

[^{F1}SCHEDULE 5

Regulation 10(4)(m)

Sectoral Exceptions

Textual Amendments

F1 Sch. 5 inserted (15.2.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/154\)](#), regs. 1(2), **14** (with reg. 21)

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

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

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

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

- (a) “essential or emergency works” includes—
 - (i) inspections, maintenance, repairs, and asset replacement activities;
 - (ii) monitoring, sampling and analysis of water supplies under the Private Water Supplies (Wales) Regulations 2017, the Water Supply (Water Quality) Regulations 2018, the Private Water Supplies (England) Regulations 2016 or the Water Supply (Water Quality) Regulations 2016;
- (b) “sewerage licensee” means a person who is the holder of a sewerage licence under section 17BA of the Water Industry Act 1991;
- (c) “sewerage services” has the meaning given in section 219(1) of the Water Industry Act 1991;
- (d) “sewerage undertaker” means a company appointed as a sewerage undertaker under section 6 of the Water Industry Act 1991;
- (e) “water supply licensee” has the meaning given in sections 17A(7) and 219(1) of the Water Industry Act 1991;
- (f) “water undertaker” means a company appointed as a water undertaker under section 6 of the Water Industry Act 1991.

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

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

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

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

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

Status: Point in time view as at 08/06/2021.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, SCHEDULE 5. (See end of Document for details)

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

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

- (2) For the purposes of sub-paragraph (1)—
- (a) “distribution licence” means a licence granted under section 6(1)(c) of the Electricity Act 1989;
 - (b) “essential or emergency works” includes commissioning, inspections, maintenance, repairs, and asset replacement activities;
 - (c) “national system operator” means the person operating the national transmission system for Great Britain;
 - (d) “network” has the meaning given in section 83(1) of the Railways Act 1993;
 - (e) “transmission licence” means a licence granted under section 6(1)(b) of the Electricity Act 1989;
 - (f) “electricity interconnector”, “generating station” and “transmission system” have the meanings given in section 64(1) of the Electricity Act 1989.

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

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

- (2) For the purposes of sub-paragraph (1)—
- (a) “agency inspector” has the meaning given in section 1(1) of the Nuclear Safeguards Act 2000;
 - (b) “nuclear emergency responder” means a person providing assistance to the United Kingdom in accordance with the Convention on Assistance in the Case of a Nuclear

Accident or Radiological Emergency done at Vienna on 26 September 1986, who has been duly notified to and accepted by the United Kingdom, where the United Kingdom has requested assistance under that Convention;

- (c) “nuclear personnel” means—
- (i) a worker who is employed to carry out work on or in relation to a site in respect of which a nuclear site licence has been granted, or
 - (ii) an employee of the Nuclear Decommissioning Authority;
- (d) “nuclear site licence” has the meaning given in section 1 of the Nuclear Installations Act 1965.

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

7.—(1) A person who is—

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

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

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

- (a) “space site” has the meaning given in paragraph 5(3) of Schedule 4 to the Space Industry Act 2018;
- (b) “space situational awareness capabilities” means the sensors, systems and analytical services needed to provide time-sensitive warnings of space weather events, orbital collisions, orbital fragmentations or the re-entry of man-made objects from orbit;
- (c) “spacecraft” has the meaning given in section 2(6) of the Space Industry Act 2018;
- (d) “spacecraft controller” means a person competent, authorised and responsible for maintaining the safe and secure operation of spacecraft through monitoring the status of a spacecraft, issuing manoeuvre commands or controlling other aspects of the spacecraft that influence its behaviour including its motion in space.

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

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

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

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

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

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

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

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

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

- (a) activities on or in relation to an offshore installation,
- (b) activities on or in relation to upstream petroleum infrastructure,
- (c) critical safety work on an offshore installation or well that is being decommissioned or preserved pending demolition or reuse, or
- (d) activities for the provision of workers, goods, materials or equipment or other essential services required to support the safe operation of the activities referred to in paragraphs (a) to (c),

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

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

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

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

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

13. A worker with specialist technical skills, where those specialist technical skills are required for essential or emergency works (including construction, commissioning, installation, maintenance, repairs and safety checks) or to fulfil contractual obligations or warranty specifications in, or in connection with, waste management facilities used for the management, sorting, treatment, recovery,

or disposal of waste (including energy from waste), where the worker has travelled to the United Kingdom in the course of their work.

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

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

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

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

16.—(1) A person who—

(a) has travelled to the United Kingdom to—

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

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

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

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

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

18.—(1) A person who is—

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

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

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

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

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- (a) a person involved in essential maintenance and repair of data infrastructure required to reduce and resolve outages, or in the provision of goods and services to support these activities, and
 - (b) an information technology or telecommunications professional (including information technology consultant, quality analyst, software tester, systems tester, and telecommunications planner), whose expertise is required to—
 - (i) provide an essential or emergency response to threats and incidents relating to the security of any network and information system, and
 - (ii) ensure the continued operation of any network and information system.
- (2) For the purposes of sub-paragraph (1), “network and information system” has the meaning in regulation 1(2) of the Network and Information Systems Regulations 2018.

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

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

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

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

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

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

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

- (a) “elite athlete” means a person—
 - (i) who derives a living from competing in a sport,
 - (ii) who is designated as such for the purposes of these Regulations by the Sports Council for Wales,
 - (iii) who is designated as such for the purposes of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (despite the revocation of those Regulations), or
 - (iv) not falling within sub-paragraph (i), (ii) or (iii) who participates in the UEFA Champions’ league or UEFA Europa league;
- (b) “elite competition” means a sporting competition at which any of the participants compete—

- (i) to derive a living, or
- (ii) to qualify for, or as part of a selection process for, the Olympics, Paralympics or Commonwealth Games;
- (c) “overseas elite competition” means an elite competition taking place outside the United Kingdom; and a person is to be treated as having returned from such a competition if the person has within the period of 10 days ending with the person’s last day of isolation, been in a non-exempt country or territory for the purposes of such a competition.

22. A person—

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

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

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