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STATUTORY INSTRUMENTS

2021 No. 1107

PUBLIC HEALTH, ENGLAND

The Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 13) Regulations 2021

Made - - - - at 9.43 a.m. on 1st October 2021

Laid before Parliament at 1.30 p.m. on 1st October 2021

Coming into force in accordance with regulation 1

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^(a).

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, International Travel and Operator Liability) (England) (Amendment) (No. 13) Regulations 2021.

(2) Save as provided in paragraph (3), these Regulations come into force at 4.00 a.m. on 4th October 2021.

(3) Regulation 25(3) comes into force at 4.00 a.m. on 25th October 2021.

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

Amendments to the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021

2. The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021^(b) are amended in accordance with regulations 3 to 27.

Amendments to regulation 2

3.—(1) Regulation 2 (interpretation and introduction of Schedules 1 to 4) is amended as follows.

(2) After the definition of “coronavirus disease” insert—

““COVID-19 vaccination eligibility criteria” means the conditions in any of regulations 3C to 3H;”.

(3) After the definition of “disability” insert—

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

^(b) S.I. 2021/582 amended by S.I. 2021/589, 670, 731, 766, 795, 865, 914, 923, 966, 974, 1003, 1033 and 1066.

- ““eligible traveller” has the meaning given in regulation 3B;”.
- (4) Omit the definition of “eligible category 2 arrival”(a).

Omission of regulation 2A

4. Omit regulation 2A (exemptions for vaccinated travellers and others)(b).

Amendment relating to division: Part 1A

5. Insert the following Part number and heading before regulation 3—

“PART 1A

Requirement to complete passenger locator form”.

Insertion of Part 1B

6. After regulation 3 (requirement on passengers to provide information) insert—

“PART 1B

Additional requirements for eligible travellers

Interpretation of Part

- 3A.**—(1) For the purposes of this Part—

- (a) a child is to be treated as making a declaration on a Passenger Locator Form, and providing any proof required, if that declaration is made, and the proof provided, by a person who is travelling with and has responsibility for that child;
- (b) a person is not treated as having been in a country or territory if that person would not be treated as having departed from or transited through that country or territory by virtue of regulation 2(3).

- (2) In this Part—

“authorised vaccine” means a medicinal product for vaccination against coronavirus—

- (a) in relation to doses received in the United Kingdom, authorised—
 - (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(c),
- (b) in relation to doses received in a relevant country listed in the table in paragraph (3), authorised for supply in that relevant country following evaluation by the regulator for the relevant country,
- (c) in relation to doses received in a relevant country listed in paragraph (4), which would be authorised as provided for in paragraph (a)(i) or (ii) if the doses were received in the United Kingdom;

“clinical trial” has the meaning given in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004(d);

(a) Inserted by S.I. 2021/865.
(b) Regulation 2A was inserted by S.I. 2021/865.
(c) S.I. 2012/1916.
(d) S.I. 2004/1031.

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

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

“the licensing authority” has the meaning given in regulation 6(2) (the licensing authority and the Ministers) of the Human Medicines Regulations 2012;

“marketing authorisation”—

(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 table in paragraph (3) other than a member State, means a marketing authorisation granted by the relevant regulator for the country;

“medicinal product” has the meaning given in regulation 2 (medicinal products) of the Human Medicines Regulations 2012;

“NHS COVID pass” means the COVID-19 records on the NHS smartphone app developed and operated by the Secretary of State, through the website at NHS.uk or a COVID-19 post-vaccination letter obtained from the NHS;

“NHS” means the health service continued under section 1(1) of the National Health Service Act 2006^(b);

“NHS Scotland” means the health service continued under section 1(1) of the National Health Service (Scotland) Act 1978^(c);

“NHS Wales” means the health service continued under section 1(1) of the National Health Service (Wales) Act 2006^(d);

“relevant country” means a country or territory listed in the first column of the table in paragraph (3) or a country or territory listed in paragraph (4);

“regulator”, in relation to a relevant country listed in the table in paragraph (3), means the regulator identified in the corresponding row of the second column of the table in that paragraph, and a reference to a regulator in that table is a reference to the regulatory authority of that name designated as a Stringent Regulatory Authority by the World Health Organization pursuant to the operation of the COVAX Facility;

“United Kingdom vaccine roll-out overseas” means the administration of vaccination against coronavirus to—

(a) Crown servants, government contractors or other personnel posted or based overseas and their dependants under the scheme known as the Foreign, Commonwealth and Development Office staff COVID-19 vaccination programme;

(b) residents of the British overseas territories, the Channel Islands and the Isle of Man, as part of a programme agreed in the overseas territory, any of the Channel Islands, or the Isle of Man with the United Kingdom government; or

(c) military or civilian personnel, government contractors and their dependants at a military posting overseas, including the British overseas territories, the Channel Islands and the Isle of Man, under the vaccination scheme provided or approved by the UK Defence Medical Services.

(3) The table referred to in paragraph (2) is—

(a) 1989 c. 6.
(b) 2006 c. 41.
(c) 1978 c. 29.
(d) 2006 c. 42.

<i>Relevant country</i>	<i>Regulator</i>
A member State	European Medicines Agency
Andorra	European Medicines Agency
Iceland	European Medicines Agency
Liechtenstein	European Medicines Agency
Monaco	European Medicines Agency
Norway	European Medicines Agency
San Marino	European Medicines Agency
The Vatican City State	European Medicines Agency
Switzerland	Swissmedic
The United States of America	United States Food and Drug Administration
Australia	The Therapeutic Goods Administration
Canada	Health Canada

(4) The countries and territories referred to in the definitions of “relevant country” and “authorised vaccine” are—

Antigua and Barbuda

Bahrain

Barbados

Brunei

Dominica

Israel

Japan

Kuwait

Malaysia

New Zealand

Qatar

Saudi Arabia

Singapore

South Korea

Taiwan

United Arab Emirates.

Eligible travellers

3B.—(1) A person (“P”) is an eligible traveller if—

- (a) in the period beginning with the 10th day before the date of P’s arrival in England P has not been in a category 3 country or territory; and
- (b) P meets the conditions of any of regulations 3C to 3H.

(2) P is not an eligible traveller if P is not required to comply with regulation 3 (requirement on passengers to provide information) by virtue of paragraph (10) of that regulation.

Eligible travellers: vaccination conditions

3C.—(1) P meets the conditions of this regulation if P—

- (a) has completed a course of doses of an authorised vaccine with the final dose having been received before the start of the period beginning with the 14th day before the date of their arrival in England;
 - (b) received that course of doses in the United Kingdom or a relevant country;
 - (c) if the course of doses was received in the United States of America, is ordinarily resident in the United States of America;
 - (d) is able to provide proof if required by an immigration officer or the operator of the relevant service on which P travels to England of meeting the requirement in subparagraph (a) through—
 - (i) the NHS COVID pass, or equivalent from NHS Scotland, NHS Wales or the Department of Health in Northern Ireland,
 - (ii) the EU Digital COVID Certificate,
 - (iii) the Centers for Disease Control and Prevention vaccination card, or
 - (iv) a vaccine certificate;
 - (e) is able to provide proof if required by an immigration officer or the operator of the relevant service on which P travels to England of meeting the requirement in subparagraph (c); and
 - (f) has declared on the Passenger Locator Form that P meets the COVID-19 vaccination eligibility criteria.
- (2) For the purposes of this regulation—
- (a) P has completed a course of doses if P has received the complete course of doses specified—
 - (i) in the summary of product characteristics approved as part of the marketing authorisation for the authorised vaccine, or
 - (ii) in the instructions for usage approved as part of the authorisation by the licensing authority on a temporary basis under regulation 174 (supply in response to spread of pathogenic agents etc) of the Human Medicines Regulations 2012 for the authorised vaccine;
 - (b) if 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.
- (3) For the purposes of this regulation “vaccine certificate” 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 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.

Eligible travellers: UK clinical trial conditions

3D. P meets the conditions of this regulation if P—

- (a) has participated, or is participating, in a clinical trial of a vaccine for vaccination against coronavirus carried out in accordance with the requirements of the Medicines for Human Use (Clinical Trials) Regulations 2004;
- (b) is able to provide proof of such participation if required by an immigration officer or the operator of the relevant service on which P travels to England; and

- (c) has declared on the Passenger Locator Form that P meets the COVID-19 vaccination eligibility criteria.

Eligible travellers: US clinical trial conditions

3E. P meets the conditions of this regulation if P—

- (a) has participated, or is participating, in a clinical trial regulated in the United States of America by the Food and Drugs Administration of a vaccine for vaccination against coronavirus;
- (b) if required by an immigration officer or the operator of the relevant service on which P travels to England, is able to provide proof of such participation through a vaccination card issued by the Centers for Disease Control and Prevention;
- (c) has declared on the Passenger Locator Form that P meets the COVID-19 vaccination eligibility criteria; and
- (d) is ordinarily resident in the United States of America and is able to provide proof of that residence if required by an immigration officer or the operator of the relevant service on which P travels to England.

Eligible travellers: UK clinical exemption conditions

3F. P meets the conditions of this regulation if P—

- (a) has been advised by a registered medical practitioner that for clinical reasons P should not be vaccinated with an authorised vaccine;
- (b) is able to provide proof of that advice through the NHS COVID pass if required by an immigration officer or the operator of the relevant service on which P travels to England; and
- (c) has declared on the Passenger Locator Form that P meets the COVID-19 vaccination eligibility criteria.

Eligible travellers: age and residence conditions

3G. P meets the conditions of this regulation if P is—

- (a) under the age of 18 years upon arrival in England; and
- (b) ordinarily resident in the United Kingdom or a relevant country.

Eligible travellers: UK vaccine rollout overseas conditions

3H.—(1) P meets the conditions of this regulation if P is either—

- (a) a person who—
 - (i) has completed a course of doses of a vaccine under the United Kingdom vaccine roll-out overseas, with the final dose having been received before the start of the period beginning with the 14th day before the date of their arrival in England,
 - (ii) is able to provide proof if required by an immigration officer or the operator of the relevant service on which P travels to England of meeting the condition in paragraph (i), and
 - (iii) has declared on the Passenger Locator Form that P meets the COVID-19 vaccination eligibility criteria; or
- (b) a dependant of a person of the description in any of paragraphs (a) to (c) of the definition of “United Kingdom vaccine roll-out overseas” and is under the age of 18 years upon arrival in England.

(2) For the purposes of this regulation—

- (a) 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;
- (b) where P has received a dose of an authorised vaccine in the United Kingdom and a dose of a 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;
- (c) 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.

Testing requirements on eligible travellers (workers)

3I. An eligible traveller who, if they were not an eligible traveller, would be a person described in—

- (a) regulation 5(3) is to be treated for the purposes of these Regulations as if regulation 5(4) (and, consequently, regulation 7 (requirement to undertake workforce tests)) applies to them;
- (b) regulation 5(5) is to be treated for the purposes of these Regulations as if regulation 5(5) (and, consequently, regulation 8 (test requirements: offshore installation workers)) applies to them.

Testing requirements on eligible travellers (non-workers)

3J.—(1) This regulation applies to an eligible traveller (“P”), other than an eligible traveller described in regulation 3I, when P arrives in England.

(2) Where P is an adult, P must possess a booking for a day 2 test for themselves and for any child aged 5 or older with whom they are travelling and for whom they have responsibility.

(3) Where P is an adult who arrives without a booking required by paragraph (2), P must as soon as practicable make such a booking.

(4) Where P is a child aged 5 or older, who is unaccompanied by an adult who has responsibility for P, and who arrives without a booking for a day 2 test, the adult with responsibility for P must make a booking for a day 2 test as soon as practicable after P arrives.

(5) P must provide evidence of a booking for a day 2 test if requested by an immigration officer or a constable.

(6) Where P is an adult, and in England, they must undertake the day 2 test.

(7) Where P is a child aged 5 or older, and in England, the adult with responsibility for P must, so far as reasonably practicable, ensure that P undertakes the day 2 test.

(8) Where P does not undertake a day 2 test as required by this regulation by reason of a reasonable excuse (see regulation 19(1)(c) and (4)), P must, as soon as practicable after the matters giving rise to the reasonable excuse no longer pertain, undertake a replacement day 2 test.

(9) Where a replacement day 2 test is undertaken instead of a day 2 test, P is to be treated as if they had undertaken a day 2 test in accordance with this regulation.

(10) In this regulation—

- (a) “day 2 test” means a test for coronavirus which complies with paragraph 6 of Schedule 8 and is undertaken in circumstances described in paragraph 10 of that Schedule;

- (b) “replacement day 2 test” means a test meeting the requirements of a day 2 test save as to the time at which that test is to be undertaken.

Self-isolation requirements on eligible travellers

3K.—(1) Where a person (“P”) is required by regulation 3J to undertake a day 2 test and—

- (a) P fails to undertake a day 2 test before the end of the permitted period, paragraph (2) applies;
- (b) P or, where P is a child, an adult with responsibility for P (“R”) receives notification that the day 2 test has generated—
 - (i) an inconclusive result, paragraph (3) applies;
 - (ii) a positive result, paragraph (4) applies.

(2) The Self-Isolation Regulations^(a) apply to P or, where P is a child, to R, as if—

- (a) they had, immediately before the end of the permitted period, received notification from a relevant person under regulation 2A(1) of the Self-Isolation Regulations that P has tested positive for coronavirus,
- (b) P’s period of self-isolation begins on deemed receipt of notification under subparagraph (a) and ends on the earlier of—
 - (i) the end of the 14th day after the day P arrived in England;
 - (ii) the time that P is notified of the result of a replacement day 2 test undertaken by P, and
- (c) the requirements at regulation 2A(2)(b) and (3)(b) (notifying the relevant person of persons living in P’s household) were omitted.

(3) The Self-Isolation Regulations apply to P or, where P is a child, to R, as if—

- (a) the notification of the inconclusive result were notification from a relevant person under regulation 2A(1) of the Self-Isolation Regulations that P has tested positive for coronavirus,
- (b) P’s period of self-isolation begins on receipt of the notification of the inconclusive result and ends—
 - (i) if P does not undertake a replacement day 2 test, at the end of the 10th day after the day P undertook the day 2 test;
 - (ii) if P undertakes a replacement day 2 test which generates a negative result, on receipt of the negative result;
 - (iii) if P undertakes a replacement day 2 test which generates a positive result, at the end of the 10th day after the day P undertook the replacement day 2 test, and
- (c) the requirements at regulation 2A(2)(b) and (3)(b) (notifying the relevant person of persons living in P’s household) were omitted.

(4) The Self-Isolation Regulations apply to P or, where P is a child, to R, as if the notification of the positive result were notification from a relevant person under regulation 2A(1) of those Regulations that P has tested positive for coronavirus.

(5) In this regulation—

- (a) “the permitted period” means the period ending at the end of the second day after the day on which P arrived in England;
- (b) “replacement day 2 test” has the meaning given in regulation 3J(10)(b).”.

(a) S.I. 2020/1045. Amended by S.I. 2020/1375, 1518, 2021/97, 364, 582, 851 and 1073 and 2021/97, 581, 864 and 1073.

Amendment relating to division: Part 2

7. Move the Part number and heading of Part 2 so that they appear before regulation 4 and for that heading substitute “Additional requirements on persons arriving in England who are not eligible travellers”.

Amendment to regulation 4

8.—(1) Regulation 4 (requirement to possess notification of negative test result) is amended as follows.

(2) In paragraph (6), at the end, insert—

“(d) an eligible traveller.”.

Amendments to regulation 5

9.—(1) Regulation 5 (requirements relating to tests)(a) is amended as follows.

(2) In paragraph (1)—

(a) in sub-paragraph (a), in the opening words, omit “or an eligible category 2”;

(b) omit sub-paragraph (e)(xxii)

(3) Omit paragraph (4)(b).

(4) In paragraph (6), at the end, insert—

“(j) an eligible traveller.”.

Amendment to regulation 6

10. In regulation 6(12)(c)(i) omit “and eligible category 2 arrivals”(b).

Amendments to regulation 8

11.—(1) Regulation 8 (test requirements: offshore installation workers)(c) is amended as follows.

(2) In paragraph (7), for “a category 1 arrival or an eligible category 2 arrival” substitute “an eligible traveller”.

(3) In paragraph (12), for “a category 1 arrival or an eligible category 2 arrival” substitute “an eligible traveller”.

Amendments to regulation 9

12.—(1) Regulation 9 (further requirements on arrivals from category 2 countries and territories) is amended as follows.

(2) In paragraph (1)(b)(iii), for “category 2 arrival” substitute “traveller”(d).

(3) In paragraph (15), omit sub-paragraph (ic)(e).

Amendments to regulation 17A

13.—(1) Regulation 17A (requirement to ensure passengers possess evidence of vaccination)(f) is amended as follows.

(a) Relevant amendments made by S.I. 2021/966 and 1066.

(b) Words inserted by S.I. 2021/865.

(c) Amended by S.I. 2021/865.

(d) Words inserted by S.I. 2021/1066.

(e) Inserted by S.I. 2021/966.

(f) Regulation 17A was inserted by S.I. 2021/865 and is amended by S.I. 2021/914 and 923.

(2) In paragraph (1), in the words before sub-paragraph (a), for “or a Schedule 11 passenger” substitute, “, a Schedule 11 passenger or a verified eligible traveller”.

(3) In paragraph (2)—

(a) in sub-paragraph (a), for “2A(3)(c), (3)(ca), (4)(b) and (d) or (6)(a)(ii)” substitute “3C(1)(c) or (d), 3D(b), 3E(b) and (d) or 3H(1)(a)(ii)”;

(b) in sub-paragraph (b), for “2A(5) or (6)(b)” substitute “3G or 3H(1)(b)”.

(4) At the end insert—

“(8) In this regulation, “verified eligible traveller” means an eligible traveller whose Passenger Locator Form indicates that their vaccine status is: “Vaccine Status: Verified Full/Exempt”.”.

Amendment to regulation 18A

14.—(1) Regulation 18A (requirements on test providers)(a) is amended as follows.

(2) In paragraph (1), in the opening words, after “purposes of regulation” insert “3J (testing requirements on eligible travellers (non-workers)) or”.

Amendment to regulation 18B

15.—(1) Regulation 18B (requirements on other persons carrying out testing services)(b) is amended as follows.

(2) In paragraph (1)(a) after “purposes of regulation” insert “3J or”.

Amendments to regulation 19

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

(2) In paragraph (1)(c), for “regulation 6” substitute “regulations 3J (testing requirements on eligible travellers (non-workers)) or 6”.

(3) In paragraph (4)—

(a) in sub-paragraph (a)—

(i) in the opening words, for “regulation 6(3), (4) or (5)” substitute “regulations 3J(2), (3) or (4) or 6(3), (4), or (5)”;

(ii) in paragraph (ii), for “regulation 6” substitute “regulation 3J or 6”;

(b) in sub-paragraph (b), in the opening words, for “regulation 6(6)” substitute “regulations 3J(6) or (7) or 6(6)”.

Amendment to regulation 20

17.—(1) Regulation 20 (fixed penalty notices) is amended as follows.

(2) In paragraph (9)(d)(ia)(c) for “13A” substitute “19(13A)”.

Amendment to regulation 21

18.—(1) Regulation 21 (prosecutions) is amended as follows.

(2) In paragraph (3)(b) after paragraph (ii) insert—

“(ia) regulation 19(13A),”.

(a) Inserted by S.I. 2021/966.

(b) Inserted by S.I. 2021/966.

(c) Inserted by S.I. 2021/865.

Amendments to regulation 22

- 19.**—(1) Regulation 22(2) (power to use and disclose information) is amended as follows.
- (2) In sub-paragraph (e)—
- (a) in the opening words, for “a testing package or undertake a test under regulation 6” substitute “a test or a testing package or undertake a test under regulations 3J or 6”;
 - (b) in paragraph (i), for “testing package for the purposes of regulation 6” substitute “test or a testing package for the purposes of regulations 3J or 6”;
 - (c) in paragraph (ii), for “testing package” substitute “test or a testing package”.
- (3) In sub-paragraph (g), for “regulation 6” substitute “regulations 3J or 6”.
- (4) In sub-paragraph (h), after “regulation 3,” insert “3J, 3K,”.

Amendment to Schedule 1

- 20.**—(1) Schedule 1 (category 1 countries and territories) is amended as follows.
- (2) For the existing text substitute “There are no countries and territories specified in this Schedule”.

Amendments to Schedule 4

- 21.**—(1) Schedule 4 (exemptions)(a) is amended as follows.
- (2) In paragraph 1(4), omit paragraphs (da) and (ga)(iii)(b) (Global Education Summit).
- (3) In paragraph 2(1)(a), for “2A” substitute “3B”.
- (4) In paragraph 4(a), for “2A” substitute “3B”.
- (5) In paragraph 29(1), for “2A” substitute “3B”.
- (6) Omit paragraph 49 (London Fashion Week)(c).

Amendments to Schedule 6

- 22.**—(1) Schedule 6 (passenger information) is amended as follows.
- (2) In paragraph 2, omit sub-paragraphs (i) and (k).
- (3) In paragraph 3A(d), omit “for reduced isolation and testing requirements”.

Amendments to Schedule 8

- 23.**—(1) Schedule 8 (mandatory testing after arrival in England) is amended as follows.
- (2) For paragraph 1(1)(d) substitute—
- “(d) “P”—
- (i) means a person required to undertake a mandatory test under regulation 6 (requirement to book and undertake tests), and
 - (ii) in paragraphs 7, 10 and 11 includes a person required to undertake a day 2 test under regulation 3J (testing requirements on eligible travellers (non-workers));”.
- (3) In paragraph 2—
- (a) in sub-paragraph (1), in the opening words, for “regulation 5(1)(b), (c) or (d)” substitute “regulation 5(1)(a), (c), (d) or (e)”;

(a) Relevant amending instruments are S.I. 2021/865 and 2021/1066.

(b) These provisions were inserted by S.I. 2021/731.

(c) Inserted by S.I. 2021/966.

(d) Inserted by S.I. 2021/865.

- (b) in sub-paragraph (3), for “regulation 5(1)(b), (c) or (d)” substitute “regulation 5(1)(a), (c), (d) or (e)”;
- (c) in sub-paragraph (5), for “regulation 5(1)(b), (c) or (d)” substitute “regulation 5(1)(a), (c), (d) or (e)”.
- (4) In the opening words of paragraph 6(1), for “regulation 6(12)(a)” substitute “regulations 3J(10) and 6(12)(a)”.
- (5) In paragraph 7(1)(g)(ii)—
 - (a) omit paragraph (bb);
 - (b) in paragraph (cc)(a), for “category 2 arrival” substitute “traveller”.
- (6) In paragraph 9(1)(g)(ii)(bb), for “category 2 arrival” substitute “traveller”.
- (7) In paragraph 10(1), for “regulation 6(12)(a) and (b)” substitute “regulations 3J(10) and 6(12)(a) and (b)”.
- (8) In paragraph 11—
 - (a) for the forms specified in sub-paragraph (3), substitute—

“Form A: negative test result

Your coronavirus (COVID-19) test result is negative. You did not have the virus when the test was done.

You are not required to quarantine or take a day 8 test if you are travelling from a country not on the red list and meet the requirements of being an ‘eligible traveller’.

If you are travelling from a country not on the red list and are not an ‘eligible traveller’, if you took the test on or before day 2 of your quarantine period, you must continue to quarantine until you have completed the 10 day quarantine period and received a negative result for a test taken on day 8. If you took the test on day 8, you may stop quarantining when you have completed your 10 day quarantine period.

You should self-isolate again if you get symptoms of coronavirus (COVID-19) – get an NHS coronavirus (COVID-19) test from <https://www.gov.uk/get-coronavirus-test> and self-isolate until you get the results.

For advice on when you might need to self-isolate and what to do, go to <https://www.nhs.uk/conditions/coronavirus-covid-19/> and read ‘Self-isolation and treating symptoms’.

Form B: positive test result

Your coronavirus test result is positive. You had the virus when the test was done.

Even if you have not had symptoms of coronavirus, you must self-isolate for 10 days from the day after your test date. Your test sample may be genome sequenced to check whether you have a virus variant of concern or variant under investigation.

If you received a positive test result for the test taken you do not need to take any further tests.

You may be contacted for contact tracing and to check that you, and those who you live or are travelling with, are self-isolating.

You must not travel, including to leave the UK, during self-isolation.

Contact 111 if you need medical help. In an emergency dial 999.

Form C: unclear test result

Your coronavirus test result is unclear. It is not possible to say if you had the virus when the test was done.

You must take another test or self-isolate for 10 days from the day after your test date.

You may be contacted to check that you are self-isolating.”;

- (b) in sub-paragraph (5)(e)—
 - (i) omit sub-paragraph (i);
 - (ii) in sub-paragraph (ii)(a), for “category 2 arrival” substitute “traveller”;
 - (iii) in sub-paragraph (iia), for “neither a category 1 arrival nor an eligible category 2 arrival” substitute “not an eligible traveller”.

Amendments to Schedule 10

24.—(1) Schedule 10 (optional testing after arrival in England) is amended as follows.

(2) In paragraph 5, in the forms specified in sub-paragraph (3)—

- (a) for form A substitute—

“Form A: negative test result

Your coronavirus (COVID-19) test result is negative. You did not have the virus when the test was done. If you are self-isolating as an international arrival from a non-red country, region or territory, who was subject to a 10 day isolation period on entry, you may stop self-isolating.

You should self-isolate again if you get symptoms of coronavirus (COVID-19) – get an NHS coronavirus (COVID-19) test from <https://www.gov.uk/get-coronavirus-test> and self-isolate until you get the results.

For advice on when you might need to self-isolate and what to do, go to <https://www.nhs.uk/conditions/coronavirus-covid-19/> and read ‘Self-isolation and treating symptoms’.

It is a legal requirement to self-isolate when you arrive in the UK from a non-red list country, territory or region if you do not meet eligibility criteria to remove the requirement to self-isolate. If you are contacted by the enforcement authorities or the police after you have received this negative result please show them this notification.”;

- (b) in form B, omit the sentence beginning “People you live with”;
- (c) in form C—
 - (i) in the sentence beginning “You must, by law,” for “an international arrival” substitute “a non-eligible international arrival”;
 - (ii) for the words “amber-list”, in both places in which they occur, substitute “non-red list”.

(a) Paragraph 11(5)(e)(i) and (iia) were substituted by S.I. 2021/865.

Amendments to Schedule 11

25.—(1) Schedule 11 (additional measures applicable to arrivals from category 3 countries and territories) is amended as follows.

(2) In paragraph 2(a)—

(a) in sub-paragraph (2B)(a), for “2A(3), (4), (4A), (5) or (6)” substitute “3C with the modification specified in sub-paragraph (2DA), 3D, 3E, 3G or 3H”;

(b) after sub-paragraph (2D), insert—

“(2DA) For the purposes of sub-paragraph (2B)(a), regulation 3C has effect as if any reference in that provision to a relevant country (within the meaning of Part 1B) were a reference to a relevant country within the meaning of regulation 2A as it had effect immediately before 4.00 a.m. on 4th October 2021.”;

(c) in paragraph 2(2E)(c) for “regulation 2A” substitute “Part 1B (see regulation 3A)”.

(3) In paragraph 18(4)(c) for “the matters specified in paragraphs (a) and (b)” substitute—

“—

- (i) the severe medical or health condition that P has;
- (ii) the support reasonably needed by P to manage P’s medical or health condition if required to self-isolate in designated accommodation; and
- (iii) the probable impact to P’s health if P were to be required to self-isolate in designated accommodation, and the support identified as being reasonably needed were not provided”.

Amendments to Schedule 12

26.—(1) Schedule 12 (information for passengers) is amended as follows.

(2) For Part 1 substitute—

“PART 1

ESSENTIAL INFORMATION TO ENTER THE UK 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 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 the UK
2. Book a managed quarantine package
3. Complete a Passenger Locator Form

(a) Paragraph 2(2B) to (2E) was inserted by S.I. 2021/966.

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

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

Wales: <https://gov.wales/arriving-wales-overseas>

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.”.

(3) For Part 2 substitute—

“PART 2

Onboard announcement

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.”.

Amendments to Schedule 14

27.—(1) Paragraph 5 of Schedule 14 (amounts of fixed penalties) is amended as follows.

(2) In the opening words for “regulation 6 (requirement to book and undertake tests)” substitute “regulations 3J (testing requirements on eligible travellers (non-workers) or 6 (requirement to book and undertake tests)”.

(3) In sub-paragraph (a), for “testing package in accordance with regulation 6(3)” substitute “test or a testing package in accordance with regulation 3J(2) or 6(3)”.

(4) In sub-paragraph (b), for “testing package in accordance with regulation 6(4)” substitute “a test or testing package in accordance with regulation 3J(3) or 6(4)”.

(5) In sub-paragraph (c), for “testing package for a child in accordance with regulation 6(5)” substitute “test or a testing package for a child in accordance with regulation 3J(4) or 6(5)”.

(6) In sub-paragraph (d), for “regulation 6(6) or (8)” substitute “regulation 3J(6), (7), or (8) or 6(6) or (8)”.

(7) In sub-paragraph (e), for “regulation 6(6) or (8)” substitute “regulation 3J(6), (7), or (8) or 6(6) or (8)”.

(8) In sub-paragraph (f), for “regulation 6(11) (duty to provide evidence)” substitute “regulation 3J(5) or 6(11) (duty to provide evidence)”.

Signed

At 9.43 a.m. on 1st October 2021

Edward Argar
Minister of State,
Department of Health and Social Care

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021 (S.I. 2021/582) (“the International Travel Regulations”).

Regulation 6 inserts a new Part 1B into the International Travel Regulations and creates a new category of traveller known as an “eligible traveller” who if fully vaccinated and arriving in England from a list of specified countries, is exempted from the need to comply with the obligation to have proof of a negative test on arrival, to take a “day 8 test” or to self-isolate.

Regulations 8 to 12 make amendments to the existing categories of exemption from the on-going obligations of the International Travel Regulations to travellers other than eligible travellers.

Regulation 13 relieves operators of the obligation to check evidence of vaccination where a traveller's Passenger Locator Form has had appropriate evidence uploaded to it, and which states that the evidence has been verified.

Regulation 20 has the effect that all countries and territories that are not specified for the purposes of Part 1B in relation to eligible travellers are category 2 countries and territories (known as "amber-list countries and territories") and no country or territory is listed in category 1 ("green-list").

Regulation 25 changes the nature of the medical evidence that travellers from category 3 countries and territories (known as "red-list countries and territories") must provide if they seek exemption from the obligation to quarantine in designated accommodation.

Regulation 26 changes the information that operators must give to passengers to reflect the changes made by these Regulations.

The other provisions of these Regulations make minor and consequential amendments.

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

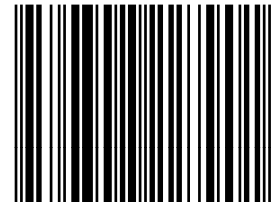
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