
STATUTORY INSTRUMENTS

2021 No. 582

**The Health Protection (Coronavirus, International Travel
and Operator Liability) (England) Regulations 2021**

PART 1

Introductory

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021.

(2) These Regulations come into force at 4.00 a.m. on 17th May 2021.

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

Interpretation and introduction of Schedules 1 to 4

2.—(1) In these Regulations—

“category 1 arrival” means person who has arrived in England from a category 1 country or territory, and has not been in a category 2 country or territory or a category 3 country or territory in the period beginning with the 10th day before the date of their arrival in England;

“category 1 country or territory” means a country or territory, or part of a country or territory, specified in Schedule 1(1);

“category 2 country or territory” means a country or territory or part of a country or territory specified in Schedule 2(2);

“category 3 country or territory” means a country or territory or part of a country or territory specified in Schedule 3(3);

“child” means a person under the age of 18;

“the common travel area” has the meaning given in section 1(3) of the Immigration Act 1971(4);

“coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);

“coronavirus disease” means COVID-19 (the official designation of the disease which can be caused by coronavirus);

“designated port” means a port designated for the purposes of Schedule 11;

(1) Category 1 countries and territories are referred to colloquially and in guidance as “Green List” countries and territories.
(2) Category 2 countries and territories are referred to colloquially and in guidance as “Amber List” countries and territories.
(3) Category 3 countries and territories are referred to colloquially and in guidance as “Red List” countries and territories.
(4) 1971 c. 77; section 1(3) provides that the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland are collectively referred to in that Act as “the common travel area”.

“device” means an in vitro diagnostic medical device within the meaning given in regulation 2(1) of the Medical Devices Regulations 2002⁽⁵⁾;

“disability” has the meaning given in the Equality Act 2010⁽⁶⁾ (see section 6 of, and Schedule 1 to, that Act);

“immigration officer” means a person appointed by the Secretary of State as an immigration officer under paragraph 1 of Schedule 2 to the Immigration Act 1971⁽⁷⁾;

“managed self-isolation package” has the meaning given in paragraph 8 of Schedule 11;

“operator” except in regulation 18, means an operator of a relevant service;

“passenger” means a person travelling on a conveyance who is not a member of the conveyance’s crew;

“passenger information” has the meaning given in regulation 3(1);

“Passenger Locator Form” means the form published electronically by the Secretary of State for the provision of passenger information⁽⁸⁾;

“port”, except where the context otherwise requires, means—

- (a) any port (including a seaport, airport or heliport), or
- (b) a place which is an authorised terminal control point for international services for the purposes of sections 11 and 12 of the Channel Tunnel Act 1987⁽⁹⁾;

“qualifying test” means a test that is a qualifying test for the purposes of regulation 4;

“relevant service” means a commercial transport service carrying passengers travelling to England from outside the common travel area, other than a shuttle service;

“Schedule 11 passenger” means a passenger to whom Schedule 11 (additional measures applicable to arrivals from category 3 countries or territories) applies;

“self-isolate” has the meaning given in regulation 9(2), and “self-isolation” and “self-isolating” are to be construed accordingly;

“the Self-Isolation Regulations” means the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020⁽¹⁰⁾;

“sensitivity”, in relation to a device, means how often the device correctly generates a positive result;

“shuttle service” has the meaning given in section 1(9) of the Channel Tunnel Act 1987;

“specificity”, in relation to a device, means how often the device correctly generates a negative result;

“tunnel system” has the meaning given in section 1(7) of the Channel Tunnel Act 1987.

(2) For the purposes of these Regulations, an individual has responsibility for a child if the individual—

- (a) has custody or charge of the child for the time being, or

⁽⁵⁾ S.I. 2002/618.

⁽⁶⁾ 2010 c. 15.

⁽⁷⁾ Paragraph 1 was amended by paragraph 3 of Schedule 3 to the Health Protection Agency Act 2004 (c. 17), and by S.I. 1993/1813.

⁽⁸⁾ The Passenger Locator Form is available on www.gov.uk. No hard copy version is generally available but, where a person arrives at a place staffed by Immigration Officers, they will be provided with the ability to complete the form electronically on their arrival in England if not completed in advance; assistance will be available for completion of the electronic form if required.

⁽⁹⁾ 1987 c. 53.

⁽¹⁰⁾ S.I. 2020/1045.

- (b) has parental responsibility for the child within the meaning given in section 3 of the Children Act 1989(11).
- (3) For the purposes of these Regulations, a person (“P”) is not treated as departing from or transiting through a country or territory, or part of a country or territory, if P arrives in and leaves that country, territory or part thereof by air, rail or sea and at all times whilst there—
 - (a) remains on the aircraft or vessel upon which P arrived and no other passenger is permitted to be taken on board; or
 - (b) remains on the train upon which P arrived and no other passenger is permitted to be taken on board the carriage in which P is travelling; or
 - (c) is kept separated from passengers who did not arrive on the same aircraft, train or vessel as P, and no such passengers are permitted to be taken on board the aircraft, train or vessel on which P leaves that country, territory, or part.
- (4) For the purposes of these Regulations a person is not treated as having been in a country or territory if—
 - (a) the person has only been on a vessel which has been in the territorial waters of that country or territory;
 - (b) the person did not disembark from that vessel while it was in the territorial waters of that country or territory;
 - (c) that vessel did not moor at a port in that country or territory; and
 - (d) no passenger was permitted to be taken on board that vessel while it was in the territorial waters of that country or territory.
- (5) Schedule 4 (exemptions) describes categories of person who are exempt from certain requirements in accordance with these Regulations.