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STATUTORY INSTRUMENTS

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**2021 No. 1179**

**The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 16) Regulations 2021**

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

**13.**—(1) The Health Protection (Notification) Regulations 2010<sup>(1)</sup> are amended as follows.

(2) In paragraph (1)(b) of regulation 4, after “SARS-CoV-2” insert “, other than a test in relation to which regulation 4B (duty to report the results of LFD tests undertaken by eligible travellers) applies,”.

(3) In paragraph (1) of regulation 4A, after “SARS-CoV-2” insert “, other than a test in relation to which regulation 4B (duty to report the results of LFD tests undertaken by eligible travellers) applies,”.

(4) After regulation 4A insert—

**“Duty to notify the United Kingdom Health Security Agency of the results of lateral flow device tests undertaken by eligible travellers**

**4B.**—(1) This regulation applies where a test provider administers or provides a test for the detection of SARS-CoV-2 in accordance with regulation 3J(10)(a)(ii) (lateral flow device tests for eligible travellers) of the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021 (“the International Travel and Operator Liability Regulations”).

(2) The test provider must notify the United Kingdom Health Security Agency 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 was administered—

(i) by the test provider, or

(ii) at a site operated for the purpose of administering such tests by or on behalf of the test provider,

within 24 hours of the result being determined;

(b) where the test was administered other than in accordance with sub-paragraph (a), within 24 hours of receiving the information provided pursuant to paragraph 10(3)(b) of Schedule 8 to the International Travel and Operator Liability 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) full name;

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(1) S.I. 2010/659, which has been amended by S.I. 2010/954, 2013/235, 2018/387, 2020/237, 674, 1175, 2021/150, 223, 442, 582, 914, 923, 966 and 974.

- (ii) sex;
  - (iii) date of birth;
  - (iv) NHS number;
  - (v) ethnicity;
  - (vi) home address (including postcode);
  - (vii) the address provided to the test provider as the place where P is able to receive a confirmatory test;
  - (viii) 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 England;
  - (e) the test reference number given to P in accordance with paragraph 10(5) of Schedule 8 to the International Travel and Operator Liability Regulations;
  - (f) the country or territory P was travelling from when P arrived in England, 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 and Operator Liability Regulations;
  - (i) confirmation that the test is a lateral flow device test undertaken by an eligible traveller within the meaning of the International Travel and Operator Liability 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 regulation 3J(7A) of the International Travel and Operator Liability 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 the United Kingdom Health Security Agency with, insofar as it is known to the test provider—

- (a) the information set out in paragraph (4)(a)(i) to (vii) 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”, and “parent” have the meanings given in regulation 4.”.

(5) In paragraph (1)(a) of regulation 7 (electronic communications), for “4ZB and 4A(3)” substitute “4ZB, 4A(3) and 4B(2)”.