
STATUTORY INSTRUMENTS

2021 No. 670

PUBLIC HEALTH, ENGLAND

**The Health Protection (Coronavirus, International
Travel and Operator Liability) (England)
(Amendment) (No. 2) Regulations 2021**

<i>Made</i>	- - - -	<i>6th June 2021</i>
<i>Laid before Parliament</i>		<i>7th June 2021</i> <i>at 4.00 a.m. on 8th</i>
<i>Coming into force</i>	- -	<i>June 2021</i>

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(1).

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. 2) Regulations 2021.

(2) These Regulations come into force at 4.00 a.m. on 8th June 2021.

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

Amendment 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(2) are amended as follows.

Amendment of regulation 5

3. In regulation 5(1) (requirements relating to tests)—

(a) in the opening words, omit “and subject to the provisions relating to length of stay in paragraph (1) of regulation 6 (requirement to book and undertake tests)”;

(b) in sub-paragraph (a) at the end insert “or a person of the description in paragraph 12 of Schedule 4 (transit passengers)”.

(1) 1984 c. 22. Part 2A was inserted by section 129 of the Health and Social Care Act 2008 (c. 14).

(2) S.I. 2021/582 amended by S.I. 2021/589.

Amendment of regulation 6

4. In regulation 6 (requirement to book and undertake tests)—
 - (a) in paragraph (1) for the words from “who” to the end substitute “(other than a person specified in paragraph (6) of that regulation)”;
 - (b) omit paragraph (2);
 - (c) in paragraph (6) in the opening words, after “P” insert “is in England and”;
 - (d) for paragraph (12)(c)(ii) substitute—
 - “(ii) where P is a person falling within regulation 5(1)(b) to (e) (arrivals from category 2 and 3 countries or territories), a booking for a day 2 test and a day 8 test.”.

Amendment of regulation 21

5. In regulation 21 (prosecutions) for paragraph (3)(b)(iv) substitute—

“(iv) under paragraph 6 or 7(3) of Schedule 13.”.

Amendment of Schedule 1

6. In Schedule 1 (category 1 countries and territories), omit “Portugal, including the Azores and Madeira”.

Amendment of Schedule 3

7. In Schedule 3 (category 3 countries and territories) in the appropriate places insert—

“Afghanistan”
“Bahrain”
“Costa Rica”
“Egypt”
“Sri Lanka”
“Sudan”
“Trinidad and Tobago”.

Amendment of Schedule 11

8. In Schedule 11 (additional measures applicable to arrivals from category 3 countries and territories) in paragraph 4 (designated ports) after sub-paragraph (f), insert—

“(fa) London Biggin Hill Airport.”.

Amendment of Schedule 13

9. In Schedule 13 (prohibition on arrival of aircraft and vessels into England)—
 - (a) in paragraph 2(2) at the end insert—
 - “(d) a commercially operated aircraft carrying passengers that lands at—
 - (i) Birmingham Airport, or
 - (ii) Heathrow Airport ”;
 - (b) in paragraph 4—
 - (i) after sub-paragraph (a) insert—

- “(aa) Bahrain;
- (ab) Bangladesh;”
- (ii) after sub-paragraph (d) insert—
 - “(da) Egypt;”
- (iii) after sub-paragraph (e) insert—
 - “(ea) India;
 - (eb) Kenya;”
- (iv) after sub-paragraph (g) insert—
 - “(ga) Pakistan;”
- (v) after sub-paragraph (i) insert—
 - “(ia) Sri Lanka;”
- (c) after paragraph 6 insert—

“Airport operators to ensure passengers use designated terminals

7.—(1) An airport operator must not cause or permit—

- (a) passengers to arrive at a terminal or part of a terminal other than a terminal or part of a terminal designated for direct flights from category 3 countries or territories, if the landing of the aircraft on which they arrived in England would have been prohibited but for paragraph 2(2)(d);
- (b) other passengers, apart from Schedule 11 passengers, to arrive at a terminal or part of a terminal designated for direct flights from category 3 countries or territories.

(2) Sub-paragraph (1) does not apply where causing or permitting passengers to arrive at a terminal other than in accordance with that sub-paragraph is reasonably necessary to secure the safety of the aircraft or the health and safety of any person.

(3) An airport operator who contravenes sub-paragraph (1) commits an offence punishable on summary conviction by a fine.

(4) For the purposes of this paragraph—

- (a) “airport operator” has the meaning given in section 82 of the Airports Act 1986(3);
- (b) a passenger arrives at a terminal or part of a terminal if after disembarking from an aircraft they enter the terminal or part of the terminal for the purpose of entering the United Kingdom or as a transit passenger;
- (c) the following are designated for direct flights from category 3 countries or territories—
 - (i) the part of the terminal at Birmingham Airport known as “South arrival and immigration hall”;
 - (ii) Heathrow Airport Terminal 3.”

Transitional and saving provision

10. In relation to any person who arrived in England on or after 4.00 a.m. on 17th May 2021 but before 4.00 a.m. on 8th June 2021, the Health Protection (Coronavirus, International Travel

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

and Operator Liability) (England) Regulations 2021 apply as if the amendments made by these Regulations had not been made.

6th June 2021

Bethell
Parliamentary Under Secretary 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 (“the International Travel Regulations”).

Regulations 3 and 4 have the effect that persons arriving in England intending to stay for short periods of time must nevertheless obtain testing packages in the same manner as those visiting for longer periods.

Regulation 5 amends regulation 21 of the International Travel Regulations to identify the offences which may be prosecuted.

Regulations 6 and 7 amend Schedules 1 and 3 to the International Travel Regulations to amend the lists of places designated as category 1 (“green-list”) and category 3 (“red-list”) countries and territories.

Regulation 8 adds London Biggin Hill Airport to the list of ports at which persons who have been in or transited through red-list countries or territories within the previous 10 days may arrive.

Regulation 9 permits direct flights from countries and territories designated as red-list countries and territories to land in England at Birmingham or Heathrow Airport. The airport operator must ensure that passengers from these flights arrive at designated terminals in those airports, separate from passengers arriving from other countries or territories apart from other passengers who have been in or transited through red-list countries or territories within the previous 10 days.

No impact assessment has been produced in respect of this instrument.