

2021 No. 13

PUBLIC HEALTH

**The Health Protection (Coronavirus, International Travel)
(Amendment No. 5) Regulations (Northern Ireland) 2021**

Made - - - - - *22nd January 2021*

Coming into operation - at 4.00 a.m. on 23rd January 2021

The Department of Health^(a) makes the following Regulations in exercise of the powers conferred by sections 25B and 25F(2) of the Public Health Act (Northern Ireland) 1967^(b).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, International Travel) (Amendment No. 5) Regulations (Northern Ireland) 2021 and shall come into operation at 4.00 am on 23rd January 2021.

(2) In these Regulations, “the principal Regulations” means the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020^(c);

Amendment of the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020

2.—(1) The principal Regulations are amended in accordance with regulations 3 to 5.

(2) In relation to any person who arrived in Northern Ireland on or after 10th July 2020 and before the coming into operation of any amendment made by regulation 4 the principal Regulations apply as if that amendment had not been made.

New Part 2A

3.—(1) After Part 2 (obligations on persons arriving in Northern Ireland and others), insert—

“PART 2A

Prohibition on the arrival of aircraft and vessels into Northern Ireland

Interpretation of Part 2A

4A.—(1) In this Part—

(a) Formerly the Department of Health, Social Services and Public Safety; see 2016 c. 5 (N.I.), s. 1(5)
(b) 1967 c. 36 (N.I.). Part 1A was inserted by section 48 of, and Schedule 18 to, the Coronavirus Act 2020 (c. 7)
(c) S.R. 2020 No. 90 as amended by S.R. 2020 Nos. 138, 140, 154, 155, 163, 168, 179, 185, 189, 193, 194, 200, 203, 212, 216, 223, 228, 234, 241, 243, 244, 254, 275, 278, 289, 326, 344, and 355 and S.R. 2021 Nos. 4, 5, 6, 9 and 10

“operator” means—

- (a) in relation to a commercially operated aircraft or vessel, the person who has management control over the aircraft or vessel when it arrives in Northern Ireland;
- (b) in relation to any other aircraft or vessel, the person who has physical control over the aircraft or vessel when it arrives in Northern Ireland;

“passenger” means a person carried in or on an aircraft or vessel other than a member of the aircraft or vessel’s crew;

“port” has the same meaning as in the Merchant Shipping Act 1995^(a).

(2) In the definition of “operator” in paragraph (1) “arrives” means—

- (a) in relation to an aircraft, lands;
- (b) in relation to a vessel, moors at a port.

Prohibition on arrival of aircraft into Northern Ireland

4B.—(1) Subject to paragraph (2), this regulation applies in relation to an aircraft whose last point of departure was in a country or territory listed in paragraph 1 of Schedule 6 (“a relevant aircraft”).

(2) This regulation does not apply in relation to—

- (a) a commercially operated aircraft carrying no passengers;
- (b) an aircraft operated by or in support of Her Majesty’s Government in the United Kingdom.

(3) An operator must not cause or permit a relevant aircraft to land in Northern Ireland unless—

- (a) landing in Northern Ireland is reasonably necessary to secure the safety of the aircraft or the health and safety of any person aboard it;
- (b) the landing is only for the purpose of refuelling, or aircraft maintenance, and no passengers are permitted to board, or disembark from, the aircraft; or
- (c) the aircraft is an air ambulance and landing for the purpose of transporting a person for medical treatment.

Prohibition on arrival of vessels into Northern Ireland

4C.—(1) Subject to paragraph (2), this regulation applies in relation to a vessel whose last point of departure was a port in a country or territory listed in paragraph 2 of Schedule 6 (“a relevant vessel”).

(2) This regulation does not apply in relation to—

- (a) a commercially operated vessel carrying no passengers;
- (b) a vessel operated by or in support of Her Majesty’s Government in the United Kingdom.

(3) An operator must not cause or permit a relevant vessel to moor at a port in Northern Ireland unless mooring at a port in Northern Ireland—

- (a) is reasonably necessary to secure the safety of the vessel or the health and safety of any person aboard it; or
- (b) is otherwise required pursuant to a direction issued under Schedule 3A to the Merchant Shipping Act 1995.”.

(2) After regulation 6(3) (offences and penalties), insert—

(a) 1995 c. 21. See section 313

“(3A) An operator (within the meaning given in regulation 4A) who contravenes regulation 4B(3) or 4C(3) commits an offence.”.

Amendments to Schedule 5

4. In Schedule 5 (Countries or territories subject to additional measures), at the appropriate place in alphabetical order, insert “Democratic Republic of Congo” and “Tanzania”.

New Schedule 6

5. After Schedule 5, insert—

“SCHEDULE 6 Regulations 4B and 4C

Prohibition on arrival of aircraft and vessels

1. The countries and territories referred to in regulation 4B(1) (prohibition on arrival of aircraft into Northern Ireland) are

Argentina

Brazil

Cape Verde

Chile

Portugal

2. The countries and territories referred to in regulation 4C(1) (prohibition on arrival of vessels into Northern Ireland) are

Portugal”.

Sealed with the Official Seal of the Department of Health on 22nd January 2021

(L.S.)

Dr Naresh Chada

A senior officer of the Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020 (“the principal Regulations”).

Part 2A is inserted to prohibit the arrival in Northern Ireland of certain aircraft and vessels from the countries and territories listed in the relevant part of Schedule 6 to the principal Regulations.

Democratic Republic of Congo and Tanzania are included in the list of countries and territories in Schedule 5 to the principal Regulations subject to additional measures.

Schedule 6 is inserted to list the countries and territories from which certain aircraft and vessels are prohibited from arriving in Northern Ireland for the purposes of Part 2A.

No impact assessment has been prepared for these Regulations.

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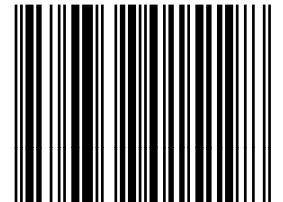
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