
WELSH STATUTORY INSTRUMENTS

2020 No. 714 (W. 160)

PUBLIC HEALTH, WALES

**The Health Protection (Coronavirus, International
Travel and Public Health Information to Travellers)
(Wales) (Amendment) Regulations 2020**

<i>Made</i>	- - - -	<i>at 10.20 a.m. on 9 July 2020</i>
<i>Laid before Senedd Cymru</i>		<i>at 4.00 p.m. on 9 July 2020</i>
<i>Coming into force</i>	- -	<i>10 July 2020</i>

The Welsh Ministers, in exercise of the powers conferred on them by sections 45B and 45P(2) of the Public Health (Control of Disease) Act 1984(1), make the following Regulations.

PART 1

General

Title and coming into force

1.—(1) The title of these Regulations is the Health Protection (Coronavirus, International Travel and Public Health Information to Travellers) (Wales) (Amendment) Regulations 2020.

(2) These Regulations come into force on 10 July 2020.

Interpretation

2. In these Regulations—

“the International Travel Regulations” (*“y Rheoliadau Teithio Rhyngwladol”*) means the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020(2);

(1) 1984 c. 22. Part 2A was inserted by section 129 of the Health and Social Care Act 2008 (c. 14). The function of making regulations under Part 2A is conferred on “the appropriate Minister”. Under section 45T(6) of the 1984 Act the appropriate Minister as respects Wales, is the Welsh Ministers.

(2) S.I. 2020/574 (W. 132).

“the Public Health Information Regulations” (“*y Rheoliadau Gwybodaeth Iechyd y Cyhoedd*”) means the Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020(3).

PART 2

Amendments to the International Travel Regulations

Exemption from information requirement for certain categories of worker

3.—(1) In Part 2 of the International Travel Regulations (requirement to provide information), regulation 3 is amended in accordance with paragraphs (2) and (3).

(2) In paragraph (2) for “a person described in Part 1 of Schedule 2” substitute

“—

- (a) a person described in Part 1 of Schedule 2,
- (b) a person described in paragraph 12(1)(b) of Schedule 2 (operational, maintenance and security workers working on the Channel Tunnel), or
- (c) a person described in paragraph (3), in respect of whom the condition in paragraph (4) is met.”

(3) After paragraph (2) insert—

“(3) The descriptions of person are—

- (a) a person who is a road passenger transport worker, within the meaning of paragraph 6 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);
- (f) a person described in paragraph 12(1)(a) or (c) of Schedule 2 (drivers, crew and other persons performing essential functions in relation to the Channel Tunnel).

(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.”

Exemption from isolation requirement for persons travelling from certain countries and territories outside the common travel area

4.—(1) Part 3 of the International Travel Regulations (requirement to isolate etc.) is amended in accordance with paragraphs (2) to (5).

(2) In regulation 7 (requirement to isolate: arrivals from outside the United Kingdom)—

- (a) in paragraph (1)(a), for “place outside the common travel area” substitute “non-exempt country or territory”;

- (b) in paragraph (1)(b)(i), for “the Republic of Ireland, the Channel Islands or the Isle of Man” substitute “an exempt country or territory that is not part of the United Kingdom”;
 - (c) in paragraph (1)(b)(ii), for “arrived in the common travel area from a place outside that area” substitute “been in a non-exempt country or territory”.
- (3) In regulation 8 (requirement to isolate: arrivals from another part of the United Kingdom), in paragraph (1)(b), for “arrived in the common travel area from a place outside that area” substitute “been in a non-exempt country or territory”.
- (4) In regulation 9 (isolation requirements: exemptions)—
- (a) the existing text becomes paragraph (2);
 - (b) before that paragraph insert—
 - “(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.”
- (5) In regulation 12 (meaning of “last day of isolation” in Part 3), for “arrived in the common travel area from a place outside that area” substitute “was last in a non-exempt country or territory”.
- (6) In Part 1 of the International Travel Regulations (provision of general application), in regulation 2 (interpretation), after paragraph (3) insert—
- “(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.”
- (7) In Schedule 1 to the International Travel Regulations (passenger information), after paragraph 2(i) insert—
- “(ia) any other country or territory P will be, or has been, in during the period of 14 days ending with the date of P’s arrival, or planned arrival, in the United Kingdom,
 - (ib) where sub-paragraph (ia) applies, the dates on which P was or will be in the other country or territory.”.
- (8) Paragraph 1 of the Schedule adds a new Schedule 3 to the International Travel Regulations.

Exceptions to isolation requirements: persons engaged in certain sporting activities

- 5.—(1) Regulation 10 of the International Travel Regulations (exceptions to isolation requirements) is amended in accordance with sub-paragraphs (a) to (c)—
- (a) in paragraph (3)—
 - (i) in the Welsh language text only, for the words from “i’r Deyrnas Unedig” to the end substitute “i Gymru dros dro at ddiben a awdurdodir gan baragraff (4)(b) i (k).”;
 - (ii) in the English language text only, for “(j)” substitute “(k)”;
 - (b) after paragraph (4)(j) insert—
 - “(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;
 - (jc) where P is, in the course of P's work, involved in broadcasting such a sporting event, to attend the event for the purpose of the broadcast or to undertake preparatory activities connected to broadcasting of the event;
 - (jd) where P is, in the course of P's work, involved in journalistic activity at such a sporting event, to attend the event for the purpose of undertaking that activity;
 - (je) where P is a Welsh resident elite athlete returning from an overseas elite competition, to train or compete;
 - (jf) where P provides coaching or other support to a Welsh resident elite athlete and P is returning from an overseas elite competition where P was providing coaching or other such support to an athlete, to provide that coaching or other support;
 - (jg) where P is returning from an overseas elite competition at which P was officiating, or involved in running, to officiate at, or be involved in running, a domestic elite competition;”
- (c) in paragraph (8)—
- (i) in the Welsh text only, the existing text that appears after the words “y rheoliad hwn —” becomes sub-paragraph (a),
 - (ii) after sub-paragraph (a) insert—
 - “(b) “domestic elite competition” means an elite competition taking place in the United Kingdom;
 - (c) “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;
 - (d) “overseas elite competition” means an elite competition taking place outside the United Kingdom; and P is to be treated as having returned from such a competition if P has within the period of 14 days ending with P's last day of isolation, been in a non-exempt country or territory for the purposes of such a competition;
 - (e) “Welsh resident elite athlete” means a person who is habitually resident in Wales and—
 - (i) derives a living from competing in a sport, or
 - (ii) is an elite athlete within the meaning given in regulation 1 of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020(4).”
- (2) Paragraph 2 of the Schedule adds a new Schedule 4 to the International Travel Regulations.

(4) S.I. 2020/353 (W. 80) as amended by the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) Regulations 2020 (S.I. 2020/399 (W. 88)), the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/452 (W. 102)), the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/497 (W. 118)), the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 4) Regulations 2020 (S.I. 2020/529 (W. 124)), the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 5) Regulations 2020 (S.I. 2020/557 (W. 129)), the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 6) Regulations 2020 (S.I. 2020/619 (W. 141)) and the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 7) Regulations 2020 (S.I. 2020/686 (W. 153)).

Exemptions for persons engaged in certain activities

6.—(1) Schedule 2 to the International Travel Regulations (exempt persons) is amended in accordance with paragraphs (2) to (9).

(2) In paragraph 3—

- (a) omit the “or” after sub-paragraph (1)(a);
- (b) after that sub-paragraph insert—

“(aa) has travelled from an exempt country or territory on a vessel or aircraft operated by, or in support of, Her Majesty’s armed forces or by, or in support of, a visiting force and that vessel or aircraft has not taken on any persons, docked in any port or landed in any non-exempt country or territory, or”;

(c) in sub-paragraph (1)(b)—

- (i) after “Her Majesty’s Naval Service” insert “or by, or in support of, a visiting force”;
- (ii) for “outside the common travel” substitute “in a non-exempt country or territory”.

(3) In paragraph 13(1)(b), omit the words from “but—” to the end.

(4) After paragraph 17 insert—

17A.—(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” (*“rheoli’r risg o lifogydd ac erydu arfordirol”*) and “lead local flood authority” (*“awdurdod llifogydd lleol arweiniol”*) have the meaning given by the Flood and Water Management Act 2010(5).

17B. A worker engaged in essential or emergency works relating to current or former mining operations on behalf of—

- (a) the Coal Authority(6);
- (b) a council for a county or county borough in Wales;
- (c) Natural Resources Wales.”

(5) In paragraph 24—

- (a) in sub-paragraph (1), in the words before paragraph (a), for “undertaking, or required to commence” substitute “required to undertake or commence within 14 days of their arrival in the United Kingdom”;
- (b) in sub-paragraph (1)(a), for “offshore installations” substitute “an offshore installation”;
- (c) in sub-paragraph (1)(c), for “offshore installations and wells that are being decommissioned or which are being” substitute “an offshore installation or well that is being decommissioned or”;
- (d) in sub-paragraph (2)(a), for “installations” substitute “installation”;
- (e) in sub-paragraph (2)(c), for “wells” substitute “well”.

(5) 2010 c. 29.

(6) The Coal Authority is a body corporate established under section 1 of the Coal Industry Act 1994 c. 21.

(6) In paragraph 27, for “(including commissioning,” substitute “(including construction, commissioning, installation,”.

(7) For paragraph 28 substitute—

“**28.**—(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 this paragraph—

“blood” (“*gwaed*”) includes blood components;

“health service” (“*gwasanaeth iechyd*”) has the meaning given by regulation 10(8).”

(8) Omit paragraph 29.

(9) After paragraph 36 insert—

“**37.** A person working on the making of—

(a) a film which is a British film for the purposes of Schedule 1 to the Films Act 1985(7), or

(b) a television programme which is a British programme for the purposes of Part 15A of the Corporation Tax Act 2009(8).”

Transitional provision: persons who arrived in the common travel area before 10 July 2020

7.—(1) Paragraph (2) applies where a person has, within the period of 14 days ending immediately before these Regulations come into force, arrived in the common travel area from a place outside that area.

(2) The International Travel Regulations apply to the person as if the amendments made by regulations 3 to 6 of these Regulations had not been made, but only in relation to the period of 14 days beginning with the day the person arrived in the common travel area.

(3) “Common travel area” in this regulation has the meaning given by the Immigration Act 1971(9).

Change to review period

8. In Part 6 of the International Travel Regulations (review and expiry), in regulation 19 (review of requirements), for paragraphs (b) and (c) substitute—

“(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.”

Miscellaneous amendments

9.—(1) The International Travel Regulations are amended in accordance with paragraphs (2) to (4).

(2) In regulation 9(2)(a) (as renumbered by regulation 3(4)(a) of these Regulations), for “paragraph 2” substitute “paragraph 1(2)”.

(7) 1985 c. 21; Schedule 1 was substituted by the Finance Act 2006 (c. 25) and has been subject to a large number of amendments by the Corporation Tax Act 2009 (c. 4) and S.I. 2006/643, 2006/3430, 2012/1809, 2015/86 and 2018/1105.

(8) Part 15A was inserted by paragraph 1 of Schedule 1 to the Finance Act 2013 (c.39).

(9) 1971 c. 77. 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”.

- (3) In regulation 17(10), for “paragraph (8)” substitute “paragraph (9)”.
- (4) In Schedule 2—
 - (a) in paragraph 1(2), in the words before paragraph (a), for “9(a)” substitute “9(2)(a)”;
 - (b) in paragraph 21(1)—
 - (i) in the words before paragraph (a), after “person” insert “who is”;
 - (ii) in paragraph (b), for “is a spacecraft controller who is” substitute “a spacecraft controller”.

PART 3

Amendments to the Public Health Information Regulations

Provision of information during journey

10.—(1) Part 2 of the Public Health Information Regulations (requirement to provide information to passengers) is amended in accordance with paragraphs (2) to (4).

- (2) In regulation 4(2) omit “orally”.
- (3) In the Welsh language version of the on-board statement in the Schedule—
 - (a) for “Llywodraeth Cymru a Iechyd Cyhoeddus Cymru” substitute “asiantaethau iechyd y cyhoedd y DU”;
 - (b) omit “ar www.gov.uk”;
 - (c) after “14 o ddiwrnodau ar ôl i chi gyrraedd” insert “, oni bai eich bod mewn categori esempt. Ewch i gov.uk i weld y rhestr esemptiadau.”;
 - (d) omit the text from “Wedi cyrraedd,” to “www.llyw.cymru/coronafeirws”.
- (4) In the English language version of the on-board statement in the Schedule—
 - (a) for “Welsh Government and Public Health Wales” substitute “UK’s public health agencies”;
 - (b) omit “at www.gov.uk”;
 - (c) after “14 days after you arrive” insert “, unless you are in an exempt category. To view the exemptions list, visit gov.uk.”;
 - (d) omit the text from “When you arrive” to “www.gov.wales/coronavirus”.

Change to review period

11. In Part 4 of the Public Health Information Regulations (miscellaneous), in regulation 9(1) (review of requirements), for sub-paragraphs (b) and (c) substitute—

- “(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.”

Miscellaneous amendment

12. In Part 2 of the Public Health Information Regulations (requirements to provide information to passengers), in regulation 3(2), in the words before sub-paragraph (a), for “paragraph (1)(a)” substitute “paragraph (1)”.

At 10.20 a.m. on 9 July 2020

Mark Drakeford
The First Minister, one of the Welsh Ministers

SCHEDULE

Regulations 4(8) and 5(2)

Addition of new Schedules 3 and 4 to the International Travel Regulations

1. After Schedule 2 to the International Travel Regulations (exempt persons) insert—

“SCHEDULE 3

Regulation 9(1)

Exempt countries and territories outside the common travel area

PART 1

Countries and territories

Andorra
Antigua and Barbuda
Aruba
Australia
Austria
The Bahamas
Barbados
Belgium
Bonaire, Sint Eustatius and Saba
Croatia
Curacao
Cyprus
Czech Republic
Denmark
Dominica
Faroe Islands
Fiji
Finland
France
French Polynesia
Germany
Greece
Greenland
Grenada
Guadeloupe
Hong Kong
Hungary
Iceland
Italy

Status: This is the original version (as it was originally made).

Jamaica
Japan
Liechtenstein
Lithuania
Luxembourg
Macau
Malta
Mauritius
Monaco
The Netherlands
New Caledonia
New Zealand
Norway
Poland
Reunion
Saint Barthelemy
Saint Kitts and Nevis
Saint Lucia
Saint Pierre and Miquelon
San Marino
Serbia
Seychelles
South Korea
Spain
Switzerland
Taiwan
Trinidad and Tobago
Turkey
Vatican City State
Vietnam

PART 2

United Kingdom Overseas Territories

The Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus
Anguilla
Bermuda
British Antarctic Territory
British Indian Ocean Territory
British Virgin Islands

Cayman Islands
Falkland Islands
Gibraltar
Montserrat
Pitcairn, Henderson, Ducie and Oeno Islands
Saint Helena, Ascension and Tristan da Cunha
South Georgia and the South Sandwich Islands
Turks and Caicos Islands.”

2. After Schedule 3 to the International Travel Regulations (as inserted by paragraph 1 of this Schedule) insert—

“SCHEDULE 4

Regulation 10(4)

Specified sporting events

1. An event at which any of the participants compete—
 - (a) to qualify, or
 - (b) as part of a selection process,for the Olympics, Paralympics or Commonwealth Games.
2. Cricket – test matches.
3. Darts—
 - (a) Professional Darts Corporation Summer Series;
 - (b) Betfred World Matchplay Darts.
4. Football – UEFA Champions League and Europa League fixtures.
5. Golf—
 - (a) Professional Golfers’ Association Betfred British Masters Championship;
 - (b) European Tour – English Open;
 - (c) European Tour – English Championship;
 - (d) European Tour – United Kingdom Championship;
 - (e) BMW Professional Golfers’ Association Championship;
 - (f) European Tour – Celtic Classic;
 - (g) European Tour – Wales Open;
 - (h) European Ladies Tour– Aberdeen Standard Investments Ladies Scottish Open;
 - (i) European Ladies Tour – AIG Women’s British Open;
 - (j) European Tour – Alfred Dunhill Links Championship;
 - (k) European Tour – Aberdeen Standard Investments Scottish Open.
6. Horse racing—
 - (a) Moët & Chandon July Festival;
 - (b) QIPCO King George Diamond Weekend;
 - (c) Qatar Goodwood Festival;
 - (d) Yorkshire Ebor Festival.

7. Motor racing—
 - (a) Formula One Pirelli British Grand Prix;
 - (b) Emirates Formula One 70th Anniversary Grand Prix.
 8. Rugby football league – Betfred Super League fixtures.
 9. Rugby football union – international fixtures.
 10. Snooker – Betfred World Snooker Championship.”
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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020 (“the International Travel Regulations”); and the Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020 (“the Public Health Information Regulations”).

The International Travel Regulations impose requirements on persons entering Wales after having been abroad; these relate to information that must be provided using an online form and a mandatory isolation period of 14 days. These requirements are subject to exceptions, and certain categories of person are exempt from having to comply, including persons travelling from the common travel area.

Part 2 of these Regulations amends the International Travel Regulations to extend the exemptions from the requirement to provide information; and to extend the exemptions and exceptions from the requirement to isolate (regulations 3 to 6).

Regulation 3 amends the International Travel Regulations to exempt certain categories of worker – those who engage in regular travel but who typically do not encounter passengers – from having to comply with the requirement to provide information online.

Regulation 4 amends the International Travel Regulations to extend the exemption from the requirement to isolate. By virtue of these amendments, persons entering Wales after being in one or more of the countries listed in Schedule 3 to the International Travel Regulations (as inserted by the Schedule to these Regulations) will not be required to isolate. These countries and territories, along with the countries and territories of the common travel area, are referred to in the amendments as “exempt countries and territories”.

But the extension of the exemption for the countries and territories listed in Schedule 3 is subject to the transitional provision made by regulation 7. This preserves the effect of the International Travel Regulations in their unamended form, in relation to persons who, in the two-week period before 10 July 2020 (the date these Regulations came into force), arrived in the common travel area from a place outside that area; this is the case even if the place in question is, from 10 July 2020 onwards, an exempt country or territory.

Where such persons are in Wales or arrive in Wales during the two-week period starting with the day they entered the common travel area (which means the United Kingdom, Republic of Ireland, Channel Islands and the Isle of Man), they will be subject to the rules on isolation imposed by Part 3 of the International Travel Regulations as those rules stood before the 10 July 2020.

The amendments made by regulation 5 relate to certain elite sporting events, and are included to enable persons required to isolate by the International Travel Regulations to leave the premises at which they're isolating for reasons relating to the persons' involvement with those events.

Regulation 6 includes miscellaneous amendments to Schedule 2 to the International Travel Regulations, the Schedule which describes categories of person who are exempt from the requirements of the International Travel Regulations. These amendments either modify existing categories of person or add new categories of person to the Schedule.

Part 2 of these Regulations also changes the period within which the Welsh Ministers must carry out reviews of the International Travel Regulations to a 28-day period instead of a 21-day period (regulation 8); and makes minor miscellaneous amendments (regulation 9).

The Public Health Information Regulations require the operators of commercial air or sea passenger services that arrive in Wales to provide certain information to passengers using those services. The information relates to measures being taken in the United Kingdom in response to coronavirus, including measures required by the International Travel Regulations.

The amendments made to the Public Health Information Regulations by Part 3 of these Regulations include minor changes relating to the statement to be given to passengers travelling on services arriving in Wales (regulation 10); and a change to extend the review period for the purposes of the Welsh Ministers' reviews of the legislation (regulation 11).

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