

SCHEDULES

SCHEDULE 4

Regulations 6, 10, 18,25, 26, 27 and 42

Exemptions

PART 1

Diplomats, Crown Servants, visiting forces etc.

- 1.—(1) A person (“P”), other than a person described in sub-paragraph (3), 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) an officer or servant of an international organisation,
 - (d) a person employed by an international organisation as an expert or on a mission,
 - (e) a representative to an international organisation,
 - (f) a representative at an international or United Kingdom conference who is granted privileges and immunities in the United Kingdom,
 - (g) a member of the official staff of a representative to an international organisation, or of a person falling within head (f),
 - (h) described in head (a) or (b) who is 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,
 - (i) a representative of a foreign country or territory travelling to the United Kingdom to conduct official business with the United Kingdom,
 - (j) a representative of the government of a British Overseas Territory,
 - (k) a diplomatic courier or a consular courier, or
 - (l) a member of the family forming part of the household of a person falling within any of heads (a) to (k).
- (2) The conditions referred to in regulations 25(1)(a) and 27(1)(e) are that—
- (a) the relevant head of the mission, consular post, international organisation or conference, office representing a foreign territory in the United Kingdom or a Governor of a British Overseas Territory (as the case may be), or a person acting on their authority, confirms in writing to the Foreign, Commonwealth and Development Office that—
 - (i) P is required to undertake work which is—
 - (aa) essential to the functioning of the mission, consular post, international organisation, conference, or office, or
 - (bb) essential to the foreign country represented by the mission or consular post, the foreign territory represented by the office or the British overseas territory, and

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- (ii) that work cannot be undertaken while P is complying with Part 5 (managed isolation) or, as the case may be, Part 6 (self-isolation) of these Regulations, and
- (b) prior to P’s arrival in the United Kingdom, the Foreign, Commonwealth and Development Office—
 - (i) has confirmed in writing to the person giving the confirmation referred to in head (a) that it has received that confirmation, and
 - (ii) where P is a representative of a foreign country or territory, has then confirmed in writing to the person giving the confirmation referred to in head (a) that P is travelling to the United Kingdom to conduct official business with the United Kingdom and is not required to comply with Part 5 (managed isolation) or, as the case may be, Part 6 (self-isolation), of these Regulations.
- (3) A person (“P”) where—
 - (a) P travelled to the United Kingdom—
 - (i) for the purpose of attending or facilitating a relevant international event, and P is in Scotland for the purpose of attending or facilitating a relevant international event, or for the purpose of travelling to leave the United Kingdom,
 - (ii) for another purpose, but following P’s arrival in Scotland P is attending, facilitating or travelling to or from a relevant international event,
 - (b) P has been invited by Her Majesty’s Government to attend or facilitate the relevant international event or, where the relevant international event is the COP, P is a registered participant for the COP,
 - (c) the relevant person has provided written confirmation to the relevant Department that P will comply with the health protocols for the relevant international event, and
 - (d) the relevant Department has provided written confirmation to the relevant person that P is a person described in this sub-paragraph and has not withdrawn that confirmation.
- (4) This paragraph is without prejudice to any immunity from jurisdiction or inviolability which is accorded to any person described in sub-paragraph (1) or (3) under the law of Scotland apart from these Regulations.

(5) For the purposes of this paragraph—

“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,

“consular post” means any consulate-general, consulate, vice-consulate or consular agency,

“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,

“international organisation” means an international organisation accorded privileges and immunities in the United Kingdom,

“member of a consular post” means “consular officer”, “consular employee”, and “member of the service staff” as defined in schedule 1 of the Consular Relations Act 1968(1), and “head of consular post” has the meaning given in that schedule,

“member of a diplomatic mission” means “head of the mission”, “members of the diplomatic service”, “members of the administrative and technical staff” and “members of the service staff” as defined in schedule 1 of the Diplomatic Privileges Act 1964(2),

(1) 1968 c. 18.
(2) 1964 c. 81.

“registered participant”, in relation to the COP, means a person who has been registered to attend the COP with the secretariat of the United Nations Framework Convention on Climate Change, and has confirmation of their registration from the secretariat,

“relevant international event” means—

- (a) the COP,
- (b) the COP World Leaders summit event, and

“relevant person” means—

- (a) where P is to attend or facilitate a relevant international event on behalf of a State, a foreign territory or an organisation, the head of the relevant mission or post, the office representing the foreign territory in the United Kingdom or the organisation,
- (b) where P is to attend or facilitate an international event on their own behalf, P.

2.—(1) A Crown servant or government contractor who is—

- (a) required to undertake essential government work related to the United Kingdom border in the United Kingdom within the period during which they would, but for this paragraph, have had to comply with Part 5 (managed isolation) or, as the case may be, Part 6 (self-isolation) of these Regulations, or
- (b) undertaking essential government work related to the United Kingdom border outside of the United Kingdom but—
 - (i) is 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) and paragraph 3—

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

“essential government work” means work which has been designated as such by the relevant Department or employer, and

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

3.—(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 green list country 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 a red list country or an amber list country, or
- (c) has undertaken a continuous period of at least 10 days immediately preceding their arrival aboard a vessel operated by or in support of Her Majesty’s Naval Service or by or in support of a visiting force, 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 immediately preceding its arrival in the United Kingdom.

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

“defence” has the meaning given in section 2(4) of the Official Secrets Act 1989, and

(3) 1989 c. 6.

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“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.

4. 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—
 - (i) they are required to undertake essential border security duties in the United Kingdom within the period during which they would, but for this paragraph, have had to comply with Part 5 (managed isolation) or, as the case may be, Part 6 (self-isolation) of these Regulations, and
 - (ii) that work cannot be undertaken whilst the person is complying with the requirements of those Parts, 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.

5.—(1) Any person who has been certified by the relevant Department or the Scottish Ministers as meeting the description in heads (a), (b) or (c)—

- (a) a Crown servant or government contractor who is required to undertake essential policing or essential government work in the United Kingdom within the period during which they would, but for this paragraph, have had to comply with the requirements of Part 5 (managed isolation) or, as the case may be, Part 6 (self-isolation) of these Regulations,
- (b) a person returning from conducting essential state business outside of the United Kingdom,
- (c) a person returning to the United Kingdom where this is necessary to facilitate 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.

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

“consular post” means any consulate-general, consulate, vice-consulate or consular agency,
“Crown Servant” and “government contractor” have the meanings given in paragraph 2(2),
“essential government work” means work which has been designated as such by the relevant Department or the Scottish Ministers and includes, in particular—

- (a) work related to national security,
- (b) the work of the National Crime Agency in pursuance of its statutory functions, and
- (c) work related to immigration, coronavirus or any other crisis response,

but does not include work of the description in paragraph 2 of this schedule,

“essential policing” means policing which has been designated as such on behalf of the relevant chief officer or chief constable,

“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—

- (a) bilateral or multilateral discussions with another state or international organisation, and
- (b) visits to another state on behalf of the United Kingdom or Her Majesty’s Government.

6.—(1) A person returning from conducting essential or emergency work outside of the United Kingdom, which has been certified by the relevant Department or the Scottish Ministers as necessary to facilitate essential government work or essential state business.

(2) For the purposes of sub-paragraph (1), “essential government work” and “essential state business” have the meanings given in paragraph 5.

7.—(1) A specified person who has travelled to the United Kingdom to conduct official business with the United Kingdom where—

- (a) the person was invited to the United Kingdom by the Secretary of State for Foreign, Commonwealth and Development Affairs, and
- (b) prior to the person’s arrival in the United Kingdom, the Foreign, Commonwealth and Development Office has confirmed in writing to the person that they are travelling to the United Kingdom to conduct official business and are not required to comply with Part 6 (self-isolation) of these Regulations.

(2) In this paragraph—

“government policy priority” means government policy which has been designated as such by the Foreign, Commonwealth and Development Office, and includes, in particular policy related to the—

- (a) promotion and protection of human rights, and
- (b) mitigation of, or adaptation to, climate change,

“specified person” means a person who—

- (a) is a member of a democratic opposition in a foreign country or territory,
- (b) is a member of a political party in a foreign country or territory, or
- (c) undertakes activities in a foreign country or territory that support a government policy priority.

PART 2

Transport

8.—(1) A road passenger transport worker.

(2) For the purposes of this paragraph—

“road passenger transport worker” means—

- (a) the driver of a public service vehicle, or
- (b) a person who is employed by the holder of a Community licence issued under Article 4 of Regulation (EC) No 1073/2009 of the European Parliament and of the Council, and who is acting in the course of their employment,

“driver” includes a person who is travelling in a vehicle as a relief driver, and

“public service vehicle” has the meaning given in section 1 of the Public Passenger Vehicles Act 1981(4).

9.—(1) Seamen and masters, as defined in section 313(1) of the Merchant Shipping Act 1995(5) (“the 1995 Act”), where they have travelled to the United Kingdom in the course of their work or

(4) 1981 c. 81. Section 1 has been amended by the Transport Act 1985 (c. 67), section 139 and schedule 8.

(5) 1995 c. 21.

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have been repatriated to the United Kingdom in accordance with the Maritime Labour Convention, 2006 or the Work in Fishing Convention, 2007.

(2) A pilot, as defined in paragraph 22(1) of schedule 3A of the 1995 Act⁽⁶⁾, where they have travelled to the United Kingdom in the course of their work or have been repatriated to the United Kingdom.

(3) An inspector or a surveyor of ships, appointed under section 256 of the 1995 Act, or by a government of a relevant British possession as defined in section 313(1) of the 1995 Act, where they have travelled to the United Kingdom in the course of their work.

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

“the Maritime Labour Convention, 2006” means the Convention adopted on 23 February 2006 by the General Conference of the International Labour Organisation, and

“the Work in Fishing Convention, 2007” means the Convention adopted at Geneva on 14 June 2007 by the International Labour Organisation.

(5) For the purposes of this paragraph, a person does not travel to the United Kingdom in the course of their work where they—

- (a) arrive by air,
- (b) are returning to the United Kingdom for a period of contracted leave, and
- (c) are not under contract to work in the common travel area during the period during which they would, but for this paragraph, be required to comply with Part 5 (managed isolation) or, as the case may be, Part 6 (self-isolation) of these Regulations.

10.—(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 the 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⁽⁷⁾ or any provision of EU-OPS, 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 a member of aircraft crew resides outside of 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 of the United Kingdom,

(c) “EU-OPS” has the meaning given in paragraph 1 of schedule 1 of the Air Navigation Order 2016.

⁽⁶⁾ Schedule 3A was inserted by schedule 1 of the Marine Safety Act 2003 (c. 16).

⁽⁷⁾ S.I. 2016/765.

11. An in-flight security officer who has travelled to the United Kingdom in the course of their work and is deployed pursuant to an international agreement to which the United Kingdom is a party.

12.—(1) Any of the following who have travelled to the United Kingdom in the course of their work—

- (a) drivers and crews on shuttle services and on services for the carriage of passengers or goods by way of the tunnel system, and
- (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.

(2) For the purposes of sub-paragraph (1) and paragraph 14—

“shuttle service” has the meaning given in section 1(9) of the Channel Tunnel Act 1987⁽⁸⁾, and
“tunnel system” has the meaning given in section 1(7) of that Act.

13. Civil aviation inspectors, as defined in Annex 9 to the Convention on International Civil Aviation signed at Chicago on 7 December 1944⁽⁹⁾, where they have travelled to the United Kingdom when engaged on inspection duties.

14. 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.

15.—(1) A road haulage worker.

(2) For the purposes of this paragraph—

- (a) “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 (EC) No 1072/2009 of the European Parliament and of the Council⁽¹⁰⁾ on common rules for access to the international road haulage market, and who is acting in the course of their employment.
- (b) “driver” includes a person who is travelling in a vehicle as a relief driver,
- (c) “goods vehicle” has the meaning given in section 192 of the Road Traffic Act 1988⁽¹¹⁾.

16.—(1) The condition mentioned in regulation 6(1)(e) is that the person has in the course of their work on the journey to Scotland travelled only—

- (a) on a conveyance which does not carry passengers,
- (b) in an area of a conveyance which is not accessible to passengers, or
- (c) in an area of a conveyance which is accessible to passengers in vehicles, where passengers remain in their vehicles while the person is present in that area of the conveyance.

(2) For the purposes of this paragraph—

“not accessible to passengers” means separated by a continuous physical barrier which passengers are not permitted to cross, and

“passenger” does not include a person of the description in paragraph 12(1)(b).

⁽⁸⁾ 1987 c. 53.

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

⁽¹⁰⁾ OJ No. L 300, 14.11.2009, p.72.

⁽¹¹⁾ 1988 c. 52. There are amendments to section 192 but none is relevant.

PART 3

Extradition

17. A person designated by the relevant Ministers under section 5(3) of the Repatriation of Prisoners Act 1984**(12)**.

18. A person responsible for escorting a person sought for extradition pursuant to a warrant issued under Part 3 of the Extradition Act 2003**(13)** or sought for extradition pursuant to any other extradition arrangements.

19. A representative of any territory travelling to the United Kingdom in order to take into custody a person whose surrender has been ordered pursuant to any provision of the Extradition Act 2003.

PART 4

Emergency, specialist and technical workers

20.—(1) A worker engaged in essential or emergency works—

- (a) related to water supplies and sewerage services, and
- (b) carried out by, for or on behalf of—
 - (i) Scottish Water,
 - (ii) a local authority, or
 - (iii) a relevant person,

where they have travelled to the United Kingdom in the course of their work.

(2) For the purposes of this paragraph—

“essential or emergency works” includes—

- (a) inspections, maintenance, repairs and asset replacement activities, and
- (b) monitoring, sampling and analysis of water supplies under—
 - (i) the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017**(14)** (“the 2017 Regulations”),
 - (ii) the Private Water Supplies (Scotland) Regulations 2006**(15)** (“the 2006 Regulations”), or
 - (iii) the Public Water Supplies (Scotland) Regulations 2014**(16)**,

“relevant person” has the meaning given in—

- (a) regulation 3 of the 2017 Regulations,
- (b) regulation 4 of the 2006 Regulations,

“Scottish Water” means the body corporate established by section 20(1) of the Water Industry (Scotland) Act 2002**(17)**.

(12) 1984 c. 47.

(13) 2003 c. 41.

(14) S.S.I. 2017/282.

(15) S.S.I. 2006/209.

(16) S.S.I. 2014/364.

(17) 2002 asp 3.

21. A worker engaged in essential or emergency works on behalf of a local authority relating to flood risk management within the meaning of—

- (a) the Flood Risk Management (Scotland) Act 2009⁽¹⁸⁾, or
- (b) the Coast Protection Act 1949⁽¹⁹⁾.

22.—(1) A worker engaged in essential or emergency works—

- (a) related to—
 - (i) a generating station,
 - (ii) an electricity interconnector,
 - (iii) a district heat network as defined in regulation 2 of the Heat Network (Metering and Billing) Regulations 2014⁽²⁰⁾ (“the 2014 Regulations”),
 - (iv) communal heating as defined in regulation 2 of the 2014 Regulations,
 - (v) automated ballast cleaning and track re-laying systems on a network, or
 - (vi) the commissioning, maintenance or repair of industrial machinery for use on a network, or
- (b) carried out by or on behalf of—
 - (i) the national system operator,
 - (ii) a person holding a transmission licence,
 - (iii) a person holding a distribution licence,
 - (iv) a person holding a licence under section 7 or 7ZA of the Gas Act 1986⁽²¹⁾ (“the 1986 Act”),
 - (v) a LNG import or export facility within the meaning of section 48 of the 1986 Act⁽²²⁾,
 - (vi) a person holding a network licence under section 8 of the Railways Act 1993⁽²³⁾ (“the 1993 Act”),

where they have travelled to the United Kingdom for the purposes of their work.

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

“distribution licence” means a licence granted under section 6(1)(c) of the Electricity Act 1989⁽²⁴⁾ (“the 1989 Act”),

“electricity connector”, “generating station” and “transmission system” have the meanings given in section 64(1) of the 1989 Act⁽²⁵⁾,

“essential or emergency works” includes commissioning, inspections, maintenance, repairs and asset replacement activities,

“national system operator” means the person operating the national transmission system for Great Britain,

“network”, in sub-paragraph (1)(a)(v) and (vi) has the meaning given in section 83(1) of the 1993 Act,

“transmission licence” means a licence granted under section 6(1)(b) of the 1989 Act.

⁽¹⁸⁾ 2009 asp 6.

⁽¹⁹⁾ 1949 c. 74.

⁽²⁰⁾ S.I. 2014/3120. There are no relevant amending instruments.

⁽²¹⁾ 1986 c. 44. Section 7ZA was inserted by section 149(6) of the Energy Act 2004 (c. 20).

⁽²²⁾ The definition was inserted by S.I. 2011/2704.

⁽²³⁾ 1993 c. 43.

⁽²⁴⁾ 1989 c. 29.

⁽²⁵⁾ The definition of “electricity interconnector” was inserted by section 147(7) of the Energy Act 2004 (c. 20). The definition of “transmission system” was substituted by paragraph 15 of schedule 19 of the 2004 Act.

Status: This is the original version (as it was originally made).

23.—(1) A person who is—

- (a) nuclear personnel, and who is essential to the safe and secure operations of a site in respect of which a nuclear site licence has been granted,
- (b) a nuclear emergency responder, or
- (c) an agency inspector.

(2) For the purposes of this paragraph—

“agency inspector” has the meaning given in section 1(1) of the Nuclear Safeguards Act 2000**(26)**,

“nuclear emergency responder” means a person—

- (a) providing assistance to the United Kingdom in accordance with the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency done a Vienna on 26 September 1986, and
- (b) who has been duly notified to and accepted by the United Kingdom, where the United Kingdom has requested assistance under that Convention,

“nuclear personnel” means—

- (a) a worker who is employed to carry out work on or in relation to a site in respect of which a nuclear site licence has been granted,
- (b) an employee of the Nuclear Decommissioning Authority**(27)**,

“nuclear site licence” has the meaning given in section 1 of the Nuclear Installations Act 1965**(28)**.

24. An inspector from the Organisation for the Prohibition of Chemical Weapons, within the meaning given to “inspector” by section 24(e) of the Chemical Weapons Act 1996**(29)**, who has travelled to the United Kingdom for the purposes of an inspection.

25.—(1) A person who is—

- (a) carrying out a critical function at a space site or a spacecraft controller who is responsible for command and control of a launch vehicle or spacecraft for nominal operations, collision avoidance or anomalies, or
 - (b) employed by, or contracted to provide services to, a person who operates or maintains space situational awareness capabilities,
- where they have travelled to the United Kingdom in the course of their work.

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

“space site” has the meaning given in paragraph 5(3) of schedule 4 of the Space Industry Act 2018**(30)** (“the 2018 Act”),

“space situational awareness capabilities” means the sensors, systems and analytical services needed to provide time-sensitive warnings of space weather events, orbital collisions, orbital fragmentations or the re-entry of man-made objects from orbit,

“spacecraft” has the meaning given in section 2(6) of the 2018 Act,

“spacecraft controller” means a person competent, authorised and responsible for maintaining safe and secure operation of spacecraft through monitoring the status of a spacecraft, issuing

(26) 2000 c. 5.

(27) The Nuclear Decommissioning Authority was established by section 1 of the Energy Act 2004 (c. 20).

(28) 1965 c. 57. Section 1 was substituted by paragraph 17 of schedule 2 of the Energy Act 2013 (c. 32); by virtue of section 1(2), a licence described in section 1(1) is referred to as a “nuclear site licence”.

(29) 1996 c. 6.

(30) 2018 c. 5.

manoeuvre commands or controlling other aspects of the spacecraft that influence its behaviour including its motion in space.

26.—(1) A specialist aerospace engineer, or a specialist aerospace worker, where they have travelled to the United Kingdom in the course of their work.

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

“specialist aerospace engineer” means a person who is employed or otherwise engaged to provide engineering services for the purpose of ensuring the continued operation of aviation activities (including but not limited to the provision of maintenance and repair services for production lines, aviation components, grounded aircraft and new aircraft), and

“specialist aerospace worker” means a person who is employed or otherwise engaged to provide services for the purpose of ensuring safety management and quality assurance as required by relevant standards, guidance and publications on aviation safety produced by the Civil Aviation Authority or the European Union Aviation Safety Agency⁽³¹⁾.

27.—(1) A person engaged in operational, maintenance or safety activities of a downstream oil facility that has a capacity in excess of 20,000 tonnes, where—

(a) the downstream oil facility is engaged in a specified activity carried on in the United Kingdom in the course of a business, and contributes (directly or indirectly) to the supply of crude oil-based fuels to—

- (i) consumers in the United Kingdom,
- (ii) or persons carrying on business in the United Kingdom, and

(b) the activities are required to ensure continued safe operation of the facility,

where they have travelled to the United Kingdom in the course of their work.

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

(a) a facility has a capacity in excess of 20,000 tonnes at any time if it was used in the previous calendar year for the purposes of downstream oil sector activities in relation to more than that number of tonnes of oil, and

(b) “specified activities” are—

- (i) storing oil,
- (ii) handling oil,
- (iii) the carriage of oil by sea or inland water,
- (iv) conveying oil by pipes,
- (v) refining or otherwise processing oil.

28.—(1) A worker required to undertake or commence within the period during which they would, but for this paragraph, have had to comply with Part 6 (self-isolation) of these Regulations—

- (a) activities on or in relation to an offshore installation,
- (b) activities on or in relation to upstream petroleum infrastructure,

(31) The Civil Aviation Authority was established under section 1(1) of the Civil Aviation Act 1971 (c. 75). That Act was replaced by a consolidating statute, the Civil Aviation Act 1982 (c. 16), section 2(1) of which provides for the continued existence of the Civil Aviation Authority. The European Union Aviation Safety Agency was established by Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amendment Regulation (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and the Council and Council Regulation (EEC) No 3922/91.

Status: This is the original version (as it was originally made).

- (c) critical safety work on an offshore installation or well being decommissioned or preserved pending demolition or reuse, or
- (d) activities for the provision of workers, goods, materials or equipment or other essential services required to support the safe operation of the activities referred to in sub-paragraphs (a) to (c),

where they have travelled to the United Kingdom in the course of their work.

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

“offshore installation” has the meaning given in section 44 of the Petroleum Act 1998⁽³²⁾ (“the 1998 Act”),

“upstream petroleum infrastructure” has the meaning given in section 9H of the 1998 Act⁽³³⁾, and

“well” has the meaning given in section 45A(10) of the 1998 Act⁽³⁴⁾.

29. A postal operator, as defined in section 27(3) of the Postal Services Act 2011⁽³⁵⁾, where they have travelled to the United Kingdom in the course of their work.

30. A worker with specialist technical skills, where those specialist technical skills are required for essential or emergency works or services (including commissioning, maintenance, and repairs and safety checks) to ensure the continued production, supply, movement, manufacture, storage or preservation of goods, where they have travelled to the United Kingdom in the course of their work.

31. A worker with specialist technical skills, where those specialist technical skills are required for essential or emergency works (including construction, commissioning, installation, maintenance, repairs and safety checks), or to fulfil contractual obligations or warranty specifications in, or in connection with, waste management facilities used for the management, sorting, treatment, recovery, or disposal of waste (including energy from waste), where they have travelled to the United Kingdom in the course of their work.

32.—(1) A person who has travelled to the United Kingdom for the purposes of their work in essential infrastructure industries including—

- (a) a person involved in essential maintenance and repair of data infrastructure required to reduce and resolve outages, or in the provision of goods and services to support these activities, and
- (b) an information technology or telecommunications professional (including information technology consultant, quality analyst, software tester, systems tester, and telecommunications planner), whose expertise is required to—
 - (i) provide an essential or emergency response to threats and incidents relating to the security of any network and information system, and
 - (ii) ensure the continued operation of any network and information system.

(2) For the purposes of sub-paragraph (1), “network and information” system has the meaning in regulation 1(2) of the Network and Information Systems Regulations 2018⁽³⁶⁾.

33. A person who is engaged in urgent or essential work—

- (a) that is necessary for the continued operation of—

⁽³²⁾ 1998 c. 17. Section 44 was amended by paragraph 11 of schedule 1 of the Energy Act 2008 (c. 32).

⁽³³⁾ Section 9H was substituted by section 74(2) of the Energy Act 2016 (c. 20).

⁽³⁴⁾ Section 45A was inserted by section 75(1) of the Energy Act 2008. There are amendments to section 45A but none is relevant.

⁽³⁵⁾ 2011 c. 5.

⁽³⁶⁾ S.I. 2018/506.

- (i) electronic communications networks and services as defined in section 32 of the Communications Act 2003(37), or
 - (ii) the BBC’s broadcasting transmission network and services,
- (b) in associated supply chain companies that maintain the confidentiality, integrity, and availability of the electronic communications networks and services and the BBC transmission network and services,
- where they have travelled to the United Kingdom in the course of their work.

34. A person—

- (a) who is engaged in the installation, maintenance or repair of subsea fibre optic telecommunications infrastructure,
 - (b) whose role directly supports the installation, maintenance or repair of subsea fibre optic telecommunications infrastructure,
- where they have travelled to the United Kingdom in the course of their work.

PART 5

Healthcare

35.—(1) Any of the following—

- (a) a person (“P”) who—
 - (i) before travelling to the United Kingdom has made arrangements with a provider in the United Kingdom to receive healthcare (or, where P is a child, on whose behalf such arrangements have been made),
 - (ii) is in possession of written confirmation of the arrangements from the provider,
 - (iii) has travelled to the United Kingdom to receive that healthcare, and
 - (iv) is attending a place to receive that healthcare.
- (b) a person who—
 - (i) is accompanying P for the purpose of providing necessary care or support to P in the circumstances referred to in sub-paragraph (1)(a)(iv), or
 - (ii) is travelling, for the purpose of so accompanying P, directly between the place where they are staying in accordance with regulation 26(2) and either of the places referred to in sub-paragraph (1)(a)(iv), where that person has travelled to the United Kingdom for that purpose and is in possession of the confirmation referred to in sub-paragraph (1)(a)(ii) or a copy of it,
- (c) a child who is accompanying P or, where P is a child, any child who is accompanying a person referred to in sub-paragraph (1)(b),
- (d) a live donor.

(2) For the purposes of this paragraph—

“healthcare” means all forms of healthcare provided for individuals, whether relating to mental or physical health, including healthcare in connection with giving birth,

“live donor” means a person who—

(37) 2003 c. 21; section 32 was amended by S.I. 2011/1210 and S.I. 2020/1419.

Status: This is the original version (as it was originally made).

- (a) has travelled to the United Kingdom for the purpose of donation of material which consists of or includes their human cells pursuant to arrangements made with a provider in the United Kingdom before travelling to the United Kingdom and which are to be used by the provider for the purpose of providing healthcare, and
 - (b) is in possession of written confirmation of the arrangements from the provider, and
- “provider” means a provider of healthcare.

36.—(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)—
 - “blood” includes blood components, and
 - “healthcare” has the meaning given in paragraph 35.

37. A person who is an “inspector” within the meaning given in regulation 8(1) of the Human Medicines Regulations 2012⁽³⁸⁾ who has travelled to the United Kingdom to undertake activities in relation to their role as such a person.

38.—(1) A person who—

- (a) has travelled to the United Kingdom to—
 - (i) conduct a clinical trial within the meaning of “conducting a clinical trial” in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004⁽³⁹⁾,
 - (ii) undertake such activities as are necessary or expedient to prepare for the conduct of a clinical trial, or
 - (iii) carry out any necessary compliance activity in relation to a clinical trial that cannot be conducted remotely,
- (b) is a “qualified person” within the meaning of regulation 43 of those Regulations, where they have travelled to the United Kingdom in order to undertake activities in relation to their role as such a person, or
- (c) is a “sponsor” within the meaning given in regulation 2(1) of those Regulations, or carries out the functions or duties of a sponsor, of a clinical trial and has travelled to the United Kingdom to undertake activities in relation to a clinical trial.

(2) For the purposes of sub-paragraph (1), “clinical trial” has the meaning given in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004.

39. A person who has travelled to the United Kingdom to—

- (a) conduct a clinical investigation within the meaning of the Medical Devices Regulations 2002⁽⁴⁰⁾,
- (b) undertake such activities as are necessary or expedient to prepare for the conduct of a clinical investigation, or
- (c) carry out any other necessary compliance activity in relation to a clinical investigation that cannot be conducted remotely.

40. A person who is—

⁽³⁸⁾ S.I. 2012/1916.

⁽³⁹⁾ S.I. 2004/1031.

⁽⁴⁰⁾ S.I. 2002/618.

- (a) a “qualified person” within the meaning of regulation 41(2) of the Human Medicines Regulations 2012,
- (b) a “responsible person” within the meaning of regulation 45(1) of those Regulations, where they have travelled to the United Kingdom in order to undertake activities in relation to their role as such a person.

PART 6

Seasonal Agricultural Workers

41.—(1) A person who has an offer of employment for seasonal work to carry out specified activities in edible horticulture on a named farm or farming land.

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

“seasonal work” is employment which fluctuates or is restricted due to the season or time of the year,

“edible horticulture” means growing—

- (a) protected vegetables grown in glasshouse systems,
- (b) field vegetables grown outdoors, including vegetables, herbs, leafy salads and potatoes,
- (c) soft fruit grown outdoors or under cover,
- (d) trees that bear fruit,
- (e) vines and bines,
- (f) mushrooms,

“specified activities” means—

- (a) crop maintenance,
- (b) crop harvesting,
- (c) tunnel construction and dismantling,
- (d) irrigation installation and maintenance,
- (e) crop husbandry,
- (f) packing and processing of crops on employers’ premises,
- (g) preparing and dismantling growing areas and media,
- (h) general primary production work in edible horticulture,
- (i) activities relating to supervising teams of horticulture workers.

PART 7

Sports and culture

42.—(1) Any of the following—

- (a) a domestic elite sportsperson,
- (b) an international elite sportsperson,
- (c) a domestic ancillary sportsperson,
- (d) an international ancillary sportsperson.

Status: This is the original version (as it was originally made).

(2) For the purposes of this paragraph—

“domestic ancillary sportsperson” means an individual who is essential to—

- (a) the running of an elite sports event, including—
 - (i) operational staff,
 - (ii) event officials, and
 - (iii) referees, or
- (b) the support of a domestic elite sportsperson including—
 - (i) sports team medical, logistical, technical and administration staff,
 - (ii) individual sportsperson medical and technical support staff,
 - (iii) horse grooms and trainers,
 - (iv) motorsport mechanics and technical staff, and
 - (v) the parent or carer of an elite sportsperson under the age of 18,

“domestic elite sportsperson” means—

- (a) an individual who—
 - (i) derives a living from competing in a sport,
 - (ii) is a senior representative nominated by a relevant sporting body,
 - (iii) is a member of the senior training squad for a relevant sporting body, or
 - (iv) is aged 16 or above and on an elite development pathway, and
- (b) either—
 - (i) has returned to Scotland with the intention of continuing activities as a sportsperson in order to—
 - (aa) participate in an elite sporting event, or to participate in training for an elite sporting event in which the participants compete to qualify for the right to represent Great Britain and Northern Ireland at the Olympic or Paralympic Games, or
 - (bb) participate in training for an elite sporting event in which the participants compete to qualify for the right to represent England, Wales, Scotland, Northern Ireland, Gibraltar, Guernsey, Jersey or the Isle of Man at the Commonwealth Games, or
 - (ii) is a United Kingdom sportsperson who is not habitually resident in the United Kingdom and has travelled to Scotland in order to participate in training for, or to compete in, an elite sports event.

“elite sports event” means a specified competition or other sporting event in which the participants compete—

- (a) to derive a living, or
- (b) to qualify for the right to represent—
 - (i) Great Britain and Northern Ireland at the Olympic or Paralympic Games, or
 - (ii) England, Wales, Scotland, Northern Ireland, Gibraltar, Guernsey, Jersey or the Isle of Man at the Commonwealth Games,

“international ancillary sportsperson” means an individual essential to—

- (a) the running of a specified competition including—
 - (i) operational staff essential to the running of that specified competition,

- (ii) competition officials and referees, and
- (iii) broadcast staff and journalists covering that specified competition, or
- (b) the support of an international elite sportsperson, including—
 - (i) sports team medical, logistical, technical and administration staff,
 - (ii) individual sportsperson medical and technical support staff,
 - (iii) horse grooms and trainers,
 - (iv) motorsport mechanics and technical staff, and
 - (v) the parent or carer of an international elite sportsperson under the age of 18, and

“international elite sportsperson” means an individual who travels to Scotland in order to participate in a specified competition and who—

- (a) derives a living from competing in a sport,
- (b) is a senior representative nominated by a relevant sporting body,
- (c) is a member of the senior training squad for a relevant sporting body, or
- (d) is aged 16 or above and on an elite development pathway.

- (3) For the purposes of paragraph (2)—

“elite development pathway” means a development pathway established by the national governing body of a sport to prepare sportspersons—

- (a) so that they may derive a living from competing in that sport, or
- (b) to compete at that sport at Olympic or Paralympic Games, or in the Commonwealth Games,

“relevant sporting body” in relation to a sportsperson means the national governing body of a sport which may nominate sportspersons to represent—

- (a) that sportsperson’s nation at the Olympic or Paralympic Games, or
- (b) that sportsperson’s nation at the Commonwealth Games, and

“senior representative” in relation to a sportsperson means an individual who is considered by a relevant sporting body to be a candidate to qualify to compete on behalf of—

- (a) that sportsperson’s nation at the Olympic or Paralympic Games, or
- (b) that sportsperson’s nation at the Commonwealth Games.

(4) An international elite sportsperson or an international ancillary sportsperson must, on request, provide to an immigration officer written evidence from a United Kingdom or Scottish sport national governing body confirming P’s status as—

- (a) an international elite sportsperson or
- (b) an international ancillary sportsperson.

43.—(1) A person who has been certified by the organiser of the Edinburgh International Festival as—

- (a) an EIF essential infrastructure worker, or
- (b) an EIF performing arts professional.

- (2) In this paragraph—

“EIF essential infrastructure worker” means a person who is not habitually resident in the United Kingdom and who has travelled to the United Kingdom for the purpose of carrying out essential work in relation to the construction, installation, deconstruction, removal or

Status: This is the original version (as it was originally made).

maintenance of infrastructure required for the running of a performing arts event at the Edinburgh International Festival,

“EIF performing arts professional” means a performing arts professional who is not habitually resident in the United Kingdom and who has travelled to the United Kingdom for the purpose of participating in a performing arts event at the Edinburgh International Festival.

(3) A person (“P”) who is an EIF essential infrastructure worker or an EIF performing arts professional must, on request, provide to an immigration officer written evidence from the organiser of the Edinburgh International Festival of P’s status as such a worker or professional.