

*This Statutory Instrument, in part, corrects an error in S.I. 2021/582 and is being issued free of charge to all known recipients of that Statutory Instrument.*

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STATUTORY INSTRUMENTS

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**2022 No. 125**

**PUBLIC HEALTH, ENGLAND**

**The Health Protection (Coronavirus, International  
Travel and Operator Liability) (England)  
(Amendment) (No. 2) Regulations 2022**

*Made* - - - - *at 10.18 a.m. on  
10th February 2022*  
*Laid before Parliament* *at 4.00 p.m. on 10th  
February 2022*  
*Coming into force in accordance with regulation 1(2)*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 45B, 45C, 45F(2) and 45P(2) of the Public Health (Control of Disease) Act 1984<sup>(1)</sup>.

In accordance with section 45Q(3) of that Act, the Secretary of State is of the opinion that these Regulations do 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.

**Citation, commencement, extent, application and interpretation**

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 2) Regulations 2022.

(2) These Regulations come into force at 4.00 a.m. on 11th February 2022, except—

(a) regulation 28(3) and (4) comes into force at 4.00 a.m. on 16th February 2022;

(b) the following come into force at 4.00 a.m. on 28th February 2022—

(i) regulation 4(2);

(ii) regulation 6(3), so far as it relates to all entries except those for Cape Verde, El Salvador and Togo (and, accordingly, those entries come into force at 4.00 a.m. on 11th February 2022), and (4)(b);

(c) the following come into force on 3rd March 2022—

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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).

- (i) regulation 30(12)(f) and (g);
- (ii) regulation 36.

(3) These Regulations extend to England and Wales, and apply in relation to England only.

(4) In these Regulations, “the Principal Regulations” means the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021(2).

### **Amendment of the Principal Regulations**

2. The Principal Regulations are amended in accordance with regulations 3 to 35.

### **Amendment of regulation 2 (interpretation and introduction of Schedules 1 to 4)**

3.—(1) Regulation 2 is amended as follows.

(2) In paragraph (1)—

(a) omit the following definitions—

- (i) “category 1 arrival”;
- (ii) “category 1 country or territory”;
- (iii) “the Conference of the Parties”;
- (iv) “the COP”;
- (v) “the COP World Leaders summit event”;

(b) after the definition of “COVID-19 vaccination eligibility criteria” insert—

““Crown servant” has the meaning given in section 12(1)(a) to (e) of the Official Secrets Act 1989(3);”;

(c) omit the definition of “day 2 LFD test”;

(d) after the definition of “European microstate” insert—

““government contractor” has the meaning given in section 12(2) of the Official Secrets Act 1989;”;

(e) omit the definition of “the Kyoto Protocol”;

(f) after the definition of “managed self-isolation package” insert—

““non-category 3 arrival” means a person who arrives in England without having departed from or transited through a category 3 country or territory in the period beginning with the 10th day before the date of their arrival in England;”;

(g) in the definition of “operator”, omit “except where the context otherwise requires,”;

(h) omit the definition of “the Paris Agreement”;

(i) after the definition of “relevant service” insert—

““Schedule 11-exempt passenger” means a person to whom Schedule 11 does not apply only by virtue of paragraph 2 of that Schedule;”;

(j) omit the definition of “United Nations Framework Convention on Climate Change”.

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- (2) S.I. 2021/582 amended by S.I. 2021/589, 670, 682, 731, 766, 795, 865, 914, 923, 966, 974, 1003, 1033, 1066, 1107, 1130, 1155, 1179, 1210, 1213, 1289, 1323, 1331, 1339, 1367, 1371, 1434, 1449, 1463 and 2022/11 .
- (3) 1989 c. 6. Section 12 was amended by paragraph 22 of Schedule 10 to the Reserve Forces Act 1996 (c. 14), by paragraph 30 of Schedule 12 to the Government of Wales Act 1998 (c. 38), by paragraph 26 of Schedule 8 to the Scotland Act 1998 (c. 46), by paragraph 9(3) of Schedule 13 to the Northern Ireland Act 1998 (c. 47), by paragraph 9 of Schedule 6 to the Police (Northern Ireland) Act 2000 (c. 32), by paragraph 6 of Schedule 14 to the Energy Act 2004 (c. 20), by paragraph 58 of Schedule 4 to the Serious Organised Crime and Police Act 2005, by paragraph 34 of Schedule 10, and paragraph 1 of Schedule 12, to the Government of Wales Act 2006 (c. 32) and by paragraph 36 of Schedule 8 to the Crime and Courts Act 2013 (c. 22).

- (3) Omit paragraph (6).

**Amendment of regulation 3 (requirement on passengers to provide information)**

- 4.—(1) Regulation 3 is amended as follows.
- (2) In paragraph (6)(b), for “48 hours” substitute “3 days”.
- (3) In paragraph (10)—
- (a) in the words before sub-paragraph (a), for “Subject to paragraphs (11) and (12) the” substitute “The”;
  - (b) in sub-paragraph (a), at the end insert “who is a non-category 3 arrival”;
  - (c) for sub-paragraph (b) (and the semi-colon after it) substitute—
    - “(b) a person described in any of the following provisions of Schedule 4—
    - (i) Part 2 (transport workers);
    - (ii) Part 3 (border security duties);
    - (iii) paragraph 19(1) (diplomats etc.);
    - (iv) paragraph 19(2), (3) or (4) (international organisations etc.) where the Foreign, Commonwealth and Development Office has given confirmation under that paragraph in respect of this regulation;
    - (v) paragraph 20 (defence personnel);
    - (vi) paragraph 22 (non-disembarking cruise passengers);
    - (vii) paragraph 23(2)(a) (non-CTA airside transit passengers).”;
  - (d) omit sub-paragraphs (bza) to (f).
- (4) Omit paragraph (11).

**Amendment of regulation 3ZA (requirement to possess notification of negative test result)**

5. In regulation 3ZA(6)—
- (a) before sub-paragraph (b) insert—
    - “(a) a child who—
    - (i) is under the age of 12, and
    - (ii) arrives in England from a category 3 country or has at any time in the period beginning with the 10th day before the date of their arrival in England departed from or transited through a category 3 country or territory.”;
  - (b) for sub-paragraph (b) substitute—
    - “(b) a person described in any of the following provisions of Schedule 4—
    - (i) Part 2 (transport workers);
    - (ii) Part 3 (border security duties);
    - (iii) paragraph 16 (transporting human cells);
    - (iv) paragraph 17 or 18 (essential government work etc.) where the relevant Department has certified under either of those paragraphs in respect of this regulation;
    - (v) paragraph 19(2), (3) or (4) (international organisations etc.) where the Foreign, Commonwealth and Development Office has given confirmation under that paragraph in respect of this regulation;

- (vi) paragraph 20 (defence personnel);
- (vii) paragraph 22 (non-disembarking cruise passengers)”;
- (c) omit sub-paragraphs (c) and (d).

**Amendment of regulation 3A (interpretation of Part 1B)**

6.—(1) Regulation 3A is amended as follows.

(2) In paragraph (2), omit the following definitions—

- (a) “Crown servant”;
- (b) “government contractor”.

(3) In paragraph (2A) insert at the appropriate places entries for—

“Cape Verde

El Salvador

Georgia

Lebanon

Moldova

Montenegro

New Zealand

Serbia

Singapore

Taiwan

Thailand

Togo

Tunisia

United Arab Emirates

Uruguay”.

(4) In paragraph (4)—

(a) insert at the appropriate places entries for—

“Algeria

China

Guatemala

Iran

Kazakhstan

Kyrgyzstan

Macao SAR

Mexico

Sao Tome and Principe

- South Sudan
- Timor-Leste
- Tonga
- Turkmenistan”;
- (b) omit the entries for—
  - “Albania
  - Armenia
  - Georgia
  - Israel
  - Lebanon
  - Moldova
  - Montenegro
  - Morocco
  - New Zealand
  - North Macedonia
  - Panama
  - Serbia
  - Singapore
  - Taiwan
  - Thailand
  - Tunisia
  - Turkey
  - Ukraine
  - United Arab Emirates
  - Uruguay”.

**Omission of regulations 3I, 3J and 3K (testing and self-isolation requirements on eligible travellers)**

- 7. Omit regulations 3I, 3J and 3K.

**Amendment of regulation 5 (requirements relating to tests)**

- 8.—(1) Regulation 5 is amended as follows.
- (2) For paragraph (1) substitute—
  - “(1) Except as provided in paragraph (6), regulation 6 applies to—
    - (a) a non-category 3 arrival who—
      - (i) arrives in England from outside the common travel area, and

- (ii) is not a person to whom regulation 7(2)(b) (workforce tests) applies by virtue of paragraph (4) of this regulation;
- (b) a Schedule 11-exempt passenger who is a person described in any of the following provisions of Schedule 4—
  - (i) paragraph 8 (seafarers) so far as it applies to a seaman or a master of a fishing vessel within the meaning of the Merchant Shipping Act 1995(4);
  - (ii) paragraph 12 (foreign Government border security duties);
  - (iii) Part 4 (law enforcement);
  - (iv) paragraph 17 or 18 (essential government work etc.);
  - (v) paragraph 19(2), (3) or (4) (international organisations etc.);
  - (vi) paragraph 21 (in-flight security officers);
- (c) a Schedule 11 passenger.”.
- (3) Omit paragraph (2).
- (4) For paragraph (3) substitute—
 

“(3) Paragraph (2)(a) of regulation 7 (requirement to undertake workforce tests) applies to a Schedule 11-exempt passenger who is described in any of the following provisions of Schedule 4—

  - (a) paragraph 2 (aircraft crew);
  - (b) paragraph 5 (road haulage workers);
  - (c) paragraph 8 (seafarers), other than a seaman or master of a fishing vessel within the meaning of the Merchant Shipping Act 1995;
  - (d) paragraph 11 (UK officials with border security duties);
  - (e) paragraph 16 (transporting human cells);
  - (f) paragraph 20 (defence personnel).”.
- (5) For paragraph (4) substitute—
 

“(4) Paragraph (2)(b) of regulation 7 applies to a non-category 3 arrival who—

  - (a) arrives in England from outside the common travel area,
  - (b) is not an eligible traveller, and
  - (c) is described in any of the following provisions of Schedule 4—
    - (i) Part 1 (seasonal and temporary horticultural and food processing workers);
    - (ii) paragraph 2 (aircraft crew);
    - (iii) paragraph 4 (road passenger transport workers);
    - (iv) paragraph 5 (road haulage workers);
    - (v) paragraph 6 (Channel Tunnel system workers);
    - (vi) paragraph 7 (international rail crew, passenger and freight operators);
    - (vii) paragraph 8 (seafarers), other than a seaman or master of a fishing vessel within the meaning of the Merchant Shipping Act 1995;
    - (viii) paragraph 9 (essential port workers);
    - (ix) paragraph 10 (border control and preparedness advisers);
    - (x) paragraph 11 (UK officials with border security duties);

- (xi) paragraph 16 (transporting human cells);
- (xii) paragraph 20 (defence personnel).”.
- (6) Omit paragraph (5).
- (7) In paragraph (6), for sub-paragraphs (a) to (j) substitute—
  - “(a) an eligible traveller;
  - (b) a person described in any of the following provisions of Schedule 4—
    - (i) paragraph 12 (foreign Government border security duties), where P is engaged pursuant to a binding bilateral or multilateral agreement concerning controls at St Pancras, Ebbsfleet, Cheriton, Ashford or Dover;
    - (ii) paragraph 17 or 18 (essential government work etc.) where the relevant Department has certified under either of those paragraphs in respect of regulation 6;
    - (iii) paragraph 19(1) (diplomats etc.);
    - (iv) paragraph 19(2), (3) or (4) (international organisations etc.) where the Foreign, Commonwealth and Development Office has given confirmation under that paragraph in respect of regulation 6;
    - (v) paragraph 22 (non-disembarking cruise passengers);
    - (vi) paragraph 23 (non-CTA transit passengers);
    - (vii) paragraph 24 (CTA transit passengers);
    - (viii) paragraph 25 (short-stay cruise passengers)”.
- (8) Omit paragraphs (7) and (8).

**Amendment of regulation 6 (requirement to book and undertake tests)**

- 9.—**(1) Regulation 6 is amended as follows.
- (2) In paragraph (7), after “Where” insert “P arrives from a category 3 country or territory and”.
  - (3) In paragraph (12)(c)—
    - (a) in paragraph (i), for “(arrivals from category 1 countries or territories)” substitute “(arrivals from places other than category 3 countries or territories)”;
    - (b) in paragraph (ii), for “to (e) (arrivals from category 2 and 3 countries or territories)” substitute “and (c) (arrivals from category 3 countries or territories)”.

**Amendment of regulation 7 (requirement to undertake workforce tests)**

- 10.—**(1) Regulation 7 is amended as follows.
- (2) In paragraph (2)—
    - (a) for sub-paragraph (a) substitute—
      - “(a) where this sub-paragraph applies to P by virtue of regulation 5(3), P must undertake a workforce test for day 2, day 5 and day 8 in accordance with paragraph (6) in relation to each category of test”;
    - (b) for sub-paragraph (b) substitute—
      - “(b) where this sub-paragraph applies to P by virtue of regulation 5(4), P must undertake a workforce test for day 2 in accordance with paragraph (6)(c)”.
  - (3) In paragraph (8), for “13” substitute “5”.
  - (4) In paragraph (10)—

- (a) in sub-paragraph (a), for paragraphs (i) to (vi) substitute—
  - “(i) paragraph 2 (aircraft crew);
  - (ii) paragraph 6 (Channel Tunnel system workers);
  - (iii) paragraph 7 (international rail crew, passenger and freight operators);
  - (iv) paragraph 8 (seafarers)”;
- (b) in sub-paragraph (b), for the words from “meets the condition” to the end (but not the “; and”) substitute—
  - “has, on their journey to England, travelled only—
    - (i) on a conveyance which does not carry passengers;
    - (ii) in an area of a conveyance which is not accessible to passengers; or
    - (iii) in an area of a conveyance which is accessible to passengers in vehicles, where passengers remain within their vehicles while P is present in that area of the conveyance”.
- (5) After paragraph (10) insert—
  - “(11) In paragraph (10)(b), “passenger” does not include a worker carrying out an essential role for the safe or efficient operation of the tunnel system, shuttle services or services for the carriage of passengers or goods by way of the tunnel system, or relating to the security of the tunnel system or any such services.”.

**Omission of regulation 8 (test requirements: offshore installation workers)**

- 11. Omit regulation 8.

**Amendment of regulation 9 (further requirements on arrivals from category 2 countries and territories)**

- 12.—(1) Regulation 9 is amended as follows.
- (2) For the heading substitute “(Self-isolation requirements on arrivals other than eligible travellers)”.
- (3) For paragraph (1) substitute—
  - “(1) This regulation applies where a person (“P”)—
    - (a) arrives in England from a category 3 country or has at any time in the period beginning with the 10th day before the date of their arrival in England departed from or transited through a category 3 country or territory, other than—
      - (i) a Schedule 11 passenger;
      - (ii) a Schedule 11-exempt passenger who is a person described in any of the following provisions of Schedule 4—
        - (aa) paragraph 2 (aircraft crew);
        - (bb) paragraph 5 (road haulage workers);
        - (cc) paragraph 8 (seafarers);
        - (dd) Part 3 (border security duties);
        - (ee) Part 4 (law enforcement);
        - (ff) paragraph 20 (defence personnel);
        - (gg) paragraph 22 (non-disembarking cruise passengers);
        - (hh) paragraph 23 (non-CTA transit passengers), or



- (b) is required to—
  - (i) undertake a test in accordance with regulation 6, and
  - (ii) self-isolate in accordance with paragraph 2 or 3 of Schedule 8.”.
- (4) For paragraph (3)(a)(ii) substitute—
  - “(ii) where P—
    - (aa) is a person described in paragraph 19(1) (diplomats etc.) of Schedule 4, or
    - (bb) is a person described in paragraph 19(2), (3) or (4) (international organisations etc.) of Schedule 4 who is not required to comply with regulation 3, at a place at which they intend to self-isolate in England”.
- (5) Omit paragraph (4)(h).
- (6) In paragraph (7), for “P must, on their arrival in England,” substitute “Where P is required to self-isolate in accordance with this regulation, P must”.
- (7) In paragraph (11)—
  - (a) in sub-paragraph (a), for “paragraph 3(1)” substitute “paragraphs 2(9) and 3(1) and (8)”;
  - (b) in sub-paragraph (j), omit “or Schedule 10”.
- (8) For paragraph (15) substitute—
  - “(15) If P is a person described in one of the following provisions of Schedule 4—
    - (a) paragraph 16 (transport of human cells), P is not required to comply with this regulation while undertaking the work described in that paragraph;
    - (b) paragraph 17 or 18 (essential government work etc.), P is not required to comply with this regulation where the relevant Department has certified under either of those paragraphs in respect of this regulation;
    - (c) paragraph 19(2), (3) or (4) (international organisations etc.), P is not required to comply with this regulation if the Foreign, Commonwealth and Development Office has given confirmation under that paragraph in respect of this regulation.”.
- (9) After paragraph 15 insert—
  - “(15A) Paragraph (3)(b) and (c) does not apply to P if P is a person described in—
    - (a) paragraph 19(1) (diplomats etc.) of Schedule 4, or
    - (b) paragraph 19(2), (3) or (4) (international organisations etc.) of that Schedule who is otherwise required to comply with this regulation.”.
- (10) Omit paragraphs (16) to (19).

**Amendment of regulation 10 (further requirements on arrivals from category 3 countries or territories)**

13. In regulation 10(1), omit “other than a person described in paragraph 12A of Schedule 4 (non-disembarking cruise passengers)”.

**Amendment of regulation 11 (enforcement of requirement to self-isolate)**

14. In regulation 11(6), for “paragraph 1 of Schedule 4 (diplomats, members of international organisations etc)” substitute “paragraph 19 of Schedule 4 (diplomats etc.)”.

**Amendment of regulation 13 (passenger information requirement)**

15.—(1) Regulation 13 is amended as follows.

- (2) In paragraph (2)—
  - (a) omit sub-paragraph (a);
  - (b) for sub-paragraph (b) (and the “;” after it) substitute—
    - “(b) where a booking was made for the passenger to travel on the relevant service (“the pre-departure information requirement”)—
      - (i) at least 24 hours prior to departure of the service, at least 24 hours prior to departure;
      - (ii) within 24 hours prior to departure of the service, at any point prior to departure; and”;
  - (c) omit sub-paragraph (c) (and the “; and” after it).
- (3) In paragraph (3), for “the pre-booking information requirement” substitute “the pre-departure information requirement”.
- (4) Omit paragraphs (4) and (5).

#### **Amendment of regulation 14 (required information and manner)**

16.—(1) Regulation 14 is amended as follows.

- (2) Omit paragraph (1).
- (3) For paragraph (2) substitute—
  - “(2) For the purposes of regulation 13(2)(b) (pre-departure information requirement), the required information—
    - (a) may be provided orally or in writing;
    - (b) where provided orally is the information specified in Part 1 of Schedule 12;
    - (c) where provided in writing is the information specified in Part 1 of Schedule 12 and—
      - (i) where it is provided by electronic means, a hyperlink to each of the relevant websites;
      - (ii) where it is provided other than by electronic means, the text of the URLs of each of the relevant websites;
      - (iii) in any event, must be provided in a way that draws the passenger’s attention to it by being particularly prominent and distinct from other written information provided in relation to the booking.”.
- (4) Omit paragraph (3).

#### **Insertion of regulation 15A**

17. After regulation 15 (records and information) insert—

##### **“Requirement to implement and maintain processes and systems**

- 15A.—(1) An operator must implement and maintain adequate processes and systems to ensure that passengers arriving in England on relevant services operated by the operator—
- (a) are, at the relevant time, in possession of—
    - (i) a completed Passenger Locator Form, if they are passengers required to comply with regulation 3;

- (ii) evidence that they are a person described in Schedule 4, if they claim to be such a person in their Passenger Locator Form;
    - (iii) a required notification, if they are passengers required to comply with regulation 3ZA;
    - (iv) eligibility evidence, if they have indicated on their Passenger Locator Form that they meet the COVID-19 vaccination eligibility criteria;
  - (b) arrive only at designated ports, if they are Schedule 11 passengers.
- (2) For the purposes of paragraph (1) a passenger (“P”) is not considered to be required to comply with regulation 3 or 3ZA if the operator, or a person acting on behalf of the operator, might reasonably believe that—
- (a) P is not required to comply with the requirement,
  - (b) P has a reasonable excuse which would protect P from liability for breach of the requirement under regulation 19 (offences, proceedings and information), or
  - (c) P is being lawfully compelled to travel to the United Kingdom in the course of an extradition, prisoner transfer or deportation.
- (3) An operator must retain such records and information as are required to show that they have complied with paragraph (1).
- (4) An authorised person may request from an operator copies of such records and information as the authorised person considers are required to determine whether the operator has complied with paragraph (1).
- (5) A request under paragraph (4) must specify the period within which the operator must provide the records and information requested.
- (6) In determining whether an operator has complied with paragraph (1), an authorised person must have regard to the following matters so far as it has information about them—
- (a) the regime by which passengers are checked for compliance with the passenger requirements, together with the approach to retaining contemporaneous evidence obtained as a result of such checks;
  - (b) the information the operator has collected about passengers who have not complied with a passenger requirement;
  - (c) the existence and quality of any guidance or training programmes for those involved in the day-to-day operation of the processes and systems;
  - (d) whether the operator has—
    - (i) appointed a named contact to assist the authorised person in determining whether the operator has complied with paragraph (1), and
    - (ii) notified the authorised person of the identity of that contact;
  - (e) the speed and effectiveness of any response the operator makes to any recommendations made by the authorised person intended to secure the operator’s compliance with paragraph (1);
  - (f) any failure to comply with a request under paragraph (4);
  - (g) any other matter the authorised person considers appropriate.
- (7) In this regulation—
- “authorised person” means—
- (a) in relation to passengers arriving by sea, the Secretary of State for Transport;
  - (b) in relation to passengers arriving by air, the Civil Aviation Authority;

- (c) in relation to passengers arriving by rail, the Office of Rail and Road;
- “eligibility evidence” means—
- (a) evidence described in regulation 3C(1)(d), 3D(b), 3E(b), 3EA(1)(b), 3F(1)(b) or 3H(1)(a)(ii),
  - (b) where P intends to take advantage of the exemption in regulation 3G (P aged under 18 years), evidence of P’s age, or
  - (c) a Passenger Locator Form which indicates that P’s vaccine status is: “Vaccine Status: Verified Exempt/Full”;
- “relevant time” means—
- (a) if P presents at immigration control at the Channel Tunnel terminal area in France, with the intention of boarding a shuttle service to the United Kingdom, when P so presents;
  - (b) if P arrives at a port in England on a relevant service other than a shuttle service, when P so arrives.”.

**Omission of regulations 16 to 18 (requirements on operators to ensure passenger compliance)**

18. Omit regulations 16 to 18.

**Amendment of regulation 18A (requirements on test providers)**

- 19.—(1) Regulation 18A is amended as follows.
- (2) In paragraph (1)—
- (a) in the words before sub-paragraph (a)—
    - (i) omit “3J (testing requirements on eligible travellers (non-workers)) or”;
    - (ii) omit “, other than a day 2 LFD test,”;
  - (b) for sub-paragraph (a) substitute—
    - “(a) paragraphs (za) to (m) of paragraph 7(1) (day 2 tests: private provider requirements)”;
  - (c) omit sub-paragraph (b);
  - (d) for sub-paragraph (c) substitute—
    - “(c) paragraph 10(5) (requirement for private provider to give test reference number);
    - (d) paragraph 11(2) (notification of test results)”.
- (3) Omit paragraphs (1A) and (2).

**Amendment of regulation 18B (requirements on other persons carrying out testing services)**

- 20.—(1) Regulation 18B is amended as follows.
- (2) In paragraph (1)—
- (a) in sub-paragraph (a)—
    - (i) omit “day 2” in the first place it occurs;
    - (ii) for “3J or 6, other than in relation to a day 2 LFD test” substitute “6”;
    - (iii) for “7(1)(m)(i) to (iii)” substitute “7(1)(m)(ii) and (iii)”;

- (b) omit sub-paragraphs (ab), (b) and (c).
- (3) For paragraph (2) substitute—
  - “(2) In this regulation, “single end-to-end testing service” has the meaning given by paragraph 7(2) of Schedule 8.”.

**Amendment of regulation 19 (offences, proceedings and information)**

- 21.**—(1) Regulation 19 is amended as follows.
- (2) In paragraph (1)—
    - (a) in sub-paragraph (c), for the words from “regulations 3J” to “or 6” substitute “regulation 6”;
    - (b) omit sub-paragraph (e).
  - (3) In paragraph (2)(b)—
    - (a) for “, (13)(j) or (16)” substitute “or (11)(j)”;
    - (b) for “an appropriate test (within the meaning given in paragraph 2 of Schedule 10)” substitute “a day 2 test (within the meaning of regulation 6(12)(a) or a workforce test (within the meaning of regulation 7(6)(b))”.
  - (4) In paragraph (4)—
    - (a) in sub-paragraph (a)—
      - (i) for “regulations 3J(2), (3) or (4) or” substitute “regulation”;
      - (ii) in paragraph (ii), omit “3J or”;
    - (b) in sub-paragraph (b)—
      - (i) for “regulations 3J(6) or (7), 3K(8A) or” substitute “regulation”;
      - (ii) in paragraph (iv), for “9(11)(b)” substitute “9(11)(a)”.
  - (5) In paragraph (7)—
    - (a) after sub-paragraph (a) insert—
      - “(aa) regulation 15A(1);”;
    - (b) omit sub-paragraphs (b) to (d).
  - (6) In paragraph (8), for “times set out in regulation 13(2)(a), (b) or (c)” substitute “time set out in regulation 13(2)(b)”.
  - (7) Omit paragraphs (9) to (11).
  - (8) In paragraph (13A)—
    - (a) in sub-paragraph (a), for “keep records in regulation 17A(4)” substitute “retain records and information in regulation 15A(3)”.
    - (b) in sub-paragraph (b)—
      - (i) for “17A(5)” substitute “15A(4)”;
      - (ii) for “17A(6)” substitute “15A(5)”.
  - (9) In paragraph (13B)(a), omit “, (1A) or (2)”.
  - (10) Omit paragraphs (18) and (19).

**Amendment of regulation 20 (fixed penalty notices)**

- 22.** After regulation 20(7) insert—

“(7A) Where—

- (a) a fixed penalty notice has been issued in respect of an offence under regulation 19(7)(aa) and paid in accordance with this regulation, and
- (b) the breach of the requirements amounting to the offence in respect of which the fixed penalty notice was issued continues,

an authorised person may issue another fixed penalty notice in relation to the offence (and the provisions of this regulation apply to that fixed penalty notice).”.

#### **Amendment of regulation 22 (power to use and disclose information)**

**23.**—(1) Regulation 22 is amended as follows.

(2) In paragraph (2)—

- (a) omit sub-paragraph (c);
- (b) in sub-paragraph (e)—
  - (i) in the words before paragraph (i), for “regulations 3J or” substitute “regulation”;
  - (ii) in paragraph (i)—
    - (aa) omit “a test or”;
    - (bb) for “regulations 3J or” substitute “regulation”;
  - (iii) in paragraph (ii), omit “a test or”;
- (c) in sub-paragraph (f), omit “, 3J(5)”;
- (d) in sub-paragraph (g), for “regulations 3J or” substitute “regulation”;
- (e) in sub-paragraph (h), omit “, 3J”.

(3) In paragraph (5)—

- (a) in sub-paragraph (a)—
  - (i) omit “or a booking in accordance with regulation 3J”;
  - (ii) omit “or booking”;
- (b) in sub-paragraph (b), omit “or booking”;
- (c) in sub-paragraph (c), omit “or booking”.

#### **Omission of Schedule 1 (category 1 countries and territories)**

**24.** Omit Schedule 1.

#### **Substitution of Schedule 4**

**25.** For Schedule 4 substitute—

“SCHEDULE 4

Regulation 2(5)

Exemptions

### **PART 1**

#### **Seasonal and temporary horticultural and food processing workers**

**1.**—(1) A person who has an offer of employment—

- (a) for seasonal work to carry out specified activities in horticulture at specified premises;
  - (b) to carry out specified pork processing activities at specified premises.
- (2) For the purposes of sub-paragraph (1)(a)—
- (a) “horticulture” means growing—
    - (i) protected vegetables grown in glasshouse systems,
    - (ii) field vegetables grown outdoors, including vegetables, herbs, leafy salads and potatoes,
    - (iii) soft fruit grown outdoors or under cover,
    - (iv) trees that bear fruit,
    - (v) vines and bines,
    - (vi) mushrooms,
    - (vii) bulbs and cut flowers grown outdoors and indoors,
    - (viii) pot plants, including seasonal bedding plants,
    - (ix) hardy ornamental nursery stock, including Christmas trees,
    - (x) trees and saplings in tree and forest nurseries;
  - (b) “seasonal work” is employment which fluctuates or is restricted due to the season or time of the year;
  - (c) “specified activities” means—
    - (i) crop cultivation,
    - (ii) crop maintenance,
    - (iii) crop harvesting,
    - (iv) crop husbandry,
    - (v) tunnel construction and dismantling,
    - (vi) irrigation installation and maintaining,
    - (vii) packing and processing of crops on employer’s premises,
    - (viii) preparing and dismantling growing areas and media,
    - (ix) general primary production work in horticulture,
    - (x) activities relating to supervising teams of horticulture workers;
  - (d) “specified premises” means the farm, nursery or glasshouse named in the offer of employment.
- (3) For the purposes of sub-paragraph (1)(b)—
- (a) “specified pork processing activities” means—
    - (i) slaughtering and butchering pigs,
    - (ii) preparing and processing pig meat;
  - (b) “specified premises” means the slaughterhouse, processing site or farm named in the offer of employment.

## PART 2

### Transport workers

2.—(1) A member of aircraft crew where they have travelled to the United Kingdom in the course of their work or are otherwise required to travel to the United Kingdom for work purposes.

(2) For the purposes of this paragraph—

(a) “member of aircraft crew” means a person who—

(i) acts as a pilot, flight navigator, flight engineer or flight radiotelephony operator of an aircraft,

(ii) is carried on the flight deck and is appointed by the operator of the aircraft to give or to supervise the training, experience, practice and periodical tests required for the flight crew under article 114(2) of the Air Navigation Order 2016<sup>(5)</sup> or under Annex III or Annex VI of the Air Operations Regulation, or

(iii) is carried on the flight for the purpose of performing duties to be assigned by the operator or the pilot in command of the aircraft in the interests of the safety of passengers or of the aircraft;

(b) travel for work purposes includes, in particular—

(i) where the member of aircraft crew resides outside the United Kingdom, travelling to the United Kingdom to work on an aircraft departing from the United Kingdom,

(ii) travelling to attend work-related training in the United Kingdom,

(iii) returning to the United Kingdom following work-related training outside the United Kingdom;

(iv) returning to the United Kingdom following work as a member of aircraft crew outside of the United Kingdom;

(c) “Air Operations Regulation” has the meaning given in paragraph 1 of Schedule 1 to the Air Navigation Order 2016.

3. A civil aviation inspector, as defined in Annex 9 to the Convention on International Civil Aviation signed at Chicago on 7th December 1944<sup>(6)</sup>, where they have travelled to the United Kingdom when engaged on inspection duties.

4.—(1) A road passenger transport worker where they have travelled to the United Kingdom in the course of their work.

(2) For the purposes of this paragraph—

(a) “road passenger transport worker” means—

(i) the driver of a public service vehicle, or

(ii) a person who is employed by the holder of a Community licence issued under Article 4 of Regulation<sup>(EC)</sup> No 1073/2009 of the European Parliament and of the Council<sup>(7)</sup>;

(b) “driver” includes a person who is travelling in a vehicle as a relief driver;

(c) “public service vehicle” has the meaning given in section 1 of the Public Passenger Vehicles Act 1981<sup>(8)</sup>.

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<sup>(5)</sup> [S.I. 2016/765](#).

<sup>(6)</sup> The latest edition of Annex 9, which is published by the International Civil Aviation Organization, is the 15th edition, which applied from 23rd February 2018 (ISBN 978-92-9258-301-9).

<sup>(7)</sup> OJ L 300 14.11.2009, p. 88.

<sup>(8)</sup> [1981 c. 14](#); section 1 was amended by section 139(3) of and Schedule 8 to the Transport Act [1985 \(c. 67\)](#).



5.—(1) A road haulage worker where they have travelled to the United Kingdom in the course of their work.

(2) For the purposes of this paragraph—

- (a) “driver” includes a person who is travelling in a vehicle as a relief driver;
- (b) “goods vehicle” has the meaning given in section 192 of the Road Traffic Act 1988<sup>(9)</sup>;
- (c) “road haulage worker” means—
  - (i) the driver of a goods vehicle that is being used in connection with the carriage of goods, other than goods for non-commercial personal use by the driver, or
  - (ii) a person who is employed by the holder of a Community licence issued under Article 4 of Regulation<sup>(EC)</sup> No 1072/2009 of the European Parliament and of the Council<sup>(10)</sup>.

6. Operational, rail maintenance, safety and security workers working on the tunnel system who have travelled to the United Kingdom in the course of their work.

7. Any of the following who have travelled to the United Kingdom in the course of their work—

- (a) drivers and crew on shuttle services and on services for the carriage of passengers or goods by way of the tunnel system;
- (b) other workers carrying out essential roles for the safe or efficient operation of the tunnel system, shuttle services or services for the carriage of passengers or goods by way of the tunnel system, or relating to the security of the tunnel system or any such services.

8.—(1) A seafarer.

(2) For the purposes of this paragraph—

- (a) “seafarer” means—
  - (i) a seaman or master, as defined in section 313(1) of the Merchant Shipping Act 1995<sup>(11)</sup>, where they have travelled to the United Kingdom in the course of their work or have been repatriated to the United Kingdom in accordance with the Maritime Labour Convention, 2006 or the Work in Fishing Convention, 2007,
  - (ii) a pilot, as defined in paragraph 22(1) of Schedule 3A to the Merchant Shipping Act 1995<sup>(12)</sup>, where they have travelled to the United Kingdom in the course of their work or have been repatriated to the United Kingdom, or
  - (iii) an inspector, or a surveyor of ships, appointed under section 256 of the Merchant Shipping Act 1995, or by a government of a relevant British possession as defined in section 313(1) of that Act, where they have travelled to the United Kingdom in the course of their work.
- (b) “the Maritime Labour Convention, 2006” means the Convention adopted on 23rd February 2006 by the General Conference of the International Labour Organisation;
- (c) “the Work in Fishing Convention, 2007” means the Convention adopted at Geneva on 14th June 2007 by the International Labour Organisation.

9.—(1) A person who has travelled to the United Kingdom in the course of their work carrying out an essential role at a port for the safe or efficient operation of ferry services which cannot be done remotely.

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<sup>(9)</sup> 1988 c. 52. There are amendments to section 192 but none is relevant.

<sup>(10)</sup> OJ No. L 300, 14.11.2009, p. 72.

<sup>(11)</sup> 1995 c. 21.

<sup>(12)</sup> Schedule 3A was inserted by Schedule 1 to the Marine Safety Act 2003 (c. 16).

(2) In sub-paragraph (1), “ferry services” means the services operating on any maritime shipping routes between England and Belgium, Denmark, France, Germany, Ireland, the Netherlands, Spain or Sweden where the service is or will be operated at least once a week.

**10.—(1)** A government contractor who—

(a) is employed or engaged to provide support and advice—

(i) about border controls and preparedness for those controls,

(ii) to road haulage workers, and

(iii) on board a vessel during any voyage between a port in England and the port of Bilbao, Caen, Calais, Cherbourg, Dieppe, Dunkirk, Hook of Holland, Rotterdam or Santander, and

(b) has travelled to the United Kingdom in the course of that work.

(2) For the purposes of sub-paragraph (1), “road haulage worker” has the meaning given in paragraph 5(2)(c).

## PART 3

### Border security duties

**11.—(1)** A Crown servant or government contractor where they are—

(a) required to undertake essential government work related to the United Kingdom border in the United Kingdom; or

(b) undertaking essential government work related to the United Kingdom border outside of the United Kingdom but—

(i) are required to return to the United Kingdom temporarily,

(ii) will thereafter depart to undertake essential government work related to the United Kingdom border outside of the United Kingdom.

(2) For the purposes of sub-paragraph (1), “essential government work” means work which has been designated as such by the relevant Department or employer.

**12.** An official of a foreign Government, required to travel to the United Kingdom to undertake essential border security duties, or a contractor directly supporting these essential border security duties where—

(a) they are in possession of a written notice signed by a senior member of their foreign Government confirming that they are required to undertake essential border security duties in the United Kingdom; or

(b) their deployment is pursuant to a standing bilateral or multilateral agreement with Her Majesty’s Government on the operation of the Border controls within the United Kingdom.

## PART 4

### Law enforcement

**13.** An official of a foreign police force, required to travel to the United Kingdom to undertake policing activities, or a contractor directly supporting policing activities, where the relevant

Department or police force in the United Kingdom has certified that the activities are essential to the foreign police force.

**14.** A person responsible for escorting a person for the purposes of the Repatriation of Prisoners Act 1984<sup>(13)</sup>, the Colonial Prisoners Removal Act 1884<sup>(14)</sup> or the Extradition Act 2003<sup>(15)</sup>.

**15.** A person who is being lawfully compelled to travel to the United Kingdom in the course of an extradition, prisoner transfer or deportation.

## PART 5

### Other work-related exemptions

**16.—**(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 healthcare by a healthcare provider.

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

- (a) “blood” includes blood components;
- (b) “healthcare” means all forms of healthcare provided for individuals, whether relating to mental or physical health, including healthcare in connection with giving birth.

**17.—**(1) Any person in respect of whom the relevant Department has certified—

(a) as being a person who is—

- (i) a Crown servant or government contractor who is required to undertake essential government work or essential policing whilst in the United Kingdom or is returning from conducting such work outside of the United Kingdom,
- (ii) a person who is required to undertake essential state business in the United Kingdom or is returning from conducting such business outside of the United Kingdom, or
- (iii) a person returning to the United Kingdom where this is necessary to facilitate essential government operations and includes, in particular, the functioning of a diplomatic mission or consular post of Her Majesty or of a military or other official posting on behalf of Her Majesty, and

(b) that, as a result, the person cannot reasonably comply with the requirements of one or more of the following—

- (i) regulation 3ZA (requirement to possess notification of negative test result);
- (ii) regulation 6 (requirement to book and undertake tests);
- (iii) regulation 9 (self-isolation requirements on arrivals other than eligible travellers);
- (iv) Schedule 11 (additional measures applicable to arrivals from category 3 countries and territories).

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

- (a) “consular post” means any consulate-general, consulate, vice-consulate or consular agency;

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<sup>(13)</sup> 1984 c.47.  
<sup>(14)</sup> 1884 c.31.g  
<sup>(15)</sup> 2003 c. 41.

- (b) “essential government operations” means activity which has been designated as essential to the United Kingdom or Her Majesty’s Government by the relevant Department, and, includes, in particular, activity relating to the functioning of a diplomatic mission or consular post of Her Majesty or of a military or other official posting on behalf of Her Majesty;
- (c) “essential government work” means work which has been designated as such by the relevant Department, and includes, in particular, work related to national security, the work of the National Crime Agency in pursuance of its statutory functions, and work related to immigration, the coronavirus disease or any other crisis response, but does not include work of the description in paragraph 11 of this Schedule (essential work related to the United Kingdom border);
- (d) “essential policing” means policing which has been designated as such on behalf of the relevant chief officer or chief constable;
- (e) “essential state business” means activity which has been designated as essential to the United Kingdom or Her Majesty’s Government by the relevant Department, and includes, in particular, bilateral or multilateral discussions with another state or international organisation and visits to another state on behalf of the United Kingdom or Her Majesty’s Government.

**18.—(1)** Any person in respect of whom the relevant Department has certified—

- (a) as being a person who is required to undertake essential or emergency work in the United Kingdom which is necessary to facilitate essential government work, or is returning from undertaking such work outside of the United Kingdom, and
- (b) that, as a result, the person cannot reasonably comply with the requirements of one or more of the following—
  - (i) regulation 3ZA (requirement to possess notification of negative test result);
  - (ii) regulation 6 (requirement to book and undertake tests);
  - (iii) regulation 9 (self-isolation requirements on arrivals other than eligible travellers);
  - (iv) Schedule 11 (additional measures applicable to arrivals from category 3 countries and territories).

(2) For the purposes of sub-paragraph (1) “essential government work” has the same meaning as in paragraph 17.

**19.—(1)** A person (“P”) who is—

- (a) a member of a diplomatic mission in the United Kingdom;
- (b) a member of a consular post in the United Kingdom;
- (c) passing through the United Kingdom to commence or continue their functions at a diplomatic mission or consular post in another country or territory, or to return to the country of their nationality;
- (d) a sovereign or other head of State who enjoys immunities and privileges by virtue of the State Immunity Act 1978<sup>(16)</sup>;
- (e) a member of the family forming part of the household of a person falling within any of paragraphs (a) to (d);
- (f) a diplomatic courier or a consular courier.

- (2) A person (“P”) described in paragraph (a) of sub-paragraph (5) who meets the conditions set out in sub-paragraph (6).
- (3) A person (“P”) who is travelling to the United Kingdom to conduct official business who—
  - (a) if P is described in paragraph (b) to (e) of sub-paragraph (5), meets the conditions set out in sub-paragraph (7);
  - (b) if P is described in paragraph (f) of sub-paragraph (5), meets the conditions set out in sub-paragraph (8).
- (4) A person (“P”) described in paragraphs (f) to (h) of sub-paragraph (5) who is travelling to the United Kingdom to conduct official business with the United Kingdom and meets the conditions set out in sub-paragraph (9).
- (5) A person who—
  - (a) enjoys relevant immunities and privileges in the United Kingdom and is not described in sub-paragraph (1);
  - (b) is an officer or servant of an international organisation;
  - (c) is employed by an international organisation as an expert or on a mission;
  - (d) is a representative to an international organisation;
  - (e) is a member of the official staff of a representative to an international organisation;
  - (f) is a representative of a foreign country or territory;
  - (g) is a representative of the government of a British overseas territory;
  - (h) is a specified person.
- (6) The conditions referred to in sub-paragraph (2) are that—
  - (a) the stipulated person, or a person acting on their authority, confirms in writing to the Foreign, Commonwealth and Development Office that P is travelling to the United Kingdom, the office held by P, the capacity in which P is travelling to the United Kingdom and that the person considers that one or more of the relevant provisions does not apply to P, and
  - (b) prior to P’s arrival in the United Kingdom, the Foreign, Commonwealth and Development Office has confirmed in writing to the person referred to in paragraph (a) that it considers P to fall within the description in sub-paragraph (5)(a) and that one or more of the relevant provisions do not apply to P.
- (7) The conditions referred to in sub-paragraph (3)(a) are that—
  - (a) the stipulated person, or a person acting on their authority, confirms in writing to the Foreign, Commonwealth and Development Office that P is required to undertake relevant work and that P cannot reasonably undertake the relevant work while complying with one or more of the relevant provisions, and
  - (b) prior to P’s arrival in the United Kingdom, the Foreign, Commonwealth and Development Office has confirmed in writing to the person referred to in paragraph (a) that it considers P to be travelling to the United Kingdom to conduct the relevant work and that P cannot reasonably undertake the work while complying with one or more of the relevant provisions.
- (8) The conditions referred to in sub-paragraph (3)(b) are that—
  - (a) the stipulated person, or a person acting on their authority, confirms in writing to the Foreign, Commonwealth and Development Office that—
    - (i) P is required to undertake relevant work relating to—

- (aa) essential maintenance and repair of an information technology or security system necessary for the functioning of a mission or consular post in the United Kingdom which represents the relevant foreign country, or
      - (bb) the holding of an election or referendum in accordance with the laws or regulations of a foreign country or territory, and
    - (ii) P cannot reasonably undertake the relevant work while complying with one or more of the relevant provisions, and
  - (b) prior to P's arrival in the United Kingdom, the Foreign, Commonwealth and Development Office has confirmed in writing to the person referred to in paragraph (a) that it considers P to be travelling to the United Kingdom to conduct the relevant work and that P cannot reasonably undertake the work while complying with one or more of the relevant provisions.
- (9) The conditions referred to in sub-paragraph (4) are that—
- (a) where P is not a specified person—
    - (i) the stipulated person, or a person acting on their authority, confirms in writing to the Foreign, Commonwealth and Development Office that P is required to undertake relevant work and that P cannot reasonably undertake the relevant work while complying with one or more of the relevant provisions, and
    - (ii) prior to P's arrival in the United Kingdom, the Foreign, Commonwealth and Development Office has confirmed in writing to the person referred to in paragraph (a)(i) that P is travelling to the United Kingdom to conduct official business with the United Kingdom and that P cannot reasonably undertake the work while complying with one or more of the relevant provisions;
  - (b) where P is a specified person—
    - (i) P has been invited to the United Kingdom by the Secretary of State for Foreign, Commonwealth and Development Affairs; and
    - (ii) prior to P's arrival in the United Kingdom, the Foreign, Commonwealth and Development Office has confirmed in writing to P that they are travelling to the United Kingdom to conduct official business with the United Kingdom and cannot reasonably conduct that business while complying with one or more of the relevant provisions.
- (10) For the purposes of this paragraph—
- (a) “consular courier” means a person who has been provided by the State on behalf of which they are acting with an official document confirming their status as a consular courier in accordance with Article 35(5) of the Vienna Convention on Consular Relations of 1963;
  - (b) “consular post” means any consulate-general, consulate, vice-consulate or consular agency;
  - (c) “diplomatic courier” means a person who has been provided by the State on behalf of which they are acting with an official document confirming their status as a diplomatic courier in accordance with Article 27(5) of the Vienna Convention on Diplomatic Relations of 1961;
  - (d) “international organisation” means an international organisation accorded privileges and immunities in the United Kingdom;

- (e) “member of a consular post” means a “consular officer”, “consular employee” and “member of the service staff” as defined in Schedule 1 to the Consular Relations Act 1968(17), and “head of consular post” has the meaning given in that Schedule;
- (f) “member of a diplomatic mission” means the “head of the mission”, “members of the diplomatic staff”, “members of the administrative and technical staff” and “members of the service staff” as defined in Schedule 1 to the Diplomatic Privileges Act 1964(18);
- (g) “relevant immunities and privileges” means inviolability, immunity from arrest or detention, or any immunity or privilege with equivalent effect which is accorded to any person under the law of England and Wales;
- (h) “relevant provisions” means—
  - (i) regulation 3 (requirement to provide passenger information);
  - (ii) regulation 3ZA (requirement to possess notification of negative test result);
  - (iii) regulation 6 (requirement to book and undertake tests);
  - (iv) regulation 9 (self-isolation requirements on arrivals other than eligible travellers);
  - (v) Schedule 11 (additional measures applicable to arrivals from category 3 countries and territories);
- (i) “relevant work” means—
  - (i) where P is a person described in sub-paragraph (5)(b), (c), (d) or (e), work which the relevant stipulated person confirms in writing to the Foreign, Commonwealth and Development Office is essential to the functioning of the relevant international organisation;
  - (ii) where P is a person described in sub-paragraph (5)(f), work which the relevant stipulated person confirms in writing to the Foreign, Commonwealth and Development Office is essential to the foreign country represented by the relevant mission or consular post in the United Kingdom or the foreign territory represented by the relevant office in the United Kingdom (as the case may be);
  - (iii) where P is a person described in sub-paragraph (5)(g), work which the relevant stipulated person confirms in writing to the Foreign, Commonwealth and Development Office is essential to the relevant British overseas territory;
- (j) “specified person” means a person who is a member of the democratic opposition in a foreign country or territory, a member of a political party in a foreign country or territory, or who undertakes activities in a foreign country or territory that support government policy related to national security, the promotion and protection of human rights, the mitigation of, or adaptation to, climate change, the maintenance of international peace and security, or the maintaining or enhancing of biodiversity;
- (k) “stipulated person” means—
  - (i) where P is a person described in sub-paragraph (5)(a), the head of the relevant international organisation, the relevant head of the mission or head of consular post in the United Kingdom or the relevant head of the office representing a foreign territory in the United Kingdom (as the case may be);
  - (ii) where P is a person described in sub-paragraph (5)(b), (c), (d) or (e), the head of the relevant international organisation;

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(17) 1968 c. 18. There are amendments but none is relevant.

(18) 1964 c. 81. There are amendments but none is relevant.

- (iii) where P is a person described in sub-paragraph (5)(f), the relevant head of the mission or head of consular post in the United Kingdom or the relevant head of the office representing a foreign territory in the United Kingdom (as the case may be);
- (iv) where P is a person described in sub-paragraph (5)(g), the relevant Governor of a British overseas territory.

(11) Any exemption provided for in this Schedule or any other provision of these Regulations from the duties that arise under Parts 1 or 2 of these Regulations is without prejudice to any immunity or privilege which is accorded to any person under the law of England and Wales.

**20.**—(1) A person who is a Crown servant, a government contractor, or a member of a visiting force, who—

- (a) is required to undertake work necessary to the delivery of essential defence activities;
- (b) has travelled from a point of origin within the common travel area or from a category 2 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 category 3 country or territory; or
- (c) has undertaken a continuous period of at least 10 days ending with the day immediately preceding the day of their arrival in the United Kingdom aboard a vessel operated by or in support of Her Majesty’s Naval Service or by, or in support of, a visiting force, where they have not disembarked and that vessel has not taken on any persons or docked in any port outside of the common travel area for a period of at least 10 days ending with the day of its arrival in the United Kingdom.

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

- (a) “defence” has the meaning given in section 2(4) of the Official Secrets Act 1989;
- (b) “visiting force” means any body, contingent or detachment of the forces of a country, being a body, contingent or detachment for the time being present in the United Kingdom (including United Kingdom territorial waters), on the invitation of Her Majesty’s Government in the United Kingdom.

**21.** An in-flight security officer deployed pursuant to an international agreement to which the United Kingdom is a party.

## PART 6

### Other exemptions

**22.**—(1) A non-disembarking cruise passenger.

(2) For the purposes of sub-paragraph (1), “non-disembarking cruise passenger” means a person, including a crew member, who travels to a port in England on a cruise ship but does not disembark from the cruise ship at any point while it is—

- (a) moored at a port in England, or
- (b) in the territorial waters adjacent to England.

**23.**—(1) A non-CTA transit passenger.

(2) For the purposes of sub-paragraph (1), “non-CTA transit passenger” means a person who on arrival in the United Kingdom—



- (a) passes through to another country or territory outside the common travel area without entering the United Kingdom; or
- (b) enters the United Kingdom for the sole purpose of continuing a journey to a country or territory outside the common travel area and—
  - (i) remains within their port of entry until their departure from England, or
  - (ii) travels directly from their port of entry to another port of departure in England.

**24.—(1)** A CTA transit passenger.

(2) For the purposes of sub-paragraph (1), “CTA transit passenger” means a person other than a Schedule 11 passenger who on arrival in the United Kingdom—

- (a) passes through to Guernsey, Jersey or the Isle of Man without entering the United Kingdom; or
- (b) enters the United Kingdom for the sole purpose of continuing a journey to Guernsey, Jersey or the Isle of Man and—
  - (i) remains within their port of entry until their departure from England, or
  - (ii) travels directly from their port of entry to another port of departure in England.

**25.—(1)** A short-stay cruise passenger.

(2) For the purposes of sub-paragraph (1), “short-stay cruise passenger” means a person other than a Schedule 11 passenger who arrives in England on a cruise ship and is due to depart from England on the same cruise ship within 48 hours of their arrival.”.

#### **Omission of Schedule 4A**

**26.** Omit Schedule 4A.

#### **Omission of Schedule 5 (list of sporting events)**

**27.** Omit Schedule 5.

#### **Amendment of Schedule 6 (passenger information)**

**28.—(1)** Schedule 6 is amended as follows.

(2) After the sub-heading (“Passenger information”) insert—  
“PART 1

*Information to be provided by all passengers”.*

- (3) In paragraph 1—
  - (a) omit sub-paragraph (b);
  - (b) after sub-paragraph (c) insert—
    - “(ca) their nationality;
    - (cb) their travel document type;”.

(4) Omit paragraph 3.

(5) Before paragraph 3A insert—  
“PART 2

*Information to be provided by eligible travellers only”.*

(6) After paragraph 3A insert—  
“PART 3

*Information to be provided by passengers other than eligible travellers only”.*

(7) Omit paragraph 4.

(8) In paragraph 5, omit “regulation 3J (testing requirements on eligible travellers (non-workers)) requires a day 2 test or”.

#### **Amendment of Schedule 7 (testing before arrival in England)**

**29.** In Schedule 7, omit paragraph 3 (persons not required to comply with regulation 3ZA).

#### **Amendment of Schedule 8 (mandatory testing after arrival in England)**

**30.**—(1) Schedule 8 is amended as follows.

(2) In paragraph 1 (interpretation of Schedule 8), omit sub-paragraph (1)(d)(ii);

(3) In paragraph 2 (requirement to self-isolate on failure to undertake a mandatory test)—

(a) in sub-paragraph (1), for “not a person of the description in regulation 5(1)(a), (c), (d) or (e)” substitute “a person described in regulation 5(1)(b) or (c)”;

(b) in sub-paragraph (3)—

(i) omit “, (c), (d) or (e)”;

(ii) at the end insert “before the end of the second day after the day on which P arrived in England”;

(c) in sub-paragraph (4), for the words from “regulation 2 of the Self-Isolation Regulations” to “that P had tested positive,” substitute “the relevant self-isolation provisions”;

(d) omit sub-paragraphs (5) and (6);

(e) in sub-paragraph (7), for the words from “(4)(b)” to the end substitute—

“(4)(b) is—

(a) a positive result, P must self-isolate in accordance with paragraph 3(2);

(b) an inconclusive result, P must self-isolate in accordance with paragraph 3(6A);

(c) a negative result, P may cease to self-isolate in accordance with sub-paragraph (4)”;

(f) after sub-paragraph (8) insert—

“(9) Where P is required to self-isolate in accordance with regulation 9 under this paragraph, regulation 9(11)(a) (departing from England) does not apply to P.”

(4) In paragraph 3 (consequences of test results)—

(a) in sub-paragraph (1)—

(i) for the words from “Subject to paragraphs 4” to “, where” substitute “Where P is a person described in regulation 5(1)(b) or (c) and”;

(ii) in paragraph (a)(ii), for “sub-paragraphs (2) and” substitute “sub-paragraph”;

(b) for sub-paragraph (2) substitute—

“(2) Where P is a person described in regulation 5(1)(a) and a mandatory test undertaken by P generates a positive result, P must self-isolate in accordance with the relevant self-isolation provisions until the earlier of—

(a) the end of the 10th day after the day P undertook the test;

- (b) any time after the end of the 5th day after the day P undertook the test, where P undertakes, any time after the end of the 4th day after the day P undertook the test, two lateral flow device tests which—
    - (i) are undertaken at least 24 hours apart,
    - (ii) both generate a negative result, and
    - (iii) are provided by a public provider.”;
  - (c) in sub-paragraph (4), for “Subject to paragraph 4, where” substitute “Where P is a person described in regulation 5(1)(b) or (c) and”;
  - (d) in sub-paragraph (5), after “Where” insert “P is a person described in regulation 5(1)(b) or (c) and”;
  - (e) after sub-paragraph (6) insert—
    - “(6A) Where P is a person described in regulation 5(1)(a) and a day 2 test undertaken by P generates an inconclusive result P must self-isolate in accordance with the relevant self-isolation requirements until—
      - (a) where P does not undertake an additional day 2 test, the end of the 10th day after the day P undertook the day 2 test;
      - (b) where P undertakes an additional day 2 test—
        - (i) which generates a negative result, on receipt of the negative result;
        - (ii) which generates a positive result, in accordance with sub-paragraph (2) as if the additional day 2 test was a mandatory test.
    - (6B) In sub-paragraph (6A), an “additional day 2 test” means—
      - (a) a day 2 test;
      - (b) a test—
        - (i) complying with the requirements for a day 2 test specified in paragraphs 6 and 7 (other than the requirement in paragraph 7(1)(f) that the test be administered or provided to P no later than the end of the second day after the day on which P arrived in England),
        - (ii) undertaken in the circumstances specified in paragraph 10 (other than the circumstances in paragraph 10(2) about when a test must be undertaken), and
        - (iii) undertaken during the period specified in sub-paragraph (6A)(a).”;
  - (f) in sub-paragraph (7)(b)(i), for the words from “paragraphs 8 and 9” to “arrived in England)” substitute “paragraph 8”;
  - (g) after sub-paragraph (7) insert—
    - “(8) Where P is required to self-isolate in accordance with regulation 9 under this paragraph, regulation 9(11)(a) (departing from England) does not apply to P.”.
- (5) Omit paragraph 4 (optional tests).
- (6) Omit paragraph 5 (tests otherwise than in accordance with these Regulations).
- (7) In paragraph 6 (day 2 tests: general test requirements)—
- (a) in sub-paragraph (1), for “regulations 3J(10)(a)(i) and 6(12)(a)” substitute “regulation 6(12)(a)”;
  - (b) in sub-paragraph (3), for paragraph (b) substitute—
    - ““validated”, in relation to a device, means confirmed as having the required sensitivity and specificity using at least 150 positive clinical samples and 250

negative clinical samples against a laboratory-based RT-PCR test that is itself within the performance specification of the target product profile published by the Medicines and Healthcare Products Regulatory Agency for laboratory based SARS-CoV-2 PCR tests, by—

- (i) the Secretary of State;
- (ii) a laboratory which is accredited to ISO standard 15189 or ISO/IEC standard 17025(19) by—
  - (aa) the United Kingdom Accreditation Service(20) (“UKAS”), or
  - (bb) an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation (“ILAC”) Mutual Recognition Arrangement(21) or the European co-operation for Accreditation (“EA”) Multilateral Agreement(22),

other than a laboratory which processes tests provided by the test provider for the purposes of this Schedule or is owned by the test provider or the device manufacturer(23); or

- (iii) a laboratory which is accredited by UKAS to ISO standard 15189 or ISO/IEC standard 17025(24), other than a laboratory which processes tests provided by the test provider for the purposes of this Schedule or is owned by the test provider or the device manufacturer”.

(8) In paragraph 7 (day 2 tests: private provider requirements)—

(a) in sub-paragraph (1)

(i) before paragraph (a) insert—

- “(za) they provide day 2 tests in a single end-to-end testing service (whether or not they arrange with another person (“X”) for X to provide one or more elements of the service on their behalf);
- (zb) a registered medical practitioner has oversight and approval of medical practices undertaken by the test provider, and responsibility for reporting medical issues;
- (zc) they have an effective system of clinical governance in place which includes appropriate standard operating procedures in relation to the carrying out of day 2 tests;
- (zd) a registered clinical scientist has oversight of clinical practices undertaken by the test provider, and responsibility for reporting clinical issues;

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(19) ISO standards are published in Geneva by the International Organisation for Standardisation, and are available on their website ([www.iso.org](http://www.iso.org)) or at ISO Central Secretariat, International Organization for Standardization (ISO), 1 rue de Varembe, Case postale 56, CH-1211, Geneva 20, Switzerland. ISO/IEC 17025 General requirements for the competence of testing and calibration laboratories was published in November 2017.

(20) The United Kingdom Accreditation Service is a company limited by guarantee incorporated in England and Wales under number 3076190.

(21) ILAC is an international organisation which coordinates the work of its signatory national accreditation bodies which are themselves involved in the accreditation of conformity assessment bodies, testing laboratories, and medical testing laboratories.

(22) EA is a regional organisation which coordinates the work of its signatory national accreditation bodies. EA is recognised by and works closely with ILAC.

(23) A body corporate established under section 232 of the Health and Social Care Act 2012 (c. 7).

(24) ISO standards are published in Geneva by the International Organisation for Standardisation, and are available on their website ([www.iso.org](http://www.iso.org)) or at ISO Central Secretariat, International Organization for Standardization (ISO), 1 rue de Varembe, Case postale 56, CH-1211, Geneva 20, Switzerland. ISO/IEC 17025 General requirements for the competence of testing and calibration laboratories was published in November 2017. ISO 15189 Medical Laboratories requirements for quality and competence was published in November 2012.

- (ze) they have systems in place to identify any adverse incidents or quality control issues in relation to day 2 tests and be able to report them as soon as reasonably practicable to the Secretary of State;
  - (ii) omit paragraph (a);
  - (iii) in paragraph (g)(ii)—
    - (aa) immediately after paragraph (aa), insert “and”;
    - (bb) omit paragraph (cc) (and the “; and” after it);
  - (iv) in paragraph (m)—
    - (aa) omit sub-paragraph (i);
    - (bb) in sub-paragraph (ii), after “paragraph” insert “(zb) to (ze) and”;
  - (b) in sub-paragraph (2), for “has the meaning given in paragraph 3(2)(c) of Schedule 10” substitute “means a service which comprises accepting the booking from the person to be tested, providing the test, collecting and processing the sample to be tested, carrying out genomic sequencing and providing the test result to P”.
- (9) Omit paragraphs 7A and 7B (requirements for day 2 LFD tests).
- (10) In paragraph 8 (day 8 tests: general test requirements) omit—
- (a) in sub-paragraph (1)
    - (i) the “; or” at the end of paragraph (a);
    - (ii) paragraph (b);
  - (b) sub-paragraphs (2) and (3).
- (11) Omit paragraph 9 (day 8 tests: private provider requirements).
- (12) In paragraph 10 (required circumstances for undertaking a day 2 test or a day 8 test)—
- (a) in sub-paragraph (1), for “regulations 3J(10) and 6(12)(a)” substitute “regulation 6(12)(a)”;
  - (b) in sub-paragraph (3)—
    - (i) for the “, and” immediately after paragraph (a), substitute “.”;
    - (ii) omit paragraph (b);
  - (c) in sub-paragraph (3B)—
    - (i) for paragraph (b) substitute—
      - “(b) the following information about P—
        - (i) their full name;
        - (ii) their sex;
        - (iii) their date of birth;
        - (iv) their NHS number (if known and applicable);
        - (v) their ethnicity;
        - (vi) the date of their arrival in the United Kingdom;
        - (vii) their coach number, flight number or vessel name (as appropriate);
        - (viii) the date on which they last departed from or transited through a category 2 country or territory;
        - (ix) the country or territory they were travelling from when they arrived in the United Kingdom, and any country or territory they transited through as part of that journey;

- (x) their email address,
- (xi) their telephone number,
- (xii) their passport number, or travel document reference number (as appropriate);
- (xiii) information as to whether or not P has received a vaccine against SARS-CoV-2, and”
- (ii) omit paragraph (c)(i);
- (d) omit sub-paragraph (3C);
- (e) in sub-paragraph (4)—
  - (i) in the words before paragraph (a), omit “and (3C)”;
  - (ii) in paragraph (a), for “4(b)(xi) and (xii) of Schedule 10” substitute “(b)(x) and (xi) of that sub-paragraph”;
  - (iii) in paragraph (b), for “paragraph 4(b)(xi) and (xii) of Schedule 10” substitute “sub-paragraph (3B)(b)(x) and (xi)”.
- (f) in sub-paragraph (6), for “5 letters” substitute “the provider code”;
- (g) after sub-paragraph (6) insert—
 

“(7) In sub-paragraph (6) “the provider code” means the 5 letter code issued to the provider by the United Kingdom Health Security Agency for the purposes of identifying tests administered or provided by the provider.”.
- (13) In paragraph 11—
  - (a) in sub-paragraph (1), omit “, other than a day 2 LFD test,”;
  - (b) in sub-paragraph (3) (notification of test results), for the text from “Form A: negative test result” to the end substitute—
 

**“Form A: negative test result**

Your coronavirus (COVID-19) test result is negative. It’s likely you were not infectious when the test was done.

You should self-isolate again if you get symptoms of coronavirus (COVID-19) – get an NHS coronavirus (COVID-19) test from [www.gov.uk/get-coronavirus-test](http://www.gov.uk/get-coronavirus-test) and self-isolate until you get the results.

For advice on when you might need to self-isolate and what to do, go to [www.nhs.uk/conditions/coronavirus-covid-19](http://www.nhs.uk/conditions/coronavirus-covid-19) and read ‘Self-isolation and treating symptoms’.

**Form B: positive test result**

Your coronavirus test result is positive. This means you probably have the virus. You are required to self-isolate.

For more information on self-isolating as an international arrival, go to <https://www.gov.uk/guidance/how-to-quarantine-when-you-arrive-in-england>

You may be contacted for contact tracing and to check that you are self-isolating.

You must not travel, including to leave the UK, during self-isolation.

Contact 111 if you need medical help. In an emergency dial 999.

**Form C: unclear test result**

Your coronavirus test result is unclear. It is not possible to say if you had the virus when the test was done.

You must take another test or self-isolate for 10 days from the day after your test date.

You may be contacted to check that you are self-isolating.”;

(c) omit sub-paragraph (5)(e)(ii) and (iii).

(14) Omit paragraph 11A (notification of test results: lateral flow device tests).

#### **Amendment of Schedule 9 (workforce tests)**

**31.** In paragraph 3(1)(b) (consequences of test results) of Schedule 9, omit “until the end of the 10th day after the day P undertook the test”.

#### **Omission of Schedule 10**

**32.** Omit Schedule 10 (optional testing after arrival in England).

#### **Amendment of Schedule 11 (additional measures applicable to arrivals from category 3 countries and territories)**

**33.**—(1) Schedule 11 is amended as follows.

(2) In paragraph 2—

(a) for sub-paragraph (1) substitute—

“(1) This Schedule does not apply where P is a person described in any of the following provisions of Schedule 4 (exemptions)—

- (a) paragraph 2 (aircraft crew);
- (b) paragraph 5 (road haulage workers);
- (c) paragraph 8 (seafarers), unless they have travelled to the United Kingdom to work, or have been repatriated to the United Kingdom after working, on board a cruise ship;
- (d) Part 3 (border security duties);
- (e) Part 4 (law enforcement);
- (f) paragraph 16 (transporting human cells);
- (g) paragraph 17 or 18 (essential government work etc.) where the relevant Department has certified under either of those paragraphs in respect of this Schedule;
- (h) paragraph 19(1) (diplomats etc.);
- (i) paragraph 19(2), (3) or (4) (international organisations etc.) where the Foreign, Commonwealth and Development Office has given confirmation under that paragraph in respect of this Schedule;
- (j) paragraph 20 (defence personnel);
- (k) paragraph 21 (in-flight security officers);
- (l) paragraph 22 (non-disembarking cruise passengers);
- (m) paragraph 23 (non-CTA transit passengers).”;

(b) omit sub-paragraphs (2) to (4).

## Substitution of Schedule 12 (information for passengers)

34. For Schedule 12 substitute—

### “SCHEDULE 12

Regulation 14

#### Information for passengers

### PART 1

#### Essential information to enter England from overseas

All persons arriving in the UK must fill in a Passenger Locator Form before arrival.

Before departure to the UK check if any of the countries you have visited in the last 10 days are on the red list.

If you have visited a country on the red list you must follow the red list rules.

If you have not visited any countries on the red list, what you have to do depends on your vaccination status. Check the rules before you travel at [gov.uk/coronavirus](https://www.gov.uk/coronavirus).

Public health requirements may vary depending upon which nation of the UK you are travelling to. Check the relevant website if your final destination is in Northern Ireland, Scotland or Wales.

Failure to comply with these measures is a criminal offence and you could be fined. There are a limited set of exemptions from these measures. You may be fined if you fraudulently claim an exemption.

### PART 2

#### Onboard announcement

The following is a public health message on behalf of the UK’s public health agencies.

If you are not fully vaccinated or do not meet the eligibility criteria, you must take a test before the end of day 2 after you arrive.

The symptoms of coronavirus are a new continuous cough, a high temperature or a loss of, or change in, normal sense of taste or smell. If you experience any of these symptoms, however mild, you are advised to make yourself known to the crew.

Please follow the Public Health guidance for the area you are living or travelling in.

Visit [gov.uk/coronavirus](https://www.gov.uk/coronavirus) for more advice.

### PART 3

#### Relevant websites

<https://www.gov.uk/guidance/red-list-of-countries-and-territories>

<https://www.gov.uk/guidance/travel-to-england-from-another-country-during-coronavirus-covid-19>

<https://www.gov.uk/provide-journey-contact-details-before-travel-uk>

<https://www.nidirect.gov.uk/articles/coronavirus-covid-19-international-travel-advice>

<https://gov.wales/arriving-wales-overseas>



<https://www.gov.scot/publications/coronavirus-covid-19-international-travel-quarantine>".

#### **Amendment of Schedule 14 (amount of fixed penalties)**

**35.**—(1) Schedule 14 is amended as follows.

(2) In paragraph 5 (regulation 19(1)(c))—

- (a) in the words before sub-paragraph (a), for “regulations 3J (testing requirements on eligible travellers (non-workers) or” substitute “regulation”;
- (b) in sub-paragraph (a)—
  - (i) omit “test or a”;
  - (ii) omit “3J(2) or”;
- (c) in sub-paragraph (b)—
  - (i) omit “test or”;
  - (ii) omit “3J(3) or”;
- (d) in sub-paragraph (c)—
  - (i) omit “test or a”;
  - (ii) omit “3J(4) or”;
- (e) in sub-paragraph (d), omit “3J(6), (7), or (8), 3K(8A) or”;
- (f) in sub-paragraph (e), omit “3J(6), (7), or (8), 3K(8A) or”;
- (g) in sub-paragraph (f), omit “3J(5) or”.

(3) Omit paragraph 7 (regulation 19(1)(e)).

(4) After paragraph 14 (regulation 19(7)(a)) insert—

#### **“Regulation 19(7)(aa)**

**14A.** Breach of the requirement under regulation 15A(1) (operator systems offence), £4,000.”.

(5) Omit paragraph 15 (regulation 19(7)(b) to (d)).

(6) Omit paragraph 15A (regulation 19(7)(cd)).

(7) In paragraph 16A (regulation 19(13A)), for “17A(4) or (5)” substitute “15A(3)”

(8) In paragraph 16B (regulation 19(13B)(a)), omit “, (1A) or (2)”.

(9) In paragraph 17(da) (regulation 19(14)), omit “or (2)”.

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

**36.**—(1) The Health Protection (Notification) Regulations 2010(**25**) are amended as follows.

(2) In regulation 4(1)(b) (duty on laboratories to notify UKHSA of causative agents), omit “, 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 regulation 4ZA (duty to notify UKHSA of the results of mandatory tests)—

(a) in paragraph (1)—

- (i) in sub-paragraph (a), omit “or a day 8 test”;

(25) 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, 974 and 2022/11.

- (ii) in sub-paragraph (c), omit “or 9(1)(h)”;
- (b) in paragraph (3), omit “or 9(1)(h)”.
- (4) In regulation 4ZB(7) (duty to notify UKHSA of the results of genomic sequencing of mandatory test samples), in the definition of “sequencing laboratory”, omit “or 9(1)(h)”.
- (5) In regulation 4A(1) (duty on test providers to notify UKHSA of causative agents), omit “, other than a test in relation to which regulation 4B (duty to report the results of LFD tests undertaken by eligible travellers) applies.”.
- (6) Omit regulation 4B (duty to notify UKHSA of LFD test results).
- (7) In regulation 7(1)(a) (electronic communications), for “4ZB, 4A(3) and 4B(2)” substitute “4ZB and 4A(3)”.

### **Transitional and saving provision**

**37.**—(1) Except as provided for in paragraphs (2) and (3), in relation to any person who arrived in England before the coming into force of an amendment made by these Regulations, the Principal Regulations apply as if that amendment had not been made.

(2) Where a person (“P”)—

- (a) had arrived in England from a category 2 country or territory before 4.00 a.m. on 11th February 2022,
- (b) was, immediately before 4.00 a.m. on 11th February 2022, required to self-isolate in accordance with the Principal Regulations,
- (c) has undertaken, or undertakes, a day 2 test in accordance with the Principal Regulations, and
- (d) has received, or receives, notification that the day 2 test has generated a negative result,

P may cease to self-isolate in accordance with the Principal Regulations.

(3) The amendments made by regulation 36(3) and (4) do not apply in respect of any test undertaken, or sample taken, before those amendments come into force.

At 10.18 a.m. on 10th February 2022

*Gillian Keegan*  
Minister of State  
Department of Health and Social Care

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend, primarily, the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021 (S.I. 2021/582) (“the International Travel Regulations”).

In particular, regulations 3 to 35:

- amend regulation 3 and Schedule 6 of the International Travel Regulations to extend the period during which arrivals can provide passenger information on the Passenger Locator Form to up to three days before they are required to provide the information, and to update the information they need to provide;
- amend regulation 3A of the International Travel Regulations to add and remove entries from the lists dealing with the countries and territories from whom we accept vaccine certificates, including those certificates that are equivalent to the European Union Digital COVID Certificate;
- omit regulations 3I, 3J and 3K of the International Travel Regulations to remove testing and self-isolation obligations on eligible travellers;
- amend regulations 5, 6 and 7 and Schedule 8 of the International Travel Regulations to secure that:
  - arrivals from places other than category 3 countries or territories need only take a day 2 test, and
  - those subject to workforce testing other than recurring work travellers or an arrival from a category 3 countries or territories need only take a day 2 workforce test;
- omit regulation 8 of the International Travel Regulations to remove the specific testing regime for offshore installation workers;
- amend regulation 9 of the International Travel Regulations to secure that arrivals from places other than category 3 countries or territories do not need to self-isolate on arrival in England;
- amend regulations 13 and 14 of the International Travel Regulations to provide that an operator of a relevant service need only provide specified information to passengers pre-departure and on-board the relevant service. Schedule 12 is amended to update the information that must be provided to passengers;
- insert regulation 15A into the International Travel Regulations to impose a new duty on operators to implement and maintain adequate systems and processes to ensure that passengers that arrive in England on a relevant service they operate possess certain information or evidence. This “systems duty” replaces the range of specific obligations on operators under regulations 16 to 18, which are omitted;
- amend regulation 20 of the International Travel Regulations to secure that a new fixed penalty notice can be issued in respect of an ongoing breach of the systems duty where a previous fixed penalty notice issued in respect of the breach has been paid;
- substitute Schedule 4 to the International Travel Regulations to update the categories of arrival who enjoy exemption from certain obligations under the International Travel Regulations – extensive consequential amendment to the International Travel Regulations is made in light of this substitution;

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- make further minor and consequential amendment to the International Travel Regulations, including to correct errors.

Regulation 36 amends the Health Protection (Notification) Regulations 2010 (S.I. 2010/659) (“the Notification Regulations”) in consequence of the amendments to the International Travel Regulations.

An impact assessment has not been produced for this instrument. An explanatory memorandum has been published alongside this instrument at [www.legislation.gov.uk](http://www.legislation.gov.uk).