

SCHEDULE

Descriptions of persons to whom Part 2 does not apply

Other work-related exemptions

6.—(1) A person (“P”) described in paragraph (a) of sub-paragraph (4) who meets the conditions set out in sub-paragraph (5).

(2) A person (“P”) who is travelling to the United Kingdom to conduct official business who—

(a) if P is described in paragraph (b) to (e) of sub-paragraph (4), meets the conditions set out in sub-paragraph (6);

(b) if P is described in paragraph (f) of sub-paragraph (4), meets the conditions set out in sub-paragraph (7).

(3) A person (“P”) described in paragraphs (g) or (h) of sub-paragraph (4) who is travelling to the United Kingdom to conduct official business with the United Kingdom and meets the conditions set out in sub-paragraph (8).

(4) A person who—

(a) enjoys relevant immunities and privileges in the United Kingdom;

(b) is an officer or servant of an international organisation;

(c) is employed by an international organisation as an expert or on a mission;

(d) is a representative to an international organisation;

(e) is a member of the official staff of a representative to an international organisation;

(f) is a representative of a foreign country or territory;

(g) is a representative of the government of a British overseas territory;

(h) is a specified person.

(5) The conditions referred to in sub-paragraph (1) are that—

(a) the stipulated person, or a person acting on their authority, confirms in writing to the Foreign, Commonwealth and Development Office that P is travelling to the United Kingdom, the office held by P, the capacity in which P is travelling to the United Kingdom and that the person considers that regulation 3 not apply to P, and

(b) prior to P’s arrival in the United Kingdom, the Foreign, Commonwealth and Development Office has confirmed in writing to the person referred to in paragraph (a) that it considers P to fall within the description in sub-paragraph (4)(a) and that regulation 3 do not apply to P.

(6) The conditions referred to in sub-paragraph (2)(a) are that—

(a) the stipulated person, or a person acting on their authority, confirms in writing to the Foreign, Commonwealth and Development Office that P is required to undertake relevant work and that P cannot reasonably undertake the relevant work while complying with regulation 3, and

(b) prior to P’s arrival in the United Kingdom, the Foreign, Commonwealth and Development Office has confirmed in writing to the person referred to in paragraph (a) that it considers P to be travelling to the United Kingdom to conduct the relevant work and that P cannot reasonably undertake the work while complying with regulation 3.

(7) The conditions referred to in sub-paragraph (2)(b) are that—

(a) the stipulated person, or a person acting on their authority, confirms in writing to the Foreign, Commonwealth and Development Office that—

(i) P is required to undertake relevant work relating to—

Changes to legislation: *There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel from China) (England) Regulations 2023, Paragraph 6. (See end of Document for details)*

- (aa) essential maintenance and repair of an information technology or security system necessary for the functioning of a mission or consular post in the United Kingdom which represents the relevant foreign country, or
 - (bb) the holding of an election or referendum in accordance with the laws or regulations of a foreign country or territory, and
 - (ii) P cannot reasonably undertake the relevant work while complying with regulation 3, and
 - (b) prior to P’s arrival in the United Kingdom, the Foreign, Commonwealth and Development Office has confirmed in writing to the person referred to in paragraph (a) that it considers P to be travelling to the United Kingdom to conduct the relevant work and that P cannot reasonably undertake the work while complying with regulation 3.
- (8) The conditions referred to in sub-paragraph (3) are that—
- (a) where P is not a specified person—
 - (i) the stipulated person, or a person acting on their authority, confirms in writing to the Foreign, Commonwealth and Development Office that P is required to undertake relevant work and that P cannot reasonably undertake the relevant work while complying with regulation 3, and
 - (ii) prior to P’s arrival in the United Kingdom, the Foreign, Commonwealth and Development Office has confirmed in writing to the person referred to in paragraph (a)(i) that P is travelling to the United Kingdom to conduct official business with the United Kingdom and that P cannot reasonably undertake the work while complying with regulation 3;
 - (b) where P is a specified person—
 - (i) P has been invited to the United Kingdom by the Secretary of State for Foreign, Commonwealth and Development Affairs; and
 - (ii) prior to P’s arrival in the United Kingdom, the Foreign, Commonwealth and Development Office has confirmed in writing to P that they are travelling to the United Kingdom to conduct official business with the United Kingdom and cannot reasonably conduct that business while complying with regulation 3.
- (9) For the purposes of this paragraph—
- (a) “consular post” means any consulate-general, consulate, vice-consulate or consular agency;
 - (b) “international organisation” means an international organisation accorded privileges and immunities in the United Kingdom;
 - (c) “member of a consular post” means a “consular officer”, “consular employee” and “member of the service staff” as defined in Schedule 1 to the Consular Relations Act 1968(1), and “head of consular post” has the meaning given in that Schedule;
 - (d) “relevant immunities and privileges” means inviolability, immunity from arrest or detention, or any immunity or privilege with equivalent effect which is accorded to any person under the law of England and Wales;
 - (e) “relevant work” means—
 - (i) where P is a person described in sub-paragraph (4)(b), (c), (d) or (e), work which the relevant stipulated person confirms in writing to the Foreign, Commonwealth and Development Office is essential to the functioning of the relevant international organisation;

(1) 1968 c. 18. There are amendments but none is relevant.

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus, International Travel from China) (England) Regulations 2023, Paragraph 6. (See end of Document for details)*

- (ii) where P is a person described in sub-paragraph (4)(f), work which the relevant stipulated person confirms in writing to the Foreign, Commonwealth and Development Office is essential to the foreign country represented by the relevant mission or consular post in the United Kingdom or the foreign territory represented by the relevant office in the United Kingdom (as the case may be);
 - (iii) where P is a person described in sub-paragraph (4)(g), work which the relevant stipulated person confirms in writing to the Foreign, Commonwealth and Development Office is essential to the relevant British overseas territory;
- (f) “specified person” means a person who is a member of the democratic opposition in a foreign country or territory, a member of a political party in a foreign country or territory, or who undertakes activities in a foreign country or territory that support government policy related to national security, the promotion and protection of human rights, the mitigation of, or adaptation to, climate change, the maintenance of international peace and security, or the maintaining or enhancing of biodiversity;
- (g) “stipulated person” means—
- (i) where P is a person described in sub-paragraph (4)(a), the head of the relevant international organisation, the relevant head of the mission or head of consular post in the United Kingdom or the relevant head of the office representing a foreign territory in the United Kingdom (as the case may be);
 - (ii) where P is a person described in sub-paragraph (4)(b), (c), (d) or (e), the head of the relevant international organisation;
 - (iii) where P is a person described in sub-paragraph (4)(f), the relevant head of the mission or head of consular post in the United Kingdom or the relevant head of the office representing a foreign territory in the United Kingdom (as the case may be);
 - (iv) where P is a person described in sub-paragraph (4)(g), the relevant Governor of a British overseas territory.
- (10) Any exemption provided for in this Schedule is without prejudice to any immunity or privilege which is accorded to any person under the law of England and Wales.

Commencement Information

II Sch. para. 6 in force at 5.1.2023 at 4.00 a.m., see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel from China) (England) Regulations 2023, Paragraph 6.