
WELSH STATUTORY INSTRUMENTS

2021 No. 1109 (W. 265)

PUBLIC HEALTH, WALES

**The Health Protection (Coronavirus, International Travel,
Operator Liability and Public Health Information to Travellers)
(Wales) (Miscellaneous Amendments) (No. 3) Regulations 2021**

<i>Made</i>	- - - -	<i>at 1.35 p.m. on 1 October 2021</i>
<i>Laid before Senedd Cymru</i>		<i>at 4.00 p.m. on 1 October 2021</i>
<i>Coming into force</i>	- -	<i>at 4.00 a.m. on 4 October 2021</i>

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

PART 1

General

Title and coming into force

1.—(1) The title of these Regulations is the Health Protection (Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) (No. 3) Regulations 2021.

(2) These Regulations come into force at 4.00 a.m. on 4 October 2021.

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

PART 2

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

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

2. The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020(2) are amended in accordance with regulations 3 to 9.

Amendments to regulation 2

3. In regulation 2 (general interpretation)—

(a) in paragraph (1), for the definition of “exempt country or territory” substitute—

““exempt country or territory” (*“gwlad neu diriogaeth esempt”*) means a country or territory within the common travel area, and any reference to a “non-exempt country or territory” (*“gwlad neu diriogaeth nad yw’n esempt”*) is to be interpreted accordingly;”;

(b) in paragraph (4), omit “(within the meaning of regulation 9(1))”.

Amendments to regulation 2A

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

(2) In paragraph (3)(c)—

(a) after paragraph (ii) omit “or”;

(b) after paragraph (iii) insert—

“or

(iv) a vaccine certificate.”

(3) In paragraph (7), for “paragraphs (3) and (6)” substitute “paragraph (3)”.

(4) After paragraph (7) insert—

“(7A) For the purposes of paragraph (3), where P has received a dose of one authorised vaccine and a dose of a different authorised vaccine, P is deemed to have completed a course of doses of an authorised vaccine.

(7B) For the purposes of paragraph (6), P has completed a course of doses of a vaccine if P has received the complete course of doses of the vaccine as specified in the manufacturer’s guidance for that vaccine.”

(5) In paragraph (8), for “received”, in the second place it occurs, substitute “completed”.

(6) After paragraph (8) insert—

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

“(8A) For the purposes of paragraph (6), where P has received a dose of one vaccine under the United Kingdom vaccine roll-out overseas, and a dose of a different vaccine under the United Kingdom vaccine roll-out overseas, P is deemed to have completed a course of doses of a vaccine under the United Kingdom vaccine roll-out overseas.”

(7) In paragraph (10)—

(a) for the definition of “authorised vaccine” substitute—

““authorised vaccine” (*brechlyn awdurdodedig*) means a medicinal product for vaccination against coronavirus authorised—

(a) in relation to doses received in the United Kingdom—

(i) for supply in the United Kingdom in accordance with a marketing authorisation, or

(ii) by the licensing authority on a temporary basis under regulation 174 of the Human Medicines Regulations 2012(3);

(b) in relation to doses received in a relevant country listed in the first column of the table in paragraph (11), for supply in that country following evaluation by the relevant regulator for the country;

(c) in relation to doses received in a relevant country listed in paragraph (12), in accordance with paragraph (a);”;

(b) for the definition of “marketing authorisation” substitute—

““marketing authorisation” (*awdurdodiad marchnata*)—

(a) in relation to a vaccine authorised for supply in the United Kingdom or in a member State, has the meaning given in regulation 8(1) (general interpretation) of the Human Medicines Regulations 2012;

(b) in relation to a vaccine authorised for supply in a relevant country listed in the first column of the table in paragraph (11) other than a member State, means a marketing authorisation granted by the relevant regulator for the country;”;

(c) for the definition of “relevant country” substitute—

““relevant country” (*gwlad berthnasol*) means a country or territory listed in the first column of the table in paragraph (11) or a country or territory listed in paragraph (12);”;

(d) at the appropriate place, insert—

““vaccine certificate” (*tystysgrif brechlyn*) means a certificate in English, French or Spanish issued by the competent health authority of a relevant country which contains—

(a) P’s full name;

(b) P’s date of birth;

(c) the name and manufacturer of the vaccine that P has received;

(d) the date that P received each dose of the vaccine;

(e) details of either the identity of the issuer of the certificate or the country of vaccination, or both.”

(8) In the table in paragraph (11), at the appropriate place—

(a) in the first column (relevant country), insert “Australia” and in the second column (relevant regulator) of the same row, insert “The Therapeutic Goods Administration”;

- (b) in the first column (relevant country), insert “Canada” and in the second column (relevant regulator), insert “Health Canada”.
- (9) After paragraph (11) insert—
- “(12) The countries and territories referred to in the definition of “relevant country” are—
- Antigua and Barbuda
 - Bahrain
 - Barbados
 - Brunei
 - Dominica
 - Israel
 - Japan
 - Kuwait
 - Malaysia
 - New Zealand
 - Qatar
 - Saudi Arabia
 - Singapore
 - South Korea
 - Taiwan
 - United Arab Emirates”.

Amendments to regulation 6A

5. In regulation 6A (requirement to possess notification of a negative test result)—
- (a) in paragraph (4)(d), for “.” substitute “;”;
 - (b) after paragraph (4)(d) insert—
 - “(e) a person who is a regulation 2A traveller.”

Amendment to regulation 6AB

6. For regulation 6AB(2)(d)(ii) substitute—
- “(ii) in respect of a regulation 2A traveller, a booking for a day 2 test.”

Amendments to Schedule 1C

7. In Schedule 1C (mandatory testing after arrival in Wales)—
- (a) in paragraph 1ZA(1) (day 2 tests: private test provider requirements), after paragraph (l) insert—
 - “(la) where—
 - (i) a sample is to be sequenced in accordance with paragraph (l), and
 - (ii) the sequencing is to take place at a laboratory (“the sequencing laboratory”) other than the laboratory at which the sample was initially processed (“the diagnostic laboratory”),

they secure that the sample is received at the sequencing laboratory no later than 24 hours after the result of the initial processing becomes known to the diagnostic laboratory;”;

- (b) in paragraph 2ZA(1) (day 8 tests: private test provider requirements), after paragraph (h) insert—

“(ha) where—

- (i) a sample is to be sequenced in accordance with paragraph (h), and
- (ii) the sequencing is to take place at a laboratory (“the sequencing laboratory”) other than the laboratory at which the sample was initially processed (“the diagnostic laboratory”),

they secure that the sample is received at the sequencing laboratory no later than 24 hours after the result of the initial processing becomes known to the diagnostic laboratory;”.

Omission of Schedule 3

8. Omit Schedule 3 (exempt countries and territories outside the common travel area).

Amendment to Schedule 4

9. In Schedule 4 (specified sporting events), at the end insert—

“Target Shooting: The Welsh Open Airgun Championships

Badminton: VICTOR Welsh International Badminton Championships

Gymnastics: Northern European Championships”.

PART 3

Amendments to the Health Protection (Coronavirus, International Travel, Pre-Departure Testing and Operator Liability) (Wales) (Amendment) Regulations 2021

Amendment of the Health Protection (Coronavirus, International Travel, Pre-Departure Testing and Operator Liability) (Wales) (Amendment) Regulations 2021

10. The Health Protection (Coronavirus, International Travel, Pre-Departure Testing and Operator Liability) (Wales) (Amendment) Regulations 2021(4) are amended in accordance with regulations 11 and 12.

Amendment to regulation 4

11. In regulation 4 (interpretation), at the appropriate place insert—

““regulation 2A traveller” (“*teithiwr rheoliad 2A*”) has the meaning given in regulation 2A of the International Travel Regulations;”.

Amendments to regulation 5C

12. In regulation 5C (requirement to check vaccination status)—

(4) S.I. 2021/48 (W. 11), amended by S.I. 2021/72 (W. 18), S.I. 2021/171 (W. 39), S.I. 2021/305 (W. 78), S.I. 2021/584 (W. 161), S.I. 2021/646 (W. 166), S.I. 2021/826 (W. 193), S.I. 2021/915 (W. 208) and SI. 2021/926 (W. 211).

- (a) in paragraph (1), after “a Schedule 3A passenger” insert “or a verified regulation 2A traveller”;
- (b) after paragraph (3) insert—
- “(4) In this regulation, “verified regulation 2A traveller” means a regulation 2A traveller whose vaccination status is shown on a facility referred to in regulation 4(1) of the International Travel Regulations as “Vaccine Status: Verified Full/Exempt”.”

PART 4

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

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

13. For the Schedule to the Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020(5) substitute—

“SCHEDULE

Regulations 3, 3A and 4

Part 1

The information to be provided for the purposes of regulations 3(2)(a)(i), 3(2)(b)(i), 3(2)(c)(i), 3A(4)(b)(i) and 3A(4)(c) is—

“Essential information to enter Wales from overseas

Fill in your Passenger Locator Form before arrival. You must declare all countries you have visited or transited through in the 10 days prior to your arrival on your Passenger Locator Form.

Before departure, check the list of red list of countries, as the list can change regularly.

Red list passengers (including passengers who are fully vaccinated)

1. Provide proof of a negative COVID-19 test taken within 3 days of departure to Wales
2. Book a **managed quarantine package**
3. Complete a **Passenger Locator Form**

You can only enter if you are a British or Irish National, or you have residency rights in the UK. You must enter through a designated port and **quarantine in a government approved hotel** for 10 days.

Unvaccinated passengers or passengers vaccinated with unauthorised vaccines who are not red list passengers

1. Provide proof of a negative COVID-19 test taken within 3 days of departure to Wales
2. Book **tests for day 2 and 8**
3. Complete a **Passenger Locator Form**

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

4. Make plans to self-quarantine in private accommodation for 10 full days after arrival (or full duration of stay if less than 10 days)

Fully vaccinated passengers who are not red list passengers

1. Book a [test for day 2](#)
2. Complete a [Passenger Locator Form](#)
3. Have evidence of your vaccination status with you during travel

These measures apply to all persons (including UK nationals and residents) arriving in Wales from outside the common travel area comprising the United Kingdom, Ireland, the Isle of Man, and the Channel Islands. The British Overseas Territories are not in the common travel area. Public health requirements may vary depending upon in which nation of the UK you are staying.

England: <https://www.gov.uk/uk-border-control>

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

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

Wales: <https://gov.wales/travelrules>

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. Check the list of exemptions carefully. You may be fined if you fraudulently claim an exemption.

Part 2

The statement to be provided for the purposes of regulation 4 is—

(a) Welsh language version—

“Dyma neges iechyd y cyhoedd ar ran asiantaethau iechyd y cyhoeddus y Deyrnas Unedig.

Oni bai eich bod wedi eich esemptio, pa mor hir bynnag yr ydych yn bwriadu aros yn y Deyrnas Unedig, rhaid i bawb gymryd prawf COVID-19 a archebwyd ymlaen llaw o fewn y ddau ddiwrnod cyntaf ar ôl ichi gyrraedd, hyd yn oed os ydych wedi eich brechu'n llawn. Rhaid i deithwyr nad ydynt wedi eu brechu gymryd prawf pellach ar ddiwrnod 8 ar ôl iddynt gyrraedd a hunanynysu.

Os ydych wedi bod mewn unrhyw wledydd ar y rhestr goch, neu wedi tramwyo drwy unrhyw wledydd o'r fath, o fewn y 10 niwrnod blaenorol, rhaid ichi fynd i gwarantyn mewn cyfleuster cwarantyn a reolir am y 10 niwrnod cyntaf ar ôl ichi gyrraedd a hefyd gymryd prawf arall 8 niwrnod ar ôl ichi gyrraedd.

Symptomau'r coronafeirws yw peswch cyson newydd, tymheredd uchel neu golli eich synnwyr blasu neu arogl arferol, neu newid yn eich synnwyr blasu neu arogl arferol. Os ydych yn profi unrhyw un o'r symptomau hyn, ni waeth pa mor ysgafn ydynt, fe'ch cynghorir i wneud eich hunan yn hysbys i'r criw.

Dilynwch y canllawiau Iechyd y Cyhoedd ar gyfer yr ardal yr ydych yn byw ynddi neu'n teithio ynddi.

Ewch i gov.uk/coronavirus i gael rhagor o gyngor.”;

(b) English language version—

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

Unless exempt, however long you intend to stay in the UK, everyone must take a pre-booked COVID-19 test within the first two days after you arrive, even if you have been fully

vaccinated. Unvaccinated passengers must take a further test on day 8 after they arrive and self-quarantine.

If you have been in or transited through any countries on the red list within the previous 10 days, you must quarantine in a managed quarantine facility for the first 10 days after arrival and also take another test 8 days after arrival.

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.”;

- (c) the statement in paragraph (a) or (b) translated into an officially recognised language of the country of departure.”

At 1:35 p.m. on 1 October 2021

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020 (S.I. 2020/574 (W. 132)) (“the International Travel Regulations”), the Health Protection (Coronavirus, International Travel, Pre-Departure Testing and Operator Liability) (Wales) (Amendment) Regulations 2021 (S.I. 2021/40 (W. 11)) (“the Operator Liability Regulations”) and the Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020 (S.I. 2020/574 (W. 132)) (“the Public Health Information Regulations”).

Part 2 of these Regulations amend the International Travel Regulations. The International Travel Regulations impose requirements on persons entering Wales after having been abroad.

Regulations 3, 6 and 8 make provision to remove Schedule 3 (exempt countries and territories outside the common travel area), containing what are commonly referred to as ‘green list’ countries, and references to that Schedule from the International Travel Regulations.

Regulation 4 makes amendments to regulation 2A (exemptions for vaccinated travellers and others) of the International Travel Regulations, including an expansion of the list of relevant countries at paragraph (11) and introduction of further relevant countries and territories in a new paragraph (12).

Regulation 5 amends regulation 6A (requirement to possess notification of a negative test result) of the International Travel Regulations so as to exempt a regulation 2A traveller from the requirements of that regulation.

Regulation 7 makes amendments to the requirements that apply to private test providers at paragraphs 1ZA and 2ZA of Schedule 1C.

Regulation 9 amends Schedule 4 to the International Travel Regulations to update the list of specified sporting events. An individual is able to leave isolation to compete or train in, or provide coaching or other support to a person competing in a sporting event specified in Schedule 4.

The Operator Liability Regulations impose requirements on persons operating international passenger services (“operators”) arriving into Wales from outside the common travel area. In consequence of the amendments made to the International Travel Regulations by these Regulations, Part 3 of these Regulations makes minor amendments to the Operator Liability Regulations to reflect the changes to the restrictions on international travel.

The Public Health Information Regulations impose requirements on operators of international passenger services coming from outside the common travel area to an airport, heliport or seaport in Wales to provide passengers with specified public health information. In consequence of the amendments made to the International Travel Regulations by these Regulations, Part 4 of these Regulations amends the specified public health information that operators must provide to passengers prior to and during travel into Wales.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.