

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020. (See end of Document for details)

WELSH STATUTORY INSTRUMENTS

2020 No. 595 (W. 136)

PUBLIC HEALTH, WALES

**The Health Protection (Coronavirus, Public Health Information
for Persons Travelling to Wales etc.) Regulations 2020**

Made - - - - *at 5.38 p.m. on 15
June 2020*
Laid before Senedd Cymru *16th June 2020*
*Coming into force in accordance with regulation 1(2)
and (3)*

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by sections 45B, 45F(2) and 45P(2) of the Public Health (Control of Disease) Act 1984 ^{M1}.

Marginal Citations

M1 1984 c. 22. Part 2A was inserted by section 129 of the [Health and Social Care Act 2008 \(c. 14\)](#).

PART 1

General

Title and coming into force

1.—(1) The title of these Regulations is the Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020.

(2) Regulations 2 to 9 come into force on 17 June 2020.

(3) This regulation and regulations 10 and 11 come into force when these Regulations are made.

Commencement Information

11 Reg. 1 in force at made date at 5.38 p.m., see [reg. 1\(1\)](#)

Interpretation

2. In these Regulations—

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“authorised person” (“*person awdurdodedig*”) means—

- (a) in relation to passengers arriving ^{F1}... on a vessel, the Secretary of State;
- (b) in relation to passengers arriving ^{F1}... on an aircraft, the Civil Aviation Authority ^{M2};

“common travel area” (“*ardal deithio gyffredin*”) has the meaning given in section 1(3) of the Immigration Act 1971 ^{M3};

“coronavirus” (“*coronafeirws*”) means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);

“international passenger service” (“*gwasanaeth teithwyr rhyngwladol*”) means a commercial service by which passengers travel on a vessel or aircraft from outside the common travel area to a port in Wales;

[^{F2}“the International Travel Regulations” (“*y Rheoliadau Teithio Rhyngwladol*”) means [^{F3}the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2022];]

^{F4} ...

“port” (“*porthladd*”) includes any airport, heliport or seaport;

[^{F5}“the relevant websites” (“*y gwefannau perthnasol*”) means the websites specified in Part 3 of the Schedule;]

[^{F6}“the required information” (“*yr wybodaeth ofynnol*”) means the information specified in Part 1 of the Schedule and a hyperlink to each of the relevant websites specified in Part 3 of the Schedule;]

^{F7} ...

[^{F8}“requirement to provide information” (“*gofyniad i ddarparu gwybodaeth*”) means the requirement to provide information in accordance with [^{F9}regulation [^{F10}6] of the International Travel Regulations];]

“vessel” (“*llestr*”) means every description of vessel used in navigation (including a hovercraft within the meaning of Hovercraft Act 1968 ^{M4}) which is 24 metres or more in length.

- | | |
|-----------|--|
| F1 | Words in reg. 2 omitted (17.5.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/584) , regs. 1(2), 21(a) |
| F2 | Words in reg. 2 inserted (23.1.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers) (Wales) (Amendment) Regulations 2021 (S.I. 2021/72) , regs. 1(2), 2(2)(a) |
| F3 | Words in reg. 2 substituted (18.2.2022) by The Health Protection (Coronavirus, Public Health Information to Travellers and Operator Liability) (Wales) (Amendment) Regulations 2022 (S.I. 2022/150) , regs. 1(2), 3(b) |
| F4 | Words in reg. 2 omitted (17.5.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/584) , regs. 1(2), 21(b) |
| F5 | Words in reg. 2 inserted (18.2.2022) by The Health Protection (Coronavirus, Public Health Information to Travellers and Operator Liability) (Wales) (Amendment) Regulations 2022 (S.I. 2022/150) , regs. 1(2), 3(a)(i) |
| F6 | Words in reg. 2 inserted (18.2.2022) by The Health Protection (Coronavirus, Public Health Information to Travellers and Operator Liability) (Wales) (Amendment) Regulations 2022 (S.I. 2022/150) , regs. 1(2), 3(a)(ii) |
| F7 | Words in reg. 2 omitted (18.2.2022) by virtue of The Health Protection (Coronavirus, Public Health Information to Travellers and Operator Liability) (Wales) (Amendment) Regulations 2022 (S.I. 2022/150) , regs. 1(2), 3(c) |

- F8** Words in reg. 2 inserted (4.11.2020) by [The Health Protection \(Coronavirus, Public Health Information for Persons Travelling to Wales etc.\) \(Amendment\) Regulations 2020 \(S.I. 2020/1118\)](#), regs. 1(2), **2(2)**
- F9** Words in reg. 2 substituted (23.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/72\)](#), regs. 1(2), **2(2)(c)**
- F10** Word in reg. 2 substituted (18.2.2022) by [The Health Protection \(Coronavirus, Public Health Information to Travellers and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2022 \(S.I. 2022/150\)](#), regs. 1(2), **3(d)**

Commencement Information

- I2** Reg. 2 in force at 17.6.2020, see [reg. 1\(2\)](#)

Marginal Citations

- M2** The Civil Aviation Authority is a body corporate established by section 1 of the [Civil Aviation Act 1971 \(c. 75\)](#).
- M3** [1971 c. 77](#). That section provides that the United Kingdom, the Channel Islands, the Isle of Man, and the Republic of Ireland are collectively referred to as “the common travel area”.
- M4** [1968 c. 59](#).

PART 2

Requirements to provide information to passengers

[^{F11} Provision of information prior to departure

3.—(1) The operator of an international passenger service must ensure that a passenger who arrives at a port in Wales on such a service is provided with the information required by paragraph (3) and in the manner required by that regulation at the times specified in paragraph (2).

(2) The times are—

- (a) where a booking was made for the passenger to travel on the relevant service more than 24 hours before departure, at least 24 hours before departure;
- (b) (where a booking was made for the passenger to travel on the relevant service less 24 hours before departure, at any time before departure.

(3) For the purposes of paragraph (1), the required information—

- (a) may be provided orally or in writing;
- (b) if provided orally, is the information specified in Part 1 of the Schedule (essential information to enter the UK);
- (c) if provided in writing, is the information specified in Part 1 of the Schedule (essential information to enter the UK) and—
 - (i) where it is provided by electronic means, a hyperlink to each of the relevant websites;
 - (ii) where it is provided by other means, the text or the URLs of each of the relevant websites;
 - (iii) in any event, must be provided in a way that draws the passengers attention to it by being particularly prominent and distinct from other written information provided in relation to the booking.

(4) Where another person (“A”) makes a booking on an international passenger service on behalf of another passenger (whether or not A is also a passenger on that service), the requirement to provide

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information in accordance with this regulation is to be treated as complied with if the required information is provided to A in the required manner at the times specified in paragraph (2), along with a written request that A provide that information to the passenger.

(5) Where the operator does not directly manage the booking or check in process, the operator must take all reasonable measures to ensure that the person managing the process complies with paragraph (1) on the operator's behalf.

(6) Nothing in this regulation or regulation 4 requires information to be provided to a person who, by virtue of age or mental capacity, is unlikely to be capable of understanding it.]

F11 Reg. 3 substituted for regs. 3, 3A (18.2.2022) by [The Health Protection \(Coronavirus, Public Health Information to Travellers and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2022 \(S.I. 2022/150\)](#), regs. 1(2), **5**

Provision of information prior to departure

F11 3A.

F11 Reg. 3 substituted for regs. 3, 3A (18.2.2022) by [The Health Protection \(Coronavirus, Public Health Information to Travellers and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2022 \(S.I. 2022/150\)](#), regs. 1(2), **5**

Provision of information during journey

4.—(1) The operator of an international passenger service must ensure that every passenger on the vessel or aircraft is provided with the statement set out in [F12Part 2 of the Schedule][F13(on-board announcement)] during the journey to the port in Wales.

(2) The statement must be provided F14 ... in Welsh, English and an officially recognised language of the country of departure.

F12 Words in reg. 4(1) substituted (4.11.2020) by [The Health Protection \(Coronavirus, Public Health Information for Persons Travelling to Wales etc.\) \(Amendment\) Regulations 2020 \(S.I. 2020/1118\)](#), regs. 1(2), **2(5)**

F13 Words in reg. 4 inserted (18.2.2022) by [The Health Protection \(Coronavirus, Public Health Information to Travellers and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2022 \(S.I. 2022/150\)](#), regs. 1(2), **6**

F14 Word in reg. 4(2) omitted (10.7.2020) by virtue of [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), regs. 1(2), **10(2)**

Commencement Information

I3 Reg. 4 in force at 17.6.2020, see [reg. 1\(2\)](#)

Exception from requirements of regulations 3 F15 ... and 4

5. Nothing in regulation 3 F16 ... or 4 requires information to be provided to a person who, by virtue of age or mental capacity, is unlikely to be capable of understanding it.

- F15** Word in reg. 5 heading omitted (18.2.2022) by virtue of [The Health Protection \(Coronavirus, Public Health Information to Travellers and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2022 \(S.I. 2022/150\)](#), regs. 1(2), **7(a)**
- F16** Word in reg. 5 omitted (18.2.2022) by virtue of [The Health Protection \(Coronavirus, Public Health Information to Travellers and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2022 \(S.I. 2022/150\)](#), regs. 1(2), **7(b)**

Commencement Information

- I4** Reg. 5 in force at 17.6.2020, see [reg. 1\(2\)](#)

PART 3

Offences, penalties and prosecutions

Offences

6.—(1) A person who contravenes a requirement in regulation 3(1) ^{F17} ... ^{F18} ... or regulation 4 commits an offence.

(2) It is a defence to a charge of committing the offence of contravening the requirement in [^{F19}[^{F20}regulation 3(1) ^{F21} ... ^{F22} ...] or] regulation 4 to show that the person had a reasonable excuse for the contravention.

(3) A person who commits an offence under paragraph (1) is liable on summary conviction to a fine.

- F17** Words in reg. 6(1) omitted (18.2.2022) by virtue of [The Health Protection \(Coronavirus, Public Health Information to Travellers and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2022 \(S.I. 2022/150\)](#), regs. 1(2), **8(a)**
- F18** Word in reg. 6(1) omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), **24(a)**
- F19** Words in reg. 6(2) inserted (12.12.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/1521\)](#), regs. 1(2), 7
- F20** Words in reg. 6(2) substituted (12.4.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021 \(S.I. 2021/457\)](#), regs. 1(2), **3(5)(b)**
- F21** Words in reg. 6(2) omitted (18.2.2022) by virtue of [The Health Protection \(Coronavirus, Public Health Information to Travellers and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2022 \(S.I. 2022/150\)](#), regs. 1(2), **8(b)**
- F22** Words in reg. 6(2) omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), **24(b)**

Commencement Information

- I5** Reg. 6 in force at 17.6.2020, see [reg. 1\(2\)](#)

Fixed penalty notices

7.—(1) An authorised person may issue a fixed penalty notice to any person (“P”) that the authorised person reasonably believes has committed an offence under regulation 6(1).

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- (2) A fixed penalty notice is a notice offering P the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to—
- (a) the Welsh Ministers, or
 - (b) a person designated by the Welsh Ministers for the purposes of receiving payment under this regulation.
- (3) Where a notice is issued under paragraph (1) in respect of an offence—
- (a) no proceedings may be taken for the offence before the end of the period of 28 days following the date the notice is issued;
 - (b) P may not be convicted of the offence if P pays the fixed penalty before the end of that period.
- (4) A fixed penalty notice must—
- (a) describe the circumstances alleged to constitute the offence,
 - (b) state the period during which (because of paragraph (3)(a)) proceedings will not be taken for the offence,
 - (c) specify the amount of the fixed penalty,
 - (d) state the name and address of the person to whom the fixed penalty may be paid, and
 - (e) specify permissible methods of payment.
- [^{F23}(5) The amount of fixed penalty specified under paragraph 4(c) is to be—
- (a) in the case of the first penalty notice received, £1000;
 - (b) in the case of the second penalty notice received, £2000;
 - (c) in the case of the third penalty notice received, £4000;
 - (d) in the case of the fourth and any subsequent fixed penalty notice received, £10,000.]
- (6) In any proceedings, a certificate—
- (a) that purports to be signed by or on behalf of—
 - (i) the Welsh Ministers, or
 - (ii) a person designated by the Welsh Ministers under paragraph (2)(b), and
 - (b) states that the payment of a fixed penalty was, or was not, received by the date specified in the certificate,
- is evidence of the facts stated.

F23 Reg. 7(5) substituted (12.12.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/1521\)](#), regs. 1(2), **8**

Commencement Information

I6 Reg. 7 in force at 17.6.2020, see [reg. 1\(2\)](#)

Prosecutions

8. No proceedings for an offence under these Regulations may be brought other than by the Director of Public Prosecutions or an authorised person.

Commencement Information

I7 Reg. 8 in force at 17.6.2020, see [reg. 1\(2\)](#)

PART 4

Miscellaneous

Review of requirements

9.—(1) The Welsh Ministers must carry out a review of the requirements imposed by Part 2—

(a) by 29 June 2020,

[^{F24}(b) by 27 July 2020;

(c) at least once in the period of 28 days beginning with 28 July 2020;

(d) at least once in each subsequent period of 28 days.]

(2) A review carried out under paragraph (1) must consider whether the requirements are necessary and proportionate as a means of preventing danger to the public arising from the spread of coronavirus.

F24 Reg. 9(1)(b)-(d) substituted for reg. 9(1)(b)(c) (10.7.2020) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/714\)](#), [regs. 1\(2\)](#), **11**

Commencement Information

I8 Reg. 9 in force at 17.6.2020, see [reg. 1\(2\)](#)

Amendment of the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020

^{F25}**10.**

F25 Reg. 10 omitted (18.2.2022) by virtue of [The Health Protection \(Coronavirus, Public Health Information to Travellers and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2022 \(S.I. 2022/150\)](#), [regs. 1\(2\)](#), **4**

Expiry of these Regulations

11.—(1) These Regulations expire at the end of [^{F26}31 May 2022].

(2) The expiry of these Regulations does not affect the validity of anything done pursuant to these Regulations before they expire.

F26 Words in reg. 11(1) substituted (29.5.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2021 \(S.I. 2021/646\)](#), [regs. 1\(2\)](#), **4**

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Commencement Information

19 Reg. 11 in force at made date at 5.38 p.m., see [reg. 1\(1\)](#)

Mark Drakeford
The First Minister, one of the Welsh Ministers

[^{F27}SCHEDULE

Regulations 3 and 4

F27 Sch. substituted (18.2.2022) by [The Health Protection \(Coronavirus, Public Health Information to Travellers and Operator Liability\) \(Wales\) \(Amendment\) Regulations 2022 \(S.I. 2022/150\)](#), regs. 1(2), 9

PART 1

Essential Information to enter the UK from overseas

The information to be provided for the purposes of regulations 3(3) and 4 is—

“Essential information to enter the UK from overseas

All persons arriving in the UK must fill in a Passenger Locator Form before arrival.

Before departure to the UK check if any of the countries you have visited in the last 10 days are on the red list.

If you have visited a country on the red list you must follow the red list rules.

If you have not visited any countries on the red list, what you have to do depends on your vaccination status. Check the rules before you travel at gov.uk/coronavirus.

Public health requirements may vary depending upon which nation of the UK you are travelling to. Check the relevant website if your final destination is in Northern Ireland, Scotland or Wales.

Failure to comply with these measures is a criminal offence and you could be fined. There are a limited set of exemptions from these measures. You may be fined if you fraudulently claim an exemption.”

PART 2

On-board announcement

The statement to be provided for the purposes of regulation 4 is—

(a) Welsh language version—

“Dyma neges iechyd y cyhoedd ar ran asiantaethau iechyd y cyhoedd y Deyrnas Unedig.

Os nad ydych wedi eich brechu'n llawn neu os nad ydych yn bodloni'r meini prawf cymhwysra, rhaid i chi gymryd prawf ar neu cyn diwrnod 2 ar ôl i chi gyrraedd.

Symptomau'r coronafeirws yw peswch cyson newydd, tymheredd uchel neu golli eich synnwyr blasu neu arogl arferol, neu newid yn eich synnwyr blasu neu arogl arferol. Os ydych yn profi unrhyw un o'r symptomau hyn, ni waeth pa mor ysgafn ydynt, fe'ch cynghorir i wneud eich hunan yn hysbys i'r criw.

Dilynwch y canllawiau Iechyd y Cyhoedd ar gyfer yr ardal yr ydych yn byw ynddi neu'n teithio ynddi.

Ewch i gov.uk/coronavirus i gael rhagor o gyngor.”

(b) English language version—

“The following is a public health message on behalf of the UK's public health agencies.

If you are not fully vaccinated or do not meet the eligibility criteria, you must take a test on or before day 2 after you arrive.

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The symptoms of coronavirus are a new continuous cough, a high temperature or a loss of, or change in, normal sense of taste or smell. If you experience any of these symptoms, however mild, you are advised to make yourself known to the crew.

Please follow the Public Health guidance for the area you are living or travelling in.

Visit gov.uk/coronavirus for more advice.”

PART 3

Relevant Websites

The following are “relevant websites”—

<https://www.gov.uk/provide-journey-contact-details-before-travel-uk>

<https://www.gov.uk/guidance/red-list-of-countries-and-territories>

<https://www.gov.uk/guidance/travel-to-england-from-another-country-during-coronavirus-covid-19>

<https://www.nidirect.gov.uk/articles/coronavirus-covid-19-travel-advice>

<https://www.gov.scot/publications/coronavirus-covid-19-international-travel-quarantine/>

[https://gov.wales/rules-international-travel-and-wales-coronavirus.\]](https://gov.wales/rules-international-travel-and-wales-coronavirus.)

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in response to the danger to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

Section 45B of the Public Health (Control of Disease) Act 1984 enables the Welsh Ministers, by regulations, to make provision for the purpose of (amongst other things) preventing danger to public health from “vessels, aircraft, trains or other conveyances arriving at any place”.

The regulations place a requirement on operators of international passenger services coming from outside the common travel area to an airport, heliport or seaport in Wales (“operators”) to provide passengers with certain public health information relating to the virus.

Regulation 3 imposes requirements on operators at the point of both booking and check-in. Where booking or checking in is undertaken online the regulation requires the operator to make available to passengers a link to the relevant pages of the gov.uk website and the gov.wales website. Where booking or checking in is undertaken by telephone or in person operators are required to direct the passenger to these pages.

Regulation 4 requires operators to provide the public health information statement in the Schedule to passengers while on board.

Regulation 5 provides an exception to the requirement to provide the public health information in regulations 3 and 4; it does not apply where the recipient of the information is unlikely to be capable of understanding it.

Regulation 6 creates a summary only offence of contravening the requirements to provide the public health information in regulations 3 and 4. The offence is punishable by a fine.

Regulation 6(2) provides a defence of “reasonable excuse” for an operator charged with an offence under regulation 4 (contravening a requirement to provide information to passengers whilst on board).

Regulation 7 provides that fixed penalties may be imposed on persons who are suspected of committing an offence under these Regulations as an alternative to prosecution. The penalty is £4000.

The necessity and proportionality of these Regulations must be reviewed every 21 days (regulation 9).

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has not been prepared as to the likely cost and benefit of complying with these Regulations.

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