

**EXPLANATORY MEMORANDUM TO**  
**THE HEALTH PROTECTION (CORONAVIRUS, INTERNATIONAL TRAVEL)**  
**(ENGLAND) (AMENDMENT) (NO. 14) REGULATIONS 2021**

**2021 No. 555**

**1. Introduction**

- 1.1 This explanatory memorandum has been prepared by the Department for Transport and is laid before Parliament by Command of Her Majesty.
- 1.2 This memorandum contains information for the Joint Committee on Statutory Instruments.

**2. Purpose of the instrument**

- 2.1 This instrument amends the Health Protection (Coronavirus, International Travel) (England) Regulations 2020 (S.I. 2020/568) (“the International Travel Regulations”) to add and remove events from the list of competitions in Schedule 3, which is relevant to the exemption for elite sportspersons from some of the requirements imposed by those Regulations.

**3. Matters of special interest to Parliament**

*Matters of special interest to the Joint Committee on Statutory Instruments*

- 3.1 The Department regrets that this instrument breaches the rule that statutory instruments subject to the negative procedure should normally be laid, and copies provided to the Committee, 21 days before the instrument comes into force. This instrument is being brought into force promptly to implement changes to the International Travel Regulations arising from the most recent statutory review.

*Matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business (English Votes for English Laws)*

- 3.2 The entire instrument applies to England only.

**4. Extent and Territorial Application**

- 4.1 The territorial extent of this instrument is England and Wales.
- 4.2 The territorial application of this instrument is England.

**5. European Convention on Human Rights**

- 5.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

**6. Legislative Context**

- 6.1 Part 2A of the Public Health (Control of Disease) Act 1984 (“the 1984 Act”) provides a legislative framework for health protection in England and Wales. Section 45B(1) enables the appropriate Minister (defined in section 45T as, for England, the Secretary of State) to make regulations for preventing danger to public health from vessels, aircraft, trains or other conveyances arriving at any place. Further information on Part

2A of the 1984 Act is provided in paragraphs 6.1 to 6.5 of the explanatory memorandum to the International Travel Regulations, available online at: [https://www.legislation.gov.uk/ukxi/2020/568/pdfs/ukxiem\\_20200568\\_en.pdf](https://www.legislation.gov.uk/ukxi/2020/568/pdfs/ukxiem_20200568_en.pdf).

- 6.2 The International Travel Regulations came into force on 8th June 2020 and required people arriving into England from (i) outside the common travel area or (ii) elsewhere in the common travel area where they had been outside the common travel area in the previous 14 days to (a) self-isolate and (b) provide their personal details and travel information. The 14 day period (for the purposes of both self-isolation and providing information) was shortened to 10 days by S.I. 2020/1517 following advice from the Chief Medical Officer.
- 6.3 A full list of amending instruments is included in this instrument (in the footnote, in regulation 2, for the International Travel Regulations) and the history of further significant amendments is outlined in paragraphs 6.5 to 6.11 of the explanatory memorandum to S.I. 2021/498, available online at: [https://www.legislation.gov.uk/ukxi/2021/498/pdfs/ukxiem\\_20210498\\_en.pdf](https://www.legislation.gov.uk/ukxi/2021/498/pdfs/ukxiem_20210498_en.pdf).

## **7. Policy background**

### *What is being done and why?*

- 7.1 The International Travel Regulations were made on an urgent basis in order to reduce the likelihood that an increase in COVID-19 infections would arise as a result of imported cases. The Regulations include several measures for that purpose, such as self-isolation for arrivals into England from outside the common travel area, and there are a limited number of exemptions from such requirements.
- 7.2 Elite sportspersons and others participating in, or training for, events specified in Schedule 3 to the International Travel Regulations are exempt from aspects of the requirements (for example, they do not have to remain in self-isolation from others participating in the same event). This instrument updates the list of events to (a) remove events that have finished and (b) add events that will begin in the near future.

## **8. European Union (Withdrawal) Act/Withdrawal of the United Kingdom from the European Union**

- 8.1 This instrument does not relate to withdrawal from the European Union / trigger the statement requirements under the European Union (Withdrawal) Act.

## **9. Consolidation**

- 9.1 The Department will consolidate the International Travel Regulations before or at the time of their expiry (the end of 7th June 2021).

## **10. Consultation outcome**

- 10.1 There has been no public consultation in relation to this instrument.

## **11. Guidance**

- 11.1 Guidance on international travel for the public and affected sectors is available online at <https://www.gov.uk/government/collections/coronavirus-covid-19-transport-and-travel-guidance#overseas-travel>.

## **12. Impact**

- 12.1 An Impact Assessment has not been prepared for this instrument because the provisions affecting business will have effect for a period of less than 12 months.
- 12.2 The measures enacted by this instrument will have an impact on affected travellers, members of their households and businesses but that impact is set against the role that these measures play in reducing the spread of coronavirus.

## **13. Regulating small business**

- 13.1 The International Travel Regulations apply to people travelling in the course of activities undertaken for small businesses, unless they are within any of the exemptions in Schedule 2 to those Regulations.
- 13.2 The measures enacted by this instrument will have an impact on small businesses but that impact is set against the role that these measures play in reducing the spread of coronavirus.

## **14. Monitoring & review**

- 14.1 The International Travel Regulations include a statutory review provision requiring them to be reviewed by 27th July 2020, and at least every 28 days thereafter. Those review provisions are unaffected by this amending instrument.
- 14.2 The International Travel Regulations cease to have effect at the end of 7th June 2021.
- 14.3 Monitoring of the legislation will be informed by regular scientific advice on the domestic incidence and prevalence of coronavirus, relative to the incidence, prevalence, and trajectory of coronavirus in countries and territories overseas. This will contribute to ascertaining whether the International Travel Regulations are having a material or a marginal impact on the incidence of coronavirus in the United Kingdom and whether any exemptions remain sufficiently safe.

## **15. Contact**

- 15.1 Claire Rackley (Claire.Rackley@dft.gov.uk), can be contacted with any queries regarding the instrument.
- 15.2 Lola Fadina (Lola.Fadina@dft.gov.uk) Deputy Director for the policy area at the Department for Transport, can confirm that this Explanatory Memorandum meets the required standard.
- 15.3 Robert Courts MP, Parliamentary Under Secretary of State for Transport, can confirm that this Explanatory Memorandum meets the required standard.