

## WELSH STATUTORY INSTRUMENTS

# 2020 No. 574

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

### 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.

#### Commencement Information

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

#### General interpretation

2.—(1) In these Regulations –

“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>M1</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>M2</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;]

**Status:** Point in time view as at 08/06/2021.

**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>F4</sup>“specificity” (“*penodolrwydd*”), in relation to a device, means how often the device correctly generates 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>M3</sup>.
- (3) In these Regulations—
- “aircraft” (“*awyren*”) <sup>M4</sup>;
  - “the common travel area” (“*yr ardal deithio gyffredin*”) <sup>M5</sup>;
  - “port” (“*porthladd*”) <sup>M6</sup>;
  - “ship” (“*llong*”) <sup>M7</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

- M1** [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 \(c. 19\)](#).
- M2** [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](#).
- M3** [1989 c. 41](#).
- M4** See section 33(1).

- M5** 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”.
- M6** See section 33(1).
- M7** 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—
- (a) a person who is a road passenger transport worker, within the meaning of [<sup>F10</sup>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).
  - <sup>F11</sup>(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)**

*Status: Point in time view as at 08/06/2021.*

*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)*

- 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 [<sup>F12</sup>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)

**[F13]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.

*Status: Point in time view as at 08/06/2021.*

*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)*

(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 <sup>F15</sup>11 ... 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,

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

(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**

<sup>F19</sup>**6B.** . . . . .

**Textual Amendments**

- F19** Reg. 6AB substituted for regs. 6B, 6C (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), **3**

## Requirement to take tests

<sup>F19</sup>6C. ....

### Textual Amendments

**F19** Reg. 6AB substituted for regs. 6B, 6C (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), 3

## [<sup>F19</sup>Requirement to book and undertake tests

**6AB.**—(1) This regulation applies to a person (“P”) aged 5 or over who—

- (a) arrives in Wales,
- (b) has, within the period of 10 days ending with the day of P’s arrival in Wales, been outside the common travel area, and
- (c) is not a person described in—
  - (i) paragraph 1(1)(a) to (k) of Schedule 2 who satisfies the conditions in paragraph 1(2) of that Schedule;
  - (ii) paragraphs 2 to 16, and 36 of Schedule 2;
  - (iii) paragraph 14 of Schedule 5.

(2) In this Part—

- (a) a “day 2 test” is a test complying with paragraph 1 of Schedule 1C which is undertaken in the circumstances described in paragraph 1A of that Schedule;
- (b) a “day 8 test” is a test complying with paragraph 2 of Schedule 1C which is undertaken in the circumstances described in paragraph 2A of that Schedule;
- (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;
- (d) “testing package” means—
  - (i) in respect of a person to whom regulation 7(1) or 8(1) applies, a booking for a day 2 test and a day 8 test;
  - (ii) in respect of a person (“P”) who arrives in Wales having been in an exempt country or territory listed in Schedule 3 within the period of 10 days ending with the day of P’s arrival in Wales, a booking for a day 2 test.

(3) Where P is an adult, P must on arrival in Wales possess a testing package arranged with a public test provider—

- (a) for P, and
- (b) for a child aged 5 or over for whom P has responsibility and with whom P is travelling.

(4) Where P is an adult who arrives in Wales without possessing a testing package required under paragraph (3), P must as soon as practicable obtain a testing package.

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

- (a) the person arranging the tests notified the public test provider that the tests were being arranged for the purposes of this regulation, and
- (b) the information in Schedule 1B was provided to the public test provider in relation to P.

*Status: Point in time view as at 08/06/2021.*

*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) 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.
- (7) Subject to paragraph (8), where P—
  - (a) is an adult, they must undertake the tests in accordance with their testing package;
  - (b) is a child aged 5 or over, an adult with responsibility for P must, so far as reasonably practicable, ensure that P undertakes the tests in accordance with the testing package.
- (8) Where P’s day 2 test generates a positive result, P is not required to undertake a day 8 test.
- (9) Where P does not undertake a 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 apply, undertake a test (“a replacement test”) complying with the requirements that apply to the test that was missed.
- (10) Where a replacement test is undertaken instead of—
  - (a) a day 2 test, P is to be treated as if they had undertaken a day 2 test in accordance with this regulation;
  - (b) a day 8 test, P is to be treated as if they had undertaken a day 8 test in accordance with this regulation.
- (11) A person who possesses a testing package must provide evidence of it if requested by an immigration officer or a constable.]

**Textual Amendments**

**F19** Reg. 6AB substituted for regs. 6B, 6C (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), 3

**Requirement to isolate on failure to take tests**

<sup>F20</sup>**6D.** . . . . .

**Textual Amendments**

**F20** Regs. 6DA, 6DB substituted for reg. 6D (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), 4

**[<sup>F20</sup>Requirement to isolate on failure to take tests: travellers from non-exempt countries and territories**

- 6DA.**—(1) This regulation applies in respect of a person (“P”) to whom regulations 6AB(1) and either 7(1) or 8(1) apply.
- (2) This paragraph applies where—
    - (a) P fails to undertake a day 8 test, and
    - (b) either—
      - (i) P fails to undertake a day 2 test, or
      - (ii) P’s day 2 test generates a negative or inconclusive result.



(3) 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).

(4) Where paragraph (2) applies but P subsequently takes a test to which paragraph (5) applies and—

- (a) the result is positive, regulation 6E applies as if the test had been undertaken in accordance with regulation 6AB;
- (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 6AB, and
  - (ii) both tests were negative.

(5) 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 (2) did not apply, but
- (b) not before the end of the seventh day after the day on which P arrives in Wales.

#### Textual Amendments

**F20** Regs. 6DA, 6DB substituted for reg. 6D (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), 4

#### Requirement to isolate on failure to take tests: travellers from exempt countries and territories

**6DB.**—(1) This regulation applies in respect of a person (“P”) to whom regulation 6AB(1) applies but to whom neither regulation 7(1) nor 8(1) applies.

(2) This paragraph applies where P fails to take a day 2 test.

(3) Where paragraph (2) applies, P is to be treated as if the requirements of regulation 7 applied and P must enter into and remain in isolation in accordance with that regulation until the last day of the period of 14 days beginning with the day after the day on which P was last in a country or territory listed in Schedule 3.

(4) Where paragraph (2) applies but P subsequently takes a test to which paragraph (5) applies and—

- (a) the result is positive, regulation 6E applies as if the test had been undertaken in accordance with regulation 6AB;
- (b) the result is negative, P is no longer required to isolate in accordance with regulation 7.

(5) This paragraph applies to a test which—

- (a) complies with the requirements for a day 2 test in paragraph 1 of Schedule 1C,
- (b) is arranged in accordance with regulation 6AB(5), and
- (c) is undertaken within 10 days of the day on which P arrived in Wales.]

*Status: Point in time view as at 08/06/2021.*

*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

**F20** Regs. 6DA, 6DB substituted for reg. 6D (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), 4

#### Consequences of positive test result

[<sup>F21</sup>6E. Where a test taken by a person (“P”) in accordance with regulation 6AB is positive—

- (a) where P is a person—
  - (i) to whom regulation 7(1) or 8(1) applies, 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), or
  - (ii) to whom regulation 7(1) or 8(1) does not apply, P is to be treated as if the requirements of regulation 7 applied and P must enter into and remain in isolation in accordance with that regulation until the last day of the period of 10 days beginning with the day on which P took the test, and
- (b) regulation 10(3) (isolation requirement ceasing to apply to P when P leaves Wales) of these Regulations 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.]

#### Textual Amendments

**F21** Reg. 6E substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), 5

#### 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 [<sup>F22</sup>regulation 6AB] 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 [<sup>F23</sup>regulation 6AB], and
  - (b) A received a positive result to a day 2 test that A took in accordance with [<sup>F24</sup>regulation 6AB].

### Textual Amendments

- F22** Words in reg. 6F(1) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), **6(a)**
- F23** Words in reg. 6F(3)(a) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), **6(b)**
- F24** Words in reg. 6F(3)(b) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), **6(c)**

### 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 [<sup>F25</sup>regulation 6AB],
- (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>F26</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** Words in reg. 6G(1)(a) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), **7**
- F26** 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

<sup>F27</sup>**6H.** . . . . .

### Textual Amendments

- F27** Regs. 6HA, 6HB substituted for reg. 6H (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), **8**

**Status:** Point in time view as at 08/06/2021.

**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>F27</sup>Consequences of receiving inconclusive test result: travellers from non-exempt countries and territories**

**6HA.**—(1) This regulation applies in respect of a person (“P”) to whom regulations 6AB(1) and either 7(1) or 8(1) apply.

(2) This paragraph applies where the result of a test taken by P in accordance with regulation 6AB is inconclusive.

(3) Where paragraph (2) applies, the last day of P’s isolation under regulation 7 or 8 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 (5) 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 (5) 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.

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

(5) This paragraph applies to—

- (a) a day 8 test taken in accordance with regulation 6AB;
- (b) a test which—
  - (i) complies with the requirements for a day 8 test in paragraph 2 of Schedule 1C,
  - (ii) is arranged in accordance with regulation 6AB(5), and
  - (iii) is taken—
    - (aa) before the end of P’s isolation period as it would have been determined under regulation 12 if paragraph (1) did not apply, but
    - (bb) before the end of the seventh day after the day on which P arrives in Wales.

### **Textual Amendments**

**F27** Regs. 6HA, 6HB substituted for reg. 6H (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\), regs. 1\(2\), 8](#)

## **Consequences of receiving inconclusive test result: travellers from exempt countries and territories**

**6HB.**—(1) This regulation applies in respect of a person (“P”) to whom regulation 6AB(1) applies but to whom neither regulation 7(1) nor 8(1) applies.

(2) This paragraph applies where the result of a test taken by P in accordance with regulation 6AB is inconclusive.

(3) Where paragraph (2) applies, P is to be treated as if the requirements of regulation 7 applied and P must enter into and remain in isolation in accordance with that regulation until the last day of the period of 10 days beginning with the day after the day on which P was last in a country or territory listed in Schedule 3.

(4) Where paragraph (2) applies but P subsequently takes a test to which paragraph (5) applies and—

- (a) the result is positive, regulation 6E applies as if the test had been undertaken in accordance with regulation 6AB;
- (b) the result is negative, P is no longer required to isolate in accordance with regulation 7.

(5) This paragraph applies to a test which—

- (a) complies with the requirements for a day 2 test in paragraph 1 of Schedule 1C,
- (b) is arranged in accordance with regulation 6AB(5), and
- (c) is undertaken within 10 days of the day on which P arrived in Wales.]

#### Textual Amendments

**F27** Regs. 6HA, 6HB substituted for reg. 6H (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), **8**

#### 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>F28</sup>Workforce testing

**6K.**—(1) This regulation applies to a person (“P”), specified in paragraph 6 of Schedule 2 [<sup>F29</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;

*Status: Point in time view as at 08/06/2021.*

*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 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;
  - (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

- F28** 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
- F29** 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>F30</sup>non-exempt country or territory], or
  - (b) who—
    - (i) arrives in Wales by ship or aircraft from [<sup>F31</sup>an exempt country or territory that is not part of the United Kingdom], and

- (ii) has, within the period of [<sup>F32</sup>10] days ending with the day of P's arrival in Wales, [<sup>F33</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

- F30** 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)
- F31** 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)
- F32** 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)**

*Status: Point in time view as at 08/06/2021.*

*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)*

**F33** 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>F34</sup>10] days ending with the day of P's arrival in Wales, [<sup>F35</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>F36</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

- F34** 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)**
- F35** 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)
- F36** 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>F37</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>F38</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>F39</sup>paragraph 1(2) of that Schedule;
- (b) <sup>F40</sup>paragraphs <sup>F41</sup>2 to 5, 6A to 16] and 36 of Schedule 2];

<sup>F42</sup>(ba) subject to paragraph (3), paragraph 6 of Schedule 2;]

<sup>F43</sup>(c) a person described in <sup>F44</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>F45</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,

*Status: Point in time view as at 08/06/2021.*

*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) 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
  - (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

- F37** 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)
- F38** 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)
- F39** 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)**
- F40** 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)
- F41** 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)**
- F42** 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)**
- F43** 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)
- F44** 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)**
- F45** 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 [F46(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;

[F47(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;

[F48(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;

F49(jc) .....

F49(jd) .....

*Status: Point in time view as at 08/06/2021.*

*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)*

- [ 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;
- (ji) where P is a person who is travelling with an elite athlete for the purpose of subparagraph (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>F51</sup>(je) .....
- <sup>F51</sup>(jf) .....
- <sup>F51</sup>(jg) .....]
- (k) for compassionate reasons, including to attend the funeral of—
  - (i) a member of P's family;
  - (ii) a close friend;
- [<sup>F52</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>F53</sup>(n) if required to do so by a constable;]
- [<sup>F54</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>M8</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 fwytadwy*”) 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>F55</sup>“elite athlete” (“*athletwr elit*”) has the same meaning as in [<sup>F56</sup>[<sup>F57</sup>paragraph 21(2)(a)] of Schedule 5]];

[<sup>F55</sup>“elite competition” (“*cystadleuaeth elit*”) has the same meaning as in [<sup>F58</sup>[<sup>F59</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>M9</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>F60</sup>(b) .....

<sup>F60</sup>(c) .....

<sup>F60</sup>(d) .....

<sup>F60</sup>(e) .....

*Status: Point in time view as at 08/06/2021.*

*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

- F46** 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)
- F47** 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)**
- F48** 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)
- F49** 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**
- F50** 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)**
- F51** 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)**
- F52** 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)
- F53** 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**
- F54** 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)**
- F55** 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)**
- F56** 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)
- F57** 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)**
- F58** 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)
- F59** 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)**
- F60** 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

- M8** 2020 c. 7.
- M9** 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>F61</sup>10 days beginning with the day after] the day on which P [<sup>F62</sup>was last in a non-exempt country or territory].

#### Textual Amendments

F61 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)

F62 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>F63</sup>12A. ....

#### Textual Amendments

F63 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>F64</sup>PART 3A

### Travel from Denmark

#### Textual Amendments

F64 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)**

*Status: Point in time view as at 08/06/2021.*

*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>F65</sup>PART 3B

### Travel from South Africa

.....

#### Textual Amendments

**F65** 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)

## [<sup>F66</sup>PART 3C

### Travel from a country or territory listed in Schedule 3A

#### Textual Amendments

**F66** 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**

[<sup>F67</sup>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 subparagraph (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>F68</sup>(iaa) paragraph 6;]
  - [<sup>F69</sup>(ia) paragraph 7, unless they have travelled to the United Kingdom to work, or have been repatriated to the United Kingdom after working, on board a cruise ship;
  - (ib) paragraph 8;



- (ic) paragraph 9, unless they have travelled to the United Kingdom to work, or have been repatriated to the United Kingdom after working, on board a cruise ship;
- (id) paragraph 10;]
- <sup>F70</sup>(ii) . . . . .
- (iii) paragraph 13 or 13A;
- (iv) paragraph 15 or 16.
- [<sup>F71</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>F72</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>F73</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.

*Status: Point in time view as at 08/06/2021.*

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(3C) Regulation 7 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 (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 [F74 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 F75(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.]

[F76(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

- F67** 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)
- F68** 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)**
- F69** Reg. 12E(2)(d)(ia)-(id) substituted for reg. 12E(2)(d)(ia) (29.5.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2021 \(S.I. 2021/646\)](#), regs. 1(2), **2(2)**
- F70** 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)**
- F71** 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)**
- F72** 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)**
- F73** 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)**
- F74** 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)**
- F75** 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)**
- F76** 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>[F77]</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;

*Status: Point in time view as at 08/06/2021.*

*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)*

- (c) the aircraft is an air ambulance and landing for the purpose of transporting a person for medical treatment; or
  - (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>F78</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

- F77** 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)
- F78** 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>F79</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.

**Status:** Point in time view as at 08/06/2021.

**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)

(12) For the purposes of this regulation—

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

- (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

**F79** 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>F80</sup>(aa) 6A(1) or (2),]
- (b) 5(2),
- (c) 7(2), (3) or (5),
- (d) 8(3) or (4),
- (e) 10(6), <sup>F81</sup> ... <sup>F82</sup> ...
- (f) 11, <sup>F83</sup> ... <sup>F84</sup> ...
- [<sup>F85</sup>(g) [<sup>F86</sup>12E],]
- [<sup>F87</sup>(h) [<sup>F88</sup>6AB], <sup>F89</sup> ...
- (i) [<sup>F90</sup>6DA and 6DB]] [<sup>F91</sup>or]
- [<sup>F92</sup>(j) 6K]

commits an offence.

[<sup>F93</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>F94</sup>(1B) But a person does not commit an offence if they have a reasonable excuse for contravening regulation [<sup>F95</sup>4(1) or (4), 5(2),][<sup>F96</sup>6AB][<sup>F97</sup>or 6K].

(1C) For the purposes of [<sup>F98</sup>regulation 6AB] 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 [<sup>F99</sup>regulation 6AB], 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>F100</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>F101</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>F102</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

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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,

- (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>M10</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

- F80** 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)
- F81** 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)**
- F82** 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)**
- F83** 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)**
- F84** 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)
- F85** 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)**
- F86** 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)
- F87** 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)
- F88** Word in reg. 14(1)(h) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), **9(a)**
- F89** 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)**
- F90** Words in reg. 14(1)(i) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), **9(b)**



- F91** 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)**
- F92** 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)**
- F93** 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)
- F94** 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)
- F95** 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)**
- F96** Word in reg. 14(1B) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/584), regs. 1(2), **9(c)**
- F97** 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)**
- F98** Words in reg. 14(1C) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/584), regs. 1(2), **9(d)**
- F99** Words in reg. 14(1D) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/584), regs. 1(2), **9(e)**
- F100** 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)**
- F101** 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)**
- F102** 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**

- M10** 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>F103</sup>6A(1) or (2)][<sup>F104</sup>], 7(5) [<sup>F105</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.

(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>F106</sup>(aa) of contravening a requirement imposed by regulation 6A,]

[<sup>F107</sup>(ab) of contravening a requirement imposed by [<sup>F108</sup>regulation 6DA or 6DB],]

[<sup>F109</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>F110</sup>is to be as set out in paragraph (6A)].

[<sup>F111</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>F112</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 [<sup>F113</sup>regulation 6AB(3)], £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 [<sup>F114</sup>regulation 6AB(7)], £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 [<sup>F114</sup>regulation 6AB(7)], £2,000.]

[<sup>F115</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>F116</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>F117</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).

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(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

- F103** 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)
- F104** 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)**
- F105** 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)**
- F106** 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)
- F107** 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)
- F108** Words in reg. 16(6)(ab) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), **10(a)**
- F109** 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)**
- F110** 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)**
- F111** 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)**
- F112** 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)
- F113** Words in reg. 16(6AB) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), **10(b)(i)**
- F114** Words in reg. 16(6AB) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), **10(b)(ii)**
- F115** 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)**
- F116** 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)

**F117** 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>F118</sup>(iii) where a person [<sup>F119</sup>arranges or takes a test under regulation 6AB]—
    - (aa) information generated where the person arranges or takes a test;
    - (bb) information obtained by a public test provider (within the meaning given by [<sup>F120</sup>regulation 6AB(2)(c)]) under [<sup>F121</sup>regulation 6AB(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 [<sup>F122</sup>regulation 6AB] (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 [<sup>F123</sup>regulation 6AB(11)];
  - (v) where a sample taken in respect of a day 2 test under [<sup>F124</sup>regulation 6AB] 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>F125</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—

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- (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 subparagraph (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 subparagraph (a) or (b).
- (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>F126</sup>paragraph (9)], “data protection legislation” and “personal data” have the same meanings as in section 3 of the Data Protection Act 2018 <sup>M11</sup>.

#### Textual Amendments

**F118** 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](#))

- F119** Words in reg. 17(2)(a)(iii) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/584), regs. 1(2), **11(a)(i)**
- F120** Words in reg. 17(2)(a)(iii)(bb) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/584), regs. 1(2), **11(a)(ii)(aa)**
- F121** Words in reg. 17(2)(a)(iii)(bb) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/584), regs. 1(2), **11(a)(ii)(bb)**
- F122** Words in reg. 17(2)(a)(iii)(dd) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/584), regs. 1(2), **11(a)(iii)**
- F123** Words in reg. 17(2)(a)(iv) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/584), regs. 1(2), **11(b)**
- F124** Words in reg. 17(2)(a)(v) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/584), regs. 1(2), **11(c)**
- F125** 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)
- F126** 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

- M11** 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>F127</sup>such] proceedings <sup>F128</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>F129</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

**Status:** Point in time view as at 08/06/2021.

**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 question relating to the information is asked by or on behalf of that person.

#### Textual Amendments

- F127** 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)
- F128** 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)
- F129** 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>F130</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

- F130** 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)

#### Expiry of Regulations

- 20.**—(1) These Regulations expire at the end of [<sup>F131</sup>31 May 2022].
- (2) The expiry of these Regulations does not affect the validity of anything done pursuant to these Regulations before they expire.



**Textual Amendments**

**F131** Words in reg. 20(1) substituted (29.5.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2021 \(S.I. 2021/646\)](#), regs. 1(2), **2(3)**

**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

**Status:**

Point in time view as at 08/06/2021.

**Changes to legislation:**

There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020.