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STATUTORY INSTRUMENTS

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**2023 No. 2**

**The Health Protection (Coronavirus, International  
Travel from China) (England) Regulations 2023**

**PART 2**

Requirement to possess notification of a negative result from a pre-departure test

**Requirement to possess notification of a negative result from a pre-departure test**

**3.—(1)** A person to whom this Part applies (“P”) must, when they arrive in England, possess valid notification of a negative result from—

- (a) where P is an adult—
  - (i) a pre-departure test undertaken by them;
  - (ii) who is accompanying a child aged 12 or over for whom they have responsibility, a pre-departure test undertaken by that child;
- (b) where P is a child aged 12 or over who is unaccompanied by an adult with responsibility for them, a pre-departure test undertaken by them,

unless P has a reasonable excuse.

(2) For the purposes of paragraph (1), reasonable excuses for not possessing valid notification of a negative test result in relation to a person (“M”) include, in particular, where—

- (a) M was medically unfit to provide a sample for a pre-departure test and possessed a document, in English or accompanied by a certified English translation, signed by a medical practitioner entitled to practise the country or territory in which that practitioner was based, to that effect;
- (b) it was not reasonably practicable for a pre-departure test to be obtained in relation to M due to a disability;
- (c) M required medical treatment with such urgency that obtaining a pre-departure test was not reasonably practicable;
- (d) M contracted coronavirus and required emergency medical treatment;
- (e) P was accompanying, in order to provide support, whether medical or otherwise, a person described in sub-paragraph (c) or (d) where it was not reasonably practicable for P to obtain a pre-departure test.

(3) A person who possesses valid notification of a negative result from a pre-departure test must produce that notification if requested to do so by an immigration officer.

(4) In this regulation—

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

“immigration officer” means—

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**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel from China) (England) Regulations 2023, Section 3. (See end of Document for details)

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- (a) a person appointed by the Secretary of State as an immigration officer under paragraph 1 of Schedule 2 to the Immigration Act 1971(1);
- (b) a person appointed by the Secretary of State to perform the functions of an immigration officer under these Regulations;

“pre-departure test” means a test for the detection of SARS-CoV-2 that complies with regulation 4;

“valid notification of a negative result” means a notification that includes the information specified in regulation 5.

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**Commencement Information**

**II** Reg. 3 in force at 5.1.2023 at 4.00 a.m., see [reg. 1\(2\)](#)

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(1) 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. There are other amendments not relevant to this instrument.

**Changes to legislation:**

There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel from China) (England) Regulations 2023, Section 3.