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STATUTORY INSTRUMENTS

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**2021 No. 682**

**The Health Protection (Coronavirus, Testing Requirements and Standards) (England) (Amendment) Regulations 2021**

**Amendments to regulation 6 of the Health Protection (Coronavirus, Testing Requirements and Standards) (England) Regulations 2020**

2.—(1) The Health Protection (Coronavirus, Testing Requirements and Standards) (England) Regulations 2020(1) are amended as follows.

(2) After paragraph (2) in regulation 6 insert paragraph (2A)—

“(2A) For the purposes of this regulation—

- (a) a test provider who completes stage one on or before 31st December 2020 is a “first channel test provider”;
- (b) a test provider who completes stage one on or after 1st January 2021 is a “second channel test provider”.”

(3) In paragraph (3)—

- (a) after the word “A” insert the words “first channel”;
- (b) omit the words from “who completes” to “31st December 2020”.

(4) In paragraph (4)—

- (a) after the word “A” insert the words “second channel”;
- (b) omit the words “who completes” to “1st January 2021”.

(5) Omit paragraphs (5) and (6) and substitute—

“(5A) A first channel test provider who does not achieve a positive recommendation on or before 30th June 2021 must not provide applicable tests.

(5B) A second channel test provider who does not achieve a positive recommendation on or before whichever is the later of—

- (a) 30th June 2021, or
- (b) the date four months after the date on which they completed stage two

must not provide applicable tests.

(5C) A test provider who does not achieve a positive recommendation by the date in paragraph (5A) or the appropriate date in paragraph (5B) (as applicable) may provide applicable tests after they have achieved a positive recommendation.

(6A) A first channel test provider who is not accredited by UKAS to the relevant ISO standard by 31st August 2021 must not provide applicable tests.

(6B) A second channel test provider who is not accredited by UKAS by the later of—

- (a) 31st August 2021, or
- (b) the date two months after the appropriate date in paragraph (5B)

must not provide applicable tests.

(6C) A test provider who is not accredited by UKAS by the date in paragraph (6A) or the appropriate date in paragraph (6B) (as applicable) may provide applicable tests after they have been accredited by UKAS.”

(6) In paragraph (7)—

- (a) at the end of sub-paragraph (a), for “; or” substitute “.”;
- (b) omit sub-paragraph (b).

(7) In paragraphs (9) and (10), add “or provided” immediately after the word “administered” each time it appears.

(8) After paragraph (11) insert—

“(12) In this regulation a “positive recommendation” means a written notice from UKAS which—

- (a) reports UKAS’s assessment of the test provider’s readiness to be fully accredited, and
- (b) informs the test provider of any actions the provider must take in order to be fully accredited,

where “fully accredited” means accredited by UKAS to the relevant ISO standard.”