

**2021 No. 17**

**PUBLIC HEALTH**

**The Health Protection (Coronavirus, International Travel,  
Operator Liability and Public Health Advice) (Amendment)  
Regulations (Northern Ireland) 2021**

*Made* - - - - *29th January 2021*

*Coming into operation* - *at 4.00 a.m. on 30th January 2021*

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

**Citation, commencement and interpretation**

**1.**—(1) These Regulations may be cited as the Health Protection (Coronavirus, International Travel, Operator Liability and Public Health Advice) (Amendment) Regulations (Northern Ireland) 2021 and shall come into operation at 4.00 am on 30th January 2021.

(2) In these Regulations—

“the International Travel Regulations” means the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020<sup>(c)</sup>;

“the Passenger Advice Regulations” means the Health Protection (Coronavirus, Public Health Advice for Persons Travelling to Northern Ireland) (No. 2) Regulations (Northern Ireland) 2020<sup>(d)</sup>.

**Amendment of the Passenger Advice Regulations**

**2.**—(1) The Passenger Advice Regulations are amended as follows.

(2) In regulation 4 (requirement to provide information in certain manner)—

(a) in paragraph (1)(c)(iii)—

(i) after “information” insert “, to possess notification of a negative test result”,

(ii) after “3” insert “, 3A”,

(b) in paragraph (2)(b), after sub-paragraph (iii) insert—

“(iv) informs passengers of the requirement to possess notification of a negative test result in regulation 3A of the International Travel Regulations,”,

(c) in paragraph (3)(b)(iii)—

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(a) Formerly the Department of Health, Social Services and Public Safety; see 2016 c. 5 (N.I.), s. 1(5)

(b) 1967 c. 36 (N.I.). Part 1A was inserted by section 48 of, and Schedule 18 to, the Coronavirus Act 2020 (c. 7)

(c) S.R. 2020 No. 90 as amended by S.R. 2020 Nos. 138, 140, 154, 155, 163, 168, 179, 185, 189, 193, 194, 200, 203, 212, 216, 223, 228, 234, 241, 243, 244, 254, 275, 278, 289, 326, 344, and 355 and S.R. 2021 Nos. 4, 5, 6, 9, 10 and 13

(d) S.R. 2020 No. 215 as amended by S.R. 2020 No. 325

- (i) after “information” insert “, to possess notification of a negative test result”,
- (ii) after “3” insert “, 3A”,
- (d) in paragraph (5), in the definition of “the relevant websites”—
  - (i) after sub-paragraph (a)(ii), insert—
    - “(iii) [https:// www.nidirect.gov.uk/articles/coronavirus-covid-19-taking-coronavirus-test-travelling-northern-ireland](https://www.nidirect.gov.uk/articles/coronavirus-covid-19-taking-coronavirus-test-travelling-northern-ireland) ”,
  - (ii) in sub-paragraph (b), after “<https://www.gov.uk/uk-border-control>” insert—
    - “,
    - (iv) <https://www.nidirect.gov.uk/articles/coronavirus-covid-19-taking-coronavirus-test-travelling-northern-ireland> ”.
- (3) For regulation 5 (review) substitute—
 

“5. The Department of Health must review the need for the requirements imposed by these Regulations as part of the reviews conducted as required by the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020.”,
- (4) For Part 1 of the Schedule substitute—

## “PART 1

The required information to be given in accordance with Regulation 4(1) to (3) is:

### “ESSENTIAL INFORMATION TO ENTER THE UK

The United Kingdom is taking steps to help stop the spread of COVID-19.

1) All persons (including UK nationals and residents) arriving in the UK from outside the common travel area must provide proof of a negative COVID-19 test taken within 3 days of departure to the UK. For further information please visit: [https:// www.nidirect.gov.uk/articles/coronavirus-covid-19-taking-coronavirus-test-travelling-northern-ireland](https://www.nidirect.gov.uk/articles/coronavirus-covid-19-taking-coronavirus-test-travelling-northern-ireland).

2) To protect your health and others’, everyone must complete an online passenger locator form before arrival in the United Kingdom.

3) All arrivals must self-isolate for 10 days unless exempt. Check the list of exempt countries immediately before travel.

4) It is a legal requirement that you wear a face covering on public transport in the UK.

Failure to comply with these measures is a criminal offence and you could be fined. Please visit [www.gov.uk/uk-border-control](https://www.gov.uk/uk-border-control) for detailed public health advice and requirements for entering the UK.”.

### **Amendment of the International Travel Regulations**

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

**(2)** In regulation 7 (fixed penalty notices)—

- (a) in paragraph (6)—
  - (i) in sub-paragraph (a), for “£60” substitute “£500”;
  - (ii) in sub-paragraph (b), for “£120” substitute “£1,000”;
  - (iii) in sub-paragraph (c), for “£240” substitute “£2,000”;
  - (iv) for sub-paragraph (d), substitute “in the case of the fourth and subsequent fixed penalty notices issued in respect of an information offence, £4,000.”;
  - (v) omit sub-paragraph (e);

(b) after paragraph (6A) insert—

“(6B) In determining how many fixed penalty notices a person (“P”) has received in respect of an information offence for the purposes of paragraph (6), no account is to be taken of any such fixed penalty notice issued to P before 4.00 a.m. on 30th January 2021.”.

(3) In Schedule 1 (passenger information), omit paragraphs 2(f), 3 and 5.

(4) In paragraph 3(1)(d) of Schedule 2A (testing before arrival in Northern Ireland), after “resume their work”, insert—

“,

(e) a member of aircraft crew carried on a 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 the aircraft, where they have travelled to the United Kingdom in the course of their work”.

(5) In Schedule 5 (Countries or territories subject to additional measures), at the appropriate place in alphabetical order, insert “Burundi”, “Rwanda” and “United Arab Emirates”.

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

**4.**—(1) Part 2 of the Health Protection (Coronavirus, International Travel, Pre-Departure Testing and Operator Liability) (Amendment) Regulations (Northern Ireland) 2021(a) is amended as follows.

(2) In regulation 5 (interpretation of Part 2)—

(a) omit the definition of “qualifying test”,

(b) in the definition of “relevant passenger”, for “required notification” substitute “valid notification of a negative result from a qualifying test”,

(c) for the definition of “required notification”, substitute—

““required notification” means notification of the result of a test for the detection of coronavirus which includes, in English, French or Spanish, the following information—

(a) the name of the person from whom the test sample was taken,

(b) that person’s date of birth or age,

(c) the negative result of that test,

(d) the date the test sample was collected or received by the test provider,

(e) the name of the test provider and information sufficient to contact that provider,

(f) the name of the device that was used for the test;”.

### **Transitional and savings provision**

**5.**—(1) In relation to any booking made before 4.00 am on 30th January 2021, the requirement in regulation 3(1) of the Passenger Advice Regulations (“the information requirement”) is to be regarded as complied with even if the information provided to passengers does not include the amendments made by regulation 2.

(2) In relation to any person who arrived in Northern Ireland on or after 10th July 2020 and before the coming into operation of any amendment made by regulation 3(5) the International Travel Regulations apply as if that amendment had not been made.

Sealed with the Official Seal of the Department of Health on 29th January 2021

(L.S.)

*Dr Michael McBride*  
A senior officer of the Department of Health

## **EXPLANATORY NOTE**

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

These Regulations amend the Health Protection (Coronavirus, Public Health Advice for Persons Travelling to Northern Ireland) (No. 2) Regulations (Northern Ireland) 2020 (S.R. 2020 No. 215) (“the Passenger Advice Regulations”) so that operators of commercial transport services from outside the common travel area to Northern Ireland are required to provide information to passengers about the requirement to possess notification of a negative coronavirus test result.

These Regulations also amend the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020 (S.R. 2020 No. 90) (“the International Travel Regulations”) to:

- (a) reduce the amount of passenger information that people travelling to Northern Ireland are required to provide on the Passenger Locator Form in order to comply with the requirement in regulation 3 of the International Travel Regulations;
- (b) update the air crew exemption from the requirement to possess notification of a negative coronavirus test result to ensure that crew who perform duties onboard aircraft in the interests of the safety of the aircraft, such as loadmasters, are exempt;
- (c) include Burundi, Rwanda and United Arab Emirates in the list of countries and territories in Schedule 5 to the International Travel Regulations subject to additional measures.

Further, these Regulations amend the Health Protection (Coronavirus, International Travel, Pre-Departure Testing and Operator Liability) (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021 No. 10) so that operators are not required to ensure that a notification of a negative coronavirus test result is from a “qualifying test”, i.e. a test which meets the standards specified in paragraph 1 of Schedule 2A to the International Travel Regulations. Operators are required to check that passengers possess a notification of a coronavirus test which includes specified information, while liability for ensuring the result was from a qualifying test falls on the passenger.

No impact assessment has been prepared for these Regulations.

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