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WELSH STATUTORY INSTRUMENTS

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**2021 No. 1212 (W. 303)**

**PUBLIC HEALTH, WALES**

**The Health Protection (Coronavirus, Restrictions, International Travel, Notification and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) Regulations 2021**

*Made* - - - - *at 4.25 p.m. on 29*  
*October 2021*  
*Laid before Senedd Cymru* *at 6.30 p.m. on 29*  
*October 2021*  
*Coming into force in accordance with regulation 1*

The Welsh Ministers, in exercise of the powers conferred on them by sections 45B, 45C(1) and (3) (c), 45F(2) and 45P(2) of the Public Health (Control of Disease) Act 1984(1), make the following Regulations.

The Welsh Ministers consider that the restrictions and requirements imposed by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In relation to the provision made by regulation 18 of these Regulations, in accordance with section 45Q(3) of the Public Health (Control of Disease) Act 1984, the Welsh Ministers are of the opinion that the instrument does not contain any provision made by virtue of section 45C(3)(c) of the Act which imposes or enables the imposition of a special restriction or requirement, or any other restriction or requirement which has or would have a significant effect on a person's rights.

**PART 1**

**General**

**Title and coming into force**

**1.—(1)** The title of these Regulations is the Health Protection (Coronavirus, Restrictions, International Travel, Notification and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) Regulations 2021.

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(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) These Regulations, except for regulations 3, 12 and 18, come into force at 4.00 a.m. on 31 October 2021.

(3) Regulations 3, 12 and 18 come into force at 4.00 a.m. on 1 November 2021.

## PART 2

### Amendments to the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020

#### Amendments to the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020

2. The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020(2) are amended as follows.

#### Amendments to regulation 2A

3.—(1) Regulation 2A (exemptions for vaccinated travellers and others) is amended as follows.

(2) In paragraph (10) in the definition of “authorised vaccine”, for paragraph (c) substitute—

“(c) in relation to doses received in any other country or territory (including a relevant country listed in paragraph (12)), which would be authorised as provided for in paragraph (a)(i) or (ii) if the doses were received in the United Kingdom;”.

(3) In paragraph (12), at the appropriate places insert—

“Angola”

“Anguilla”

“Argentina”

“Armenia”

“Azerbaijan”

“Belize”

“Bermuda”

“Botswana”

“British Antarctic Territory”

“British Indian Ocean Territory”

“British Virgin Islands”

“Cambodia”

“Cayman Islands”

(2) S.I. 2020/574 (W. 132), amended by S.I. 2020/595 (W. 136), S.I. 2020/714 (W. 160), S.I. 2020/726 (W. 163), S.I. 2020/804 (W. 177), S.I. 2020/817 (W. 179), S.I. 2020/840 (W. 185), S.I. 2020/868 (W. 190), S.I. 2020/886 (W. 196), S.I. 2020/917 (W. 205), S.I. 2020/942, S.I. 2020/944 (W. 210), S.I. 2020/962 (W. 216), S.I. 2020/981 (W. 220), S.I. 2020/1015 (W. 226), S.I. 2020/1042 (W. 231), S.I. 2020/1080 (W. 243), S.I. 2020/1098 (W. 249), S.I. 2020/1133 (W. 258), S.I. 2020/1165 (W. 263), S.I. 2020/1191 (W. 269), S.I. 2020/1223 (W. 277), S.I. 2020/1232 (W. 278), S.I. 2020/1237 (W. 279), S.I. 2020/1288 (W. 286), S.I. 2020/1329 (W. 295), S.I. 2020/1362 (W. 301), S.I. 2020/1477 (W. 316), S.I. 2020/1521 (W. 325), S.I. 2020/1602 (W. 332), S.I. 2020/1645 (W. 345), S.I. 2021/20 (W. 7), S.I. 2021/24 (W. 8), S.I. 2021/46 (W. 10), S.I. 2021/48 (W. 11), S.I. 2021/50 (W. 12), S.I. 2021/66 (W. 15), S.I. 2021/72 (W. 18), S.I. 2021/95 (W. 26), S.I. 2021/154 (W. 38), S.I. 2021/305 (W. 78), S.I. 2021/361 (W. 110), S.I. 2021/454 (W. 144), S.I. 2021/500 (W. 149), S.I. 2021/568 (W. 156), S.I. 2021/584 (W. 161), S.I. 2021/646 (W. 166), S.I. 2021/669 (W. 170), S.I. 2021/765 (W. 187), S.I. 2021/826 (W. 193), S.I. 2021/863 (W. 202), S.I. 2021/867 (W. 203), S.I. 2021/915 (W. 208), S.I. 2021/926 (W. 211), S.I. 2021/967 (W. 227), S.I. 2021/1063 (W. 250), S.I. 2021/1109 (W. 265) and S.I. 2021/1126 (W. 273).

“Costa Rica”  
“Djibouti”  
“Eswatini”  
“Falkland Islands”  
“Gibraltar”  
“Guernsey”  
“Guyana”  
“Honduras”  
“Isle of Man”  
“Jersey”  
“Lebanon”  
“Lesotho”  
“Madagascar”  
“Mauritius”  
“Mongolia”  
“Montserrat”  
“Nepal”  
“Occupied Palestinian Territories”  
“Panama”  
“Pitcairn, Henderson, Ducie and Oeno Islands”  
“Saint Helena, Ascension and Tristan da Cunha”  
“South Georgia and the South Sandwich Islands”  
“The Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus”  
“Turks and Caicos Islands”  
“Peru”  
“Rwanda”  
“Seychelles”  
“Sierra Leone”  
“Sri Lanka”  
“Suriname”  
“Tanzania”  
“Trinidad and Tobago”  
“Tunisia”  
“Uganda”  
“Uruguay”.

**Amendments to regulation 6AB**

4.—(1) Regulation 6AB (requirement to book and undertake tests) is amended as follows.

(2) For paragraph (2)(a) substitute—

“(a) a “day 2 test”—

- (i) in respect of a person to whom regulation 2A does not apply, is a test complying with paragraph 1 of Schedule 1C which is undertaken in the circumstances described in paragraph 1A of that Schedule;
- (ii) in respect of a regulation 2A traveller, means—
  - (aa) a test described in sub-paragraph (i), or
  - (bb) a test complying with paragraph 1ZB of Schedule 1C which is undertaken in the circumstances described in paragraph 1A of that Schedule;”.

### **Amendments to regulation 6DB**

**5.**—(1) Regulation 6DB (requirement to isolate on failure to take tests: travellers from exempt countries and territories and regulation 2A travellers) is amended as follows.

- (2) In the heading, omit “travellers from exempt countries and territories and”.
- (3) For sub-paragraph (1) substitute—
  - “(1) This regulation applies to a regulation 2A traveller (“P”) to whom regulation 6AB(1) applies.”
- (4) In paragraph (5)(a), for “paragraph 1 of Schedule 1C” substitute “regulation 6AB(2)(a)(ii)”.

### **Substitution of regulation 6E**

- 6.** For regulation 6E (consequences of positive test result) substitute—

#### **“Consequences of positive test result**

**6E.**—(1) Where a test taken by a person (“P”) in accordance with regulation 6AB is positive and—

- (a) P is a person to whom regulation 7(1) or 8(1) applies, paragraphs (2) and (7) apply;
- (b) P is a regulation 2A traveller—
  - (i) where the test is a day 2 PCR test, paragraphs (3) and (7) apply;
  - (ii) where the test is a day 2 LFD test, paragraphs (4), (5) and (7) apply.

(2) 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).

(3) 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.

(4) P must as soon as reasonably practicable undertake a confirmatory test provided by the Welsh Ministers for the purposes of this paragraph.

(5) 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 earlier of—

- (a) the last day of the period of 10 days beginning with the day on which P took the day 2 LFD test;
- (b) the time that P is notified that the result of the confirmatory test undertaken in accordance with paragraph (4) is negative.

(6) In this regulation, a person is deemed to receive notification of a result in relation to a day 2 LFD test when the person determines the result in accordance with the test manufacturer’s instructions for use.

(7) 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 Coronavirus Restrictions Regulations do not apply in relation to P.

(8) In this regulation—

“day 2 LFD test” means a test within the meaning of regulation 6AB(2)(a)(ii)(bb);

“day 2 PCR test” means a test within the meaning of regulation 6AB(2)(a)(ii)(aa).”

#### **Amendments to regulation 6HB**

7.—(1) Regulation 6HB (consequences of receiving inconclusive test result: travellers from exempt countries and territories and regulation 2A travellers) is amended as follows.

(2) In the heading, omit “travellers from exempt countries and territories and”.

(3) For sub-paragraph (1) substitute—

“(1) This regulation applies to a regulation 2A traveller (“P”) to whom regulation 6AB(1) applies.”

(4) In paragraph (5)(a), for “paragraph 1 of Schedule 1C” substitute “regulation 6AB(2)(a)(ii)”.

#### **Amendments to regulation 14**

8.—(1) Regulation 14 (offences) is amended as follows.

(2) After paragraph (1)(h) insert—

“(ha) 6E(4);”.

(3) In paragraph (1D), after “6AB” insert “or 6E(4)”.

#### **Amendments to regulation 16**

9. In regulation 16(6AB) (fixed penalty notices)—

(a) in the opening words, after “regulation 14(1)(h)” insert “or (ha)”;

(b) in sub-paragraph (b), after “6AB(7)” insert “or 6E(4)”;

(c) in sub-paragraph (c), after “6AB(7)” insert “or 6E(4)”.

#### **Amendments to Schedule 1**

10. In paragraph 2 of Schedule 1 (passenger information), omit sub-paragraphs (e) and (k)(iv).

#### **Amendments to Schedule 1C**

11.—(1) Schedule 1C (mandatory testing after arrival in Wales) is amended as follows.

(2) After paragraph 1ZA insert—

##### **“Day 2 tests: general requirements for lateral flow device tests**

1ZB.—(1) A day 2 test complies with this paragraph where the test complies with sub-paragraph (2) and—

(a) it is a test provided by a public test provider; or

(b) it is a test provided by a private test provider where the private test provider complies with paragraph 1ZC.

(2) A test complies with this sub-paragraph where—

- (a) it is a test for the detection of coronavirus which uses one or more of—
  - (i) mid-turbinate or anterior nares nasal swabbing;
  - (ii) tonsillar swabbing;
  - (iii) saliva;
- (b) it is uniquely identifiable;
- (c) it is provided in accordance with the test manufacturer’s instructions for use including, in particular, instructions as to the target use, target user and target use settings; and
- (d) any device used for the purposes of the test can be put into service in accordance with Part 4 of the Medical Devices Regulations 2002(3), other than solely by virtue of regulation 39(2) of those Regulations.

**Day 2 tests: private test provider requirements for lateral flow device tests**

- 1ZC.**—(1) A private test provider complies with this paragraph where—
- (a) they comply with the requirements of paragraph 1ZA(1)(a) to (e) and (h);
  - (b) they have made a declaration to the Secretary of State that they meet the minimum standards for private sector-provided testing published at [gov.uk/guidance/day-2-lateral-flow-tests-for-international-arrivals-minimum-standards-for-providers](https://gov.uk/guidance/day-2-lateral-flow-tests-for-international-arrivals-minimum-standards-for-providers) on 21 October 2021 and the Secretary of State has confirmed in writing that it considers the provider meets those standards;
  - (c) they continue to meet the minimum standards to which the declaration mentioned in paragraph (b) relates;
  - (d) they have provided the Secretary of State with a list of all organisations that they work with (whether by sub-contract or otherwise) to carry out the testing service, indicating the nature of the service that each organisation is providing, and kept that list updated as appropriate;
  - (e) they receive the information required by regulation 6AB(5), and if they administer the test to P, they do so no later than the end of the second day after the day on which P arrived in Wales;
  - (f) they have in place a system in place to reject results from devices which have been previously used;
  - (g) each day, they notify the Secretary of State in writing of—
    - (i) the number of tests they sold on that day, and
    - (ii) in relation to each test sold on that day—
      - (aa) the date of the arrival in the United Kingdom of the person in respect of whom the test was sold,
      - (bb) whether it is a polymerase chain reaction or lateral flow device, and
      - (cc) the test reference number given to P in accordance with regulation 6AB(6);
    - (iii) in relation to each test the purchase of which was cancelled on that day, the information set out in sub-paragraph (ii)(aa) to (cc);

(h) if they arrange with another person (“X”) for X to carry out any element of the single end-to-end testing service on their behalf, the test provider ensures that X complies with the following so far as relevant to the carrying out of that element—

- (i) paragraph 1ZA(1)(b) to (e) and (h) as applied by paragraph (a) of this sub-paragraph;
- (ii) paragraph (c) to (g) of this sub-paragraph;
- (iii) paragraph 2D(2) and (4).

(2) For the purposes of sub-paragraph (1)(h), “single end-to-end testing service” means a service which comprises any of the following elements where they are part of the service offered by the test provider—

- (a) accepting the booking from the person to be tested;
- (b) providing the test;
- (c) collecting and processing the test once it has been undertaken;
- (d) analysing the test;
- (e) verifying the result of the test;
- (f) providing notification of the test result.”

(3) For paragraph (1A) substitute—

“**1A.** The circumstances mentioned in regulation 6AB(2)(a) are—

- (a) that P undertake the day 2 test no later than the end of the second day after the day on which P arrived in Wales, and
- (b) in relation to a test described in regulation 6AB(2)(a)(ii)(bb) not administered by a test provider, that P provides the test provider with the following information within 15 minutes of the test’s read time as determined by the manufacturer’s instructions for use—
  - (i) photographic evidence clearly showing—
    - (aa) the test device in such a way that it is identifiable as having been provided by the test provider,
    - (bb) the test reference number given in accordance with regulation 6AB(6), and
    - (cc) the test result, and
  - (ii) the address at which P is able to receive a confirmatory test pursuant to regulation 6E(4).”

(4) After paragraph 2C insert—

**“Notification of test results: lateral flow device tests**

**2D.**—(1) This paragraph applies to a private test provider who administers or provides a test within the meaning of regulation 6AB(2)(a)(ii)(bb) to P in the circumstances described in paragraph 1A.

(2) The private test provider must, within 24 hours of the relevant event—

- (a) notify P and, where applicable, any person who arranges the test on P’s behalf, by email, letter or text message, the result of P’s test, or
- (b) make P’s test result available to P and, where applicable, any person who arranges the test on P’s behalf, via a secure web portal,

in accordance with sub-paragraph (4).

- (3) In paragraph (2), “relevant event” means—
- (a) where the test provider administered the test, the time at which the test provider determined the results of the test;
  - (b) where the test provider did not administer the test, the time at which the test provider received the information required to be provided by paragraph 1A(b).
- (4) The notification of P’s test result must include P’s name, date of birth, passport number, or travel document reference number (as appropriate), the name and contact details of the test provider and P’s test reference number, and must be conveyed so as to inform P whether the test was negative, positive, or inconclusive.”
- (5) In paragraph 3(d), after ““single end-to-end testing””, insert “, except in paragraph 1ZC(1)(h),”.

### **Amendments to Schedule 3A**

- 12.** In Schedule 3A (countries and territories subject to additional measures) omit—
- “Colombia”
  - “Dominican Republic”
  - “Ecuador”
  - “Haiti”
  - “Republic of Panama”
  - “Peru”
  - “Venezuela”.

## **PART 3**

### **Amendment of the Health Protection (Notification) (Wales) Regulations 2010**

#### **Amendment of the Health Protection (Notification) (Wales) Regulations 2010**

- 13.** The Health Protection (Notification) (Wales) Regulations 2010(4) are amended as follows.

#### **Amendments to regulation 4A**

**14.—**(1) Regulation 4A (duty on the operators of diagnostic laboratories to notify Public Health Wales of SARS-CoV-2 or influenza virus tests processed) is amended as follows.

(2) In paragraph (1), after “SARS-CoV-2” insert “, other than a test in relation to which regulation 4AB applies,”.

(3) In paragraph (3)(a), after “SARS-CoV-2” insert “, other than a test in relation to which regulation 4AB applies,”.

#### **Insertion of regulation 4AB**

- (4) After regulation 4A insert—

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(4) S.I. 2010/1546 (W. 144), amended by S.I. 2020/232 (W. 54) and S.I. 2021/1063 (W. 250).

**“Duty to notify Public Health Wales of the results of lateral flow device tests undertaken by eligible travellers**

**4AB.**—(1) This regulation applies where a test provider administers or provides a test for the detection of SARS-CoV-2 in accordance with regulation 6AB(2)(a)(ii)(bb) (lateral flow device tests) of the International Travel Regulations.

(2) The test provider must notify Public Health Wales of the result of the test in accordance with paragraphs (3) to (5).

(3) A notification must be provided in writing—

- (a) where the test provider administered the test, within 24 hours of determining the result of the test;
- (b) where the test provider did not administer the test, within 24 hours of receiving the information required to be provided by paragraph 1A(b) of Schedule 1C to the International Travel Regulations.

(4) A notification must include the following information, insofar as it is known to the test provider—

- (a) in relation to the person who undertook the test (“P”), their—
  - (i) first name;
  - (ii) surname;
  - (iii) sex;
  - (iv) date of birth;
  - (v) NHS number;
  - (vi) ethnicity;
  - (vii) home address (including postcode);
  - (viii) address provided to the test provider as the place where P is able to receive a confirmatory test;
  - (ix) telephone number and email address, where the test result is positive or indeterminate;
- (b) whether or not P has received a vaccine against SARS-CoV-2;
- (c) P’s passport number or travel document number (as appropriate);
- (d) the coach number, flight number, or vessel name of the conveyance on which P arrived in Wales;
- (e) the test reference number given to P in accordance with regulation 6AB(6) of the International Travel Regulations;
- (f) the country or territory P was travelling from when P arrived in Wales, and any country or territory they transited through as part of that journey;
- (g) the date on which P undertook the test;
- (h) confirmation that the test complies, and was undertaken in accordance with, the requirements applicable under the International Travel Regulations;
- (i) confirmation that the test is a lateral flow device test undertaken by a regulation 2A traveller within the meaning of the International Travel Regulations;
- (j) where the test provider did not administer the test, the date and time that the test provider received the information required to be provided by paragraph 1A(b) of Schedule 1C to the International Travel Regulations;
- (k) the following information about the test—

- (i) the name of the test provider and a description of its operations;
- (ii) the specimen number;
- (iii) the specimen type;
- (iv) the specimen date;
- (v) the test method;
- (vi) the result;
- (vii) the date on which the test was carried out;
- (viii) the name of the testing equipment manufacturer.

(5) Where P is a child, or a person with a disability who is unable for that reason to provide the information set out in paragraph (4)(a) to the test provider, the test provider must provide Public Health Wales with, insofar as it is known to the test provider—

- (a) the information set out in paragraph (4)(a)(i) to (viii) in relation to P, having obtained it from an appropriate parent, guardian or carer of P (“X”); and
- (b) where the test result is positive or indeterminate, X’s telephone number and email address.

(6) It is an offence for a test provider to fail without reasonable excuse to comply with this regulation.

(7) A test provider that commits an offence under this regulation is liable on summary conviction to a fine.

(8) In this regulation, “carer”, “child”, “disability”, “guardian”, “International Travel Regulations”, “parent” and “Public Health Wales” have the meanings given in regulation 4A.”

#### **Amendments to regulation 5**

**15.**—(1) Regulation 5 (duty to provide information to the proper officer or Public Health Wales) is amended as follows.

- (2) In paragraph (1), after “4A,” insert “4AB,”.
- (3) In paragraph (2A), after “4A(3),” insert “4AB(4),”.

#### **Amendment to regulation 7**

**16.** In regulation 7(1)(a) (electronic communications), after “4A(1),” insert “4AB,”.

## PART 4

### Amendment of the Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020

#### **Amendment of the Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020**

17. For regulation 3A(4)(a) (provision of information prior to departure) of the Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020(5) substitute—

“(a) where the information is provided by text message or push notification, text which—

- (i) informs P of the requirement to provide information,
- (ii) informs P that penalties apply for failure to comply with the requirement to provide information,
- (iii) includes a link to <https://www.gov.uk/provide-journey-contact-details-before-travel-uk>,
- (iv) informs P of the requirement to possess notification of a negative test result in accordance with regulation 6A of the International Travel Regulations, and
- (v) informs P of the requirement to arrange tests before arriving in Wales in accordance with regulation 6AB of the International Travel Regulations;”.

## PART 5

### Amendment of the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020

#### **Amendment of the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020**

18. In regulation 16A(12) (specific measures applicable to premises where music is provided for dancing or at which specified events are held) of the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020(6), at the appropriate places insert—

“Angola”  
“Anguilla”  
“Argentina”  
“Armenia”  
“Azerbaijan”  
“Belize”

(5) S.I. 2020/595 (W. 136), amended by S.I. 2020/714 (W. 160), S.I. 2020/1118 (W. 253), S.I. 2020/1521 (W. 325), S.I. 2021/72 (W. 18), S.I. 2021/171 (W. 39), S.I. 2021/457 (W. 145), S.I. 2021/584 (W. 161), S.I. 2021/646 (W. 166), S.I. 2021/765 (W. 187), S.I. 2021/863 (W. 202) and S.I. 2021/1109 (W. 265).

(6) S.I. 2020/1609 (W. 335) amended by S.I. 2020/1610 (W. 336), S.I. 2020/1623 (W. 340), S.I. 2020/1645 (W. 345), S.I. 2021/20 (W. 7), S.I. 2021/46 (W. 10), S.I. 2021/57 (W. 13), S.I. 2021/66 (W. 15), S.I. 2021/95 (W. 26), S.I. 2021/103 (W. 28), S.I. 2021/172 (W. 40), S.I. 2021/210 (W. 52), S.I. 2021/307 (W. 79), S.I. 2021/413 (W. 133), S.I. 2021/502 (W. 150), S.I. 2021/542 (W. 154), S.I. 2021/583 (W. 160), S.I. 2021/668 (W. 169), S.I. 2021/686 (W. 172), S.I. 2021/722 (W. 183), S.I. 2021/862 (W. 201), S.I. 2021/925 (W. 210), S.I. 2021/970 (W. 228), S.I. 2021/1119 (W. 271) and S.I. 2021/1131 (W. 274).

“Bermuda”  
“Botswana”  
“British Antarctic Territory”  
“British Indian Ocean Territory”  
“British Virgin Islands”  
“Cambodia”  
“Cayman Islands”  
“Costa Rica”  
“Djibouti”  
“Eswatini”  
“Falkland Islands”  
“Gibraltar”  
“Guernsey”  
“Guyana”  
“Honduras”  
“Isle of Man”  
“Jersey”  
“Lebanon”  
“Lesotho”  
“Madagascar”  
“Mauritius”  
“Mongolia”  
“Montserrat”  
“Nepal”  
“Occupied Palestinian Territories ”  
“Panama”  
“Pitcairn, Henderson, Ducie and Oeno Islands”  
“Saint Helena, Ascension and Tristan da Cunha”  
“South Georgia and the South Sandwich Islands”  
“The Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus”  
“Turks and Caicos Islands”  
“Peru”  
“Rwanda”  
“Seychelles”  
“Sierra Leone”  
“Sri Lanka”  
“Suriname”  
“Tanzania”  
“Trinidad and Tobago”  
“Tunisia”

“Uganda”

“Uruguay”.

At 4.25 p.m. on 29 October 2021

*Eluned Morgan*  
Minister for Health and Social Services, one of  
the Welsh Ministers

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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 (S.I. 2020/574 (W. 132)) (“the International Travel Regulations”), the Health Protection (Notification) (Wales) Regulations 2010 (S.I. 2010/1546 (W. 144)) (“the Notification Regulations”), the Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020 (S.I. 2020/595 (W. 136)) (“the Public Health Information Regulations”) and the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 (S.I. 2020/1609 (W. 335)) (“the Restrictions Regulations”).

Part 2 of these Regulations amends the International Travel Regulations.

The International Travel Regulations impose requirements on persons entering Wales after having been abroad. They include requirements for booking and undertaking coronavirus tests in accordance with those Regulations. The requirements imposed by the International Travel Regulations are subject to exceptions, and certain categories of person are exempt from having to comply. The International Travel Regulations also make specific provisions for “regulation 2A travellers”; including individuals who have been fully vaccinated in prescribed countries and territories.

Regulation 3 of these Regulations amends regulation 2A (exemptions for vaccinated travellers and others) of the International Travel Regulations, extending the recognition of vaccinations to further countries and territories.

Regulation 4 amends regulation 6AB (requirement to book and undertake tests) of the International Travel Regulations so as to enable regulation 2A travellers to use lateral flow device (“LFD”) tests for the purposes of the Regulations.

Regulation 6 contains provision requiring a person to undertake a confirmatory polymerase chain reaction (“PCR”) test where they receive a positive test result on a LFD test, as well as containing provision on isolation requirements following positive results.

Regulation 8 introduces an offence for failing to undertake a confirmatory PCR test.

Regulations 5, 7 to 9, and 11 make further provision in relation to the introduction of LFD testing.

Regulation 10 amends Schedule 1 to the International Travel Regulations to remove the requirement for passengers to list their seat numbers on Passenger Locator Forms (“PLF”).

Non-exempt persons are prohibited from entering Wales where they have been in a country or territory listed in Schedule 3A (countries and territories subject to additional measures) to the International Travel Regulations within the last 10 days of arrival, pursuant to regulation 12E (additional measures applicable to persons travelling from a country or territory listed in Schedule 3A) of the International Travel Regulations. Regulation 12 of these Regulations amends Schedule 3A to remove various countries from the list of countries or territories to which regulation 12E applies.

Part 3 of these Regulations amends the Notification Regulations, in consequence of the introduction of LFD testing in the International Travel Regulations to ensure Public Health Wales are notified of test results.

The Public Health Information Regulations impose requirements on operators of international passenger services coming from outside the common travel area to an airport, heliport or seaport in Wales to provide passengers with specified public health information. Part 4 of these Regulations

amends the Public Health Information Regulations, in consequence of the PLF amendments made to the International Travel Regulations at regulation 10.

Part 5 of these Regulations amends regulation 16A(12) of the Restrictions Regulations, further extending the list of countries and territories in that paragraph so that evidence of vaccination in those countries with vaccines authorised in the United Kingdom is also acceptable for the purposes of what is commonly known as the COVID-pass. The amendment is required to maintain consistency with regulation 2A of the International Travel Regulations.

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 costs and benefits of complying with these Regulations.