

WELSH STATUTORY INSTRUMENTS

**2020 No. 574**

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

**[<sup>F1</sup>PART 3C**

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

**Textual Amendments**

**F1** 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>F2</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 sub-paragraph (b) applies, where—
  - (i) the conditions in paragraph (3) are met in relation to that person,
  - (ii) the Foreign, Commonwealth and Development Office has been notified of P’s arrival, and
  - (iii) the Foreign Commonwealth and Development Office has confirmed that paragraph (1) should not apply to P;

(d) a person described in the following paragraphs of Schedule 2—

(i) paragraphs 2 to 5;

[<sup>F3</sup>(iaa) paragraph 6;]

[<sup>F4</sup>(ia) paragraphs 7 to 10;]

[<sup>F5</sup>(ii) . . . . .]

(iii) paragraph 13 or 13A;

(iv) paragraph 15 or 16.

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- [<sup>F6</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>F7</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>F8</sup>(3A) This paragraph applies where an isolation requirement (within the meaning given by regulation 10(2)) is imposed on P where P has entered Wales and has been in a country or territory listed in Schedule 3A at any time in the period beginning with the 10th day before the date of P’s arrival in Wales.
- (3B) Where paragraph (3A) applies—
- (a) regulations 7, 8, 9 and 10 apply to P with the modifications in paragraphs (3C) to (3F);
  - (b) the isolation requirement imposed on P as modified by paragraphs (3C) to (3F) is also imposed on all members of P’s household.
- (3C) Regulation 7 applies as if—
- (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 [F<sup>9</sup> 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 F<sup>10</sup>(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.]

[F<sup>11</sup>(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

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- (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

- F2** 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)
- F3** 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)**
- F4** Reg. 12E(2)(d)(ia) inserted (20.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/361\)](#), regs. 1(2), **4(2)(a)**
- F5** 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)**
- F6** 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)**
- F7** 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)**
- F8** 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)**
- F9** 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)**
- F10** 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)**
- F11** 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>[F12]</sup>(1) The person with management or control of an aircraft or vessel whose last point of departure was a country or territory listed in Schedule 3A must not cause or permit it to arrive in Wales unless—

- (a) it is reasonably necessary for it to do so to secure the safety of the aircraft or vessel or the health and safety of any person aboard it;
  - (b) the arrival in Wales is only for the purpose of refuelling, or maintenance of the aircraft or vessel, and no passengers are permitted to board, or disembark from, the aircraft or vessel;
  - (c) the aircraft is an air ambulance and landing for the purpose of transporting a person for medical treatment; or
  - (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>F13</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**

**F12** 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)

**F13** 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)**

**C1** 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**

**C2** 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**

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