
STATUTORY INSTRUMENTS

2021 No. 68

**PUBLIC HEALTH, ENGLAND
TRANSPORT, ENGLAND**

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

<i>Made</i>	- - - -	<i>21st January 2021 at 11.00 a.m. on</i>
<i>Laid before Parliament</i>		<i>22nd January 2021 at 4.00 a.m. on 22nd</i>
<i>Coming into force</i>	- -	<i>January 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 and interpretation

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, International Travel, Operator Liability and Public Health Information) (England) (Amendment) Regulations 2021 and come into force at 4.00 a.m. on 22nd January 2021.

(2) In these Regulations—

“the International Travel Regulations” means the Health Protection (Coronavirus, International Travel) (England) Regulations 2020(2);

“the Passenger Information Regulations” means the Health Protection (Coronavirus, Public Health Information for Passengers Travelling to England) Regulations 2020(3).

Amendment of the Passenger Information Regulations

2.—(1) The Passenger Information Regulations are amended as follows.

(2) In regulation 4 (required information and manner)—

(a) in paragraph (1)(c)(iii)—

(1) 1984 c. 22. Part 2A was inserted by section 129 of the Health and Social Care Act 2008 (c. 14)
(2) S.I. 2020/568, amended by S.I. 2020/691, 724, 799, 805, 813, 819, 841, 866, 890, 913, 959, 980, 1013, 1039, 1070, 1076, 1094, 1129, 1161, 1190, 1227, 1238, 1277, 1292, 1323, 1337, 1360, 1424, 1517, 1595, S.I. 2021/18, 25, 38, 47 and 49.
(3) S.I. 2020/567, amended by S.I. 2020/691, 1090 and 1517.

- (i) after “information” insert “, to possess notification of a negative test result”,
 - (ii) after “3” insert “, 3A”,
 - (b) in paragraph (2)(b), after sub-paragraph (iii) insert—
 - “(iv) informs passengers of the requirement to possess notification of a negative test result in regulation 3A of the International Travel Regulations,”,
 - (c) in paragraph (3)(b)(iii)—
 - (i) after “information” insert “, to possess notification of a negative test result”,
 - (ii) after “3” insert “, 3A”,
 - (d) in paragraph (5), in the definition of “the relevant websites”—
 - (i) after sub-paragraph (a)(ii), insert—
 - “(iii) <https://www.gov.uk/guidance/coronavirus-covid-19-testing-for-people-travelling-to-england>,
 - (iv) <https://www.gov.uk/guidance/coronavirus-covid-19-test-to-release-for-international-travel>,
 - (v) <https://www.gov.uk/government/publications/coronavirus-covid-19-travellers-exempt-from-uk-border-rules/coronavirus-covid-19-travellers-exempt-from-uk-border-rules>,
 - (vi) <https://www.gov.uk/guidance/coronavirus-covid-19-travel-corridors>,”
 - (ii) in sub-paragraph (b), after “<https://www.gov.uk/uk-border-control>” insert—
 - “,
 - (iv) <https://www.gov.uk/guidance/coronavirus-covid-19-testing-for-people-travelling-to-england>,
 - (v) <https://www.gov.uk/guidance/coronavirus-covid-19-test-to-release-for-international-travel>,
 - (vi) <https://www.gov.uk/government/publications/coronavirus-covid-19-travellers-exempt-from-uk-border-rules/coronavirus-covid-19-travellers-exempt-from-uk-border-rules>,
 - (vii) <https://www.gov.uk/guidance/coronavirus-covid-19-travel-corridors>”.
- (3) For Part 1 of the Schedule (specified information for the purposes of regulation 4), substitute—

“PART 1

The specified information is—

“ESSENTIAL INFORMATION TO ENTER THE UK

The United Kingdom is taking steps to help stop the spread of COVID-19.

1) All persons (including UK nationals and residents) arriving in the UK from outside the common travel area must provide proof of a negative COVID-19 test taken within 3 days of departure to the UK. For further information please visit: www.gov.uk/guidance/coronavirus-covid-19-testing-for-people-travelling-to-england.

2) To protect your health and others’, everyone must complete an online passenger locator form before arrival in the United Kingdom.

3) All arrivals must self-isolate for 10 days unless exempt. Check the list of exempt countries immediately before travel and the list of work-related exemptions if travelling for work.

- 4) It is a legal requirement that you wear a face covering on public transport in the UK.
- 5) If you self-isolate in England, you may opt in to Test to Release. For further information please visit www.gov.uk/guidance/coronavirus-covid-19-test-to-release-for-international-travel.
- Failure to comply with these measures is a criminal offence and you could be fined. Please visit www.gov.uk/uk-border-control for detailed public health advice and requirements for entering the UK.””.

Amendment of the International Travel Regulations

3.—(1) The International Travel Regulations are amended as follows.

(2) In Schedule B1 (countries and territories subject to additional measures) insert entries for “Democratic Republic of the Congo” and “Tanzania” at the appropriate places.

(3) In Schedule 1 (passenger information), omit paragraphs 2(f), 3 and 5.

(4) In paragraph 3(1)(d) of Schedule 2B (testing before arrival in England), after “resume their work”, insert—

“

- (e) a member of aircraft crew carried on a flight for the purpose of performing duties to be assigned by the operator or the pilot in command of the aircraft, in the interests of the safety of the aircraft, where they have travelled to the United Kingdom in the course of their work”.

Amendment of the Health Protection (Coronavirus, Pre-Departure Testing and Operator Liability) (England) (Amendment) Regulations 2021

4.—(1) Part 2 of the Health Protection (Coronavirus, Pre-Departure Testing and Operator Liability) (England) (Amendment) Regulations 2021(4) is amended as follows.

(2) In regulation 5 (interpretation of Part 2)—

- (a) omit the definition of “qualifying test”,
- (b) in the definition of “relevant passenger”, for “required notification” substitute “valid notification of a negative result from a qualifying test”,
- (c) for the definition of “required notification”, substitute—

““required notification” means notification of the result of a test for the detection of coronavirus which includes, in English, French or Spanish, the following information—

- (a) the name of the person from whom the test sample was taken,
- (b) that person’s date of birth or age,
- (c) the negative result of that test,
- (d) the date the test sample was collected or received by the test provider,
- (e) the name of the test provider and information sufficient to contact that provider,
- (f) the name of the device that was used for the test”.

Transitional and savings provisions

5.—(1) In relation to any booking made before 4.00 a.m. on 22nd January 2021, the requirement in regulation 3(1) of the Passenger Information Regulations (“the information requirement”) is to

be regarded as complied with even if the information provided to passengers does not include the amendments made by regulation 2.

(2) In relation to any person, who arrived in England on or after 10th July 2020 but before 4.00 a.m. on 22nd January 2021, or any person residing with such a person, the International Travel Regulations apply as if the amendments made by regulation 3(2) had not been made.

Signed by authority of the Secretary of State for Transport

21st January 2021

Robert Courts
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, International Travel) (England) Regulations 2020 (S.I. 2020/568) (“the International Travel Regulations”) to:

- (a) add the Democratic Republic of the Congo and Tanzania to the list, in Schedule B1 of the International Travel Regulations, of countries and territories subject to additional measures. The additional measures:
 - (i) remove exemptions from the requirement to self-isolate and the requirement to complete a Passenger Locator Form for passengers who have arrived in England from these countries or who have arrived in England from elsewhere and, during the 10 days preceding their arrival in England, have been in or transited through them;
 - (ii) exclude arrivals from these countries and members of their household from the “Test to Release” regime;
 - (iii) require people residing with arrivals from these countries to self-isolate;
- (b) reduce the amount of passenger information that people travelling to England are required to provide on the Passenger Locator Form in order to comply with the requirement in regulation 3 of the International Travel Regulations;
- (c) updates the air crew exemption from the requirement to possess notification of a negative coronavirus test result to ensure that crew who perform duties onboard aircraft in the interests of the safety of the aircraft, such as loadmasters, are exempt.

These Regulations also amend the Health Protection (Coronavirus, Pre-Departure Testing and Operator Liability) (England) (Amendment) Regulations 2021 (S.I. 2021/38) so that operators are not required to ensure that a notification of a negative coronavirus test result is from a “qualifying test”, i.e. a test which meets the standards specified in paragraph 1 of Schedule 2B to the International Travel Regulations. Operators are required to check that passengers possess a notification of a coronavirus test which includes specified information, while liability for ensuring the result was from a qualifying test falls on the passenger.

Further, these Regulations amend the Health Protection (Coronavirus, Public Health Information for Passengers Travelling to England) Regulations 2020 (S.I. 2020/567) so that operators of commercial transport services from outside the common travel area to England are required to provide information to passengers about the requirement to possess notification of a negative coronavirus test result.

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