
STATUTORY INSTRUMENTS

2021 No. 1130

**The Health Protection (Coronavirus, International
Travel and Operator Liability) (England)
(Amendment) (No. 14) Regulations 2021**

Amendments to regulation 3J

8.—(1) Regulation 3J (testing requirements on eligible travellers (non-workers)) is amended as follows.

(2) In paragraph (1), at the beginning, insert “Except as provided in paragraph (9A),”.

(3) After paragraph (9) insert—

“(9A) This regulation does not apply to P where P is—

- (a) a person described in paragraph 1(1)(a) to (h) or (k) of Schedule 4 or a member of the family forming part of the household of such a person;
- (b) a person described in paragraph 1(1)(i) or (j) (representatives of foreign countries or territories or British overseas territories) of Schedule 4 where the conditions in paragraph (9B) are met;
- (c) a member of the family forming part of the household of a person to whom paragraph (b) applies, where—
 - (i) the conditions in paragraph (9B) are met in relation to the person to whom paragraph (b) applies,
 - (ii) the Foreign, Commonwealth and Development Office has been notified of P’s arrival, and
 - (iii) the Foreign, Commonwealth and Development Office has confirmed that P is not required to comply with this regulation;
- (d) a person described in paragraph 1(2) (relevant international event attendees etc) of Schedule 4;
- (e) a specified person travelling to the United Kingdom to conduct official business with the United Kingdom where—
 - (i) P has been invited to the United Kingdom by the Secretary of State for Foreign, Commonwealth and Development Affairs, and
 - (ii) prior to P’s departure to the United Kingdom the Foreign, Commonwealth and Development Office has confirmed in writing to P that they are travelling to the United Kingdom to conduct official business with the United Kingdom and are not required to comply with this regulation;
- (f) a member of the family forming part of the household of a person to whom paragraph (e) applies where—
 - (i) the Foreign, Commonwealth and Development Office has been notified of P’s arrival, and

- (ii) the Foreign, Commonwealth and Development Office has confirmed that P is not required to comply with this regulation;
 - (g) a person described in paragraph 12A of Schedule 4 (non-disembarking cruise passenger);
 - (h) a person described in paragraph 16(1)(a) or (b) (persons certified as returning from essential state business etc.) of Schedule 4 where the relevant Department has certified that P meets this description and is not required to comply with this regulation;
 - (i) a person described in paragraph 17 (essential or emergency work outside the United Kingdom) of Schedule 4 where the relevant Department has certified that P is not required to comply with this regulation;
 - (j) a person, other than a Schedule 11 passenger, who on arrival in the United Kingdom—
 - (i) passes through to Guernsey, Jersey or the Isle of Man without entering the United Kingdom; or
 - (ii) enters the United Kingdom for the sole purpose of continuing a journey to Guernsey, Jersey or the Isle of Man and—
 - (aa) remains within their port of entry until their departure from England, or
 - (bb) travels directly from their port of entry to another port of departure in England;
 - (k) an official of a foreign government within the meaning of paragraph 4 of Schedule 4 who is engaged pursuant to a binding bilateral or multilateral agreement concerning controls at St Pancras, Ebbsfleet, Cheriton, Ashford or Dover;
 - (l) a person of the description in regulation 9(14) (temporary arrival from Wales or Scotland).
- (9B) The conditions specified in this paragraph are that, prior to P's departure to the United Kingdom—
- (a) the relevant head of the mission, consular post, or 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 P is required to undertake work in the United Kingdom which is 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
 - (b) the Foreign, Commonwealth and Development Office has then confirmed in writing to the person giving the confirmation referred to in paragraph (a) that—
 - (i) it has received that confirmation, and
 - (ii) P is travelling to the United Kingdom to conduct official business with the United Kingdom and is not required to comply with this regulation.
- (9C) Where a word or expression is defined for the purposes of Schedule 4 and is used in paragraph (9A) or (9B) of this regulation, the same definition applies for the purposes of that paragraph.”