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WELSH STATUTORY INSTRUMENTS

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**2021 No. 154 (W. 38)**

**PUBLIC HEALTH, WALES**

**The Health Protection (Coronavirus, International  
Travel) (Wales) (Amendment) (No. 3) Regulations 2021**

<i>Made</i>	- - - -	<i>13 February 2021</i>
		<i>at 2.00 p.m. on 15</i>
<i>Laid before Senedd Cymru</i>		<i>February 2021</i>
		<i>at 4.00 a.m. on 15</i>
<i>Coming into force</i>	- -	<i>February 2021</i>

The Welsh Ministers, 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(1), make the following Regulations.

**PART 1**

**General**

**Title, coming into force and interpretation**

1.—(1) The title of these Regulations is the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 3) Regulations 2021.

(2) These Regulations come into force at 4.00 a.m. on 15 February 2021.

(3) In these Regulations, the “International Travel Regulations” means the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020(2).

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(1) 1984 c. 22. Part 2A was inserted by section 129 of the Health and Social Care Act 2008 (c. 14). The function of making regulations under Part 2A is conferred on “the appropriate Minister”. Under section 45T(6) of the 1984 Act the appropriate Minister as respects Wales, is the Welsh Ministers.

(2) S.I. 2020/574 (W. 132), amended by S.I. 2020/595 (W. 136), S.I. 2020/714 (W. 160), S.I. 2020/726 (W. 163), S.I. 2020/804 (W. 177), S.I. 2020/817 (W. 179), S.I. 2020/840 (W. 185), S.I. 2020/868 (W. 190), S.I. 2020/886 (W. 196), S.I. 2020/917 (W. 205), S.I. 2020/942, S.I. 2020/944 (W. 210), S.I. 2020/962 (W. 216), S.I. 2020/981 (W. 220), S.I. 2020/1015 (W. 226), S.I. 2020/1042 (W. 231), S.I. 2020/1080 (W. 243), S.I. 2020/1098 (W. 249), S.I. 2020/1133 (W. 258), S.I. 2020/1165 (W. 263), S.I. 2020/1191 (W. 269), S.I. 2020/1223 (W. 277), S.I. 2020/1232 (W. 278), S.I. 2020/1237 (W. 279), S.I. 2020/1288 (W. 286), S.I. 2020/1329 (W. 295), S.I. 2020/1362 (W. 301), S.I. 2020/1477 (W. 316), S.I. 2020/1521 (W. 325), S.I. 2020/1602 (W. 332), S.I. 2020/1645 (W. 345), S.I. 2021/20 (W. 7), S.I. 2021/24 (W. 8), S.I. 2021/46 (W. 10), S.I. 2021/48 (W. 11), S.I. 2021/50 (W. 12), S.I. 2021/66 (W. 15) and S.I. 2021/95 (W. 26).

## PART 2

### Amendment of the International Travel Regulations relating to arrivals from non-exempt countries and territories

#### Amendment of the International Travel Regulations

2. The International Travel Regulations are amended in accordance with regulations 2 to 12.

#### Insertion of Part 2B of the International Travel Regulations

3. After Part 2A (notification of a negative test result etc.) of the International Travel Regulations insert—

### “Part 2B

#### Mandatory testing requirements

##### Requirement to arrange tests before arriving in Wales

**6B.**—(1) This regulation and regulation 6C apply to a person (“P”) aged 5 or over who is subject to an isolation requirement under regulation 7 (requirement to isolate: arrivals from outside the United Kingdom) or 8 (requirement to isolate: arrivals from another part of the United Kingdom).

(2) In this Part—

- (a) a “day 2 test” is a test complying with paragraph 1 of Schedule 1C;
- (b) a “day 8 test” is a test complying with paragraph 2 of Schedule 1C;
- (c) a “public test provider” is a person who provides or administers a test exercising powers under the National Health Service (Wales) Act 2006<sup>(3)</sup>, the National Health Services Act 2006<sup>(4)</sup>, the National Health Service (Scotland) Act 1978<sup>(5)</sup>, or the Health and Personal Social Services (Northern Ireland) Order 1972<sup>(6)</sup>.

(3) Before arriving in Wales, P must arrange with a public test provider to take—

- (a) a day 2 test, and
- (b) a day 8 test,

after P’s arrival in Wales.

(4) But P is not required to comply with paragraph (3) if another person has arranged the tests on P’s behalf before P’s arrival in Wales.

(5) Where P is a child who arrives in Wales with a person (“R”) who has responsibility for P—

- (a) (unless paragraph (4) applies to P) R must arrange tests in accordance with paragraph (3) on behalf of P, and
- (b) P is not required to comply with paragraph (3).

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(3) 2006 c. 42.

(4) 2006 c. 41.

(5) 1978 c. 29.

(6) S.I. 1972/1265 (N.I. 14).

(6) A test is not to be treated as having been arranged in accordance with this regulation unless—

- (a) the person arranging the test notified the public test provider that the tests were being arranged for the purposes of this regulation, and
- (b) the information specified in Schedule 1B was provided to the public test provider in relation to P.

(7) When the tests are arranged, the public test provider must provide a test reference number—

- (a) to P, and
- (b) to any person who arranges tests on P's behalf.

(8) If requested by an immigration officer to do so, P, or R if P is a child, must provide the officer with the test reference number or other evidence that the tests have been arranged on P's behalf.

#### **Requirement to take tests**

**6C.**—(1) Upon arrival in Wales, P must take—

- (a) a day 2 test, administered by a public test provider, no later than the end of the second day after the day on which P arrives in Wales, and
- (b) a day 8 test, administered by a public test provider, no earlier than the end of the seventh day after the day on which P arrives in Wales.

(2) But paragraph (1)(b) does not apply where P's day 2 test generates a positive result.

(3) Where P is a child, any person who has responsibility for P must, so far as reasonably practicable, ensure that P complies with paragraph (1).

(4) Where P does not take a day 2 test as required by this regulation by reason of having a reasonable excuse, P must, as soon as practicable after the matters giving rise to the reasonable excuse no longer apply, take a replacement test that complies with the requirements for a day 2 test.

(5) Where a replacement test is taken instead of a day 2 test, P is to be treated as if P had taken a day 2 test in accordance with this regulation.

#### **Requirement to isolate on failure to take tests**

**6D.**—(1) This regulation applies where a person ("P")—

- (a) fails to take a day 2 test in accordance with regulation 6C(1)(a) and fails to take a day 8 test in accordance with regulation 6C(1)(b), or
- (b) takes a day 2 test in accordance with regulation 6C(1)(a) (which is negative or inconclusive) but fails to take a day 8 test in accordance with regulation 6C(1)(b).

(2) The last day of P's isolation under regulation 7 or 8 is the last day of the period of 14 days beginning with the day after the day on which P was last in a non-exempt country or territory (and regulation 12 does not apply for the purposes of determining the last day of P's isolation).

(3) But where P takes a test to which paragraph (4) applies and—

- (a) the result is positive, regulation 6E applies as if the test had been undertaken in accordance with regulation 6C;
- (b) the result is negative, regulation 6G applies as if—

- (i) P had taken a day 2 test and a day 8 test in accordance with regulation 6C(1), and
  - (ii) both tests were negative.
- (4) This paragraph applies to a day 8 test that is taken—
- (a) before the end of P’s isolation period as it would have been determined under regulation 12 if paragraph (1) did not apply, but
  - (b) before than the end of the seventh day after the day on which P arrives in Wales.

#### **Consequences of positive test result**

- 6E.** Where a test taken by a person (“P”) in accordance with regulation 6C is positive—
- (a) regulation 10(3) (isolation requirement ceasing to apply to P when P leaves Wales) and, subject to regulation 6I, regulation 6 or 7, as appropriate, of the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020(7) do not apply in relation to P, and
  - (b) the last day of P’s isolation under regulation 7 or 8 is the last day of the period of 10 days beginning with the day on which P took the test (and regulation 12 does not apply for the purposes of determining the last day of P’s isolation).

#### **Consequences of positive result for person residing in same premises**

- 6F.**—(1) This regulation applies where a test taken by a person (“P”) in accordance with regulation 6C is positive and P resides with another person (“A”)—
- (a) who is under a requirement to isolate under regulation 7 or 8, and
  - (b) whose last day of isolation period would, if it were not for this regulation, be determined in accordance with regulation 12.
- (2) The last day of A’s isolation under regulation 7 or 8 is the last day of the period of 10 days beginning with the day on which P took the test (and regulation 12 does not apply for the purposes of determining the last day of A’s isolation).
- (3) But this does not apply where—
- (a) the positive test referred to in paragraph (1)(b) is a day 8 test taken by P in accordance with regulation 6C(1)(b), and
  - (b) A received a positive result to a day 2 test that A took in accordance with regulation 6C(1)(a).

#### **Consequences of not receiving result of day 8 test before end of isolation period**

- 6G.**—(1) This regulation applies where a person (“P”)—
- (a) takes a day 2 test and a day 8 test in accordance with regulation 6C(1),
  - (b) receives a negative result to the day 2 test, and
  - (c) has not received a result to the day 8 test before the end of the last day of P’s isolation under regulation 7 or 8 (as determined under regulation 12).
- (2) If the result of P’s day 8 test is negative, the last day of P’s isolation under regulation 7 or 8 is the day on which P receives the result of the day 8 test (and regulation 12 does not apply for the purposes of determining the last day of P’s isolation).

### **Consequences of receiving inconclusive test result**

**6H.**—(1) Where the result of a test taken by a person (“P”) in accordance with regulation 6C is inconclusive, the last day of P’s isolation under regulation 7 or 8 is determined in accordance with paragraph (2) (and regulation 12 does not apply for the purposes of determining the last day of P’s isolation).

- (2) The last day of P’s isolation is—
- (a) the last day of the period of 10 days beginning with the day P took the test, or
  - (b) where P takes a test to which paragraph (4) applies and the result of the test is negative, the later of—
    - (i) the last day of the period of 10 days beginning with the day after the day on which P was last in a non-exempt country or territory, or
    - (ii) the day on which P receives the negative result, or
  - (c) where P takes a test to which paragraph (4) applies and the result of the test is positive, the last day of the period of 10 days beginning with the day P took the test.

(3) Where paragraph (2)(c) applies, P is not required to take a day 8 test in accordance with regulation 6C.

- (4) This paragraph applies to—
- (a) a day 8 test taken in accordance with regulation 6C(1)(b);
  - (b) a day 8 test that is taken—
    - (i) before the end of P’s isolation period as it would have been determined under regulation 12 if paragraph (1) did not apply, but
    - (ii) before than the end of the seventh day after the day on which P arrives in Wales.

### **Tests other than in accordance with these Regulations**

- 6I.**—(1) This regulation applies where—
- (a) P takes a day 2 test which is negative,
  - (b) while P is isolating in accordance with regulation 7 or 8, P subsequently takes a test other than in accordance with these Regulations, and
  - (c) P is notified that the test is positive.

(2) P ceases to be required to isolate in accordance with these Regulations, and regulation 6 or 7, as appropriate, of the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 applies in relation to P.

### **Charge for tests**

**6J.**—(1) The Welsh Ministers or a person designated by the Welsh Ministers may impose a charge in respect of day 2 tests or day 8 tests.

- (2) The Welsh Ministers—
- (a) must publish details of the charges in a way they consider to be appropriate, and
  - (b) may recover any sum owed by a person pursuant to a charge as a debt.”

## Insertion of Schedules 1B and 1C

4. After Schedule 1A (testing before arrival in Wales) to the International Travel Regulations insert—

“Schedule 1B

Regulation 6B

### Booking information

#### **Booking information**

1. Personal details—

- (a) full name;
- (b) sex;
- (c) ethnicity;
- (d) date of birth;
- (e) passport number, or travel document reference number (as appropriate);
- (f) NHS number (if known and applicable);
- (g) telephone number;
- (h) home address;
- (i) email address.

2. Journey details—

- (a) the address of the suitable premises at which P intends to reside as required by regulation 7 or 8;
- (b) the date of arrival in the United Kingdom;
- (c) coach number;
- (d) flight number of vessel name;
- (e) the date on which P was last in a non-exempt country or territory;
- (f) the country or territory P will be travelling from when P arrives in the United Kingdom, and any country or territory P will have been in as part of that journey.

Schedule 1C

Regulation 6B

### Mandatory testing after arrival in Wales

#### **Day 2 test requirements**

1. A day 2 test complies with this paragraph where—

- (a) it is a semi-quantitative test for the detection of coronavirus which—
  - (i) targets a minimum of two distinguishable SARS-CoV-2 genes other than the S gene and performance reference controls,
  - (ii) includes routine in silico assurance against every variant of concern, and
  - (iii) produces a test solution that provides extracted nucleic acid that is suitable for whole genome sequencing using a specified method,

- (b) the manufacturer of any device used for the purposes of the test states that the device—
  - (i) uses an established molecular detection method,
  - (ii) has a specificity and a sensitivity greater than 99% (with a 95% two-sided confidence interval entirely above 97%),
  - (iii) has a limit of detection of less than or equal to 1000 SARS-CoV-2 copies per millilitre, and
  - (iv) is suitable for identifying every variant of concern, and
- (c) any device used for the purposes of the test—
  - (i) can be put into service in accordance with Part 4 of the Medical Devices Regulations 2002(8), other than solely by virtue of regulation 39(2) of those Regulations, and
  - (ii) has been validated no more than 18 months before the test is administered or provided to P.

#### **Day 8 test requirements**

- 2. A day 8 test complies with this paragraph where—
  - (a) it is a semi-quantitative test for the detection of coronavirus which targets a minimum of two distinguishable SARS-CoV-2 genes other than the S gene and performance reference controls,
  - (b) the manufacturer of any device used for the purposes of the test states that the device—
    - (i) uses an extracted molecular method,
    - (ii) has a specificity and a sensitivity greater than 95% (with a 95% two-sided confidence interval entirely above 90%), and
    - (iii) has a limit of detection of less than or equal to 1000 SARS-CoV-2 copies per millilitre, and
  - (c) any device used for the purposes of the test—
    - (i) can be put into service in accordance with Part 4 of the Medical Devices Regulations 2002, other than solely by virtue of regulation 39(2) of those Regulations, and
    - (ii) has been validated no more than 18 months before the test is administered or provided to P.

#### **Interpretation**

- 3. In this Schedule—
  - (a) “specified method” means a targeted sequence method specific to SARS-CoV-2 or an equivalent—
    - (i) amplicon method, or
    - (ii) sequence bait capture method;
  - (b) “validated”, in relation to a device, means confirmed as having a sensitivity of at least 97% and a specificity of at least 99% for at least 150 positive samples and 250 negative samples, by—
    - (i) the Welsh Ministers,

- (ii) the National Institute for Health and Care Excellence, or
- (iii) a laboratory which is accredited by the United Kingdom Accreditation Service (“UKAS”) to ISO standard 15189 or ISO/IEC standard 17025, other than a laboratory which processes tests provided by the test provider for the purposes of this Schedule or is owned by the test provider;
- (c) “variant of concern” means a variant of SARS-CoV-2 identified in a designation made by the relevant expert UK Group (currently NERVTAG) for the purposes of these Regulations and published in a way that the Welsh Ministers consider to be appropriate.”

### PART 3

#### Amendment of the International Travel Regulations relating to arrivals from a country or territory listed in Schedule 3A to the International Travel Regulations

##### **Amendment of regulation 9**

5. In regulation 9(2) (isolation requirements: exemptions) of the International Travel Regulations, after sub-paragraph (b) insert—

- “(c) a person described in regulation 12E(2) (additional measures applicable to persons travelling from a country or territory listed in Schedule 3A).”

##### **Amendment of regulation 12E**

6.—(1) Regulation 12E (additional measures applicable to persons travelling from a country or territory listed in Schedule 3A) of the International Travel Regulations is amended as follows.

(2) For paragraphs (1) to (9) substitute—

“(1) A person (“P”) may not enter Wales if P has been in a country or territory listed in Schedule 3A at any time in the period beginning with the 10th day before the date of P’s arrival in Wales.

(2) But paragraph (1) does not apply where P is—

- (a) a person described in paragraph 1(1)(a) to (h) or (k) of Schedule 2 or a member of the family forming part of their household;
- (b) a person described in paragraph 1(1)(i) or (j) of Schedule 2 where the conditions in paragraph (3) are met;
- (c) a member of the family forming part of the household of a person to whom sub-paragraph (b) applies, where—
  - (i) the conditions in paragraph (3) are met in relation to that person,
  - (ii) the Foreign, Commonwealth and Development Office has been notified of P’s arrival, and
  - (iii) the Foreign Commonwealth and Development Office has confirmed that paragraph (1) should not apply to P;
- (d) a person described in the following paragraphs of Schedule 2—
  - (i) paragraphs 2 to 5;
  - (ii) paragraph 6 unless P has at any time during the period beginning with the 10th day before the date of P’s arrival in Wales been in a country or territory listed in Schedule 3A apart from The Azores, Madeira or Portugal;



(iii) paragraph 13 or 13A;

(iv) paragraph 15 or 16.

(3) The conditions specified in this paragraph are that, prior to P's departure to the United Kingdom—

(a) the relevant head of the mission, consular post, or office representing a foreign territory in the United Kingdom, or a Governor of a British overseas territory (as the case may be), or a person acting on their authority, confirms in writing to the Foreign, Commonwealth and Development Office that P is required to undertake work which is essential to the foreign country represented by the mission or consular post, the foreign territory represented by the office or the British overseas territory, and

(b) the Foreign, Commonwealth and Development Office has then confirmed in writing to the person giving the confirmation referred to in sub-paragraph (a) that—

(i) it has received that confirmation, and

(ii) P is travelling to the United Kingdom to conduct official business with the United Kingdom and is not required to comply with paragraph (1).

(4) Where a word or expression is defined for the purposes of Schedule 2 and is used in this regulation, the same definition applies for the purposes of this regulation.”

#### **Amendment of regulation 12F**

7. In regulation 12F(2) (prohibition on the arrival of aircraft and vessels travelling directly from a country or territory listed in Schedule 3A) of the International Travel Regulations, insert the following after sub-paragraph (c)—

“(d) an aircraft or vessel which is operated by or in support of a foreign country or territory where, prior to its arrival in Wales, a Government Department has provided written confirmation to the operator that the aircraft or vessel is carrying passengers who are travelling to conduct official business with the United Kingdom.”

## **PART 4**

### **Miscellaneous amendments to the International Travel Regulations relating to Parts 2 and 3 of these Regulations**

#### **Amendment to regulation 14**

8. Regulation 14 (offences) is amended as follows—

(a) in paragraph (1)—

(i) in sub-paragraph (f), omit “or”;

(ii) in sub-paragraph (g), for “12D(1)” substitute “12E”;

(iii) after sub-paragraph (g) insert—

“(h) 6B and 6C, or

(i) 6D.”;

(b) after paragraph (1A) insert—

“(1B) But a person does not commit an offence if they have a reasonable excuse for contravening regulation 6B or 6C.

(1C) For the purposes of regulation 6B a reasonable excuse includes, in particular, where—

- (a) it was not reasonably practicable for a person to book a test due to a disability;
- (b) a person reasonably considered before arriving in Wales that it would not be reasonably practicable for the person (or, as the case may be, the child for whom the person has responsibility) to provide a sample for a test due to a disability;
- (c) a person required medical treatment with such urgency that booking a test was not reasonably practicable;
- (d) a person was accompanying, in order to provide support, whether medical or otherwise, a person described in sub-paragraph (a) or (c) where it was not reasonably practicable for the accompanying person to book a test;
- (e) a person began their journey to Wales in a country or territory in which the person did not have reasonable access to the facilities or services required to book a test, with or without payment, and such facilities or services were not reasonably accessible in their last point of departure if this was different to where they began their journey.

(1D) For the purposes of regulation 6C, a reasonable excuse includes, in particular, where—

- (a) it is not reasonably practicable for P to undertake a test due to a disability;
- (b) P requires medical treatment with such urgency that undertaking a test is not reasonably practicable;
- (c) a test is cancelled for reasons beyond P’s control.”

### **Amendment to regulation 16**

9. In regulation 16 (fixed penalty notices)—

(a) after paragraph (6)(aa) insert—

“(ab) of contravening a requirement imposed by regulation 6D,”;

(b) after paragraph (6A) insert—

“(6AA) Where the fixed penalty notice is issued to a person in respect of an offence described in regulation 14(1)(g), then the amount specified under paragraph (5)(c) must be £10,000.

(6AB) Where the fixed penalty notice is issued to a person in respect of an offence described in regulation 14(1)(h), then the amount specified under paragraph (5)(c) must be—

- (a) in the case of a fixed penalty notice issued in respect of a failure to arrange tests in accordance with regulation 6B(3) or (5), £1,000;
- (b) in the case of the first fixed penalty notice issued in respect of a failure to take a test in accordance with regulation 6C(1) or (3), £1,000;
- (c) in the case of the second fixed penalty notice issued in respect of a failure to take a test in accordance with regulation 6C(1) or (3), £2,000.”;

(c) in paragraph (7), at the beginning insert “Subject to paragraph (7A),”;

(d) after paragraph (7) insert—

“(7A) Where a fixed penalty notice is issued to a person in respect of an offence—

- (a) under regulation 14(2), and
  - (b) it relates to that person's travel history to a country or territory listed in Schedule 3A,
- the amount specified under paragraph (5)(c) must be £10,000.”

#### **Amendment to regulation 17**

**10.** In regulation 17 (use and disclosure of information)—

(a) in paragraph (2), after sub-paragraph (a)(ii) insert—

“(iii) where a person arranges a test under regulation 6B or takes a test under regulation 6C—

- (aa) information generated where the person arranges or takes a test;
- (bb) information obtained by a public test provider (within the meaning given by regulation 6B(2)(c)) under regulation 6B(6);
- (cc) the results of a test;
- (dd) information recorded by a public test provider in the course of administering a test taken in accordance with regulation 6C (including confirmation that the test was taken, details of when and where it was taken, any reasons for a test not being taken and the details of any replacement test to be taken);

(iv) information provided to an immigration officer pursuant to regulation 6B(8);

(v) where a sample taken in respect of a day 2 test under regulation 6C has been sequenced, the sorted BAM file relating to that sample containing all reads aligning to the SARS-CoV-2 reference genome with unaligned and human reads removed;”;

(b) in paragraph (3), after sub-paragraph (b) insert—

“(c) a public test provider;

(d) an immigration officer.”

#### **Amendment to regulation 18**

**11.** Regulation 18 (self-incrimination) is amended as follows—

(a) in paragraph (2), after “in” insert “such”;

(b) omit “other than for an offence under these Regulations or section of the Perjury Act 1911(false statements made otherwise than on oath)”;

(c) after paragraph (2) insert—

“(2A) Paragraph (2) does not apply if the proceedings are for—

- (a) an offence under these Regulations,
- (b) an offence under section 5 of the Perjury Act 1911<sup>(9)</sup> (false statements made otherwise than on oath),
- (c) an offence under section 1 of the Fraud Act 2006<sup>(10)</sup> (fraud), or

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<sup>(9)</sup> 1911 c. 6. Section 5 was amended by section 1(2) of the Criminal Justice Act 1948 (c. 58).

<sup>(10)</sup> 2006 c. 35.

- (d) an offence under section 2 or 3 of the Forgery and Counterfeiting Act 1981(11) (offence of copying or using a false instrument).”

#### **Amendment to Schedule 1**

12. In Schedule 1 (passenger information), after paragraph 2 insert—

- “3. Where regulation 6B requires a day 2 test and a day 8 test to be arranged—
- (a) the name of the provider of the tests, and
  - (b) the reference number for the tests provided to them by the test provider in accordance with regulation 6B(7).”

### **PART 5**

#### **Amendments to Schedule 2 to the International Travel Regulations**

##### **Amendments to Schedule 2 (exempt persons)**

13.—(1) Schedule 2 to the International Travel Regulations (exempt persons) is amended as follows.

(2) In Part 1 of Schedule 2, after paragraph 4 insert—

“5. A person who, on arrival in the United Kingdom, passes through to another country or territory without entering the United Kingdom.”

(3) In Part 2 of Schedule 2, omit paragraphs 5, 12, 17 to 35, 38 and 39.

(4) In paragraph 36 of Schedule 2, after sub-paragraph (b) insert “where that activity cannot reasonably be undertaken at home.”

### **PART 6**

#### **Insertion of new Schedule 5 to the International Travel Regulations and amendments to regulation 10 of the International Travel Regulations**

##### **Insertion of Schedule 5 to the International Travel Regulations (sectoral exceptions)**

14. After Schedule 4 to the International Travel Regulations (specified sporting events) insert—

“SCHEDULE 5

Regulation 10(4)(m)

##### **Sectoral Exceptions**

1.—(1) A worker engaged in essential or emergency works—

- (a) related to water supplies and sewerage services, and
- (b) carried out by, for, or on behalf of a water undertaker, sewerage undertaker, water supply licensee, sewerage licensee or local authority,

where the worker has travelled to the United Kingdom in the course of the work.

(2) For the purposes of sub-paragraph (1)—

- (a) “essential or emergency works” includes—
  - (i) inspections, maintenance, repairs, and asset replacement activities;
  - (ii) monitoring, sampling and analysis of water supplies under the Private Water Supplies (Wales) Regulations 2017<sup>(12)</sup>, the Water Supply (Water Quality) Regulations 2018<sup>(13)</sup>, the Private Water Supplies (England) Regulations 2016<sup>(14)</sup> or the Water Supply (Water Quality) Regulations 2016<sup>(15)</sup>;
- (b) “sewerage licensee” means a person who is the holder of a sewerage licence under section 17BA of the Water Industry Act 1991<sup>(16)</sup>;
- (c) “sewerage services” has the meaning given in section 219(1) of the Water Industry Act 1991<sup>(17)</sup>;
- (d) “sewerage undertaker” means a company appointed as a sewerage undertaker under section 6 of the Water Industry Act 1991<sup>(18)</sup>;
- (e) “water supply licensee” has the meaning given in sections 17A(7) and 219(1) of the Water Industry Act 1991<sup>(19)</sup>;
- (f) “water undertaker” means a company appointed as a water undertaker under section 6 of the Water Industry Act 1991.

2.—(1) A worker engaged in essential or emergency works relating to flood and coastal erosion risk management on behalf of—

- (a) the Environment Agency<sup>(20)</sup>;
- (b) Natural Resources Wales<sup>(21)</sup>;
- (c) a lead local flood authority in Wales;
- (d) a lead local flood authority in England.

(2) In sub-paragraph (1), “flood and coastal erosion risk management” and “lead local flood authority” have the meaning given by the Flood and Water Management Act 2010<sup>(22)</sup>.

3. A worker engaged in essential or emergency works relating to current or former mining operations on behalf of—

- (a) the Coal Authority<sup>(23)</sup>;
- (b) a council for a county or county borough in Wales;
- (c) Natural Resources Wales.

4.—(1) A worker engaged in essential or emergency works—

- (a) related to—
  - (i) a generating station,

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<sup>(12)</sup> S.I. 2017/1041 (W.270), amended by S.I. 2018/647 (W. 121), S.I. 2019/460 (W. 110) and S.I. 2019/463 (W. 111).

<sup>(13)</sup> S.I. 2018/647 (W. 121), amended by S.I. 2019/463 (W. 111).

<sup>(14)</sup> S.I. 2016/618; relevant amending instruments are S.I. 2017/506, S.I. 2018/707 and S.I. 2019/558.

<sup>(15)</sup> S.I. 2016/614; relevant amending instruments are S.I. 2017/506, S.I. 2018/706, S.I. 2018/378, S.I. 2019/526 and S.I. 2019/558.

<sup>(16)</sup> 1991 c. 56. Section 17BA(6) was inserted by section 4(1) of the Water Act 2014 (c. 21). The reference to “sewerage licensee” was inserted in section 219(1) by paragraph 120(2)(f) of Schedule 7 to the Water Act 2014.

<sup>(17)</sup> 1991 c. 56. The definition of “sewerage services” was amended by paragraph 120 of Schedule 7 to the Water Act 2014.

<sup>(18)</sup> Section 6 was amended by section 36(2) of, and Schedule 8 to, the Water Act 2003 (c. 37), Schedule 23 to the Deregulation Act 2015 (c. 20), and Schedule 7 to the Water Act 2014.

<sup>(19)</sup> Section 17A was inserted by section 1 of the Water Act 2014.

<sup>(20)</sup> The Environment Agency is a body corporate established under section 1 of the Environment Act 1995 (c. 25).

<sup>(21)</sup> Natural Resources Wales is a body corporate established under article 3 of the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903 (W. 230)).

<sup>(22)</sup> 2010 c. 29.

<sup>(23)</sup> The Coal Authority is a body corporate established under section 1 of the Coal Industry Act 1994 (c. 21).

- (ii) an electricity interconnector,
  - (iii) a district heat network as defined in regulation 2 of the Heat Network (Metering and Billing) Regulations 2014<sup>(24)</sup>,
  - (iv) communal heating as defined in regulation 2 of the Heat Network (Metering and Billing) Regulations 2014,
  - (v) automated ballast cleaning and track relaying systems on a network, or
  - (vi) the commissioning, maintenance and repair of industrial machinery for use on a network, or
- (b) carried out by, for, or on behalf of—
- (i) the national system operator,
  - (ii) a person holding a transmission licence,
  - (iii) a person holding a distribution licence,
  - (iv) a person holding a licence under sections 7 and 7ZA of the Gas Act 1986<sup>(25)</sup>,
  - (v) a LNG import or export facility as defined in section 48 of the Gas Act 1986<sup>(26)</sup>,  
or
  - (vi) a person holding a network licence under section 8 of the Railways Act 1993<sup>(27)</sup>,
- where the worker has travelled to the United Kingdom for the purposes of the work.

(2) For the purposes of sub-paragraph (1)—

- (a) “distribution licence” means a licence granted under section 6(1)(c) of the Electricity Act 1989<sup>(28)</sup>;
- (b) “essential or emergency works” includes commissioning, inspections, maintenance, repairs, and asset replacement activities;
- (c) “national system operator” means the person operating the national transmission system for Great Britain;
- (d) “network” has the meaning given in section 83(1) of the Railways Act 1993<sup>(29)</sup>;
- (e) “transmission licence” means a licence granted under section 6(1)(b) of the Electricity Act 1989;
- (f) “electricity interconnector”, “generating station” and “transmission system” have the meanings given in section 64(1) of the Electricity Act 1989<sup>(30)</sup>.

5.—(1) A person who is—

- (a) nuclear personnel, and who is essential to the safe and secure operation of a site in respect of which a nuclear site licence has been granted,
- (b) a nuclear emergency responder, or
- (c) an agency inspector,

where the person travelled to the United Kingdom in the course of the person’s work.

(2) For the purposes of sub-paragraph (1)—

<sup>(24)</sup> S.I. 2014/3120. There are no relevant amending instruments.

<sup>(25)</sup> 1986 c. 44. Section 7ZA was inserted by section 149(6) of the Energy Act 2004.

<sup>(26)</sup> The definition was inserted by S.I. 2011/2704.

<sup>(27)</sup> 1993 c. 43.

<sup>(28)</sup> 1989 c. 29.

<sup>(29)</sup> There are amendments to section 83(1) but none is relevant.

<sup>(30)</sup> The definition of “electricity interconnector” was inserted by section 147(7) of the Energy Act 2004. The definition of “transmission system” was substituted by paragraph 15 of Schedule 19 to the 2004 Act.

- (a) “agency inspector” has the meaning given in section 1(1) of the Nuclear Safeguards Act 2000<sup>(31)</sup>;
- (b) “nuclear emergency responder” means a person providing assistance to the United Kingdom in accordance with the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency done at Vienna on 26 September 1986, who has been duly notified to and accepted by the United Kingdom, where the United Kingdom has requested assistance under that Convention;
- (c) “nuclear personnel” means—
  - (i) a worker who is employed to carry out work on or in relation to a site in respect of which a nuclear site licence has been granted, or
  - (ii) an employee of the Nuclear Decommissioning Authority<sup>(32)</sup>;
- (d) “nuclear site licence” has the meaning given in section 1 of the Nuclear Installations Act 1965<sup>(33)</sup>.

6. An inspector from the Organisation for the Prohibition of Chemical Weapons, within the meaning given to “inspector” by section 24(e) of the Chemical Weapons Act 1996<sup>(34)</sup>, who has travelled to the United Kingdom for the purposes of an inspection.

7.—(1) A person who is—

- (a) carrying out a critical function at a space site,
- (b) a spacecraft controller responsible for command and control of a launch vehicle or spacecraft for nominal operations, collision avoidance or anomalies, or
- (c) employed by, or contracted to provide services to, a person who operates or maintains space situational awareness capabilities,

where the person has travelled to the United Kingdom in the course of the work.

(2) For the purposes of sub-paragraph (1)—

- (a) “space site” has the meaning given in paragraph 5(3) of Schedule 4 to the Space Industry Act 2018<sup>(35)</sup>;
- (b) “space situational awareness capabilities” means the sensors, systems and analytical services needed to provide time-sensitive warnings of space weather events, orbital collisions, orbital fragmentations or the re-entry of man-made objects from orbit;
- (c) “spacecraft” has the meaning given in section 2(6) of the Space Industry Act 2018;
- (d) “spacecraft controller” means a person competent, authorised and responsible for maintaining the safe and secure operation of spacecraft through monitoring the status of a spacecraft, issuing manoeuvre commands or controlling other aspects of the spacecraft that influence its behaviour including its motion in space.

8.—(1) A specialist aerospace engineer, or a specialist aerospace worker, where the engineer or worker has travelled to the United Kingdom in the course of their work.

(2) For the purposes of sub-paragraph (1)—

- (a) “specialist aerospace engineer” means a person who is employed or otherwise engaged to provide engineering services for the purpose of ensuring the continued operation of

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<sup>(31)</sup> 2000 c. 5.

<sup>(32)</sup> The Nuclear Decommissioning Authority was established by section 1 of the Energy Act 2004.

<sup>(33)</sup> 1965 c. 57. Section 1 was substituted by paragraph 17 of Schedule 2 to the Energy Act 2013 (c. 32); by virtue of section 1(2), a licence described in section 1(1) is referred to as a “nuclear site licence”.

<sup>(34)</sup> 1996 c. 6.

<sup>(35)</sup> 2018 c. 5.

aviation activities (including but not limited to the provision of maintenance and repair services for production lines, aviation components, grounded aircraft and new aircraft);

- (b) “specialist aerospace worker” means a person who is employed or otherwise engaged to provide services for the purpose of ensuring safety management and quality assurance as required by relevant standards, guidance and publications on aviation safety produced by the Civil Aviation Authority or the European Union Aviation Safety Agency<sup>(36)</sup>.

**9.—(1)** A person engaged in operational, maintenance or safety activities of a downstream oil facility that has a capacity in excess of 20,000 tonnes, where—

- (a) the downstream oil facility is engaged in a specified activity carried on in the United Kingdom in the course of a business, and contributes (directly or indirectly) to the supply of crude oil based fuels to consumers in the United Kingdom or persons carrying on business in the United Kingdom, and
- (b) the activities are required to ensure continued safe operation of the facility,

where the person has travelled to the United Kingdom in the course of the person’s work.

(2) For the purposes of sub-paragraph (1)—

- (a) a facility has a capacity in excess of 20,000 tonnes at any time if it was used in the previous calendar year for the purposes of downstream oil sector activities in relation to more than that number of tonnes of oil;
- (b) “specified activities” are—
- (i) storing oil;
  - (ii) handling oil;
  - (iii) the carriage of oil by sea or inland water;
  - (iv) conveying oil by pipes;
  - (v) refining or otherwise processing oil.

**10.—(1)** A worker required to undertake or commence within the period during which they would, but for this paragraph, have been subject to an isolation requirement (within the meaning of regulation 10(2) of these Regulations)—

- (a) activities on or in relation to an offshore installation,
- (b) activities on or in relation to upstream petroleum infrastructure,
- (c) critical safety work on an offshore installation or well that is being decommissioned or preserved pending demolition or reuse, or
- (d) activities for the provision of workers, goods, materials or equipment or other essential services required to support the safe operation of the activities referred to in paragraphs (a) to (c),

where they have travelled to the United Kingdom in the course of their work.

(2) For the purposes of sub-paragraph (1)—

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<sup>(36)</sup> The Civil Aviation Authority was established under section 1(1) of the Civil Aviation Act 1971 (c. 75). That Act was replaced by a consolidating statute, the Civil Aviation Act 1982 (c. 16), section 2(1) of which provides for the continued existence of the Civil Aviation Authority. There are amendments to section 2 but none is relevant. The European Union Aviation Safety Agency was established by Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91.



- (a) “offshore installation” has the meaning given in section 44 of the Petroleum Act 1998(37);
- (b) “upstream petroleum infrastructure” has the meaning given in section 9H of the Petroleum Act 1998(38);
- (c) “well” has the meaning given in section 45A(10) of the Petroleum Act 1998(39).

**11.** A postal operator, as defined in section 27(3) of the Postal Services Act 2011(40), where the operator has travelled to the United Kingdom in the course of their work.

**12.** A worker with specialist technical skills, where those specialist technical skills are required for essential or emergency works or services (including commissioning, maintenance and repairs and safety checks) to ensure the continued production, supply, movement, manufacture, storage or preservation of goods, where the worker has travelled to the United Kingdom in the course of their work or otherwise to commence or resume their work.

**13.** A worker with specialist technical skills, where those specialist technical skills are required for essential or emergency works (including construction, commissioning, installation, maintenance, repairs and safety checks) or to fulfil contractual obligations or warranty specifications in, or in connection with, waste management facilities used for the management, sorting, treatment, recovery, or disposal of waste (including energy from waste), where the worker has travelled to the United Kingdom in the course of their work.

**14.—(1)** A person who has travelled to the United Kingdom for the purpose of transporting material which consists of, or includes, human cells or blood and which is to be used for the provision of a health service by a provider of health services.

(2) For the purposes of sub-paragraph (1)—

- (a) “blood” includes blood components;
- (b) “health service” has the meaning given by regulation 10(8).

**15.** A person who is an “inspector” within the meaning given in regulation 8(1) of the Human Medicines Regulations 2012(41) who has travelled to the United Kingdom to undertake activities in relation to their role as such a person.

**16.—(1)** A person who—

(a) has travelled to the United Kingdom to—

- (i) conduct a clinical trial within the meaning of “conducting a clinical trial” in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004(42),
- (ii) undertake such activities as are necessary or expedient to prepare for the conduct of a clinical trial, or
- (iii) carry out any necessary compliance activity in relation to a clinical trial that cannot be conducted remotely,

(b) is a “qualified person” within the meaning of regulation 43 of those Regulations, where they have travelled to the United Kingdom in order to undertake activities in relation to their role as such a person, or

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(37) 1998 c. 17. Section 44 was amended by paragraph 11 of Schedule 1 to the Energy Act 2008 (c. 32).

(38) Section 9H was substituted by section 74(2) of the Energy Act 2016 (c. 20).

(39) Section 45A was inserted by section 75(1) of the Energy Act 2008. There are amendments to section 45A(10) but none is relevant.

(40) 2011 c. 5.

(41) S.I. 2012/1916.

(42) S.I. 2004/1031, to which there are amendments not relevant to these Regulations.

(c) is a “sponsor” within the meaning given in regulation 2(1) of those Regulations of a clinical trial, or carries out the functions or duties of such a sponsor, and has travelled to the United Kingdom to undertake activities in relation to the clinical trial.

(2) For the purposes of sub-paragraph (1), “clinical trial” has the meaning given in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004.

**17.** A person who has travelled to the United Kingdom to conduct a “clinical investigation” within the meaning of the Medical Devices Regulations 2002<sup>(43)</sup>, or to undertake such activities as are necessary or expedient to prepare for the conduct of a clinical investigation or carry out any other necessary compliance activity in relation to a clinical investigation that cannot be conducted remotely.

**18.—**(1) A person who is—

- (a) a “qualified person” within the meaning of regulation 41(2) of the Human Medicines Regulations 2012<sup>(44)</sup>,
- (b) a “responsible person” within the meaning of regulation 45(1) of those Regulations, or
- (c) “an appropriately qualified person responsible for pharmacovigilance” within the meaning of regulation 182(2)(a) of those Regulations,

where the person has travelled to the United Kingdom in order to undertake activities in relation to their role as such a person.

**19.—**(1) A person who has travelled to the United Kingdom for the purposes of their work in essential infrastructure industries including—

- (a) a person involved in essential maintenance and repair of data infrastructure required to reduce and resolve outages, or in the provision of goods and services to support these activities, and
- (b) an information technology or telecommunications professional (including information technology consultant, quality analyst, software tester, systems tester, and telecommunications planner), whose expertise is required to—
  - (i) provide an essential or emergency response to threats and incidents relating to the security of any network and information system, and
  - (ii) ensure the continued operation of any network and information system.

(2) For the purposes of sub-paragraph (1), “network and information system” has the meaning in regulation 1(2) of the Network and Information Systems Regulations 2018<sup>(45)</sup>.

**20.** A person who is engaged in urgent or essential work—

- (a) that is necessary for the continued operation of—
  - (i) electronic communications networks and services as defined in section 32 of the Communications Act 2003<sup>(46)</sup>, or
  - (ii) the BBC’s broadcasting transmission network and services,
- (b) in supply chain companies that maintain the confidentiality, integrity, and availability of the electronic communications networks and services and the BBC transmission network and services,

where the person has travelled to the United Kingdom in the course of their work.

<sup>(43)</sup> S.I. 2002/618.

<sup>(44)</sup> S.I. 2012/1916.

<sup>(45)</sup> S.I. 2018/506.

<sup>(46)</sup> 2003 c. 21. The definition of “electronic communications network” was amended by S.I. 2011/1210.

- 21.—(1) A person habitually resident in the United Kingdom who—
- (a) is an elite athlete who participated in an overseas elite competition,
  - (b) provided coaching or other support to an elite athlete at an overseas elite competition,
  - (c) officiated at, or was involved in running, an overseas elite competition,
  - (d) is an elite athlete who attended an overseas training programme for the purpose of training or preparing for participation in an elite competition,
  - (e) provided coaching or other support to an elite athlete at an overseas training programme for the purpose of training or preparing that elite athlete for participation in an elite competition,

where the person has travelled to the United Kingdom to return from the overseas elite competition or the overseas training programme.

- (2) For the purposes of sub-paragraph (1)—
- (a) “elite athlete” means a person—
    - (i) who derives a living from competing in a sport,
    - (ii) who is designated as such for the purposes of these Regulations by the Sports Council for Wales,
    - (iii) who is designated as such for the purposes of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (despite the revocation of those Regulations), or
    - (iv) not falling within sub-paragraph (i), (ii) or (iii) who participates in the UEFA Champions’ league or UEFA Europa league;
  - (b) “elite competition” means a sporting competition at which any of the participants compete—
    - (i) to derive a living, or
    - (ii) to qualify for, or as part of a selection process for, the Olympics, Paralympics or Commonwealth Games;
  - (c) “overseas elite competition” means an elite competition taking place outside the United Kingdom; and a person is to be treated as having returned from such a competition if the person has within the period of 10 days ending with the person’s last day of isolation, been in a non-exempt country or territory for the purposes of such a competition.

22. A person—
- (a) who is engaged in the installation, maintenance or repair of subsea fibre optic telecommunications infrastructure,
  - (b) whose role directly supports the installation, maintenance or repair of subsea fibre optic telecommunications infrastructure,

where they have travelled to the United Kingdom in the course of their work.”

**Amendment to regulation 10 of the International Travel Regulations (isolation requirements: exceptions)**

15.—(1) Regulation 10 of the International Travel Regulations (isolation requirements: exceptions) is amended as follows.

- (2) In regulation 10(4), after sub-paragraph (k) insert—
- “(l) for the purpose of obtaining a test for coronavirus provided or administered under the National Health Service (Wales) Act 2006;

- (m) where P is a person falling within any of the paragraphs in Schedule 5, in order to travel directly to or from any place where P's presence is required for the purposes of P's work, or for the purposes of an activity to which the relevant paragraph in Schedule 5 relates (as the case may be), and when P is in attendance at that place."

## PART 7

### Miscellaneous amendments to the International Travel Regulations regarding the removal of provisions from Schedule 2 and the addition of Schedule 5

#### **Amendments to the International Travel Regulations regarding the removal of certain provisions from Schedule 2 and the addition of Schedule 5**

- 16. In regulation 3, omit paragraphs (2)(b) and (3)(f).
- 17.—(1) Regulation 6A is amended as follows.
  - (2) In paragraph (4)(a)—
    - (a) omit "12 or 28";
    - (b) after "10," insert "or".
  - (3) After paragraph (4)(c) insert—
    - "(d) a person described in paragraph 24 of Schedule 5."
- 18. In regulation 9(2)(b), for "paragraphs 2 to 39 of Schedule 2", substitute "paragraphs 2 to 16 and 36 of Schedule 2".
- 19.—(1) Regulation 10(8) is amended as follows.
  - (2) In the definition of "elite athlete", for "paragraph 38(2)(a) of Schedule 2" substitute "paragraph 31(2)(a) of Schedule 5".
  - (3) In the definition of "elite competition", for "paragraph 38(2)(b) of Schedule 2" substitute "paragraph 31(2)(b) of Schedule 5".

## PART 8

### Amendments to the list of sporting events in Schedule 4 to the International Travel Regulations

#### **Amendments to the list of specified sporting events**

- 20.—(1) Schedule 4 (specified sporting events) to the International Travel Regulations is amended as follows.
  - (2) For paragraphs 1 to 25 substitute—
    - "Betfred Super League Rugby Football League Fixtures,
    - England & Wales Cricket Board International Cricket Fixtures,
    - European Professional Club Rugby Fixtures,
    - FIH Pro League Hockey Fixtures,
    - Football Association International Fixtures,

Guinness PRO14 Rugby Football Union Fixtures,  
Matchroom – Boxing Championship Matches,  
Olympic, Paralympic and Commonwealth Games Qualification Events,  
Professional Darts Corporation – Players Championship,  
Rugby Football Union International Fixtures,  
Rugby League Challenge Cup,  
UEFA Champions League and UEFA Europa League Fixtures,  
World Snooker Tour – Shoot Out,  
Cage Warriors Trilogy Series,  
England & Wales Cricket Board – T20 Blast,  
England & Wales Cricket Board – The Rachael Heyhoe Flint Trophy,  
Matchroom – Championship League Snooker Tournament,  
International Championship Boxing – Queensberry Promotions,  
Motorsport UK – British Kart Championships,  
International Boxing Championship Matches – MTK Promotions,  
Yonex All England Open Badminton Championships,  
GB Taekwondo Fight Night I – International Taekwondo, Para Taekwondo and Karate Event,  
GB Taekwondo Fight Night II – International Taekwondo, Para Taekwondo and Karate Event,  
Curling Euro Super Series,  
Matchroom – World Pool Championship,  
Hennessy Sports – International Boxing Championship Matches,  
British Judo – British Closed Senior Invitational Competition,  
British Swimming International Meet,  
Motorsport UK – British Rallycross Championship and Support Championship,  
Professional Darts Corporation - Ladbrokes Masters,  
Professional Darts Corporation - Unibet Premier League,  
World Snooker Tour - German Masters,  
World Snooker Tour - Players Championship,  
World Snooker Tour - Welsh Open,  
Betfair Ascot Chase Day horse-racing,  
Betfair Hurdle Day horse-racing,  
Billie Jean King Cup Play-offs by BNP Paribas - Great Britain v Mexico,  
Bolton Indoor ITF Wheelchair Tennis events,  
FIG Gymnastics World Cup,  
GB Taekwondo Olympic and Paralympic Test Matches,  
Grand National Trial Day horse-racing,  
Imperial Cup meeting horse-racing,  
Lincoln Handicap meeting horse-racing,  
Matchroom - Championship League Pool,  
Matchroom - Superstars of Gymnastics,

Matchroom - World Ping Pong Masters,  
Midlands National meeting horse-racing,  
Modern Pentathlon Test Event,  
Para Powerlifting World Cup,  
Professional Darts Corporation - Challenge Tour,  
Professional Darts Corporation - Development Tour,  
Professional Darts Corporation - UK Open,  
Rugby League Betfred Championship,  
The Festival at Cheltenham horse-racing,  
Wheelchair Rugby Quad Nations,  
Women's Invitational International Football Tournament (hosted by the FA),  
World Snooker Tour - Pro Tour Series,  
World Snooker Tour - Gibraltar Open,  
World Snooker Tour - Tour Championship,  
Professional Darts Corporation - Q School,  
International Boxing - Dennis Hobson Promotions,  
Super League Triathlon Arena Games London,  
British Showjumping's Winter Classic series qualifiers,  
British Dressage - Keysoe International,  
British Eventing Elite Pathway Events,  
Manchester Squash Open 2021,  
Boxing Road to Tokyo,  
Track Cycling Nations Cup,  
Cage Warriors 120,  
Vitality Big Half,  
World Snooker Tour - Betfred World Championship (including qualifiers),  
Matchroom - World Pool Masters,  
All-Weather Finals Day horse-racing,  
Challenger Series Finals Day horse-racing,  
Aintree Grand National Meeting horse-racing,  
Craven Meeting horse-racing,  
Cheltenham April Meeting horse-racing,  
Scottish National Meeting horse-racing,  
Greenham Meeting horse-racing,  
Classic Trial Day & Jumps Finale Day horse-racing,  
Burnham Market International.”

## PART 9

### Transitional Provision

#### **Transitional provision**

**21.** Nothing in these Regulations applies in relation to a person who arrived in Wales before 15 February 2021.

13 February 2021

*Vaughan Gething*  
Minister for Health and Social Services, one of  
the Welsh Ministers

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020 (S.I. 2020/574 (W. 132)) (the “International Travel Regulations”).

The International Travel Regulations impose requirements on persons entering Wales after having been abroad. They include a requirement for persons arriving in Wales to isolate for a period determined in accordance with those Regulations.

The requirements imposed by the International Travel Regulations are subject to exceptions, and certain categories of person are exempt from having to comply.

Part 2 of these Regulations introduces mandatory testing requirements in respect of coronavirus for all travellers to Wales from non-exempt countries or territories. Regulation 2 inserts a new Part 2B in which regulation 6B requires arrivals from non-exempt countries and territories to book and pay for tests to be taken on day 2 and day 8 after arrival in Wales. Regulation 6C requires tests to be undertaken on day 2 and day 8 after arrival in Wales and in the event of a failure to take a test regulation 6D requires travellers to isolate for 14 days. Regulation 6E provides for the period of isolation in the event of a positive test result. Part 2B introduces Schedule 1B (booking information) outline the booking information required of passengers as part of the test arrangement provisions in regulation 6B. Schedule 1C (mandatory testing after arrival in Wales) is also inserted to make provision for the technical requirements and standards of the day 2 and day 8 tests.

Part 3 of these Regulations makes various amendments to the International Travel Regulations imposing additional measure relating to arrivals from a country or territory listed in Schedule 3A. Regulation 12E is amended to make provision for the prohibiting from entering into Wales of non-exempt persons who have been in a Schedule 3A country within the last 10 days of arrival.

Part 4 of these Regulations makes miscellaneous amendments to the International Travel Regulations resulting from the amendments made by Parts 2 and 3 of these Regulations. Regulation 14 is amended to make provision for offences for breaches of the requirements of these Regulations. Regulation 16 is amended to specify fixed penalty notices values for offences for providing false/misleading information relating to travel from a country or territory listed in Schedule 3, for failure to have a test booked on arrival, for a failure to undertake mandatory test and for breaches of the requirement in regulation 12E. Regulation 17 of the International Travel Regulations, regarding the use and disclosure of information, is amended to make further provision on the meaning of “Welsh Passenger Information” in relation to those required to isolate. Regulation 18 regarding ‘self-incrimination’ is amended to provide for offences under the Fraud Act 2006 and the Forgery and Counterfeiting Act 1981 in relation to the provision of this information under the International Travel Regulations.

Part 5 of these Regulations amends Schedule 2 (exempt persons) to the International Travel Regulations, which exempts certain categories of worker from having to isolate, or in certain circumstances, provide passenger information. Regulation 14 amends Part 1 of Schedule 2 to insert a provision exempting those in transit through the United Kingdom from both the requirement to isolate and to provide passenger information. It also amends Part 2 of Schedule 2 to remove paragraphs 5, 12, 17 to 35, 38 and 39 of Schedule 2 to the International Travel Regulations.

Part 6 of these Regulations creates new exceptions from the requirements to isolate pursuant to regulations 7 and 8 of the International Travel Regulations. Regulation 15 inserts a new Schedule 5 to the International Travel Regulations (sectoral exceptions). Regulation 4 amends regulation 10(4)



of the International Travel Regulations (isolation requirements: exceptions) in two ways. Firstly, to permit people to leave their isolation premises for the purpose of obtaining a test for coronavirus. Secondly, to provide that the categories of workers listed in new Schedule 5 are permitted to leave their isolation premises in order to carry out their work where they are unable to do so from home.

Part 7 of these Regulations makes miscellaneous consequential amendments to the International Travel Regulations in relation to the removal of Channel Tunnel workers from the Schedule 2 list of exempt persons and makes minor changes to Schedule 5 to those Regulations.

Part 8 of these Regulations amends Schedule 4 to the International Travel Regulations (specified sporting events). Regulation 9 replaces the existing list of sporting events with an updated list.

Part 9 of these Regulations makes transitional provision in relation to these Regulations.

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.