

WELSH STATUTORY INSTRUMENTS

2020 No. 574

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

[^{F1}PART 2B

Mandatory testing requirements

Textual Amendments

- F1** 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

^{F2}**6B.**

Textual Amendments

- F2** 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

^{F2}**6C.**

Textual Amendments

- F2** 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**

[^{F2}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—

Status: Point in time view as at 08/06/2021.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, PART 2B. (See end of Document for details)

- (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.
- (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

F2 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

^{F3}**6D.**

Textual Amendments

F3 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**

[^{F3}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.

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, PART 2B. (See end of Document for details)

Textual Amendments

- F3** 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.]

Textual Amendments

- F3** 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

[^{F4}**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

- F4** 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 [F5regulation 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 [F6regulation 6AB], and
- (b) A received a positive result to a day 2 test that A took in accordance with [F7regulation 6AB].

Textual Amendments

- F5** 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)**
- F6** 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)**
- F7** 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 [F8regulation 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).

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, PART 2B. (See end of Document for details)

[
^{F9}(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

F8 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

F9 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

^{F10}**6H.**

Textual Amendments

F10 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

[^{F10}**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

F10 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

F10 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.

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, PART 2B. (See end of Document for details)

(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.]

[^{F11}Workforce testing

6K.—(1) This regulation applies to a person (“P”), specified in paragraph 6 of Schedule 2 [^{F12}or regulation 12E(2)(g)].

(2) P must undertake a workforce test for day 2, day 5 and day 8 in accordance with paragraph (6) in relation to each category of test.

(3) Where P does not undertake a workforce test as required by this regulation by reason of a reasonable excuse, P must, as soon as practicable after the matters giving rise to the reasonable excuse no longer pertain, undertake a replacement workforce test.

(4) Where a replacement workforce test is undertaken instead of—

- (a) a workforce test to be undertaken for day 2, P is to be treated as if they had undertaken a workforce test on day 2 in accordance with this regulation;
- (b) a workforce test to be undertaken for day 5, P is to be treated as if they had undertaken a workforce test on day 5 in accordance with this regulation;
- (c) a workforce test to be undertaken for day 8, P is to be treated as if they had undertaken a workforce test on day 8 in accordance with this regulation.

(5) Schedule 2D makes further provision about workforce tests (including the consequences of testing).

(6) In these Regulations—

- (a) “a replacement workforce test” means a workforce test complying with the requirements that apply to the workforce test that was missed;
- (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

- F11** 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
- F12** 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

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, PART 2B.