginal Citations**

- M2** [2007 c. 30](#). Section 61 was amended by section 73(5) of the [Immigration Act 2014 \(c. 22\)](#) and section 92(5) of the [Immigration Act 2016 \(c. 19\)](#).
- M3** [1971 c. 77](#). 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](#).
- M4** [1989 c. 41](#).
- M5** See section 33(1).
- M6** See section 1(3). It 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”.
- M7** See section 33(1).
- M8** See section 33(1).

## PART 2

### Requirement to provide information

#### Persons arriving from outside the common travel area

- 3.—(1) In this Part, references to “P” are to—
- (a) a person who arrives in Wales by ship or aircraft from a place outside the common travel area, or
  - (b) a person who—
    - (i) arrives in Wales by ship or aircraft from the Republic of Ireland, the Channel Islands or the Isle of Man, and
    - (ii) has, within the period of [<sup>F6</sup>10] days ending with the person's arrival, been in a place outside the common travel area.
- (2) But references to P do not include [<sup>F7</sup>—
- (a) a person described in Part 1 of Schedule 2,
  - <sup>F8</sup>(b) ..... or
  - (c) a person described in paragraph (3), in respect of whom the condition in paragraph (4) is met.]
- [<sup>F9</sup>(3) The descriptions of person are—

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- (a) a person who is a road passenger transport worker, within the meaning of [F10 paragraph 6A] of Schedule 2;
  - (b) a person described in paragraph 7 of Schedule 2 (masters and seamen);
  - (c) a person described in paragraph 8 of Schedule 2 (pilots involved in merchant shipping);
  - (d) a person described in paragraph 9 of Schedule 2 (inspectors and surveyors of ships);
  - (e) a person described in paragraph 10 of Schedule 2 (crew on aircraft).
  - F11(f) . . . . .
- (4) The condition mentioned in paragraph (2)(c) is met in relation to a person if the person has, on their journey to Wales travelled only—
- (a) on a ship or aircraft which does not carry passengers;
  - (b) in an area of a ship or aircraft which is not accessed by passengers.]

#### Textual Amendments

- F6** Word in reg. 3(1)(b)(ii) substituted (10.12.2020) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 3\) \(Wales\) Regulations 2020 \(S.I. 2020/1477\)](#), regs. 1(2), **2(a)(i)**
- F7** Words in reg. 3(2) substituted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **3(2)** (with reg. 7)
- F8** Reg. 3(2)(b) omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **16** (with reg. 21)
- F9** Reg. 3(3)(4) inserted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **3(3)** (with reg. 7)
- F10** Words in reg. 3(3)(a) substituted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **3**
- F11** Reg. 3(3)(f) omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **16** (with reg. 21)

#### Commencement Information

- I3** Reg. 3 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

#### Requirement to provide passenger information

- 4.—(1) P must submit the following information to the Secretary of State electronically [F12 on or before arrival] in Wales, using a facility provided by the Secretary of State for this purpose—
- (a) P's passenger information, and
  - (b) where P arrives in Wales accompanied by a child for whom P has responsibility, the child's passenger information.
- (2) Where P arrives in Wales at a port—
- (a) P must comply with paragraph (1) before leaving the port, and
  - (b) an immigration officer at the port must provide P with any assistance the officer considers necessary to enable P to comply with paragraph (1).

(3) P is not required to comply with paragraph (1) if the passenger information has, before P's arrival in Wales, been provided electronically to the Secretary of State using a facility provided by the Secretary of State for this purpose.

(4) But where paragraph (3) applies P must, if requested by an immigration officer to do so, provide the officer with evidence that the passenger information has been provided.

(5) Where P is a child in respect of whom passenger information has been provided by a person with responsibility for P in accordance with paragraph (1)(b), P is not required by paragraph (1)(a) to provide P's passenger information.

#### Textual Amendments

**F12** Words in reg. 4(1) substituted (21.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 20\) Regulations 2020 \(S.I. 2020/1329\)](#), regs. 1(2), 4

#### Commencement Information

**I4** Reg. 4 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

### Requirement to notify changes to passenger information

5.—(1) Paragraph (2) applies where—

- (a) P is required by regulation 7 or 8 to reside in (and not leave or be outside of) premises until the end of the last day of P's isolation (within the meaning given by regulation 12), and
- (b) before the end of that day, P's passenger information changes.

(2) Where this paragraph applies, P must provide updated passenger information to the Secretary of State electronically as soon as is reasonably practicable, using a facility provided by the Secretary of State for this purpose.

(3) Where P is a child for whom another person has responsibility—

- (a) P is not required to provide updated passenger information under paragraph (2), and
- (b) the other person is required to provide the updated passenger information on behalf of P.

#### Commencement Information

**I5** Reg. 5 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

### Passenger information not in a person's possession or control

6. Nothing in regulation 4 or 5 requires a person to provide passenger information if the information is not within the person's possession or under the person's control.

#### Commencement Information

**I6** Reg. 6 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

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## [<sup>F13</sup>PART 2A

### Notification of a negative test result etc.

#### Textual Amendments

**F13** Pt. 2A inserted (18.1.2021) by [The Health Protection \(Coronavirus, International Travel, Pre-Departure Testing and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/48\)](#), regs. 1(2), 3(3) (with reg. 11)

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

**6A.—(1)** A person (“P”) aged 11 or over who arrives in Wales from outside the common travel area must, possess on arrival —

- (a) valid notification of a negative result from a qualifying test taken by P, and
- (b) where P is an adult who arrives in Wales accompanied by a child aged 11 or over for whom P has responsibility, valid notification of a negative result from a qualifying test taken by the child.

(2) Where P—

- (a) possesses a notification referred to in paragraph (1), and
- (b) is requested by an immigration officer to do so,

P must produce, physically or digitally, the notification, if requested to do so by an immigration officer.

(3) Paragraphs (1) and (2) do not apply to P if P is a child aged under 11 who arrives in Wales accompanied by an adult who has responsibility for P.

(4) In paragraphs (1) and (2), references to P do not include—

- (a) a person described in paragraph 2, 3, 4, 7, 8, 9, 10, [<sup>F14</sup>or] 11 [<sup>F15</sup>... of Schedule 2,
- (b) a road haulage worker as described in paragraph 6 of Schedule 2,
- (c) a person described in any sub-paragraph of paragraph 3(1) of Schedule 1A,

[ a person described in [<sup>F17</sup>paragraph 14] of Schedule 5.]  
<sup>F16</sup>(d)

(5) For the purposes of this regulation—

- (a) a test is a qualifying test if it complies with paragraph 1 of Schedule 1A,
- (b) a notification of a negative result is valid if it includes the information specified in paragraph 2 of Schedule 1A.]

#### Textual Amendments

**F14** Word in reg. 6A(4)(a) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **17(2)(b)** (with reg. 21)

**F15** Words in reg. 6A(4)(a) omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **17(2)(a)** (with reg. 21)

- F16** Reg. 6A(4)(d) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **17(3)** (with reg. 21)
- F17** Words in reg. 6A(4)(d) substituted (13.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2021 \(S.I. 2021/305\)](#), regs. 1(2), **6(2)**

## [<sup>F18</sup>PART 2B

### Mandatory testing requirements

#### Textual Amendments

- F18** Pt. 2B inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **3** (with reg. 21)

#### Requirement to arrange tests before arriving in Wales

**6B.**—(1) [<sup>F19</sup>Subject to paragraph (1A),] this regulation and regulation 6C apply to a person (“P”) aged 5 or over who is subject to an isolation requirement under regulation 7 (requirement to isolate: arrivals from outside the United Kingdom) or 8 (requirement to isolate: arrivals from another part of the United Kingdom).

[  
<sup>F20</sup>(1A) This regulation and regulation 6C do not apply where regulation 6K (workforce testing) [<sup>F21</sup>or regulation 12E(2)(f)] applies.]

(2) In this Part—

- (a) a “day 2 test” is a test complying with paragraph 1 of Schedule 1C;
- (b) a “day 8 test” is a test complying with paragraph 2 of Schedule 1C;
- (c) a “public test provider” is a person who provides or administers a test exercising powers under the National Health Service (Wales) Act 2006, the National Health Services Act 2006, the National Health Service (Scotland) Act 1978, or the Health and Personal Social Services (Northern Ireland) Order 1972.

(3) Before arriving in Wales, P must arrange with a public test provider to take—

- (a) a day 2 test, and
- (b) a day 8 test,

after P’s arrival in Wales.

(4) But P is not required to comply with paragraph (3) if another person has arranged the tests on P’s behalf before P’s arrival in Wales.

(5) Where P is a child who arrives in Wales with a person (“R”) who has responsibility for P—

- (a) (unless paragraph (4) applies to P) R must arrange tests in accordance with paragraph (3) on behalf of P, and
- (b) P is not required to comply with paragraph (3).

(6) A test is not to be treated as having been arranged in accordance with this regulation unless—

- (a) the person arranging the test notified the public test provider that the tests were being arranged for the purposes of this regulation, and

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- (b) the information specified in Schedule 1B was provided to the public test provider in relation to P.
- (7) When the tests are arranged, the public test provider must provide a test reference number—
- (a) to P, and
  - (b) to any person who arranges tests on P’s behalf.
- (8) If requested by an immigration officer [<sup>F22</sup>or a constable] to do so, P, or R if P is a child, must provide the officer [<sup>F23</sup>or constable] with the test reference number or other evidence that the tests have been arranged on P’s behalf.

#### Textual Amendments

- F19** Words in reg. 6B(1) inserted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **4(2)**
- F20** Reg. 6B(1A) inserted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **4(3)**
- F21** Words in reg. 6B(1A) inserted (23.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 6\) Regulations 2021 \(S.I. 2021/500\)](#), regs. 1(2), **3**
- F22** Words in reg. 6B(8) inserted (13.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2021 \(S.I. 2021/305\)](#), regs. 1(2), **6(3)(a)**
- F23** Words in reg. 6B(8) inserted (13.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2021 \(S.I. 2021/305\)](#), regs. 1(2), **6(3)(b)**

#### Requirement to take tests

- 6C.**—(1) Upon arrival in Wales, P must take—
- (a) a day 2 test, administered by a public test provider, no later than the end of the second day after the day on which P arrives in Wales, and
  - (b) a day 8 test, administered by a public test provider, no earlier than the end of the seventh day after the day on which P arrives in Wales.
- (2) But paragraph (1)(b) does not apply where P’s day 2 test generates a positive result.
- (3) Where P is a child, any person who has responsibility for P must, so far as reasonably practicable, ensure that P complies with paragraph (1).
- (4) Where P does not take a day 2 test as required by this regulation by reason of having a reasonable excuse, P must, as soon as practicable after the matters giving rise to the reasonable excuse no longer apply, take a replacement test that complies with the requirements for a day 2 test.
- (5) Where a replacement test is taken instead of a day 2 test, P is to be treated as if P had taken a day 2 test in accordance with this regulation.

#### Requirement to isolate on failure to take tests

- 6D.**—(1) This regulation applies where a person (“P”)—
- (a) fails to take a day 2 test in accordance with regulation 6C(1)(a) and fails to take a day 8 test in accordance with regulation 6C(1)(b), or
  - (b) takes a day 2 test in accordance with regulation 6C(1)(a) (which is negative or inconclusive) but fails to take a day 8 test in accordance with regulation 6C(1)(b).



(2) The last day of P’s isolation under regulation 7 or 8 is the last day of the period of 14 days beginning with the day after the day on which P was last in a non-exempt country or territory (and regulation 12 does not apply for the purposes of determining the last day of P’s isolation).

(3) But where P takes a test to which paragraph (4) applies and—

(a) the result is positive, regulation 6E applies as if the test had been undertaken in accordance with regulation 6C;

(b) the result is negative, regulation 6G applies as if—

(i) P had taken a day 2 test and a day 8 test in accordance with regulation 6C(1), and

(ii) both tests were negative.

(4) This paragraph applies to a day 8 test that is taken—

(a) before the end of P’s isolation period as it would have been determined under regulation 12 if paragraph (1) did not apply, but

(b) [F24 not before] the end of the seventh day after the day on which P arrives in Wales.

#### Textual Amendments

**F24** Words in [reg. 6D\(4\)\(b\)](#) substituted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), [regs. 1\(2\), 5](#)

#### Consequences of positive test result

**6E.** Where a test taken by a person (“P”) in accordance with regulation 6C is positive—

(a) regulation 10(3) (isolation requirement ceasing to apply to P when P leaves Wales) and, subject to regulation 6I, regulation 6 or 7, as appropriate, of the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 do not apply in relation to P, and

(b) the last day of P’s isolation under regulation 7 or 8 is the last day of the period of 10 days beginning with the day on which P took the test (and regulation 12 does not apply for the purposes of determining the last day of P’s isolation).

#### Consequences of positive result for person residing in same premises

**6F.—**(1) This regulation applies where a test taken by a person (“P”) in accordance with regulation 6C is positive and P resides with another person (“A”)—

(a) who is under a requirement to isolate under regulation 7 or 8, and

(b) whose last day of isolation period would, if it were not for this regulation, be determined in accordance with regulation 12.

(2) The last day of A’s isolation under regulation 7 or 8 is the last day of the period of 10 days beginning with the day on which P took the test (and regulation 12 does not apply for the purposes of determining the last day of A’s isolation).

(3) But this does not apply where—

(a) the positive test referred to in paragraph (1)(b) is a day 8 test taken by P in accordance with regulation 6C(1)(b), and

(b) A received a positive result to a day 2 test that A took in accordance with regulation 6C(1)(a).

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### Consequences of not receiving result of day 8 test before end of isolation period

**6G.**—(1) This regulation applies where a person (“P”)—

- (a) takes a day 2 test and a day 8 test in accordance with regulation 6C(1),
- (b) receives a negative result to the day 2 test, and
- (c) has not received a result to the day 8 test before the end of the last day of P’s isolation under regulation 7 or 8 (as determined under regulation 12).

(2) If the result of P’s day 8 test is negative, the last day of P’s isolation under regulation 7 or 8 is the day on which P receives the result of the day 8 test (and regulation 12 does not apply for the purposes of determining the last day of P’s isolation).

[<sup>F25</sup>(3) Except where paragraph (2) applies, the last day of P’s isolation under regulation 7 or 8 is the last day of the period of 14 days beginning with the day after the day on which P was last in a non-exempt country or territory (and regulation 12 does not apply for the purposes of determining the last day of P’s isolation).]

#### Textual Amendments

**F25** Reg. 6G(3) inserted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), 6

### Consequences of receiving inconclusive test result

**6H.**—(1) Where the result of a test taken by a person (“P”) in accordance with regulation 6C is inconclusive, the last day of P’s isolation under regulation 7 or 8 is determined in accordance with paragraph (2) (and regulation 12 does not apply for the purposes of determining the last day of P’s isolation).

(2) The last day of P’s isolation is—

- (a) the last day of the period of 10 days beginning with the day P took the test, or
- (b) where P takes a test to which paragraph (4) applies and the result of the test is negative, the later of—
  - (i) the last day of the period of 10 days beginning with the day after the day on which P was last in a non-exempt country or territory, or
  - (ii) the day on which P receives the negative result, or
- (c) where P takes a test to which paragraph (4) applies and the result of the test is positive, the last day of the period of 10 days beginning with the day P took the test.

(3) Where paragraph (2)(c) applies, P is not required to take a day 8 test in accordance with regulation 6C.

(4) This paragraph applies to—

- (a) a day 8 test taken in accordance with regulation 6C(1)(b);
- (b) a day 8 test that is taken—
  - (i) before the end of P’s isolation period as it would have been determined under regulation 12 if paragraph (1) did not apply, but
  - (ii) before <sup>F26</sup>... the end of the seventh day after the day on which P arrives in Wales.

### Textual Amendments

- F26** Word in reg. 6H(4)(b)(ii) omitted (13.3.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2021 \(S.I. 2021/305\)](#), regs. 1(2), **6(4)**

### Tests other than in accordance with these Regulations

**6I.**—(1) This regulation applies where—

- (a) P takes a day 2 test which is negative,
- (b) while P is isolating in accordance with regulation 7 or 8, P subsequently takes a test other than in accordance with these Regulations, and
- (c) P is notified that the test is positive.

(2) P ceases to be required to isolate in accordance with these Regulations, and regulation 6 or 7, as appropriate, of the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 applies in relation to P.

### Charge for tests

**6J.**—(1) The Welsh Ministers or a person designated by the Welsh Ministers may impose a charge in respect of day 2 tests or day 8 tests.

(2) The Welsh Ministers—

- (a) must publish details of the charges in a way they consider to be appropriate, and
- (b) may recover any sum owed by a person pursuant to a charge as a debt.]

### [<sup>F27</sup>Workforce testing

**6K.**—(1) This regulation applies to a person (“P”), specified in paragraph 6 of Schedule 2 [<sup>F28</sup>or regulation 12E(2)(g)].

(2) 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.

(3) Where P does not undertake a workforce test as required by this regulation by reason of a reasonable excuse, 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 2D 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;

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*Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)*

- (b) “a workforce test” means a test which is provided or administered under the National Health Service (Wales) Act 2006;
- (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 Wales;
- (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 Wales, and
  - (iii) is undertaken before the end of the fifth day after the day on which P arrived in Wales;
- (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 Wales, and
  - (iii) is undertaken before the end of the eighth day after the day on which P arrived in Wales.]

#### Textual Amendments

- F27** Reg. 6K inserted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), 7
- F28** Words in [reg. 6K\(1\)](#) inserted (23.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 6\) Regulations 2021 \(S.I. 2021/500\)](#), regs. 1(2), 4

## PART 3

### Requirement to isolate etc.

#### Requirement to isolate: arrivals from outside the United Kingdom

- 7.—(1) This regulation applies to a person (“P”)—
- (a) who arrives in Wales by ship or aircraft from a <sup>[F29]</sup>non-exempt country or territory], or
  - (b) who—
    - (i) arrives in Wales by ship or aircraft from <sup>[F30]</sup>an exempt country or territory that is not part of the United Kingdom], and
    - (ii) has, within the period of <sup>[F31]</sup>10] days ending with the day of P's arrival in Wales, <sup>[F32]</sup>been in a non-exempt country or territory].
- (2) P must—
- (a) travel directly to specified premises in Wales suitable for P to reside in until the end of the last day of P's isolation, or
  - (b) travel directly to a part of the United Kingdom other than Wales.
- (3) Where P travels to specified premises in Wales to reside in, as required by paragraph (2)(a), P may not leave or be outside the premises before the end of the last day of P's isolation unless—
- (a) authorised by regulation 10(4) (temporary departure from premises) to do so, or
  - (b) this paragraph ceases to apply in relation to P by virtue of regulation 10(3) (leaving Wales).

- (4) For the purposes of paragraphs (2) and (3), the specified premises are—
- (a) the premises specified in P's passenger information as the premises at which P intends to reside for the purposes of this regulation (unless sub-paragraph (d) applies to P);
  - (b) if P is a person described in—
    - (i) paragraph 1(1)(a) to (k) of Schedule 2 who has not satisfied the conditions in paragraph 1(2) of that Schedule, or
    - (ii) paragraph 1(1)(l) of that Schedule,
 premises at which P intends to reside for the purposes of this regulation;
  - (c) if P's passenger information does not specify premises at which P intends to reside for the purposes of this regulation, the premises arranged by P under paragraph (5);
  - (d) if P is subject to a requirement imposed under or by virtue of the Immigration Acts to reside at particular premises in Wales, those premises.
- (5) Where P's passenger information does not specify premises at which P intends to reside for the purposes of this regulation, P must, as soon as is reasonably practicable—
- (a) make arrangements to reside at premises in Wales suitable for P to reside in until the end of the last day of P's isolation, and
  - (b) notify the Secretary of State of the address of those premises electronically using a facility provided by the Secretary of State for this purpose.
- (6) But where P arrived in Wales at a port, P must comply with the requirements of paragraph (5) before leaving the port.
- (7) Where paragraph (5) applies, the Welsh Ministers must provide or secure the provision of such assistance as they consider necessary (if any) to ensure P is able to make the arrangements mentioned in paragraph (5)(a).

#### Textual Amendments

- F29** Words in reg. 7(1)(a) substituted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **4(2)(a)** (with reg. 7)
- F30** Words in reg. 7(1)(b)(i) substituted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **4(2)(b)** (with reg. 7)
- F31** Word in reg. 7(1)(b)(ii) substituted (10.12.2020) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 3\) \(Wales\) Regulations 2020 \(S.I. 2020/1477\)](#), regs. 1(2), **2(a)(ii)**
- F32** Words in reg. 7(1)(b)(ii) substituted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **4(2)(c)** (with reg. 7)

#### Modifications etc. (not altering text)

- C1** Reg. 7(1)(b) modified (11.7.2020) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/726\)](#), regs. 1(2), **3**

#### Commencement Information

- I7** Reg. 7 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

**Requirement to isolate: arrivals from another part of the United Kingdom**

- 8.—(1) This regulation applies to a person (“P”) —
- (a) who arrives in Wales from elsewhere in the United Kingdom, and
  - (b) has within the period of [<sup>F33</sup>10] days ending with the day of P's arrival in Wales, [<sup>F34</sup>been in a non-exempt country or territory].
- (2) But references to P do not include—
- (a) a person—
    - (i) who arrives in Wales for the purpose of returning to the premises in Wales at which the person is residing for the purposes of regulation 7(3), and
    - (ii) who left Wales temporarily, for one or more of the reasons authorised by regulation 10(4);
  - (b) a person—
    - (i) who is required to reside at premises elsewhere in the United Kingdom by provision in Regulations made as respects England, Scotland or Northern Ireland (as the case may be) that are equivalent to these Regulations,
    - (ii) who is permitted to leave that other part of the United Kingdom temporarily by virtue of those Regulations, and
    - (iii) who remains in Wales for no longer than is necessary.
  - [<sup>F35</sup>(c) a person—
    - (i) who is no longer required to isolate under the Health Protection (Coronavirus, International Travel) (England) Regulations 2020 by virtue of regulation 4(13A) of those Regulations,
    - (ii) who is in Wales for one or more of the reasons listed in regulation 10(4)(b) to (k) of these Regulations, and
    - (iii) who remains in Wales for no longer than is necessary.]
- (3) P must—
- (a) travel directly to premises in Wales that are suitable for P to reside in until the end of the last day of P's isolation, and
  - (b) may not leave or be outside the premises before the end of the last day of P's isolation unless—
    - (i) authorised by regulation 10(4) (temporary departure from premises) to do so, or
    - (ii) this paragraph ceases to apply in relation to P by virtue of regulation 10(3) (leaving Wales).
- (4) P must also—
- (a) before arriving in Wales, or
  - (b) as soon as practicable after arriving,

notify the Secretary of State of the address of the premises at which P intends to reside for the purposes of paragraph (3) electronically using a facility provided by the Secretary of State for this purpose.

### Textual Amendments

- F33** Word in reg. 8(1)(b) substituted (10.12.2020) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 3\) \(Wales\) Regulations 2020 \(S.I. 2020/1477\)](#), regs. 1(2), **2(a)(iii)**
- F34** Words in reg. 8(1)(b) substituted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **4(3)** (with reg. 7)
- F35** Reg. 8(2)(c) inserted (19.12.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 22\) Regulations 2020 \(S.I. 2020/1602\)](#), regs. 1(2), **4(2)**

### Modifications etc. (not altering text)

- C2** Reg. 8(1) modified (11.7.2020) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/726\)](#), regs. 1(2), **3**

### Commencement Information

- I8** Reg. 8 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

### Isolation requirements: exemptions

9.—<sup>[F36]</sup>(1) For the purposes of this Part, “exempt country or territory” means—

- (a) a country or territory within the common travel area;
- (b) a country or territory listed in Schedule 3;

and any reference to a “non-exempt country or territory” is to be interpreted accordingly.]

<sup>[F37]</sup>(2) Regulations 7 and 8 do not apply to a person described in —

- (a) paragraph 1(1)(a) to (k) of Schedule 2 who satisfies the conditions in <sup>[F38]</sup>paragraph 1(2) of that Schedule;
- (b) <sup>[F39]</sup>paragraphs <sup>[F40]</sup>2 to 5, 6A to 16] and 36 of Schedule 2];

<sup>[F41]</sup>(ba) subject to paragraph (3), paragraph 6 of Schedule 2;]

<sup>[F42]</sup>(c) a person described in <sup>[F43]</sup>subject to paragraph (3), regulation 12E(2)(a) to (d) (additional measures applicable to persons travelling from a country or territory listed in Schedule 3A).]

<sup>[F44]</sup>(3) Regulations 7 and 8 apply to a person (“P”) described in paragraph 6 of Schedule 2 in accordance with paragraphs (4) to (6).

(4) Where P is a person described in paragraph 6(d)(i) (driver of a goods vehicle) the premises at which the person must isolate for the purposes of an isolation requirement (within the meaning in regulation 10(2)) is—

- (a) in the goods vehicle while undertaking the work described in that paragraph,
- (b) 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”), subject to paragraph (c)(ii),
- (c) in a hotel, hostel or bed and breakfast accommodation while not undertaking the work described in that paragraph—
  - (i) if P is travelling in a goods vehicle without a sleeper cab, or

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- (ii) if 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,
- (d) 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.
- (5) Where P is a person who is ordinarily resident in the United Kingdom, paragraph (4) only applies while they are undertaking the work described in paragraph 6(2)(d)(i) of Schedule 2.
- (6) Where P is a person described in paragraph 6(2)(d)(ii) (holder of a Community licence) and is not ordinarily resident in the United Kingdom, P is not required to comply with an isolation requirement while undertaking the work referred to in that paragraph.]

#### Textual Amendments

- F36** Reg. 9(1) inserted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **4(4)(b)** (with reg. 7)
- F37** Reg. 9 renumbered as reg. 9(2) (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **4(4)(a)** (with reg. 7)
- F38** Words in reg. 9(2)(a) substituted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **9(2)**
- F39** Words in reg. 9(2)(b) substituted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **18** (with reg. 21)
- F40** Words in reg. 9(2)(b) substituted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **8(2)(a)**
- F41** Reg. 9(2)(ba) inserted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **8(2)(b)**
- F42** Reg. 9(2)(c) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **5** (with reg. 21)
- F43** Words in reg. 9(2)(c) substituted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **8(2)(c)**
- F44** Reg. 9(3)-(6) inserted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **8(3)**

#### Commencement Information

- I9** Reg. 9 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

#### Isolation requirements: exceptions

**10.**—(1) This regulation applies where a person (“P”) is required to reside in (and not leave or be outside of) premises in Wales by an isolation requirement.

(2) “Isolation requirement” in relation to P means a requirement imposed by—

- (a) regulation 7(3);
- (b) regulation 8(3)(b).



(3) An isolation requirement ceases to apply in relation to P if P leaves Wales, unless P is temporarily outside Wales for a purpose authorised by paragraph (4)(b) to [F45(k)].

(4) P may leave and be outside of the premises for as long as is necessary—

- (a) to travel for the purpose of leaving Wales in the manner described by paragraph (3);
- (b) to obtain basic necessities (including for other persons at the premises or any pets at the premises), where it is not possible or practicable—
  - (i) for another person at the premises to obtain them on P's behalf, or
  - (ii) to obtain them by delivery to the premises from a third party;
- (c) to seek medical assistance, where this is required urgently or on the advice of a registered medical practitioner;
- (d) to receive a health service provided by a registered medical practitioner, where the provision of the service was arranged before P's arrival in the United Kingdom;
- (e) to assist a person receiving a health service described in paragraph (d), or to accompany that person if P is a child for whom the person has responsibility;

[F46(ea) where P is a child who does not live in the same household as P's parents, or one of P's parents, to continue existing arrangements for access to, and contact between, P and P's parents, and for the purposes of this sub-paragraph, "parent" includes a person who is not a parent of P, but who has parental responsibility for, or who has care of, P;]

- (f) to access veterinary services where—
  - (i) they are required urgently for a pet at the premises, and
  - (ii) it is not possible for another person at the premises to access those services;
- (g) to carry out specified activities in relation to edible horticulture, but only if P is residing at the premises in connection with those activities;
- (h) to avoid illness or injury or to escape a risk of harm;
- (i) to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (j) to access public services (including social services or victims' services) where—
  - (i) access to the service is critical to P's well-being, and
  - (ii) the service cannot be provided if P remains at the premises;

[F47(ja) where P is competing in a sporting event specified in Schedule 4 or providing coaching or other support to a person who is competing in such an event, to participate in the event or to undertake training or other activities connected to the event;

(jb) where P is officiating at, or is involved in running, such a sporting event, to attend the event or to undertake activities connected to officiating or running the event;

F48(jc) .....

F48(jd) .....

[ where P is an elite athlete who has travelled to the United Kingdom to undergo one or more medical examination, to attend that medical examination, provided—

- (i) the medical examination is for the purpose of a business determining whether to offer P a contract to participate in an elite competition on behalf of that business,
- (ii) P is in possession of written confirmation from that business of the arrangements referred to in paragraph (i), and
- (iii) such arrangements were made prior to P arriving in the United Kingdom;

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- (ji) where P is a person who is travelling with an elite athlete for the purpose of sub-paragraph (jh), to provide assistance and support to that elite athlete in connection with such medical examination;
- (jj) where P is an elite athlete who has contracted with a business to participate in an elite competition, to participate in such competition or undertake training or other activities connected to that elite competition;]

<sup>F50</sup>(je) .....

<sup>F50</sup>(jf) .....

<sup>F50</sup>(jg) .....]

- (k) for compassionate reasons, including to attend the funeral of—
  - (i) a member of P's family;
  - (ii) a close friend;

[<sup>F51</sup>(l) for the purpose of obtaining a test for coronavirus provided or administered under the National Health Service (Wales) Act 2006;

- (m) where P is a person falling within any of the paragraphs in Schedule 5, in order to travel directly to or from any place where P's presence is required for the purposes of P's work, or for the purposes of an activity to which the relevant paragraph in Schedule 5 relates (as the case may be), and when P is in attendance at that place;]

[<sup>F52</sup>(n) if required to do so by a constable;]

[<sup>F53</sup>(o) if isolating in a goods vehicle by virtue of regulation 9(4)—

- (i) for sanitary reasons,
- (ii) to take exercise outside,
- (iii) where required or permitted by that paragraph, to move to a different place for 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;

(p) to undertake a workforce test required by regulation 6K.]

(5) Where—

- (a) a legal obligation requires P to change the premises at which P resides for the purpose of an isolation requirement, or
- (b) P is otherwise unable to remain at the premises at which P is residing for the purpose of an isolation requirement,

P may travel directly to alternative premises in Wales that are suitable for P to reside in until the end of the last day of P's isolation; and references in this Part to premises, in relation to an isolation requirement, are to be read accordingly.

(6) Where paragraph (5) applies, P must notify the Secretary of State of the address of the alternative premises electronically as soon as is reasonably practicable using a facility provided by the Secretary of State for this purpose.

(7) An isolation requirement does not apply in relation to any period during which P is—

- (a) removed to, directed to go to or directed to remain at a place by an immigration officer, constable or public health officer under Schedule 21 to the Coronavirus Act 2020 <sup>M9</sup>;
- (b) detained at a place by virtue of a requirement imposed under the Immigration Acts.

(8) For the purposes of this regulation—

(a) “edible horticulture” (“*garddwriaeth fwytdwy*”) means growing—

- (i) protected vegetables grown in glasshouse systems,
- (ii) field vegetables grown outdoors, including vegetables, herbs, leafy salads and potatoes,
- (iii) soft fruit grown outdoors or under cover,
- (iv) trees that bear fruit,
- (v) vines and bines, or
- (vi) mushrooms;

[<sup>F54</sup>“elite athlete” (“*athletwr elit*”) has the same meaning as in [<sup>F55</sup>[<sup>F56</sup>paragraph 21(2)(a)] of Schedule 5]];

[<sup>F54</sup>“elite competition” (“*cystadleuaeth elit*”) has the same meaning as in [<sup>F57</sup>[<sup>F58</sup>paragraph 21(2)(b)] of Schedule 5]];

“health service” (“*gwasanaeth iechyd*”) means a service provided for or in connection with—

- (i) the prevention, diagnosis or treatment of illness, or
- (ii) the promotion or protection of public health;

<sup>M10</sup>“registered medical practitioner” (“*ymarferydd meddygol cofrestredig*”) means a fully registered person within the meaning of the Medical Act 1983 who holds a licence to practise under that Act;

“specified activities” (“*gweithgareddau penodedig*”), in relation to edible horticulture, means—

- (i) crop maintenance,
- (ii) crop harvesting,
- (iii) tunnel construction and dismantling,
- (iv) irrigation installation and maintaining,
- (v) crop husbandry,
- (vi) packing and processing of crops on employers premises,
- (vii) preparing and dismantling growing areas and media,
- (viii) general primary production work in edible horticulture,
- (ix) activities relating to supervising teams of horticulture workers.

<sup>F59</sup>(b) .....

<sup>F59</sup>(c) .....

<sup>F59</sup>(d) .....

<sup>F59</sup>(e) .....

**Textual Amendments**

**F45** Word in reg. 10(3) substituted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **5(1)(a)(ii)** (with reg. 7)

**F46** Reg. 10(4)(ea) inserted (10.12.2020) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 3\) \(Wales\) Regulations 2020 \(S.I. 2020/1477\)](#), regs. 1(2), **2(b)**

*Status: Point in time view as at 23/04/2021.*

*Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)*

- F47** Reg. 10(4)(ja)-(jg) inserted (10.7.2020) by The Health Protection (Coronavirus, International Travel and Public Health Information to Travellers) (Wales) (Amendment) Regulations 2020 (S.I. 2020/714), regs. 1(2), **5(1)(b)** (with reg. 7)
- F48** Reg. 10(4)(jc)(jd) omitted (18.1.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/50), regs. 1(2), **5**
- F49** Reg. 10(4)(jh)-(jj) inserted (26.9.2020 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 12) Regulations 2020 (S.I. 2020/1042), regs. 1(2), **4(2)**
- F50** Reg. 10(4)(je)-(jg) omitted (22.8.2020 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 6) Regulations 2020 (S.I. 2020/886), regs. 1(2), **7(2)**
- F51** Reg. 10(4)(l)(m) inserted (15.2.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/154), regs. 1(2), **15(2)** (with reg. 21)
- F52** Reg. 10(4)(n) inserted (20.3.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/361), regs. 1(2), **3**
- F53** Reg. 10(4)(o)(p) inserted (9.4.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 5) Regulations 2021 (S.I. 2021/454), regs. 1(2), **9(2)**
- F54** Words in reg. 10(8) inserted (26.9.2020 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 12) Regulations 2020 (S.I. 2020/1042), regs. 1(2), **4(3)**
- F55** Words in reg. 10(8) substituted (15.2.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/154), regs. 1(2), **19(2)** (with reg. 21)
- F56** Words in reg. 10(8) substituted (13.3.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (Miscellaneous Amendments) (Wales) Regulations 2021 (S.I. 2021/305), regs. 1(2), **6(5)(a)**
- F57** Words in reg. 10(8) substituted (15.2.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/154), regs. 1(2), **19(3)** (with reg. 21)
- F58** Words in reg. 10(8) substituted (13.3.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (Miscellaneous Amendments) (Wales) Regulations 2021 (S.I. 2021/305), regs. 1(2), **6(5)(b)**
- F59** Reg. 10(8)(b)-(e) omitted (22.8.2020 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 6) Regulations 2020 (S.I. 2020/886), regs. 1(2), **7(3)**

#### Commencement Information

- I10** Reg. 10 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

#### Marginal Citations

- M9** 2020 c. 7.
- M10** 1983 c. 54. see **section 55(1)**. The definition of “fully registered person” was amended by S.I. 2006/1914, S.I. 2007/3101 and S.I. 2008/1774

### Requirement on persons with responsibility for children

11. Where a requirement is imposed under regulation 7, 8 or 10 on a child, a person with responsibility for the child must take all reasonable measures to ensure that the child complies with the requirement.

**Commencement Information**

**I11** Reg. 11 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

**Last day of isolation**

**12.** For the purposes of regulations 7, 8 and 10, the last day of P's isolation is the last day of the period of [<sup>F60</sup>10 days beginning with the day after] the day on which P [<sup>F61</sup>was last in a non-exempt country or territory].

**Textual Amendments**

- F60** Words in reg. 12 substituted (10.12.2020) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 3\) \(Wales\) Regulations 2020 \(S.I. 2020/1477\)](#), regs. 1(2), **2(c)** (with reg. 3)
- F61** Words in reg. 12 substituted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **4(5)** (with reg. 7)

**Commencement Information**

**I12** Reg. 12 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

**Special rules applicable to persons travelling from Denmark**

<sup>F62</sup>**12A.** . . . . .

**Textual Amendments**

- F62** Reg. 12A omitted (28.11.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 21\) Regulations 2020 \(S.I. 2020/1362\)](#), regs. 1(2), **6(3)** (with reg. 7)

<sup>F63</sup>**PART 3A**

**Travel from Denmark**

**Textual Amendments**

- F63** Pt. 3A omitted (28.11.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 21\) Regulations 2020 \(S.I. 2020/1362\)](#), regs. 1(2), **8(1)**

**Prohibition on the arrival of aircraft and vessels travelling directly from Denmark**

**12B.** . . . . .

Status: Point in time view as at 23/04/2021.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)

**F64** PART 3B

Travel from South Africa

**Textual Amendments**

**F64** Pt. 3B and reg. 12C omitted (9.1.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(Wales\) Regulations 2021 \(S.I. 2021/20\)](#), regs. 1(2), 4, 6 (with reg. 5)

**Special rules applicable to persons travelling from South Africa**

**12C.** .....

**Prohibition on the arrival of aircraft and vessels travelling directly from Denmark**

**12D.** .....

**[F65** PART 3C

Travel from a country or territory listed in Schedule 3A

**Textual Amendments**

**F65** Pt. 3C inserted (9.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(Wales\) Regulations 2021 \(S.I. 2021/20\)](#), regs. 1(2), 7(2)

**Additional measures applicable to persons travelling from a country or territory listed in Schedule 3A**

**[F66**12E.—(1) A person (“P”) may not enter Wales if P has been in a country or territory listed in Schedule 3A at any time in the period beginning with the 10th day before the date of P’s arrival in Wales.

(2) But paragraph (1) does not apply where P is—

- (a) a person described in paragraph 1(1)(a) to (h) or (k) of Schedule 2 or a member of the family forming part of their household;
- (b) a person described in paragraph 1(1)(i) or (j) of Schedule 2 where the conditions in paragraph (3) are met;
- (c) a member of the family forming part of the household of a person to whom sub-paragraph (b) applies, where—
  - (i) the conditions in paragraph (3) are met in relation to that person,
  - (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 paragraph (1) should not apply to P;
- (d) a person described in the following paragraphs of Schedule 2—
  - (i) paragraphs 2 to 5;

- [<sup>F67</sup>(iaa) paragraph 6;]
- [<sup>F68</sup>(ia) paragraphs 7 to 10;]
- [<sup>F69</sup>(ii) . . . . .
- (iii) paragraph 13 or 13A;
- (iv) paragraph 15 or 16.
- [<sup>F70</sup>(e) a person—
- (i) who is, or was on 1 September 2020, a child,
- (ii) who has travelled to the United Kingdom for the purposes of receiving education at a boarding school in Wales at which education and accommodation is due to be provided for P, and
- (iii) who is not accompanied into the United Kingdom by an individual who has responsibility for P, or if P is aged 18, would have had such responsibility if P were a child.]
- [<sup>F71</sup>(f) a person described in paragraph 14 of Schedule 5;
- (g) a person who—
- (i) is required to undertake work as a health or care professional in the United Kingdom,
- (ii) is eligible to practice a profession regulated by any of the bodies mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002 or section 67 of the Regulation and Inspection of Social Care (Wales) Act 2016, and
- (iii) has travelled to the United Kingdom for the purpose of employment as a health or care professional.]
- (3) 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 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 sub-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 paragraph (1).
- [<sup>F72</sup>(3A) This paragraph applies where an isolation requirement (within the meaning given by regulation 10(2)) is imposed on P where P has entered Wales and has been in a country or territory listed in Schedule 3A at any time in the period beginning with the 10th day before the date of P’s arrival in Wales.
- (3B) Where paragraph (3A) applies—
- (a) regulations 7, 8, 9 and 10 apply to P with the modifications in paragraphs (3C) to (3F);
- (b) the isolation requirement imposed on P as modified by paragraphs (3C) to (3F) is also imposed on all members of P’s household.
- (3C) Regulation 7 applies as if—

*Status: Point in time view as at 23/04/2021.*

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- (a) in paragraph (1), references to “a non-exempt country or territory” were references to “a country or territory listed in Schedule 3A”;
  - (b) paragraph (4)(b) is omitted.
- (3D) Regulation 8 applies as if—
- (a) in paragraph (1), references to “a non-exempt country or territory” were references to “a country or territory listed in Schedule 3A”;
  - (b) paragraph (2)(b) is omitted.
- (3E) Regulation 9 applies as if for paragraph (2) there were substituted—
- “(2) Regulations 7 and 8 do not apply to a person described in [F73]regulation 12E(2) (a) to (d).”
- (3F) Regulation 10 applies as if—
- (a) in paragraph (3), for “paragraph (4)(b) to (k) there” were substituted “paragraph (4)”;
  - (b) for paragraph (4) there were substituted—
    - “(4) P may leave and be outside the premises for as long as is necessary—
    - (a) to travel for the purpose of leaving Wales;
    - (b) to seek medical assistance, where this is required urgently or on the advice of a registered medical practitioner;
    - (c) to avoid illness, injury, or other risk of harm;
    - (d) to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
    - (e) where P is a child who does not live in the same household as P’s parents, or one of P’s parents, to continue existing arrangements for access to, and contact between, P and P’s parents, and for the purposes of this sub-paragraph, “parent” includes a person who is not a parent of P, but who has parental responsibility for, or who has care of, P;
    - (f) for compassionate reasons, including to attend the funeral of—
      - (i) a member of P’s family;
      - (ii) a close friend;
    - (g) for the purpose of obtaining a test for coronavirus provided or administered under the National Health Service (Wales) Act 2006;
    - (h) if required to do so by a constable.
- [ where P is a person falling within paragraph (2)(f), for the purpose of F74(i) undertaking that work.”]
- (4) Where a word or expression is defined for the purposes of Schedule 2 and is used in this regulation, the same definition applies for the purposes of this regulation.]
- [F75(5) In this regulation—
- (a) “boarding school” means a school or college, which—
    - (i) provides accommodation for its pupils or, as the case may be, students on its own premises, or
    - (ii) arranges accommodation for its pupils or students to be provided elsewhere (other than in connection with a residential trip away from the school);
  - (b) “school” means—



- (i) a community, foundation or voluntary school or a community or foundation special school within the meaning of section 20 of the School Standards and Framework Act 1998,
  - (ii) an independent school included in the register of independent schools in Wales (kept under section 158 of the Education Act 2002),
  - (iii) a non-maintained special school (as defined in section 337A of the Education Act 1996), or
  - (iv) a pupil referral unit within the meaning of section 19(2) of the Education Act 1996;
- (c) “college” means an institution within the further education sector within the meaning of section 91 of the Further and Higher Education Act 1992.]

#### Textual Amendments

- F66** Reg. 12E(1)-(4) substituted for reg. 12E(1)-(9) (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **6** (with reg. 21)
- F67** Reg. 12E(2)(d)(iaa) inserted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **10(2)**
- F68** Reg. 12E(2)(d)(ia) inserted (20.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/361\)](#), regs. 1(2), **4(2)(a)**
- F69** Reg. 12E(2)(d)(ii) omitted (20.3.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/361\)](#), regs. 1(2), **4(2)(b)**
- F70** Reg. 12E(2)(e) inserted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **10(3)**
- F71** Reg. 12E(2)(f)(g) inserted (23.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 6\) Regulations 2021 \(S.I. 2021/500\)](#), regs. 1(2), **5(2)**
- F72** Regs. 12E(3A)-(3F) inserted (20.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/361\)](#), regs. 1(2), **4(3)**
- F73** Words in reg. 12E(3E) substituted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **10(5)**
- F74** Words in reg. 12E(3F)(b) inserted (23.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 6\) Regulations 2021 \(S.I. 2021/500\)](#), regs. 1(2), **5(3)**
- F75** Reg. 12E(5) inserted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **10(4)**

#### Prohibition on the arrival of aircraft and vessels travelling directly from a country or territory listed in Schedule 3A

**12F.**—<sup>[F76]</sup>(1) The person with management or control of an aircraft or vessel whose last point of departure was a country or territory listed in Schedule 3A must not cause or permit it to arrive in Wales unless—

- (a) it is reasonably necessary for it to do so to secure the safety of the aircraft or vessel or the health and safety of any person aboard it;
- (b) the arrival in Wales is only for the purpose of refuelling, or maintenance of the aircraft or vessel, and no passengers are permitted to board, or disembark from, the aircraft or vessel;
- (c) the aircraft is an air ambulance and landing for the purpose of transporting a person for medical treatment; or

**Status:** Point in time view as at 23/04/2021.

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- (d) otherwise required pursuant to a direction issued under Schedule 3A to the Merchant Shipping Act 1995.]
- (2) Paragraph (1) does not apply to—
- (a) a commercially operated aircraft or vessel carrying no passengers;
  - (b) an aircraft or vessel operated by or in support of Her Majesty’s Government in the United Kingdom;
  - (c) an aircraft or vessel which was last in a country or territory listed in Schedule 3A 11 or more days prior to its arrival in Wales;
  - [ an aircraft or vessel which is operated by or in support of a foreign country or territory
- <sup>F77</sup>(d) where, prior to its arrival in Wales, a Government Department has provided written confirmation to the operator that the aircraft or vessel is carrying passengers who are travelling to conduct official business with the United Kingdom.]
- (3) In this regulation—
- (a) “arrive” means—
    - (i) in relation to an aircraft, to land;
    - (ii) in relation to a vessel, to moor at any place;
  - (b) “passenger” means a person carried in or on an aircraft or vessel other than a member of its crew.]

#### Textual Amendments

- F76** Reg. 12F(1) substituted (22.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 3\) \(Wales\) Regulations 2021 \(S.I. 2021/66\)](#), regs. 1(2), **5** (with reg. 3)
- F77** Reg. 12F(2)(d) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **7** (with reg. 21)

#### Modifications etc. (not altering text)

- C3** Reg. 12F excluded (15.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 2\) \(Wales\) Regulations 2021 \(S.I. 2021/46\)](#), regs. 1(2), **5**
- C4** Reg. 12F excluded (29.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 4\) \(Wales\) Regulations 2021 \(S.I. 2021/95\)](#), regs. 1(2), **3**

## PART 4

### Enforcement and offences

#### Enforcement of requirement to isolate

- <sup>F78</sup>**13.**—(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 isolating in contravention of regulation 7(3) or 8(3)
- (b) the authorised person may—
- (a) direct P to return to the premises where P is residing;
  - (b) where the authorised person is a constable, remove P to the premises where P is residing;
  - (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 premises

secured by the Welsh Ministers which are suitable for P to reside in for the purposes of regulation 7(3) or 8(3)(b).

(2) Where an authorised person has reasonable grounds to believe that P is a person who falls within regulation 12E(3A), an authorised person may do any of the following for the purpose of ensuring that P complies with a requirement in regulations 7 and 8—

- (a) give a direction to P, including a direction—
  - (i) that P remain in a particular area of a port to await transportation to a specified premises;
  - (ii) that P move to a particular place to board transportation to a specified premises;
  - (iii) that P board transportation to travel to specified premises;
  - (iv) that P remain in the premises where P is residing;
- (b) remove P to a specified premises.

(3) Where an authorised person has reasonable grounds to believe that P is a person who falls within regulation 12E(3A) and that P has committed an offence under regulation 14(1)(g), 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 14(1)(g), 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 to detain or search an unaccompanied child.

(5) Any search under paragraph (3) must be conducted by an authorised person of the same gender as P.

(6) Paragraph (3) does not confer a power to conduct an intimate search.

(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 premises where they are residing and is accompanied by an individual who has responsibility for them—

- (a) an authorised person may direct that individual to take P to the premises where P is residing, 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 a requirement in regulation 7 or 8, 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 take such other action as the authorised person considers necessary and proportionate to facilitate the exercise of a power conferred on the authorised person by this regulation.

(11) An authorised person may only exercise a power conferred on the authorised person by this regulation if the authorised person considers that it is a necessary and proportionate means of ensuring compliance with a requirement in regulation 7 or 8.

(12) For the purposes of this regulation—

“authorised person” (“*person awdurdodedig*”) means—

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- (a) a constable, or
  - (b) for the purposes of paragraphs (2), (3) and (10) only, an immigration officer;
- “specified premises” (“*mangre benodedig*”) means a premises specified under regulation 7 or a premises deemed suitable under regulation 8.]

#### Textual Amendments

**F78** Reg. 13 substituted (20.3.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/361), regs. 1(2), 5

#### Offences

**14.**—(1) An adult who contravenes a requirement in regulation—

- (a) 4(1) or (4),
- [<sup>F79</sup>(aa) 6A(1) or (2),]
- (b) 5(2),
- (c) 7(2), (3) or (5),
- (d) 8(3) or (4),
- (e) 10(6), <sup>F80</sup> ... <sup>F81</sup> ...
- (f) 11, <sup>F82</sup> ... <sup>F83</sup> ...
- [<sup>F84</sup>(g) [<sup>F85</sup>12E],]
- [<sup>F86</sup>(h) 6B and 6C, <sup>F87</sup> ...
- (i) 6D][<sup>F88</sup>or]
- [<sup>F89</sup>(j) 6K]

commits an offence.

[<sup>F90</sup>(1A) But a person does not commit an offence where they contravene a requirement in regulation 6A(1), if they reasonably believed at the time of the contravention that a notification in their possession of a negative result relating to the person or to a child for whom the person has responsibility (as the case may be) was valid and from a qualifying test (for the purposes of that regulation).]

[<sup>F91</sup>(1B) But a person does not commit an offence if they have a reasonable excuse for contravening regulation [<sup>F92</sup>4(1) or (4), 5(2),] 6B[<sup>F93</sup>, 6C or 6K].

(1C) For the purposes of regulation 6B a reasonable excuse includes, in particular, where—

- (a) it was not reasonably practicable for a person to book a test due to a disability;
- (b) a person reasonably considered before arriving in Wales that it would not be reasonably practicable for the person (or, as the case may be, the child for whom the person has responsibility) to provide a sample for a test due to a disability;
- (c) a person required medical treatment with such urgency that booking a test was not reasonably practicable;
- (d) a person was accompanying, in order to provide support, whether medical or otherwise, a person described in sub-paragraph (a) or (c) where it was not reasonably practicable for the accompanying person to book a test;

- (e) a person began their journey to Wales in a country or territory in which the person 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 their last point of departure if this was different to where they began their journey.
- (1D) For the purposes of regulation 6C, a reasonable excuse includes, 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.]
- [<sup>F94</sup>(1E) For the purposes of regulation 6K, a reasonable excuse includes, 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 Wales.]
- (2) It is an offence for an adult to provide false or misleading information to the Secretary of State for the purposes of regulation 4, 5, 7(5), 8(4) or 10(6) where—
- (a) the person knows the information is false or misleading, or
  - (b) the person is reckless as to whether the information is false or misleading.
- [<sup>F95</sup>(2A) But a person does not commit an offence under regulation 4 or 5 if they have a reasonable excuse for providing false or misleading information to the Secretary of State.]
- (3) An adult who fails to comply with a direction given by a constable under regulation 13 commits an offence.
- (4) An adult who intentionally obstructs any person exercising functions under these Regulations commits an offence.
- (5) It is a defence to a charge of committing an offence under paragraph (1) or (3) to show that the person had a reasonable excuse for the contravention, or failure to comply, in question.
- [<sup>F96</sup>(5A) In relation to an offence of contravening regulation 6A(1), the circumstances under which a person has a reasonable excuse include where—
- (a) a person was medically unfit to provide a sample for a qualifying test before travelling to Wales and possesses a document, 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 a person to obtain a qualifying test before travelling to Wales due to—
    - (i) a disability,
    - (ii) the need to obtain urgent medical treatment
  - (c) a person was accompanying, in order to provide support (whether medical or otherwise), a person described in sub-paragraph (b) and where it was not reasonably practicable for the accompanying person to obtain a qualifying test before travelling to Wales,
  - (d) a person began their journey to Wales 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 a person 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 them to obtain a qualifying test in their last point of departure if this was different to where they began their journey,

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- (e) the time it has taken a person to travel from the country or territory where they began their journey to the country or territory of their last point of departure prior to arriving in Wales meant that it was not reasonably practicable for them to meet the requirement in paragraph 1(c) of Schedule 1A, and it was not reasonably practicable for them to obtain a qualifying test in their last point of departure.]
- (6) A person who commits an offence under this regulation is liable on summary conviction to a fine.
- (7) Section 24 of the Police and Criminal Evidence Act 1984<sup>M11</sup> 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.

### Textual Amendments

- F79** Reg. 14(1)(aa) inserted (18.1.2021) by [The Health Protection \(Coronavirus, International Travel, Pre-Departure Testing and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/48\)](#), regs. 1(2), **3(4)(a)** (with reg. 11)
- F80** Word in reg. 14(1)(e) omitted (14.11.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 2\) \(Wales\) Regulations 2020 \(S.I. 2020/1288\)](#), regs. 1(2), **2(4)(a)**
- F81** Word in reg. 14(1)(e) omitted (24.12.2020 at 9.00 a.m.) by virtue of [The Health Protection \(Coronavirus, South Africa\) \(Wales\) Regulations 2020 \(S.I. 2020/1645\)](#), regs. 1(2), **2(3)(a)**
- F82** Word in reg. 14(1)(f) omitted (28.11.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 21\) Regulations 2020 \(S.I. 2020/1362\)](#), regs. 1(2), **8(2)(b)**
- F83** Word in reg. 14(1)(f) omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **8(a)(i)** (with reg. 21)
- F84** Reg. 14(1)(g) inserted (24.12.2020 at 9.00 a.m.) by [The Health Protection \(Coronavirus, South Africa\) \(Wales\) Regulations 2020 \(S.I. 2020/1645\)](#), regs. 1(2), **2(3)(c)**
- F85** Word in reg. 14(1)(g) substituted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **8(a)(ii)** (with reg. 21)
- F86** Reg. 14(1)(h)(i) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **8(a)(iii)** (with reg. 21)
- F87** Word in reg. 14(1)(h) omitted (9.4.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **11(2)(a)**
- F88** Word in reg. 14(1)(i) inserted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **11(2)(b)**
- F89** Reg. 14(1)(j) inserted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **11(2)(c)**
- F90** Reg. 14(1A) inserted (18.1.2021) by [The Health Protection \(Coronavirus, International Travel, Pre-Departure Testing and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/48\)](#), regs. 1(2), **3(4)(b)** (with reg. 11)
- F91** Reg. 14(1B)-(1D) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **8(b)** (with reg. 21)

- F92** Words in reg. 14(1B) inserted (13.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2021 \(S.I. 2021/305\)](#), regs. 1(2), **2(2)**
- F93** Words in reg. 14(1B) substituted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **11(3)**
- F94** Reg. 14(1E) inserted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **11(4)**
- F95** Reg. 14(2A) inserted (13.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2021 \(S.I. 2021/305\)](#), regs. 1(2), **2(3)**
- F96** Reg. 14(5A) inserted (18.1.2021) by [The Health Protection \(Coronavirus, International Travel, Pre-Departure Testing and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/48\)](#), regs. 1(2), **3(4)(b)** (with reg. 11)

#### Commencement Information

- I13** Reg. 14 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

#### Marginal Citations

- M11** 1984 c. 60. Section 24 was substituted by s.110(1) of the [Serious Organised Crime and Police Act 2005 \(c. 15\)](#).

### Prosecutions

**15.** No proceedings for an offence under these Regulations may be brought other than by the Director of Public Prosecutions or any person designated by the Welsh Ministers.

#### Commencement Information

- I14** Reg. 15 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

### Fixed penalty notices

**16.—(1)** An immigration officer may issue a fixed penalty notice to any adult the officer reasonably believes has committed an offence—

(a) under regulation 14(1) or (2)—

(i) in relation to a requirement in regulation 4(1) or (4), 5(2), [<sup>F97</sup>6A(1) or (2)] [<sup>F98</sup>,] 7(5) [<sup>F99</sup> or 12E], or

(ii) in relation to a contravention of the requirement in regulation 11 which relates to the requirement in regulation 7(5), or

(b) under regulation 14(4) where the person is believed to have intentionally obstructed a person carrying out a function in relation to one of those requirements.

(2) A constable may issue a fixed penalty notice to any adult the constable reasonably believes has committed an offence under these Regulations.

(3) 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—

(a) the Welsh Ministers, or

(b) a person designated by the Welsh Ministers for the purposes of receiving payment under this regulation.

*Status: Point in time view as at 23/04/2021.*

*Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)*

- (4) 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 beginning with the date the notice is issued;
  - (b) the person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.
- (5) A fixed penalty notice must—
- (a) describe the circumstances alleged to constitute the offence,
  - (b) state the period during which (because of paragraph (4)(a)) proceedings will not be taken for the offence,
  - (c) specify the amount of the fixed penalty,
  - (d) state the name and address of the person to whom the fixed penalty may be paid, and
  - (e) specify permissible methods of payment.
- (6) Where the fixed penalty notice is issued in respect of an offence—
- (a) of contravening a requirement imposed by regulation 7(2) or (3), 8(3) or 11,
  - [<sup>F100</sup>(aa) of contravening a requirement imposed by regulation 6A,]
  - [<sup>F101</sup>(ab) of contravening a requirement imposed by regulation 6D,]
  - [<sup>F102</sup>(ac) of contravening a requirement in Schedule 1D,]
  - (b) under regulation 14(3), or
  - (c) under regulation 14(4) where the person is believed to have intentionally obstructed a person carrying out a function in relation to regulation 7(2) or (3), 8(3) or 11,
- the amount specified under paragraph (5)(c) [<sup>F103</sup>is to be as set out in paragraph (6A)].
- [<sup>F104</sup>(6A) The amount specified as the fixed penalty in paragraph (6) is to be—
- (a) in the case of the first fixed penalty notice received, £500;
  - (b) in the case of the second fixed penalty notice received, £1000;
  - (c) in the case of the third fixed penalty notice received, £2000;
  - (d) in the case of the fourth and any subsequent fixed penalty notice received, £4000.]
- [<sup>F105</sup>(6AA) Where the fixed penalty notice is issued to a person in respect of an offence described in regulation 14(1)(g), then the amount specified under paragraph (5)(c) must be £10,000.
- (6AB) Where the fixed penalty notice is issued to a person in respect of an offence described in regulation 14(1)(h), then the amount specified under paragraph (5)(c) must be—
- (a) in the case of a fixed penalty notice issued in respect of a failure to arrange tests in accordance with regulation 6B(3) or (5), £1,000;
  - (b) in the case of the first fixed penalty notice issued in respect of a failure to take a test in accordance with regulation 6C(1) or (3), £1,000;
  - (c) in the case of the second fixed penalty notice issued in respect of a failure to take a test in accordance with regulation 6C(1) or (3), £2,000.]
- [<sup>F106</sup>(6AC) Where the fixed penalty notice is issued to a person in respect of an offence described in regulation 14(1)(j) for contravening a requirement in regulation 6K, then the amount specified under paragraph (5)(c) must be—
- (a) in the case of a first fixed penalty notice, £1,000;
  - (b) in the case of a second fixed penalty notice, £2,000;
  - (c) in the case of a third and subsequent fixed penalty notice, £3,000.]



(7) [<sup>F107</sup>Subject to paragraph (7A),] where the fixed penalty notice is issued in respect of an offence (an “information or notification offence”)—

(a) of contravening a requirement imposed by regulation 4(1) or (4), 5(2), 7(5), 8(4) or 10(6), or

(b) under regulation 14(4) where the person is believed to have intentionally obstructed a person carrying out a function in relation to one of those requirements,

the amount specified under paragraph (5)(c) must be £60 (subject to paragraphs (8) and (9)).

[<sup>F108</sup>(7A) Where a fixed penalty notice is issued to a person in respect of an offence—

(a) under regulation 14(2), and

(b) it relates to that person’s travel history to a country or territory listed in Schedule 3A,

the amount specified under paragraph (5)(c) must be £10,000.]

(8) A fixed penalty notice issued in respect of an information or notification offence may specify that if £30 is paid before the end of the period of 14 days beginning with the day after the date the notice is issued, that is the amount of the fixed penalty.

(9) But if the person to whom a fixed penalty notice in respect of an information or notification offence is issued has already received a fixed penalty notice in respect of such of such an offence—

(a) paragraph (8) does not apply, and

(b) the amount specified as the fixed penalty is to be—

(i) in the case of the second fixed penalty notice received, £120;

(ii) in the case of the third fixed penalty notice received, £240;

(iii) in the case of the fourth fixed penalty notice received, £480;

(iv) in the case of the fifth fixed penalty notice received, £960;

(v) in the case of the sixth and any subsequent fixed penalty notice received, £1920.

(10) Whatever other method may be specified under paragraph (5)(e), payment of a fixed penalty may be made by pre-paying and posting to the person whose name is stated under paragraph (5)(d), at the stated address, a letter containing the amount of the penalty (in cash or otherwise).

(11) Where a letter is sent as mentioned in paragraph (10), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.

(12) In any proceedings, a certificate that—

(a) purports to be signed by or on behalf of—

(i) the Welsh Ministers, or

(ii) a person designated by the Welsh Ministers under paragraph (3)(b), 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.

### Textual Amendments

**F97** Words in reg. 16(1)(a)(i) inserted (18.1.2021) by [The Health Protection \(Coronavirus, International Travel, Pre-Departure Testing and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/48\)](#), regs. 1(2), **3(5)(a)** (with reg. 11)

**F98** Comma in reg. 16(1)(a)(i) substituted for word (13.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2021 \(S.I. 2021/305\)](#), regs. 1(2), **6(6)(a)**

*Status: Point in time view as at 23/04/2021.*

*Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)*

- F99** Words in reg. 16(1)(a)(i) inserted (13.3.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (Miscellaneous Amendments) (Wales) Regulations 2021 (S.I. 2021/305), regs. 1(2), **6(6)(b)**
- F100** Reg. 16(6)(aa) inserted (18.1.2021) by The Health Protection (Coronavirus, International Travel, Pre-Departure Testing and Operator Liability) (Wales) (Amendment) Regulations 2021 (S.I. 2021/48), regs. 1(2), **3(5)(b)** (with reg. 11)
- F101** Reg. 16(6)(ab) inserted (15.2.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/154), regs. 1(2), **9(a)** (with reg. 21)
- F102** Reg. 16(6)(ac) inserted (9.4.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 5) Regulations 2021 (S.I. 2021/454), regs. 1(2), **12(2)**
- F103** Words in reg. 16(6) substituted (12.12.2020 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Public Health Information to Travellers) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/1521), regs. 1(2), **6(2)**
- F104** Reg. 16(6A) inserted (12.12.2020 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Public Health Information to Travellers) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/1521), regs. 1(2), **6(3)**
- F105** Reg. 16(6AA)(6AB) inserted (15.2.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/154), regs. 1(2), **9(b)** (with reg. 21)
- F106** Reg. 16(6AC) inserted (9.4.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 5) Regulations 2021 (S.I. 2021/454), regs. 1(2), **12(3)**
- F107** Words in reg. 16(7) inserted (15.2.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/154), regs. 1(2), **9(c)** (with reg. 21)
- F108** Reg. 16(7A) inserted (15.2.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/154), regs. 1(2), **9(d)** (with reg. 21)

#### Commencement Information

- I15** Reg. 16 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

## PART 5

### Information sharing

#### Use and disclosure of information

- 17.—**(1) In this regulation and regulation 18, “relevant information” means—
- (a) Welsh passenger information;
  - (b) other UK passenger information.
- (2) For the purposes of this regulation—
- (a) “Welsh passenger information” means—
    - (i) passenger information provided to the Secretary of State for the purpose of regulation 4 or 5;
    - (ii) information provided to the Secretary of State in a notification given under regulation 7(5)(b), 8(4) or 10(6);
    - <sup>[F109]</sup>(iii) where a person arranges a test under regulation 6B or takes a test under regulation 6C—
      - (aa) information generated where the person arranges or takes a test;

- (bb) information obtained by a public test provider (within the meaning given by regulation 6B(2)(c)) under regulation 6B(6);
- (cc) the results of a test;
- (dd) information recorded by a public test provider in the course of administering a test taken in accordance with regulation 6C (including confirmation that the test was taken, details of when and where it was taken, any reasons for a test not being taken and the details of any replacement test to be taken);
- (iv) information provided to an immigration officer pursuant to regulation 6B(8);
- (v) where a sample taken in respect of a day 2 test under regulation 6C 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;]
- (b) “other UK passenger information” means information provided to a person under provision in Regulations made as respects England, Scotland or Northern Ireland (as the case may be) that is equivalent to provision mentioned in sub-paragraph (a).
- (3) In this regulation, any reference to the holder of information is a reference to—
  - (a) the Secretary of State;
  - (b) a person to whom the information was disclosed under paragraph (4) or (5);
  - [<sup>F110</sup>(c) a public test provider;
  - (d) an immigration officer.]
- (4) The holder of Welsh passenger information may disclose it to another person (the “recipient”) in circumstances 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) Regulations made as respects England, Scotland or Northern Ireland (as the case may be) that are equivalent to 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,
    - (ii) monitoring the spread of infection or contamination with coronavirus, or
    - (iii) giving effect to any international agreement or arrangement relating to the spread of infection or contamination with coronavirus;
  - (c) for a purpose connected with, or otherwise incidental to, a purpose described in sub-paragraph (a) or (b).
- (5) The holder of other UK passenger information may disclose it to another person (the “recipient”) in circumstances where it is necessary for the recipient to have the information—
  - (a) for the purpose of carrying out a function of the recipient under these Regulations;
  - (b) for the purpose of—
    - (i) preventing danger to public health in Wales as a result of the spread of infection or contamination with coronavirus,
    - (ii) monitoring the spread of infection or contamination with coronavirus in Wales, or
    - (iii) giving effect in Wales to any international agreement or arrangement relating to the spread of infection or contamination with coronavirus;
  - (c) for a purpose connected with, or otherwise incidental to, a purpose described in sub-paragraph (a) or (b).

**Status:** Point in time view as at 23/04/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)

- (6) A holder of relevant information may not use the information otherwise than—
- (a) for the purpose of carrying out a function of the holder under these Regulations;
  - (b) in the case of Welsh passenger information, for a purpose described in paragraph (4)(b);
  - (c) in the case of other UK passenger information, for a purpose described in paragraph (5)(b);
  - (d) for a purpose connected with, or otherwise incidental to, a purpose described in subparagraph (a), (b) or (c).
- (7) Despite paragraphs (4), (5) and (6), this regulation does not limit the circumstances in which information may otherwise lawfully be disclosed or used under any other enactment or rule of law.
- (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).
- (9) Nothing in this regulation authorises the disclosure of personal data where doing so contravenes the data protection legislation.
- (10) In [<sup>F111</sup>paragraph (9)], “data protection legislation” and “personal data” have the same meanings as in section 3 of the Data Protection Act 2018 <sup>M12</sup>.

#### Textual Amendments

- F109** Reg. 17(2)(a)(iii)-(v) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **10(a)** (with reg. 21)
- F110** Reg. 17(3)(c)(d) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **10(b)** (with reg. 21)
- F111** Words in reg. 17(10) substituted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **9(3)**

#### Commencement Information

- I16** Reg. 17 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

#### Marginal Citations

- M12** 2018 c. 12.

### Self-incrimination

**18.**—(1) Relevant information may be used in evidence against the person to whom the information relates in criminal proceedings.

- (2) Where the information is used in [<sup>F112</sup>such] proceedings <sup>F113</sup>... —
- (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.

[<sup>F114</sup>2A) 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),

- (c) an offence under section 1 of the Fraud Act 2006 (fraud), or
  - (d) an offence under section 2 or 3 of the Forgery and Counterfeiting Act 1981 (offence of copying or using a false instrument).]
- (3) 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.

#### Textual Amendments

- F112** Word in reg. 18(2) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **11(a)** (with reg. 21)
- F113** Words in reg. 18(2) omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **11(b)** (with reg. 21)
- F114** Reg. 18(2A) inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **11(c)** (with reg. 21)

#### Commencement Information

- I17** Reg. 18 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

## PART 6

### Review and expiry

#### Review of requirements

**19.** The Welsh Ministers must review the need for the requirements imposed by these Regulations, and whether those requirements are proportionate to what the Welsh Ministers seek to achieve by them—

- (a) by 29<sup>th</sup> June 2020,
- [<sup>F115</sup>(b) by 27 July 2020;
- (c) at least once in the period of 28 days beginning with 28 July 2020;
- (d) at least once in each subsequent period of 28 days.]

#### Textual Amendments

- F115** Reg. 19(b)-(d) substituted for reg. 19(b)(c) (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **8**

#### Commencement Information

- I18** Reg. 19 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

**Status:** Point in time view as at 23/04/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)

### Expiry of Regulations

**20.**—(1) These Regulations expire at the end of the period of 12 months beginning with the day on which they come into force.

(2) The expiry of these Regulations does not affect the validity of anything done pursuant to these Regulations before they expire.

#### Commencement Information

**I19** Reg. 20 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

*Mark Drakeford*  
The First Minister, one of the Welsh Ministers

SCHEDULE 1

Regulation 2(1)

Passenger information

1. Personal details—

- (a) full name,
- (b) sex,
- (c) date of birth,
- (d) passport number, or travel document reference number (as appropriate), issue and expiry dates and issuing authority,
- (e) telephone number,
- (f) home address,
- (g) email address.

**Commencement Information**  
**I20** Sch. 1 para. 1 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

2. Journey details—

- (a) if applicable, the address of suitable premises in Wales at which P intends to reside as required by regulation 7(3),
- (b) if applicable, the address of suitable premises in the United Kingdom at which P intends to reside as required by equivalent provision in Regulations made as respects England, Scotland or Northern Ireland,
- (c) the date, or planned date, as appropriate of arrival at an address specified in sub-paragraph (a) or (b),
- (d) the operator P is travelling, or travelled, with or through which P's booking was made,
- (e) [<sup>F116</sup>seat number],
- [<sup>F117</sup>(ea) coach number,]
- (f) flight number [<sup>F118</sup>or vessel name],
- [<sup>F119</sup>(g) .....
- (h) the location at which P will arrive, or has arrived, in the United Kingdom,
- (i) the country P is travelling, or travelled, from,
- [<sup>F120</sup>(ia) any other country or territory P will be, or has been, in during the period of [<sup>F121</sup>10] days ending with the date of P's arrival, or planned arrival, in the United Kingdom,
- (ib) where sub-paragraph (ia) applies, the dates on which P was or will be in the other country or territory,]
- (j) the date and time, or planned date and time, as appropriate, of P's arrival in the United Kingdom,
- (k) whether P is connecting through the United Kingdom to a destination outside the United Kingdom and, if so—
  - (i) the location at which P will depart from in the United Kingdom,
  - (ii) P's final destination country,

**Status:** Point in time view as at 23/04/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)

- (iii) the operator P is travelling with or through which the booking was made for the onward journey,
- (iv) [<sup>F122</sup>the seat number] for the onward journey,
- (v) the flight number [<sup>F123</sup>or vessel name for] of the onward journey.
- [<sup>F124</sup>(vi) the coach number for their onward journey.]

#### Textual Amendments

- F116** Words in Sch. 1 para. 2(e) substituted (1.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 17\) Regulations 2020 \(S.I. 2020/1191\)](#), regs. 1(2), **5(2)(a)**
- F117** Sch. 1 para. 2(ea) inserted (1.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 17\) Regulations 2020 \(S.I. 2020/1191\)](#), regs. 1(2), **5(2)(b)**
- F118** Words in Sch. 1 para. 2(f) substituted (1.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 17\) Regulations 2020 \(S.I. 2020/1191\)](#), regs. 1(2), **5(2)(c)**
- F119** Sch. 1 para. 2(g) omitted (23.1.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/72\)](#), regs. 1(2), **3(2)**
- F120** Sch. 1 para. 2(ia)(ib) inserted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **4(7)** (with reg. 7)
- F121** Word in Sch. 1 para. 2(ia) substituted (10.12.2020) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 3\) \(Wales\) Regulations 2020 \(S.I. 2020/1477\)](#), regs. 1(2), **2(a)(iv)**
- F122** Words in Sch. 1 para. 2(k)(iv) substituted (1.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 17\) Regulations 2020 \(S.I. 2020/1191\)](#), regs. 1(2), **5(2)(d)**
- F123** Words in Sch. 1 para. 2(k)(v) substituted (1.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 17\) Regulations 2020 \(S.I. 2020/1191\)](#), regs. 1(2), **5(2)(e)**
- F124** Sch. 1 para. 2(k)(vi) inserted (1.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 17\) Regulations 2020 \(S.I. 2020/1191\)](#), regs. 1(2), **5(2)(f)**

#### Commencement Information

- I21** Sch. 1 para. 2 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

- [<sup>F125</sup>**3.** Where regulation 6B requires a day 2 test and a day 8 test to be arranged—
- (a) the name of the provider of the tests, and
  - (b) the reference number for the tests provided to them by the test provider in accordance with regulation 6B(7).]

#### Textual Amendments

- F125** Sch. 1 para. 3 inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **12** (with reg. 21)

- 4.** Where P is travelling with a child for whom they have responsibility—



- (a) the full name and date of birth of that child,
- (b) the relationship of the passenger to that child.

**Commencement Information**

**I22** Sch. 1 para. 4 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

<sup>F126</sup>5. ....

**Textual Amendments**

**F126** Sch. 1 para. 5 omitted (23.1.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/72\)](#), regs. 1(2), **3(2)**

<sup>F127</sup>SCHEDULE 1A

Regulation 6A

Testing before arrival in Wales

**Textual Amendments**

**F127** Sch. 1A inserted (18.1.2021) by [The Health Protection \(Coronavirus, International Travel, Pre-Departure Testing and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/48\)](#), regs. 1(2), **3(6)** (with reg. 11)

1. A test complies with this paragraph if—
  - (a) it is a test for the detection of coronavirus, which is—
    - (i) a polymerase chain reaction test, or
    - (ii) undertaken using a device which the manufacturer states has—
      - (aa) a sensitivity of at least 80%,
      - (bb) a specificity of at least 97%, and
      - (cc) a limit of detection of less than or equal to 100,000 SARS-CoV-2 copies per millilitre,
  - (b) it is not a test provided or administered under the National Health Service Act 2006, the National Health Service (Wales) Act 2006, the National Health Service (Scotland) Act 1978, or the Health and Personal Social Services (Northern Ireland) Order 1972, and
  - (c) the test sample is taken from the person no more than 72 hours before—
    - (i) in the case of that person travelling to Wales on a commercial transport service, the service's scheduled time of departure, or
    - (ii) in any other case, the actual time of departure of the vessel or aircraft on which that person is travelling to Wales.
2. Notification of a negative test result must include, in English, French, or Spanish, the following information—
  - (a) the name of the person from whom the sample was taken,

Status: Point in time view as at 23/04/2021.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)

- (b) that person’s date of birth [<sup>F128</sup>or age],
- (c) the (negative) result of the test,
- (d) the date the test sample was collected or received by the test provider,
- [<sup>F129</sup>(e) 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,]
- [<sup>F130</sup>(f) .....
- (g) the name of the test provider.

**Textual Amendments**

**F128** Words in Sch. 1A para. 2(b) inserted (13.3.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (Miscellaneous Amendments) (Wales) Regulations 2021 (S.I. 2021/305), regs. 1(2), **3(2)(a)**

**F129** Sch. 1A para. 2(e) substituted (13.3.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Operator Liability) (Miscellaneous Amendments) (Wales) Regulations 2021 (S.I. 2021/305), regs. 1(2), **3(2)(b)**

**F130** Sch. 1A para. 2(f) omitted (13.3.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Operator Liability) (Miscellaneous Amendments) (Wales) Regulations 2021 (S.I. 2021/305), regs. 1(2), **3(2)(c)**

3.—(1) The persons referred to in regulation [<sup>F131</sup>6A(4)(c)] (as not being required to comply with that regulation) are—

- [<sup>F132</sup>(a) .....
- (b) a person described in—
  - (i) paragraph 13(1)(b) of Schedule 2 where, prior to the person’s departure to the United Kingdom, the relevant Department has certified that they meet this description and are not required to comply with regulation 6A, or
  - (ii) paragraph 13A of Schedule 2 where, prior to person’s departure to the United Kingdom, the relevant Department has also certified that they are not required to comply with regulation 6A,
- (c) a Crown servant or government contractor (“C”) who is required to undertake essential government work or essential policing in the United Kingdom or is returning from conducting such work outside the United Kingdom where, prior to C’s departure to the United Kingdom, the relevant Department has certified that they meet this description and are not required to comply with regulation 6A,
- (d) a representative (“R”) of a foreign country or territory travelling to the United Kingdom to conduct official business with the United Kingdom where, prior to R’s departure to the United Kingdom—
  - (i) 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 R is required to undertake work 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

- (ii) the Foreign Commonwealth and Development Office has then confirmed in writing to the person giving the notification in sub-paragraph (i) that—
- (aa) it has received that confirmation, and
  - (bb) R is travelling to the United Kingdom to conduct official business with the United Kingdom and is not required to comply with regulation 6A,
- (e) a worker with specialist technical skills, where those specialist technical skills are required for emergency works or services (including commissioning, maintenance, and repairs and safety checks) to ensure the continued production, supply, movement, manufacture, storage or preservation of goods or services, where they have travelled to the United Kingdom in the course of their work or otherwise to commence or resume their work <sup>F133</sup>,
- (f) a member of aircraft crew carried on a flight for the purpose of performing duties to be assigned by the operator or the pilot in command of the aircraft, in the interests of the safety of the aircraft, where they have travelled to the United Kingdom in the course of their work.]
- (2) In sub-paragraph (1)—
- “consular post” (“*swyddfa gonsylaidd*”) has the meaning given in paragraph 1(3) of Schedule 2; “Crown servant” (“*gwas i’r Goron*”), “essential government work” (“*gwaith llywodraeth hanfodol*”), “essential policing” (“*plismona hanfodol*”) and “government contractor” (“*contractwr llywodraeth*”) have the meanings given in paragraph 13(2) of Schedule 2. ]

#### Textual Amendments

- F131** Word in Sch. 1A para. 3(1) substituted (29.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 4\) \(Wales\) Regulations 2021 \(S.I. 2021/95\)](#), regs. 1(2), **5(2)(a)**
- F132** Sch. 1A para. 3(1)(a) omitted (29.1.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 4\) \(Wales\) Regulations 2021 \(S.I. 2021/95\)](#), regs. 1(2), **5(2)(b)**
- F133** Sch. 1A para. 3(1)(f) inserted (23.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/72\)](#), regs. 1(2), **3(3)**

## <sup>F134</sup>SCHEDULE 1B

Regulation 6B

### Booking information

#### Textual Amendments

- F134** Sch. 1B inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **4** (with reg. 21)

### Booking information

1. Personal details—
- (a) full name;

**Status:** Point in time view as at 23/04/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)

- (b) sex;
  - (c) ethnicity;
  - (d) date of birth;
  - (e) passport number, or travel document reference number (as appropriate);
  - (f) NHS number (if known and applicable);
  - (g) telephone number;
  - (h) home address;
  - (i) email address.
2. Journey details—
- (a) the address of the suitable premises at which P intends to reside as required by regulation 7 or 8;
  - (b) the date of arrival in the United Kingdom;
  - (c) coach number;
  - (d) flight number of vessel name;
  - (e) the date on which P was last in a non-exempt country or territory;
  - (f) the country or territory P will be travelling from when P arrives in the United Kingdom, and any country or territory P will have been in as part of that journey.]

## [<sup>F135</sup>SCHEDULE 1C

Regulation 6B

### Mandatory testing after arrival in Wales

#### Textual Amendments

**F135** Sch. 1C inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), 4 (with reg. 21)

#### Day 2 test requirements

1. A day 2 test complies with this paragraph where—
- (a) it is a semi-quantitative test for the detection of coronavirus which—
    - (i) targets a minimum of two distinguishable SARS-CoV-2 genes other than the S gene and performance reference controls,
    - (ii) includes routine in silico assurance against every variant of concern, and
    - (iii) produces a test solution that provides extracted nucleic acid that is suitable for whole genome sequencing using a specified method,
  - (b) the manufacturer of any device used for the purposes of the test states that the device—
    - (i) uses an established molecular detection method,
    - (ii) has a specificity and a sensitivity greater than 99% (with a 95% two-sided confidence interval entirely above 97%),
    - (iii) has a limit of detection of less than or equal to 1000 SARS-CoV-2 copies per millilitre, and

- (iv) is suitable for identifying every variant of concern, and
- (c) any device used for the purposes of the test—
  - (i) can be put into service in accordance with Part 4 of the Medical Devices Regulations 2002, other than solely by virtue of regulation 39(2) of those Regulations, and
  - (ii) has been validated no more than 18 months before the test is administered or provided to P.

### Day 8 test requirements

2. A day 8 test complies with this paragraph where—
  - (a) it is a semi-quantitative test for the detection of coronavirus which targets a minimum of two distinguishable SARS-CoV-2 genes other than the S gene and performance reference controls,
  - (b) the manufacturer of any device used for the purposes of the test states that the device—
    - (i) uses an extracted molecular method,
    - (ii) has a specificity and a sensitivity greater than 95% (with a 95% two-sided confidence interval entirely above 90%), and
    - (iii) has a limit of detection of less than or equal to 1000 SARS-CoV-2 copies per millilitre, and
  - (c) any device used for the purposes of the test—
    - (i) can be put into service in accordance with Part 4 of the Medical Devices Regulations 2002, other than solely by virtue of regulation 39(2) of those Regulations, and
    - (ii) has been validated no more than 18 months before the test is administered or provided to P.

### Interpretation

3. In this Schedule—
  - (a) “specified method” means a targeted sequence method specific to SARS-CoV-2 or an equivalent—
    - (i) amplicon method, or
    - (ii) sequence bait capture method;
  - (b) “validated”, in relation to a device, means confirmed as having a sensitivity of at least 97% and a specificity of at least 99% for at least 150 positive samples and 250 negative samples, by—
    - (i) the Welsh Ministers,
    - (ii) the National Institute for Health and Care Excellence, or
    - (iii) a laboratory which is accredited by the United Kingdom Accreditation Service (“UKAS”) to ISO standard 15189 or ISO/IEC standard 17025, other than a laboratory which processes tests provided by the test provider for the purposes of this Schedule or is owned by the test provider;
  - (c) “variant of concern” means a variant of SARS-CoV-2 identified in a designation made by the relevant expert UK Group (currently NERVTAG) for the purposes of these Regulations and published in a way that the Welsh Ministers consider to be appropriate.]

**Status:** Point in time view as at 23/04/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)

## [<sup>F136</sup>SCHEDULE 1D

Regulation 6K

### Workforce tests

#### Textual Amendments

**F136** Sch. 1D inserted (9.4.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 5) Regulations 2021 (S.I. 2021/454), regs. 1(2), 13

#### Interpretation of Schedule 1D

1. In this Schedule—

“P” means a person required to undertake workforce tests under regulation 6K (workforce testing);

“workforce test” means any of the categories of workforce test described in regulation 6K(6).

#### Requirement after failure to undertake test

2.—(1) Sub-paragraph (2) applies where P fails to undertake a workforce test that P is required by regulation 6K to undertake.

(2) Where this sub-paragraph applies, P must isolate at a suitable premises until the earlier of—

- (a) the end of the 14th day after the day on which they arrived in Wales; or
- (b) the time P obtains a negative result from a workforce test.

(3) P must comply with any applicable obligations in regulation 6K(2) during any period that P is required to isolate in accordance with sub-paragraph (2).

(4) Where P is required to isolate in accordance with sub-paragraph (2), regulation 10(4) applies.

#### Consequences of test results

3.—(1) Where a workforce test undertaken by P in accordance with regulation 6K generates a positive result—

- (a) P must as soon as reasonably practicable undertake a further test which complies with the requirements for a day 2 test specified in paragraph 1 of Schedule 1C;
- (b) P must isolate at a suitable premises until the end of the 10th day after the day P undertook the test.

(2) Where P is required to isolate in accordance with sub-paragraph (1)(b), regulation 10(4) applies.

(3) Where a workforce test undertaken by P in accordance with regulation 6K generates a positive result—

- (a) if that test was a workforce test undertaken for day 2, P is not required to undertake a workforce test for day 5 or day 8;
- (b) if that test was a workforce test undertaken for day 5, P is not required to undertake a workforce test for day 8.

(4) Where a further test undertaken in accordance with sub-paragraph (1)(a) generates a negative result, this paragraph applies to P from the time P is notified of that negative result as if the workforce test undertaken by P in accordance with regulation 6K had generated a negative result (and accordingly, from that time, P is no longer required to isolate).

(5) Where a workforce test undertaken by P in accordance with regulation 6K generates an inconclusive result, P must as soon as reasonably practicable undertake a further workforce test and that further workforce test is to be treated as a replacement workforce test within the meaning of regulation 6K(4) (requirement to undertake workforce tests).

### Duties on employers

4.—(1) An employer with more than 50 employees who is the employer of any person who is required to undertake workforce tests or has responsibility for any agency worker who is required to undertake workforce tests, must take reasonable steps to facilitate the taking of those tests by that person or agency worker in accordance with these Regulations.

(2) In the discharge of the duty under sub-paragraph (1), an employer must have regard to any guidance issued by the Welsh Ministers for the purposes of this paragraph.

(3) In paragraph (1) an employer has responsibility for an agency worker if—

- (a) the agency worker is supplied or to be supplied by a person (an “agent”) to the employer under a contract or other arrangements made between the agent and the employer; and
- (b) the agency worker is not—
  - (i) a worker because of the absence of a worker’s contract between the agency worker and the agent or the employer, or
  - (ii) a party to a contract under which the agency worker undertakes to do the work for another party to a contract whose status is, by virtue of the contract, that of a client or customer of any profession or business undertaking carried on by the agency worker.]

## SCHEDULE 2

Regulations 3(2), 7(4)(b) and 9

[<sup>F137</sup>Exempt persons]

### Textual Amendments

**F137** Sch. 2 heading substituted (15.6.2020 at 5.38 p.m.) by [The Health Protection \(Coronavirus, Public Health Information for Persons Travelling to Wales etc.\) Regulations 2020 \(S.I. 2020/595\)](#), regs. 1(3), **10(3)(a)** (with reg. 11)

## PART 1

Persons not required to comply with regulation [<sup>F138</sup>4, 5, 7 or 8]

### Textual Amendments

**F138** Words in Sch. 2 Pt. 1 heading substituted (15.6.2020 at 5.38 p.m.) by [The Health Protection \(Coronavirus, Public Health Information for Persons Travelling to Wales etc.\) Regulations 2020 \(S.I. 2020/595\)](#), regs. 1(3), **10(3)(b)** (with reg. 11)

1.—(1) A person (“P”) who is—

- (a) a member of a diplomatic mission in the United Kingdom;

**Status:** Point in time view as at 23/04/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)

- (b) a member of a consular post in the United Kingdom;
  - (c) an officer or servant of an international organisation;
  - (d) employed by an international organisation as an expert or on a mission;
  - (e) a representative to an international organisation;
  - (f) a representative at an international or United Kingdom conference [<sup>F139</sup>in the United Kingdom] who is granted privileges and immunities in the United Kingdom;
  - (g) a member of the official staff of a representative to an international organisation, or of a person falling within paragraph (f);
  - (h) described in paragraph (a) or (b) who is passing through the United Kingdom commence or continue their functions at a diplomatic mission or consular post in another country or territory, or to return to the country of their nationality;
  - (i) a representative of a foreign country or territory travelling to the United Kingdom to conduct official business with the United Kingdom;
  - (j) a representative of the government of a British overseas territory;
  - (k) a diplomatic courier or a consular courier;
  - (l) a member of the family forming part of the household of a person falling within any of paragraphs (a) to (k).
- (2) The conditions referred to in regulation [<sup>F140</sup>9(2)(a)] (persons exempt from regulation 7 or 8) are that—
- (a) the relevant head of the mission, consular post, international organisation, or conference, 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 [<sup>F141</sup>the Foreign, Commonwealth and Development Office] that—
    - (i) P is required to undertake work which is essential to the functioning of the mission, consular post, international organisation, conference, or office, or to undertake work 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
    - (ii) that work cannot be undertaken whilst P is complying with regulation 7 or 8, and
  - (b) prior to P's arrival in the United Kingdom [<sup>F142</sup>the Foreign, Commonwealth and Development Office]—
    - (i) has confirmed in writing to the person giving the confirmation referred to in paragraph (a) that it has received that confirmation, and
    - (ii) where P is a representative of a foreign country or territory, has then confirmed in writing to the person giving the confirmation referred to in paragraph (a) that P is travelling to the United Kingdom to conduct official business with the United Kingdom and is not required to comply with regulation 7 or 8.
- (3) For the purposes of this paragraph—
- (a) “consular courier” means a person who has been provided by the State on behalf of which they are acting with an official document confirming their status as a consular courier in accordance with Article 35(5) of the Vienna Convention on Consular Relations of 1963,
  - (b) “consular post” means any consulate-general, consulate, vice-consulate or consular agency,
  - (c) “diplomatic courier” means a person who has been provided by the State on behalf of which they are acting with an official document confirming their status as a diplomatic



courier in accordance with Article 27(5) of the Vienna Convention on Diplomatic Relations of 1961,

- (d) “international organisation” means an international organisation accorded privileges and immunities in the United Kingdom,
- (e) “member of a consular post” means a “consular officer”, “consular employee” and “member of the service staff” as defined in Schedule 1 to the Consular Relations Act 1968<sup>M13</sup>, and head of consular post” has the meaning given in that Schedule,
- (f) “member of a diplomatic mission” means the “head of the mission”, “members of the diplomatic staff”, “members of the administrative and technical staff” and “members of the service staff” as defined in Schedule 1 to the Diplomatic Privileges Act 1964<sup>M14</sup>.

(4) This paragraph is without prejudice to any immunity from jurisdiction or inviolability which is accorded to any person described in sub-paragraph (1) under the law of England and Wales apart from these Regulations.

#### Textual Amendments

- F139** Words in Sch. 2 para. 1(1)(f) inserted (21.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 20\) Regulations 2020 \(S.I. 2020/1329\)](#), regs. 1(2), **5**
- F140** Word in Sch. 2 para. 1(2) substituted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **9(4)(a)**
- F141** Words in Sch. 2 para. 1(2)(a) substituted (30.9.2020) by [The Transfer of Functions \(Secretary of State for Foreign, Commonwealth and Development Affairs\) Order 2020 \(S.I. 2020/942\)](#), art. 1(2), **Sch. para. 33**
- F142** Words in Sch. 2 para. 1(2)(b) substituted (30.9.2020) by [The Transfer of Functions \(Secretary of State for Foreign, Commonwealth and Development Affairs\) Order 2020 \(S.I. 2020/942\)](#), art. 1(2), **Sch. para. 33**

#### Commencement Information

- I23** Sch. 2 para. 1 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

#### Marginal Citations

- M13** 1968 c. 18. There are amendments but none is relevant.
- M14** 1964 c. 81. There are amendments but none is relevant.

2.—(1) A Crown servant or government contractor—

- (a) who is required to undertake essential government work related to the United Kingdom border in the United Kingdom within [<sup>F143</sup>10] days of arriving in the United Kingdom, or
- (b) who is undertaking essential government work related to the United Kingdom border outside the United Kingdom but—
  - (i) is required to return to the United Kingdom temporarily, and
  - (ii) will subsequently depart to undertake essential government work related to the United Kingdom border outside the United Kingdom.

(2) For the purposes of sub-paragraph (1) and paragraph 3—

- (a) “Crown servant” has the meaning given in section 12(1)(a) to (e) of the Official Secrets Act 1989<sup>M15</sup>;
- (b) “essential government work” means work which has been designated as such by the relevant Department or employer;
- (c) “government contractor” has the meaning given in section 12(2) of that Act.

**Status:** Point in time view as at 23/04/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020*. (See end of Document for details)

### Textual Amendments

**F143** Word in Sch. 2 para. 2(1)(a) substituted (10.12.2020) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 3\) \(Wales\) Regulations 2020 \(S.I. 2020/1477\)](#), regs. 1(2), **2(a)(v)**

### Commencement Information

**I24** Sch. 2 para. 2 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

### Marginal Citations

**M15** 1989 c. 6. Section 12 was amended by paragraph 22 of Schedule 10 to the [Reserve Forces Act 1996 \(c. 14\)](#), by paragraph 30 of Schedule 12 to the [Government of Wales Act 1998 \(c. 38\)](#), by paragraph 26 of Schedule 8 to the [Scotland Act 1998 \(c. 46\)](#), by paragraph 9(3) of Schedule 13 to the [Northern Ireland Act 1998 \(c. 47\)](#), by paragraph 9 of Schedule 6 to the [Police \(Northern Ireland\) Act 2000 \(c. 32\)](#), by paragraph 6 of Schedule 14 to the [Energy Act 2004 \(c. 20\)](#), by paragraph 58 of Schedule 4 to the Serious Organised Crime and Police Act 2005, by paragraph 34 of Schedule 10, and paragraph 1 of Schedule 12, to the [Government of Wales Act 2006 \(c. 32\)](#) and by paragraph 36 of Schedule 8 to the [Crime and Courts Act 2013 \(c. 22\)](#).

3.—(1) A person who is a Crown servant, a government contractor, or a member of a visiting force, who—

- (a) is required to undertake work necessary to the delivery of essential defence activities,<sup>F144</sup> ...
- [<sup>F145</sup>(aa) has travelled from an exempt country or territory on a vessel or aircraft operated by, or in support of, Her Majesty's armed forces or by, or in support of, a visiting force and that vessel or aircraft has not taken on any persons, docked in any port or landed in any non-exempt country or territory, or]
- (b) has, immediately before the person's arrival, been aboard a vessel operated by or in support of Her Majesty's Naval Service [<sup>F146</sup>or by, or in support of, a visiting force] for a continuous period of at least [<sup>F147</sup>10] days and that vessel has not taken on any persons or docked in any port [<sup>F148</sup>in a non-exempt country or territory] during that period.

(2) For the purposes of sub-paragraph (1)—

- (a) “defence” has the meaning given in section 2(4) of the Official Secrets Act 1989<sup>M16</sup>,
- [<sup>F149</sup>(b) “visiting forces” means any body, contingent or detachment of the forces of a country, being a body, contingent or detachment for the time being present in the United Kingdom (including United Kingdom territorial waters), on the invitation of Her Majesty's Government in the United Kingdom.]

### Textual Amendments

**F144** Word in Sch. 2 para. 3(1) omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **6(2)(a)** (with reg. 7)

**F145** Sch. 2 para. 3(1)(aa) inserted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **6(2)(b)** (with reg. 7)

**F146** Words in Sch. 2 para. 3(1)(b) inserted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **6(2)(c)(i)** (with reg. 7)

**Status:** Point in time view as at 23/04/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020*. (See end of Document for details)

**F147** Word in Sch. 2 para. 3(1)(b) substituted (10.12.2020) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 3\) \(Wales\) Regulations 2020 \(S.I. 2020/1477\)](#), regs. 1(2), **2(a)(v)**

**F148** Words in Sch. 2 para. 3(1)(b) substituted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **6(2)(c)(ii)** (with reg. 7)

**F149** Sch. 2 para. 3(2)(b) substituted (1.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 17\) Regulations 2020 \(S.I. 2020/1191\)](#), regs. 1(2), **6(2)**

#### Commencement Information

**I25** Sch. 2 para. 3 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

#### Marginal Citations

**M16** 1989 c. 6.

4. An official of a foreign Government required to travel to the United Kingdom to undertake essential border security duties, or a contractor directly supporting these essential border security duties where—

- (a) the official or contractor is in possession of a written notice signed by a senior member of the foreign Government confirming that they are required to undertake essential border security duties in the United Kingdom within [<sup>F150</sup>10] days of arrival and that that work cannot be undertaken whilst the person is complying with regulation 7 or 8, or
- (b) the official's or contractor's deployment is pursuant to a standing bilateral or multilateral agreement with Her Majesty's Government on the operation of border controls within the United Kingdom.

#### Textual Amendments

**F150** Word in Sch. 2 para. 4(a) substituted (10.12.2020) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 3\) \(Wales\) Regulations 2020 \(S.I. 2020/1477\)](#), regs. 1(2), **2(a)(v)**

#### Commencement Information

**I26** Sch. 2 para. 4 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

[<sup>F151</sup>5. A person who, on arrival in the United Kingdom, passes through to another country or territory without entering the United Kingdom.]

#### Textual Amendments

**F151** Sch. 2 Pt. 1 para. 5 inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(2)** (with reg. 21)

**Status:** Point in time view as at 23/04/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)

## PART 2

### Persons not required to comply with regulation [<sup>F152</sup>7 or 8]

#### Textual Amendments

**F152** Words in Sch. 2 Pt. 2 heading substituted (15.6.2020 at 5.38 p.m.) by [The Health Protection \(Coronavirus, Public Health Information for Persons Travelling to Wales etc.\) Regulations 2020 \(S.I. 2020/595\)](#), regs. 1(3), **10(3)(c)** (with reg. 11)

<sup>F153</sup>5. ....

#### Textual Amendments

**F153** Sch. 2 Pt. 2 para. 5 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with reg. 21)

6.—(1) A road haulage worker <sup>F154</sup>... .

(2) For the purposes of this paragraph—

(a) “driver” includes a person who is travelling in a vehicle as a relief driver,

(b) “goods vehicle” has the meaning given in section 192 of the Road Traffic Act 1988 <sup>M17</sup>,

<sup>F155</sup>(c) .....

(d) “road haulage worker” means—

(i) the driver of a goods vehicle that is being used in connection with the carriage of goods, other than goods for non-commercial personal use by the driver, or

(ii) a person who is employed by the holder of a Community licence issued under Article 4 of Regulation [\(EC\) No 1072/2009](#) of the European Parliament and of the Council <sup>M18</sup>, and who is acting in the course of their employment.

<sup>F156</sup>(e) .....

#### Textual Amendments

**F154** Words in Sch. 2 para. 6(1) omitted (9.4.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **14(2)(a)**

**F155** Sch. 2 para. 6(2)(c) omitted (9.4.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **14(2)(b)**

**F156** Sch. 2 para. 6(2)(e) omitted (9.4.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **14(2)(c)**

#### Commencement Information

**I27** Sch. 2 para. 6 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

#### Marginal Citations

**M17** 1988 c. 52. There are amendments to section 192 but none is relevant.

**M18** OJ No. L 300, 14.11.2009, p. 72.

- [<sup>F157</sup>**6A.**—(1) A road passenger transport worker.
- (2) For the purposes of this paragraph—
- (a) “road passenger transport worker” means—
- (i) the driver of a public service vehicle, or
- (ii) a person who is employed by the holder of a Community licence issued under Article 4 of Regulation (EC) No 1073/2009 of the European Parliament and of the Council, and who is acting in the course of their employment;
- (b) “driver” includes a person who is travelling in a vehicle as a relief driver;
- (c) “public service vehicle” has the meaning given in section 1 of the Public Passenger Vehicles Act 1981.]

#### Textual Amendments

**F157** Sch. 2 para. 6A inserted (9.4.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 5) Regulations 2021 (S.I. 2021/454), regs. 1(2), **14(3)**

7.—(1) Masters and seamen, as defined in section 313(1) of the Merchant Shipping Act 1995<sup>M19</sup>, where they have travelled to the United Kingdom in the course of their work or have been repatriated to the United Kingdom in accordance with the Maritime Labour Convention 2006 or the Work in Fishing Convention 2007.

- (2) For the purposes of sub-paragraph (1)<sup>F158</sup> ... —
- (a) “the Maritime Labour Convention 2006” means the Convention adopted on 23 February 2006 by the General Conference of the International Labour Organisation<sup>M20</sup>,
- (b) “the Work in Fishing Convention 2007” means the Convention adopted at Geneva on 14 June 2007 by the International Labour Organisation<sup>M21</sup>.

#### Textual Amendments

**F158** Words in Sch. 2 para. 7(2) omitted (29.1.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Restrictions) (Amendment) (No. 4) (Wales) Regulations 2021 (S.I. 2021/95), regs. 1(2), **5(3)**

#### Commencement Information

**I28** Sch. 2 para. 7 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

#### Marginal Citations

**M19** 1995 c. 21. There are amendments to section 313(1) but none is relevant.

**M20** Cm. 7049. ISBN 978 010 1889 766.

**M21** Cm 7375.

**Status:** Point in time view as at 23/04/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)

8. A pilot, as defined in paragraph 22(1) of Schedule 3A to the Merchant Shipping Act 1995<sup>M22</sup>, where the pilot has travelled to the United Kingdom in the course of the pilot's work or has been repatriated to the United Kingdom<sup>F159</sup> ....

#### Textual Amendments

**F159** Words in Sch. 2 para. 8 omitted (15.1.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 2\) \(Wales\) Regulations 2021 \(S.I. 2021/46\)](#), regs. 1(2), 7

#### Commencement Information

**I29** Sch. 2 para. 8 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

#### Marginal Citations

**M22** Schedule 3A was inserted by Schedule 1 to the [Marine Safety Act 2003 \(c. 16\)](#).

[<sup>F160</sup>9. An inspector, or a surveyor of ships, appointed under section 256 of the Merchant Shipping Act 1995 or by a government of a relevant British possession as defined in section 313(1) of that Act, where they have travelled to the United Kingdom in the course of their work.]

#### Textual Amendments

**F160** Sch. 2 para. 9 substituted (22.8.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 6\) Regulations 2020 \(S.I. 2020/886\)](#), regs. 1(2), **8(2)**

#### Commencement Information

**I30** Sch. 2 para. 9 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

[<sup>F161</sup>10.—(1) A member of aircraft crew where they have travelled to the United Kingdom in the course of their work or are otherwise required to travel to the United Kingdom for work purposes.

(2) For the purposes of this paragraph—

(a) “member of aircraft crew” means a person who—

- (i) acts as a pilot, flight navigator, flight engineer or flight radiotelephony operator of the aircraft,
- (ii) is carried on the flight deck and is appointed by the operator of the aircraft to give or to supervise the training, experience, practice and periodical tests required for the flight crew under article 114(2) of the Air Navigation Order 2016, or
- (iii) is carried on the flight for the purpose of performing duties to be assigned by the operator or the pilot in command of the aircraft in the interests of the safety of passengers or of the aircraft;

(b) travel for work purposes includes, in particular—

- (i) where the member of aircraft crew resides outside the United Kingdom, travelling to the United Kingdom to work on an aircraft departing from the United Kingdom,
- (ii) travelling to attend work-related training in the United Kingdom,
- (iii) returning to the United Kingdom following work-related training outside the United Kingdom.]

**Textual Amendments**

**F161** Sch. 2 para. 10 substituted (13.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2021 \(S.I. 2021/305\)](#), regs. 1(2), 4

**11.** A civil aviation inspector as defined in Annex 9 to the Convention on International Civil Aviation signed at Chicago on 7 December 1944<sup>M23</sup>, where the inspector has travelled to the United Kingdom when engaged on inspection duties.

**Commencement Information**

**I31** Sch. 2 para. 11 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

**Marginal Citations**

**M23** The latest edition of Annex 9, which is published by the International Civil Aviation Organization, is the 15th edition, which applied from 23 February 2018 (ISBN 978-92-9258-301-9).

<sup>F162</sup>**12.** . . . . .

**Textual Amendments**

**F162** Sch. 2 para. 12 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with reg. 21)

<sup>F163</sup>**13.**—(1) Any person who the relevant Department has certified as meeting the descriptions in sub-paragraph (a), (b) or (c)—

- (a) a crown servant or government contractor who is required to undertake essential policing or essential government work in the United Kingdom within the period during which they would, but for this paragraph, have had to self-isolate in accordance with regulations 7 or 8;
- (b) a person returning from undertaking essential state business outside of the United Kingdom;
- (c) a person returning to the United Kingdom where this is necessary to facilitate the functioning of a diplomatic mission or consular post of Her Majesty or of a military or other official posting on behalf of Her Majesty.

(2) For the purposes of subparagraph (1)—

- (a) “consular post” means any consulate-general, consulate, vice-consulate or consular agency,
- (b) “Crown servant” has the meaning given in section 12(1)(a) to (e) of the Official Secrets Act 1989,
- (c) “essential government work” means work which has been designated as such by <sup>F164</sup>the Welsh Ministers or] the relevant Department, and includes, in particular, work related to national security, the work of the National Crime Agency in pursuance of its statutory functions, and work related to immigration, the coronavirus disease or any other crisis response, but does not include work of the description in paragraph 2(1) of Part 1 of this Schedule,

**Status:** Point in time view as at 23/04/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)

- (d) “essential policing” means activity which has been designated as such on behalf of the relevant chief officer or chief constable,
- (e) “essential state business” means activity which has been designated as essential to the United Kingdom or Her Majesty’s Government by the relevant Department, and includes, in particular, bilateral or multilateral discussions with another state or international organisation and visits to another state on behalf of the United Kingdom or Her Majesty’s Government,
- (f) “government contractor” has the meaning given in section 12(2) of the Official Secrets Act 1989.]

#### Textual Amendments

**F163** Sch. 2 para. 13 substituted (21.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 20\) Regulations 2020 \(S.I. 2020/1329\)](#), regs. 1(2), **6(2)**

**F164** Words in Sch. 2 para. 13(2)(c) inserted (28.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 21\) Regulations 2020 \(S.I. 2020/1362\)](#), regs. 1(2), **9**

[<sup>F165</sup>**13A.**—(1) A person returning from undertaking essential or emergency work outside of the United Kingdom, which has been certified by the relevant Department as necessary to facilitate essential government work or essential state business.

(2) For the purposes of sub-paragraph (1) “essential government work” and “essential state business” have the same meaning as in paragraph 13.]

#### Textual Amendments

**F165** Sch. 2 para. 13A inserted (21.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 20\) Regulations 2020 \(S.I. 2020/1329\)](#), regs. 1(2), **6(3)**

**14.** A person designated by the relevant Minister under section 5(3) of the Repatriation of Prisoners Act 1984 <sup>M24</sup>.

#### Commencement Information

**I32** Sch. 2 para. 14 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

#### Marginal Citations

**M24** [1984 c. 47](#).

**15.** A person responsible for escorting a person sought for extradition pursuant to a warrant issued under Part 3 of the Extradition Act 2003 <sup>M25</sup> or sought for extradition pursuant to any other extradition arrangements.

#### Commencement Information

**I33** Sch. 2 para. 15 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

#### Marginal Citations

**M25** [2003 c. 41](#).



16. A representative of any territory travelling to the United Kingdom in order to take into custody a person whose surrender has been ordered pursuant to any provision of the Extradition Act 2003.

**Commencement Information**

**I34** Sch. 2 para. 16 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

<sup>F166</sup>**17.** .....

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with [reg. 21](#))

<sup>F166</sup>**17A.** .....

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with [reg. 21](#))

<sup>F166</sup>**17B.** .....

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with [reg. 21](#))

<sup>F166</sup>**18.** .....

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with [reg. 21](#))

<sup>F166</sup>**19.** .....

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with [reg. 21](#))

<sup>F166</sup>**20.** .....

**Status:** Point in time view as at 23/04/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with reg. 21)

**F166**21. ....

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with reg. 21)

**F166**22. ....

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with reg. 21)

**F166**23. ....

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with reg. 21)

**F166**24. ....

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with reg. 21)

**F166**25. ....

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with reg. 21)

**F166**26. ....

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with reg. 21)

**F166** **27.** . . . . .

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with reg. 21)

**F166** **28.** . . . . .

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with reg. 21)

**F167** **29.** . . . . .

**Textual Amendments**

**F167** Sch. 2 para. 29 omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **6(8)** (with reg. 7)

**F166** **30.** . . . . .

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with reg. 21)

**F166** **31.** . . . . .

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with reg. 21)

**F166** **32.** . . . . .

**Status:** Point in time view as at 23/04/2021.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020*. (See end of Document for details)

.....

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021](#) (S.I. 2021/154), regs. 1(2), **13(3)** (with reg. 21)

**F166**33. ....

.....

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021](#) (S.I. 2021/154), regs. 1(2), **13(3)** (with reg. 21)

**F166**34. ....

.....

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021](#) (S.I. 2021/154), regs. 1(2), **13(3)** (with reg. 21)

**F166**35. ....

.....

**Textual Amendments**

**F166** Sch. 2 paras. 17-35 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021](#) (S.I. 2021/154), regs. 1(2), **13(3)** (with reg. 21)

- 36.** A person—
- (a) pursuing an activity as an employed or self-employed person in the United Kingdom and who resides in another country to which they usually return at least once a week, or
  - (b) residing in the United Kingdom and who pursues an activity as an employed or self-employed person in another country to which they usually go at least once a week,

[<sup>F168</sup>where that activity cannot reasonably be undertaken at home.]

.....

**Textual Amendments**

**F168** Words in Sch. 2 para. 36 inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021](#) (S.I. 2021/154), regs. 1(2), **13(4)** (with reg. 21)

**Commencement Information**

**I35** Sch. 2 para. 36 in force at 8.6.2020 at 12.01 a.m., see reg. 1(2)

**F169**37. ....

**Textual Amendments**

**F169** Sch. 2 para. 37 omitted (18.1.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/50\)](#), regs. 1(2), 4

<sup>F170</sup>**38.** . . . . .

**Textual Amendments**

**F170** Sch. 2 para. 38 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with reg. 21)

<sup>F171</sup>**39.** . . . . .

**Textual Amendments**

**F171** Sch. 2 para. 39 omitted (15.2.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **13(3)** (with reg. 21)

<sup>F172</sup>SCHEDULE 3

Regulation 9(1)

Exempt countries and territories outside the common travel area

**Textual Amendments**

**F172** Sch. 3 inserted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), reg. 1(2), **Sch. para. 1** (with reg. 7)

PART 1

<sup>F173</sup>Countries, territories and parts of countries or territories]

**Textual Amendments**

**F173** Sch. 3 Pt. 1 heading substituted (21.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 20\) Regulations 2020 \(S.I. 2020/1329\)](#), regs. 1(2), **7(2)**

<sup>F174</sup>No countries, territories or parts of countries or territories are specified in this Part]

**Status:** Point in time view as at 23/04/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)

**Textual Amendments**

**F174** Words in Sch. 3 Pt. 1 substituted (18.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/50\)](#), regs. 1(2), **2(2)** (with reg. 3)

## PART 2

### United Kingdom Overseas Territories

[<sup>F175</sup>No territories are specified in this Part]]

**Textual Amendments**

**F175** Words in Sch. 3 Pt. 2 substituted (18.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/50\)](#), regs. 1(2), **2(3)** (with reg. 3)

## [<sup>F176</sup>SCHEDULE 3A

Regulations 12E and 12F

### Countries and territories subject to additional measures

**Textual Amendments**

**F176** Sch. 3A inserted (9.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(Wales\) Regulations 2021 \(S.I. 2021/20\)](#), regs. 1(2), **7(3)**

[<sup>F177</sup>Argentina]  
[<sup>F178</sup>Bangladesh]  
[<sup>F177</sup>Brazil]  
[<sup>F177</sup>Bolivia]  
[<sup>F177</sup>Chile]  
[<sup>F177</sup>Colombia]  
[<sup>F179</sup>Democratic Republic of the Congo]  
[<sup>F177</sup>Ecuador]  
[<sup>F180</sup>Ethiopia]  
[<sup>F177</sup>French Guiana]  
[<sup>F177</sup>Guyana]  
[<sup>F181</sup>India]  
[<sup>F178</sup>Kenya]  
Kingdom of Eswatini  
Kingdom of Lesotho

[<sup>F180</sup>Oman]  
[<sup>F178</sup>Pakistan]  
[<sup>F177</sup>Paraguay]  
[<sup>F177</sup>Peru]  
[<sup>F178</sup>Philippines]  
F182  
...  
[<sup>F180</sup>Qatar]  
Republic of Angola  
Republic of Botswana  
[<sup>F183</sup>Republic of Burundi]  
[<sup>F177</sup>Republic of Cabo Verde]  
Republic of Malawi  
F182  
...  
Republic of Mozambique  
Republic of Namibia  
[<sup>F177</sup>Republic of Panama]  
[<sup>F183</sup>Republic of Rwanda]  
Republic of Seychelles  
Republic of South Africa  
Republic of Zambia  
Republic of Zimbabwe  
[<sup>F180</sup>Somalia]  
[<sup>F177</sup>Suriname]  
[<sup>F183</sup>United Arab Emirates]  
[<sup>F179</sup>United Republic of Tanzania]  
[<sup>F177</sup>Uruguay]  
[<sup>F177</sup>Venezuela]]

#### Textual Amendments

- F177** Words in Sch. 3A inserted (15.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 2\) \(Wales\) Regulations 2021 \(S.I. 2021/46\)](#), regs. 1(2), **4**
- F178** Words in Sch. 3A inserted (9.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/454\)](#), regs. 1(2), **15**
- F179** Words in Sch. 3A inserted (22.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 3\) \(Wales\) Regulations 2021 \(S.I. 2021/66\)](#), regs. 1(2), **2** (with reg. 3)
- F180** Words in Sch. 3A inserted (20.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/361\)](#), regs. 1(2), **6(3)**
- F181** Word in Sch. 3A inserted (23.4.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 6\) Regulations 2021 \(S.I. 2021/500\)](#), regs. 1(2), **6**

**Status:** Point in time view as at 23/04/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)

- F182** Words in Sch. 3A omitted (20.3.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/361\)](#), regs. 1(2), **6(2)**
- F183** Words in Sch. 3A inserted (29.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(No. 4\) \(Wales\) Regulations 2021 \(S.I. 2021/95\)](#), regs. 1(2), **2**

## [<sup>F184</sup>SCHEDULE 4

Regulation 10(4)

### Specified sporting events

#### Textual Amendments

- F184** Sch. 4 inserted (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), reg. 1(2), **Sch. para. 2** (with reg. 7)

[<sup>F185</sup>Betfred Super League Rugby Football League Fixtures,  
 England & Wales Cricket Board International Cricket Fixtures,  
 European Professional Club Rugby Fixtures,  
 FIH Pro League Hockey Fixtures,  
 Football Association International Fixtures,  
 Guinness PRO14 Rugby Football Union Fixtures,  
 Matchroom – Boxing Championship Matches,  
 Olympic, Paralympic and Commonwealth Games Qualification Events,  
 Professional Darts Corporation – Players Championship,  
 Rugby Football Union International Fixtures,  
 Rugby League Challenge Cup,  
 UEFA Champions League and UEFA Europa League Fixtures,  
<sup>F186</sup> ...  
 Cage Warriors Trilogy Series,  
 England & Wales Cricket Board – T20 Blast,  
 England & Wales Cricket Board – The Rachael Heyhoe Flint Trophy,  
 Matchroom – Championship League Snooker Tournament,  
 International Championship Boxing – Queensberry Promotions,  
 Motorsport UK – British Kart Championships,  
 International Boxing Championship Matches – MTK Promotions,  
 Yonex All England Open Badminton Championships,  
 GB Taekwondo Fight Night I – International Taekwondo, Para Taekwondo and Karate Event,  
 GB Taekwondo Fight Night II – International Taekwondo, Para Taekwondo and Karate Event,  
 Curling Euro Super Series,  
 Matchroom – World Pool Championship,  
 Hennessy Sports – International Boxing Championship Matches,



F186  
...

British Swimming International Meet,  
Motorsport UK – British Rallycross Championship and Support Championship,

F186  
...

Professional Darts Corporation - Unibet Premier League,

F186  
...

F186  
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F186  
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F186  
...

Betfair Hurdle Day horse-racing,  
Billie Jean King Cup Play-offs by BNP Paribas - Great Britain v Mexico,

F186  
...

F186  
...

GB Taekwondo Olympic and Paralympic Test Matches,

F186  
...

Imperial Cup meeting horse-racing,  
Lincoln Handicap meeting horse-racing,  
Matchroom - Championship League Pool,

F186  
...

F186  
...

Midlands National meeting horse-racing,  
Modern Pentathlon Test Event,  
Para Powerlifting World Cup,  
Professional Darts Corporation - Challenge Tour,  
Professional Darts Corporation - Development Tour,  
Professional Darts Corporation - UK Open,  
Rugby League Betfred Championship,  
The Festival at Cheltenham horse-racing,  
Wheelchair Rugby Quad Nations,  
Women's Invitational International Football Tournament (hosted by the FA),  
World Snooker Tour - Pro Tour Series,  
World Snooker Tour - Gibraltar Open,  
World Snooker Tour - Tour Championship,

F186  
...

International Boxing - Dennis Hobson Promotions,  
Super League Triathlon Arena Games London,  
British Showjumping's Winter Classic series qualifiers,  
British Dressage - Keysoe International,

**Status:** Point in time view as at 23/04/2021.

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British Eventing Elite Pathway Events,  
Manchester Squash Open 2021,  
Boxing Road to Tokyo,  
Track Cycling Nations Cup,  
Cage Warriors 120,  
Vitality Big Half,  
World Snooker Tour - Betfred World Championship (including qualifiers),  
Matchroom - World Pool Masters,  
All-Weather Finals Day horse-racing,  
Challenger Series Finals Day horse-racing,  
Aintree Grand National Meeting horse-racing,  
Craven Meeting horse-racing,  
Cheltenham April Meeting horse-racing,  
Scottish National Meeting horse-racing,  
Greenham Meeting horse-racing,  
Classic Trial Day & Jumps Finale Day horse-racing,  
Burnham Market International.]  
[<sup>F187</sup>British Athletics – 20km Race Walk Olympic Trial,  
British Wrestling – Home Nations Invitational Tournament,  
LTA Loughborough Indoor Wheelchair Tennis Tournament,  
FIA World Endurance Championship Prologue and Round 1 Silverstone,  
British Para Athletics Sprint Meet,  
Motorsport UK – HSCC Formula 2 Championship Masters Historic Race Weekend,  
Motorsport UK – British Superkart Championship and Support Series,  
Motorsport UK – British Truck Racing Championship,  
British Equestrian – International Dressage Events,  
British Para Swimming International Meet,  
Cage Warriors 121,  
Badminton Horse Trials,  
European Tour – Betfred British Masters,  
Motorsport UK – GT World Challenge Europe Sprint Cup and Support Series,  
Motorsport UK – Donington Historic Festival,  
Motorsport UK – British Touring Car Championship and Support Series,  
Motorsport UK – Ferrari Challenge UK and Support,  
Motorsport UK – British GT Championship and Support Series / Porsche Sprint Challenge GB and Support Series,  
Motorsport UK – Masters Historic F1 / Sports Cars and Support Series,  
Motorsport UK – FIA Main Event 2021 and Support Series,  
England Hockey Pro League,  
FIM Speedway Grand Prix World Championship – Qualifying Round,

Royal Windsor Horse Show,  
Bolesworth International Horse Show,  
British Speedway Premiership, Championship and National Development Leagues,  
The 2020 UEFA European Football Championship.]]

#### Textual Amendments

- F185** Words in Sch. 4 substituted for Sch. 4 paras. 1-25 (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **20(2)** (with reg. 21)
- F186** Words in Sch. 4 omitted (13.3.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2021 \(S.I. 2021/305\)](#), regs. 1(2), **5(a)**
- F187** Words in Sch. 4 inserted (13.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2021 \(S.I. 2021/305\)](#), regs. 1(2), **5(b)**

## [<sup>F188</sup>SCHEDULE 5

Regulation 10(4)(m)

### Sectoral Exceptions

#### Textual Amendments

- F188** Sch. 5 inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **14** (with reg. 21)

1.—(1) A worker engaged in essential or emergency works—

- (a) related to water supplies and sewerage services, and
- (b) carried out by, for, or on behalf of a water undertaker, sewerage undertaker, water supply licensee, sewerage licensee or local authority,

where the worker has travelled to the United Kingdom in the course of the work.

(2) For the purposes of sub-paragraph (1)—

- (a) “essential or emergency works” includes—
  - (i) inspections, maintenance, repairs, and asset replacement activities;
  - (ii) monitoring, sampling and analysis of water supplies under the Private Water Supplies (Wales) Regulations 2017, the Water Supply (Water Quality) Regulations 2018, the Private Water Supplies (England) Regulations 2016 or the Water Supply (Water Quality) Regulations 2016;
- (b) “sewerage licensee” means a person who is the holder of a sewerage licence under section 17BA of the Water Industry Act 1991;
- (c) “sewerage services” has the meaning given in section 219(1) of the Water Industry Act 1991;
- (d) “sewerage undertaker” means a company appointed as a sewerage undertaker under section 6 of the Water Industry Act 1991;

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**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020. (See end of Document for details)

- (e) “water supply licensee” has the meaning given in sections 17A(7) and 219(1) of the Water Industry Act 1991;
- (f) “water undertaker” means a company appointed as a water undertaker under section 6 of the Water Industry Act 1991.

**2.—(1)** A worker engaged in essential or emergency works relating to flood and coastal erosion risk management on behalf of—

- (a) the Environment Agency;
- (b) Natural Resources Wales;
- (c) a lead local flood authority in Wales;
- (d) a lead local flood authority in England.

(2) In sub-paragraph (1), “flood and coastal erosion risk management” and “lead local flood authority” have the meaning given by the Flood and Water Management Act 2010.

**3.** A worker engaged in essential or emergency works relating to current or former mining operations on behalf of—

- (a) the Coal Authority;
- (b) a council for a county or county borough in Wales;
- (c) Natural Resources Wales.

**4.—(1)** A worker engaged in essential or emergency works—

- (a) related to—
  - (i) a generating station,
  - (ii) an electricity interconnector,
  - (iii) a district heat network as defined in regulation 2 of the Heat Network (Metering and Billing) Regulations 2014,
  - (iv) communal heating as defined in regulation 2 of the Heat Network (Metering and Billing) Regulations 2014,
  - (v) automated ballast cleaning and track relaying systems on a network, or
  - (vi) the commissioning, maintenance and repair of industrial machinery for use on a network, or
- (b) carried out by, for, or on behalf of—
  - (i) the national system operator,
  - (ii) a person holding a transmission licence,
  - (iii) a person holding a distribution licence,
  - (iv) a person holding a licence under sections 7 and 7ZA of the Gas Act 1986,
  - (v) a LNG import or export facility as defined in section 48 of the Gas Act 1986, or
  - (vi) a person holding a network licence under section 8 of the Railways Act 1993,

where the worker has travelled to the United Kingdom for the purposes of the work.

(2) For the purposes of sub-paragraph (1)—

- (a) “distribution licence” means a licence granted under section 6(1)(c) of the Electricity Act 1989;
- (b) “essential or emergency works” includes commissioning, inspections, maintenance, repairs, and asset replacement activities;

- (c) “national system operator” means the person operating the national transmission system for Great Britain;
- (d) “network” has the meaning given in section 83(1) of the Railways Act 1993;
- (e) “transmission licence” means a licence granted under section 6(1)(b) of the Electricity Act 1989;
- (f) “electricity interconnector”, “generating station” and “transmission system” have the meanings given in section 64(1) of the Electricity Act 1989.

**5.—(1)** A person who is—

- (a) nuclear personnel, and who is essential to the safe and secure operation of a site in respect of which a nuclear site licence has been granted,
- (b) a nuclear emergency responder, or
- (c) an agency inspector,

where the person travelled to the United Kingdom in the course of the person’s work.

**(2)** For the purposes of sub-paragraph (1)—

- (a) “agency inspector” has the meaning given in section 1(1) of the Nuclear Safeguards Act 2000;
- (b) “nuclear emergency responder” means a person providing assistance to the United Kingdom in accordance with the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency done at Vienna on 26 September 1986, who has been duly notified to and accepted by the United Kingdom, where the United Kingdom has requested assistance under that Convention;
- (c) “nuclear personnel” means—
  - (i) a worker who is employed to carry out work on or in relation to a site in respect of which a nuclear site licence has been granted, or
  - (ii) an employee of the Nuclear Decommissioning Authority;
- (d) “nuclear site licence” has the meaning given in section 1 of the Nuclear Installations Act 1965.

**6.** An inspector from the Organisation for the Prohibition of Chemical Weapons, within the meaning given to “inspector” by section 24(e) of the Chemical Weapons Act 1996, who has travelled to the United Kingdom for the purposes of an inspection.

**7.—(1)** A person who is—

- (a) carrying out a critical function at a space site,
- (b) a spacecraft controller responsible for command and control of a launch vehicle or spacecraft for nominal operations, collision avoidance or anomalies, or
- (c) employed by, or contracted to provide services to, a person who operates or maintains space situational awareness capabilities,

where the person has travelled to the United Kingdom in the course of the work.

**(2)** For the purposes of sub-paragraph (1)—

- (a) “space site” has the meaning given in paragraph 5(3) of Schedule 4 to the Space Industry Act 2018;
- (b) “space situational awareness capabilities” means the sensors, systems and analytical services needed to provide time-sensitive warnings of space weather events, orbital collisions, orbital fragmentations or the re-entry of man-made objects from orbit;

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- (c) “spacecraft” has the meaning given in section 2(6) of the Space Industry Act 2018;
- (d) “spacecraft controller” means a person competent, authorised and responsible for maintaining the safe and secure operation of spacecraft through monitoring the status of a spacecraft, issuing manoeuvre commands or controlling other aspects of the spacecraft that influence its behaviour including its motion in space.

**8.—(1)** A specialist aerospace engineer, or a specialist aerospace worker, where the engineer or worker has travelled to the United Kingdom in the course of their work.

(2) For the purposes of sub-paragraph (1)—

- (a) “specialist aerospace engineer” means a person who is employed or otherwise engaged to provide engineering services for the purpose of ensuring the continued operation of aviation activities (including but not limited to the provision of maintenance and repair services for production lines, aviation components, grounded aircraft and new aircraft);
- (b) “specialist aerospace worker” means a person who is employed or otherwise engaged to provide services for the purpose of ensuring safety management and quality assurance as required by relevant standards, guidance and publications on aviation safety produced by the Civil Aviation Authority or the European Union Aviation Safety Agency.

**9.—(1)** A person engaged in operational, maintenance or safety activities of a downstream oil facility that has a capacity in excess of 20,000 tonnes, where—

- (a) the downstream oil facility is engaged in a specified activity carried on in the United Kingdom in the course of a business, and contributes (directly or indirectly) to the supply of crude oil based fuels to consumers in the United Kingdom or persons carrying on business in the United Kingdom, and
- (b) the activities are required to ensure continued safe operation of the facility,

where the person has travelled to the United Kingdom in the course of the person’s work.

(2) For the purposes of sub-paragraph (1)—

- (a) a facility has a capacity in excess of 20,000 tonnes at any time if it was used in the previous calendar year for the purposes of downstream oil sector activities in relation to more than that number of tonnes of oil;
- (b) “specified activities” are—
  - (i) storing oil;
  - (ii) handling oil;
  - (iii) the carriage of oil by sea or inland water;
  - (iv) conveying oil by pipes;
  - (v) refining or otherwise processing oil.

**10.—(1)** A worker required to undertake or commence within the period during which they would, but for this paragraph, have been subject to an isolation requirement (within the meaning of regulation 10(2) of these Regulations)—

- (a) activities on or in relation to an offshore installation,
- (b) activities on or in relation to upstream petroleum infrastructure,
- (c) critical safety work on an offshore installation or well that is being decommissioned or preserved pending demolition or reuse, or

- (d) activities for the provision of workers, goods, materials or equipment or other essential services required to support the safe operation of the activities referred to in paragraphs (a) to (c),

where they have travelled to the United Kingdom in the course of their work.

(2) For the purposes of sub-paragraph (1)—

- (a) “offshore installation” has the meaning given in section 44 of the Petroleum Act 1998;
- (b) “upstream petroleum infrastructure” has the meaning given in section 9H of the Petroleum Act 1998;
- (c) “well” has the meaning given in section 45A(10) of the Petroleum Act 1998.

**11.** A postal operator, as defined in section 27(3) of the Postal Services Act 2011, where the operator has travelled to the United Kingdom in the course of their work.

**12.** A worker with specialist technical skills, where those specialist technical skills are required for essential or emergency works or services (including commissioning, maintenance and repairs and safety checks) to ensure the continued production, supply, movement, manufacture, storage or preservation of goods, where the worker has travelled to the United Kingdom in the course of their work or otherwise to commence or resume their work.

**13.** A worker with specialist technical skills, where those specialist technical skills are required for essential or emergency works (including construction, commissioning, installation, maintenance, repairs and safety checks) or to fulfil contractual obligations or warranty specifications in, or in connection with, waste management facilities used for the management, sorting, treatment, recovery, or disposal of waste (including energy from waste), where the worker has travelled to the United Kingdom in the course of their work.

**14.—(1)** A person who has travelled to the United Kingdom for the purpose of transporting material which consists of, or includes, human cells or blood and which is to be used for the provision of a health service by a provider of health services.

(2) For the purposes of sub-paragraph (1)—

- (a) “blood” includes blood components;
- (b) “health service” has the meaning given by regulation 10(8).

**15.** A person who is an “inspector” within the meaning given in regulation 8(1) of the Human Medicines Regulations 2012 who has travelled to the United Kingdom to undertake activities in relation to their role as such a person.

**16.—(1)** A person who—

(a) has travelled to the United Kingdom to—

- (i) conduct a clinical trial within the meaning of “conducting a clinical trial” in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004,
- (ii) undertake such activities as are necessary or expedient to prepare for the conduct of a clinical trial, or
- (iii) carry out any necessary compliance activity in relation to a clinical trial that cannot be conducted remotely,

(b) is a “qualified person” within the meaning of regulation 43 of those Regulations, where they have travelled to the United Kingdom in order to undertake activities in relation to their role as such a person, or

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- (c) is a “sponsor” within the meaning given in regulation 2(1) of those Regulations of a clinical trial, or carries out the functions or duties of such a sponsor, and has travelled to the United Kingdom to undertake activities in relation to the clinical trial.

(2) For the purposes of sub-paragraph (1), “clinical trial” has the meaning given in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004.

**17.** A person who has travelled to the United Kingdom to conduct a “clinical investigation” within the meaning of the Medical Devices Regulations 2002, or to undertake such activities as are necessary or expedient to prepare for the conduct of a clinical investigation or carry out any other necessary compliance activity in relation to a clinical investigation that cannot be conducted remotely.

**18.—(1)** A person who is—

- (a) a “qualified person” within the meaning of regulation 41(2) of the Human Medicines Regulations 2012,
- (b) a “responsible person” within the meaning of regulation 45(1) of those Regulations, or
- (c) “an appropriately qualified person responsible for pharmacovigilance” within the meaning of regulation 182(2)(a) of those Regulations,

where the person has travelled to the United Kingdom in order to undertake activities in relation to their role as such a person.

**19.—(1)** A person who has travelled to the United Kingdom for the purposes of their work in essential infrastructure industries including—

- (a) a person involved in essential maintenance and repair of data infrastructure required to reduce and resolve outages, or in the provision of goods and services to support these activities, and
- (b) an information technology or telecommunications professional (including information technology consultant, quality analyst, software tester, systems tester, and telecommunications planner), whose expertise is required to—
  - (i) provide an essential or emergency response to threats and incidents relating to the security of any network and information system, and
  - (ii) ensure the continued operation of any network and information system.

(2) For the purposes of sub-paragraph (1), “network and information system” has the meaning in regulation 1(2) of the Network and Information Systems Regulations 2018.

**20.** A person who is engaged in urgent or essential work—

- (a) that is necessary for the continued operation of—
  - (i) electronic communications networks and services as defined in section 32 of the Communications Act 2003, or
  - (ii) the BBC’s broadcasting transmission network and services,
- (b) in supply chain companies that maintain the confidentiality, integrity, and availability of the electronic communications networks and services and the BBC transmission network and services,

where the person has travelled to the United Kingdom in the course of their work.

**21.—(1)** A person habitually resident in the United Kingdom who—

- (a) is an elite athlete who participated in an overseas elite competition,
- (b) provided coaching or other support to an elite athlete at an overseas elite competition,



- (c) officiated at, or was involved in running, an overseas elite competition,
- (d) is an elite athlete who attended an overseas training programme for the purpose of training or preparing for participation in an elite competition,
- (e) provided coaching or other support to an elite athlete at an overseas training programme for the purpose of training or preparing that elite athlete for participation in an elite competition,

where the person has travelled to the United Kingdom to return from the overseas elite competition or the overseas training programme.

(2) For the purposes of sub-paragraph (1)—

- (a) “elite athlete” means a person—
  - (i) who derives a living from competing in a sport,
  - (ii) who is designated as such for the purposes of these Regulations by the Sports Council for Wales,
  - (iii) who is designated as such for the purposes of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (despite the revocation of those Regulations), or
  - (iv) not falling within sub-paragraph (i), (ii) or (iii) who participates in the UEFA Champions’ league or UEFA Europa league;
- (b) “elite competition” means a sporting competition at which any of the participants compete—
  - (i) to derive a living, or
  - (ii) to qualify for, or as part of a selection process for, the Olympics, Paralympics or Commonwealth Games;
- (c) “overseas elite competition” means an elite competition taking place outside the United Kingdom; and a person is to be treated as having returned from such a competition if the person has within the period of 10 days ending with the person’s last day of isolation, been in a non-exempt country or territory for the purposes of such a competition.

22. A person—

- (a) who is engaged in the installation, maintenance or repair of subsea fibre optic telecommunications infrastructure,
- (b) whose role directly supports the installation, maintenance or repair of subsea fibre optic telecommunications infrastructure,

where they have travelled to the United Kingdom in the course of their work.]

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made in response to the danger to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales. Section 45B of the Public Health (Control of Disease) Act 1984 enables the Welsh Ministers, by

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regulations, to make provision for the purpose of (amongst other things) preventing danger to public health from “vessels, aircraft, trains or other conveyances arriving at any place”. The Regulations place a requirement on certain categories of people arriving in Wales from outside the common travel area—

to provide information about where they will reside in Wales and other related matters, and to isolate for a period of 14 days.

Regulation 4 requires persons arriving in Wales by ship or aircraft to provide information electronically to the Secretary of State. In practice this will be done by completing an online form on [www.gov.uk](http://www.gov.uk) for this purpose. Where a person is accompanied by a child for whom they are responsible, they must also provide the child's information.

Regulation 5 provides that a person must notify the Secretary of State of any changes to the information provided as soon as reasonably practicable. This will also be done using the same online facility.

Schedule 1 sets out the types of information required to be provided under regulation 4 or 5. This will be the information that must be included when filling in the online form.

In some cases the information required in Schedule 1 will depend on the circumstances (for example, under paragraph 1(d) the person must provide passport details or details of the other travel document that permits the person to travel if they do not possess a passport). Persons who fall into one of the categories set out in Part 1 of Schedule 2 are not required to provide information under regulations 4 and 5. If the person does not hold the information they do not have to provide it (regulation 6).

Regulations 7 and 8 require the following categories of persons to isolate for a period of 14 days upon their arrival in Wales—

- (a) a person arriving in Wales by ship or aircraft from outside the common travel area,
- (b) a person arriving in Wales from the Republic of Ireland, the Channel Islands or the Isle of Man who has, within a period of 14 days ending with the person's arrival in Wales, arrived in the common travel area from a place outside that area, or
- (c) a person who arrives in Wales from elsewhere in the United Kingdom who has in the previous 14 days arrived from a place outside the common travel area.

These persons must not leave or be outside of the premises where they are isolating before the end of the last day of isolation (other than for reasons set out in regulation 10).

Regulation 8 further provides that where a person arrives in Wales from another part of the United Kingdom who has in the previous 14 days arrived from a place outside the common travel area, they must notify the Secretary of State prior to, or as soon as practicable after arriving in Wales, of the address at which they will reside (again using the online form).

Schedule 2 (introduced by regulation 9) sets out the categories of person who are exempt from the requirement to isolate. Regulation 10 provides that the requirement to isolate ceases to apply if the person travels to leave Wales (paragraph (3)), sets out the limited circumstances in which a person may be permitted to be temporarily outside the place at which they are isolating (paragraph (4)), permits a person to change the place where they are isolating if they have to do so for legal reasons or are otherwise unable to stay at the original place (paragraph (5)) and provides that the requirement to isolate does not apply to a person subject to certain requirements imposed under the Coronavirus Act 2020 or immigration legislation.

Regulation 13 provides police officers with powers to direct or remove persons to a place where they are isolating if they reasonably suspect that the person is in breach of a requirement to isolate.

Regulation 14 provides that contravention of a requirement imposed by these Regulations is an offence, as is the obstruction of a person exercising functions under these Regulations. A person found guilty of an offence under these Regulations may be fined and there is no limit on the fine that may be imposed.

Regulation 16 provides that fixed penalties may be imposed on persons who are suspected of committing an offence under these Regulations as an alternative to prosecution. Where the alleged

offence relates to a breach of a requirement to isolate the penalty is £1000, in other cases the penalty is £60 (£30 if paid within 14 days) rising each time a similar fixed penalty notice is issued up to a maximum of £1920.

Regulation 17 sets out the circumstances in which information provided under these Regulations (and equivalent Regulations made as respects England, Scotland or Northern Ireland) may be disclosed or used. Regulation 18 prevents information provided under these Regulations from being used to incriminate a person in proceedings for any offence other than one under these Regulations of the offence of making a false statement other than under oath.

The necessity and proportionality of these Regulations must be reviewed every 21 days (regulation 19).

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has not been prepared as to the likely cost and benefit of complying with these Regulations.

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