
STATUTORY INSTRUMENTS

2021 No. 166

**PUBLIC HEALTH, ENGLAND
TRANSPORT, ENGLAND**

**The Health Protection (Coronavirus, International Travel)
(England) (Amendment) (No. 8) Regulations 2021**

<i>Made</i>	- - - -	<i>18th February 2021</i>
<i>Laid before Parliament</i>		<i>19th February 2021 at 4.00 a.m. on 20th</i>
<i>Coming into force</i>	- -	<i>February 2021</i>

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

Citation, commencement, extent, application and interpretation

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, International Travel) (England) (Amendment) (No. 8) Regulations 2021 and come into force at 4.00 a.m. on 20th February 2021.

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

(3) In these Regulations, “the International Travel Regulations” means the Health Protection (Coronavirus, International Travel) (England) Regulations 2020⁽²⁾.

Amendment of the International Travel Regulations

2.—(1) The International Travel Regulations are amended as follows.

(2) In regulation 3B (requirement to book and undertake tests), for paragraph (1) substitute—

“(1) Subject to paragraph 13 (exclusion for certain diplomatic etc. personnel) of Schedule 2C, this regulation applies to a person (“P”) who—

(a) is required to self-isolate under—

(i) regulation 4 (requirement to self-isolate) unless that person is also a relevant person; or

⁽¹⁾ 1984 c. 22. Part 2A was inserted by section 129 of the Health and Social Care Act 2008 (c. 14).

⁽²⁾ S.I. 2020/568, amended by S.I. 2020/691, 724, 799, 805, 813, 819, 841, 866, 890, 913, 959, 980, 1013, 1039, 1070, 1076, 1094, 1129, 1161, 1190, 1227, 1238, 1277, 1292, 1323, 1337, 1360, 1424, 1517, 1595, 2021/18, 25, 38, 47, 49, 68, 98, 137 and 150.

- (ii) Schedule B1A (additional measures), or
- (b) is not required to self-isolate under regulation 4 only by virtue of any of the following provisions of Schedule 2—
 - (i) paragraph 13(1)(c) (persons returning to facilitate diplomatic mission etc.);
 - (ii) paragraph 25 (postal workers).
- (1A) For the purposes of paragraph (1)(a)(i), a person who is required to self-isolate under regulation 4 is also a relevant person if they—
 - (a) may, by virtue of paragraph (13)(d)(ii), (13)(e)(ii) or (13)(f) of that regulation, temporarily cease self-isolating (for work etc.); and
 - (b) are not a person described in paragraph 17, 17A, 18, 19, 20, 21, 23, 24, 26, 27, 31, 32, 33, 34, 35 or 36 of Schedule 2.”.
- (3) In regulation 4 (requirement to self-isolate), in paragraph (13)—
 - (a) in sub-paragraph (ca), from “Schedule 2—” to the end, substitute “Schedule 2, P satisfies the requirements of paragraph (2) if P complies with the relevant conditions specified in paragraph 39(4) of Schedule 2,”;
 - (b) for sub-paragraph (d) substitute—
 - “(d) in paragraph 4, 4A, 4B, 4C, 4D, 4E, 6, 11, 14, 15, 16 or 22 of Schedule 2 and is—
 - (i) ordinarily resident in the United Kingdom, P is not required to comply with this regulation,
 - (ii) not ordinarily resident in the United Kingdom, P is not required to comply with this regulation while undertaking the work or activity described in the relevant paragraph of that Schedule,
 - (e) in paragraph 4F of Schedule 2, engaged in work relating to the carriage of passengers by way of the tunnel system and is—
 - (i) ordinarily resident in the United Kingdom, P is not required to comply with this regulation,
 - (ii) not ordinarily resident in the United Kingdom, P is not required to comply with this regulation while undertaking that work,
 - (f) in paragraph 17, 17A, 18, 19, 20, 21, 23, 24, 26, 27, 29, 31, 32, 33, 34, 35, 36, 36A or 46 of Schedule 2, P is not required to comply with this regulation while undertaking the work or activity described in the relevant paragraph of that Schedule,
 - (g) in any other paragraph of Schedule 2, including paragraph 4F in so far as it relates to work other than the carriage of passengers by way of the tunnel system, P is not required to comply with this regulation.”.
- (4) In Schedule 2 (persons not required to comply with regulation 3 or 4)—
 - (a) for paragraph 37, substitute—
 - “37.—(1) A person ordinarily resident in the United Kingdom and who pursues a work-related activity in another country to which they usually travel at least once a week which is certified by their employer, or in the case of a self-employed person certified by them, as being—
 - (a) an activity that cannot be done remotely; and
 - (b) critical.

- (2) For the purposes of sub-paragraph (1), an activity is critical if—
- (a) it would be defined as critical, or equivalent terminology, in legislation or guidance in use in that country; or
 - (b) if the country has no such definition, if they are pursuing an activity which would fall under one of the other paragraphs in this Schedule if it were carried out in the United Kingdom.”;
- (b) in paragraph 39(4), before paragraph (a) insert—
- “(zb) where P is a domestic elite sportsperson of a kind described in paragraph (c)
 - (i) of the definition of that expression in sub-paragraph (2)—
 - (i) P provides, on arrival in England, written evidence from a United Kingdom or English sport national governing body of P’s status as a domestic elite sportsperson returning to England from competing in an elite sports event or participating in training for an Olympic or Paralympic event,
 - (ii) P travels directly to, and remains in any place where P is self-isolating, apart from when P is travelling to or from, or attending the location of, an elite sports event in which they are competing or training for an elite sports event, or travelling between different locations where such an elite sports event or training for an elite sports event is taking place, and
 - (iii) at all times when P is not self-isolating P remains in isolation with any other domestic elite sportspersons or international elite sportspersons who are competing in or training for that elite sports event or with domestic ancillary sportspersons or international ancillary sportspersons involved in that elite sports event,
 - (zc) where P is a domestic elite sportsperson of a kind described in paragraph (c)(ii) of the definition of that expression in sub-paragraph (2)—
 - (i) P provides, on arrival in England, written evidence from a United Kingdom or English sport national governing body of P’s status as a domestic elite sportsperson who has travelled to England to participate in training for or to compete in an elite sports event,
 - (ii) P travels directly to, and remains in any place where P is self-isolating, apart from when P is travelling to or from, or attending the location of an elite sports event in which they are competing or training for an elite sports event, or travelling between different locations where such an elite sports event or training for an elite sports event is taking place, and
 - (iii) at all times when P is not self-isolating P remains in isolation with any other domestic elite sportspersons or international elite sportspersons who are competing in or training for that elite sports event or with domestic ancillary sportspersons or international ancillary sportspersons involved in that elite sports event,
 - (zd) where P is a domestic ancillary sportsperson—
 - (i) P provides, on arrival in England, written evidence from a United Kingdom or English sport national governing body of P’s status as a domestic ancillary sportsperson returning to England having been involved in the running of an elite sports event or the support of a domestic elite sportsperson,
 - (ii) P travels directly to, and remains in any place where P is self-isolating, apart from when P—

- (aa) is travelling to or from, or attending the location of, any place in which P's presence is essential to the running of an elite sports event,
 - (bb) is travelling to or from, or attending the location of, any place in which P provides essential support to a domestic elite sports person who is competing in or training for an elite sports event,
 - (cc) is travelling between different locations where any activity described in paragraph (aa) or (bb) is taking place, and
 - (iii) at all times when P is not self-isolating P remains in isolation with domestic elite sports persons or international elite sports persons who are competing in or training for that elite sports event or with domestic ancillary sports persons or international ancillary sports persons involved in that elite sports event.”.
- (5) In Schedule 2B (testing before arrival in England), for paragraph 2(f) substitute—
- “(f) a statement—
 - (i) that the test was a polymerase chain reaction test, or
 - (ii) of the name of the device that was used for the test.”.

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

3. In regulation 5 of the Health Protection (Coronavirus, Pre-Departure Testing and Operator Liability) (England) (Amendment) Regulations 2021(3), in the definition of “required notification”, for sub-paragraph (f) substitute—

- “(f) a statement—
 - (i) that the test was a polymerase chain reaction test, or
 - (ii) of the name of the device that was used for the test;”.

Transitional and saving provision

4. In relation to any person who arrived in England before the coming into force of these Regulations, the International Travel Regulations apply as if the amendments made by regulation 2 had not been made.

Signed by authority of the Secretary of State for Transport

18th February 2021

Robert Courts
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, International Travel) (England) Regulations 2020 (S.I. 2020/568) (“the International Travel Regulations”) to—

- (a) in relation to exemptions from the requirement to self-isolate in regulation 4 of the International Travel Regulations, require all persons benefiting from the exemptions for energy, infrastructure, medicines and sports roles, and persons who are not ordinarily resident in the United Kingdom and benefiting from the exemptions for transport roles, to self-isolate except when carrying out the relevant work/activity,
- (b) in relation to the requirement in regulation 3A of the International Travel Regulations to possess notification of a negative test result before arriving in England, amend the required content of the result notification.

These changes do not apply in relation to people who arrive in England before the coming into force of these Regulations.

This instrument also amends the Health Protection (Coronavirus, Pre-Departure Testing and Operator Liability) (England) (Amendment) Regulations 2021 (S.I. 2021/38) in consequence of the change described at (b) above.

An impact assessment has not been produced for this instrument. An explanatory memorandum has been published alongside this instrument at www.legislation.gov.uk.