
STATUTORY INSTRUMENTS

2021 No. 1066

**The Health Protection (Coronavirus, International
Travel and Operator Liability) (England)
(Amendment) (No. 12) Regulations 2021**

Amendment of regulation 19

10.—(1) Regulation 19(1) (offences and penalties) is amended as follows.

(2) In paragraph (1), after sub-paragraph (ia) insert—

“(ib) without reasonable excuse P contravenes a requirement in paragraph 18A of Schedule 11 (requirement to provide contact details);

(ic) without reasonable excuse P contravenes a requirement in paragraph 18B of Schedule 11 (requirement to self-isolate with P);

(id) without reasonable excuse P contravenes a requirement in paragraph 18C of Schedule 11 (requirement on employers of self-isolating workers);”.

(3) In paragraph (3), at the end of sub-paragraph (g) insert—

“;

(h) P undertook a qualifying test on board the cruise ship on which P arrived in England, the result of that test was positive, and it was not reasonably practicable for P to disembark in a country or territory other than England”.

(4) After paragraph (5) insert—

“(5A) For the purposes of paragraph (1)(ic), reasonable excuses for contravening paragraph 18B (requirement to self-isolate with P) of Schedule 11 include, in particular, where it is necessary for the person (“B”) to leave the place where they are self-isolating—

(a) to seek medical assistance where this is required urgently or on the advice of a registered medical practitioner including to access services from dentists, opticians, audiologists, chiropodists, chiropractors, osteopaths and other medical or health practitioners, including services relating to mental health;

(b) to access veterinary services, where this is required urgently or on the advice of a veterinary surgeon;

(c) to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;

(d) to escape a risk of harm or to avoid injury or illness;

(e) to attend a funeral of B’s household or a close family member;

(f) to obtain basic necessities, such as food and medical supplies for those in the accommodation (including any pets or animals in the accommodation) where it is not possible to obtain these provisions in any other manner;

(g) to access critical public services, including—

- (i) social services;
 - (ii) services provided to victims (such as victims of crime);
 - (h) to attend a testing site to take a test for the detection of coronavirus;
 - (i) to accompany a child (“C”) for whom B is a responsible adult to a testing site, so that C can take a test for the detection of coronavirus;
 - (j) to post a completed home test for the detection of coronavirus or antibodies to coronavirus carried out by B, or any person living in the same household as B, in accordance with the postal testing scheme operated on behalf of the Secretary of State.”.
- (5) For paragraph (10) substitute—
- “(10) In relation to the offence in paragraph (7)(c), it is a defence for an operator to show that—
- (a) the relevant passenger presented a document purporting to be a required notification which the operator, or a person acting on behalf of the operator, could not reasonably have been expected to know was not a required notification, or
 - (b) the relevant passenger undertook a qualifying test on board the vessel on which the relevant passenger arrived in England, the result of that test was positive, and it was not reasonably practicable for the relevant passenger to disembark in a country or territory other than England.”.