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PUBLIC HEALTH, ENGLAND

The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021

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(4) For the purposes of these Regulations a person is not treated as having been in a country or territory if—

- (a) the person has only been on a vessel which has been in the territorial waters of that country or territory;
- (b) the person did not disembark from that vessel while it was in the territorial waters of that country or territory;
- (c) that vessel did not moor at a port in that country or territory; and
- (d) no passenger was permitted to be taken on board that vessel while it was in the territorial waters of that country or territory.

(5) Schedule 4 (exemptions) describes categories of person who are exempt from certain requirements in accordance with these Regulations.

PART 2

Requirements on persons arriving in England

Requirement on passengers to provide information

3.—(1) A person who arrives in England from a country or territory outside the common travel area must, subject to paragraph (2), provide on the Passenger Locator Form the information set out in Schedule 6 (“passenger information”) on their arrival.

(2) A person who presents at immigration control at the Channel Tunnel shuttle terminal area in France^(a), with the intention of boarding a shuttle service destined for the United Kingdom, must provide on the Passenger Locator Form their passenger information on so presenting.

(3) Subject to paragraph (4), a person who arrives in England from within the common travel area who has been in a country or territory outside the common travel area at any time in the period beginning with the 10th day before the date of their arrival in England must provide on the Passenger Locator Form their passenger information on their arrival.

(4) Paragraph (3) does not apply to a person who arrives in England from Scotland, Wales or Northern Ireland and who has completed a form equivalent to a Passenger Locator Form pursuant to an enactment in Scotland, Wales or Northern Ireland, specifying—

- (a) in the case of a person who is required to comply with regulation 9 (category 2 and category 3 arrivals), an address in England where that person intends to self-isolate; or
- (b) in the case of any other person, an address in England where that person intends to stay during the period of 10 days beginning on the day after the date of their arrival in the United Kingdom.

(5) A person who is travelling with a child for whom they have responsibility, must ensure that passenger information is provided in relation to that child on the Passenger Locator Form—

- (a) on their arrival in England, in the case of a person described in paragraph (1) or (3); or
- (b) when they present at immigration control, in the case of a person described in paragraph (2).

(6) A person described in any of paragraphs (1) to (3) who provides their passenger information, and any passenger information required by virtue of paragraph (5), on the Passenger Locator Form in the 48 hours before they are required to do so, is treated as having complied with those paragraphs (as applicable).

(a) Article 4(1) of the Channel Tunnel (International Arrangements) Order 1993 (S.I. 1993/1813) has the effect of extending all frontier control enactments to the control zone in France. A “frontier control enactment” is an enactment which contains provision relating to frontier controls and the definition of “frontier controls” in Schedule 1 to that Order includes controls in relation to health. The Public Health (Control of Disease) Act 1984 and these Regulations made under it therefore apply in the control zone.

- (6) The following persons are not required to comply with this regulation—
- a child who is under the age of 11;
 - a person described in paragraph 2, 3, 4, 6, 7, 8, 9, 10, 13, 14, 15 or 34 of Schedule 4 (exemptions);
 - a person described in any sub-paragraph of paragraph 3(1) of Schedule 7 (testing before arrival in England).
- (7) For the purposes of this regulation—
- a test is a qualifying test if it complies with paragraph 1 of Schedule 7;
 - a notification of a negative result is valid if it includes the information specified in paragraph 2 of Schedule 7;
 - a child is to be treated as possessing valid notification of a negative result from a qualifying test taken by that child even if that notification is possessed by a person who is travelling with, and has responsibility for, that child.

Requirements relating to tests

- 5.**—(1) Except as provided in paragraph (6) and subject to the provisions relating to length of stay in paragraph (1) of regulation 6 (requirement to book and undertake tests), regulation 6 applies to a person who arrives in England who—
- is a category 1 arrival, other than a person of the description in paragraph (4);
 - is required to self-isolate under—
 - regulation 9 (requirement to self-isolate), or
 - Schedule 11 (additional measures applicable to arrivals from category 3 countries and territories);
 - is not required to self-isolate under regulation 9 only by virtue of one or more of the following paragraphs of Schedule 4 (exemptions)—
 - paragraph 1(1)(i) (representatives of foreign countries or territories on official business),
 - paragraph 1(1)(j) (representatives of government of British overseas territory),
 - paragraph 4 (foreign officials or contractors with border security duties),
 - paragraph 5 (road passenger transport workers),
 - paragraph 14 (civil aviation inspectors),
 - paragraph 16 (certain Crown Servants, persons certified as returning from essential state business etc.),
 - paragraph 17 (essential or emergency work outside the United Kingdom), or
 - paragraph 30 (postal operators);
 - falls within the description in paragraph 44 (elite sportspersons and ancillary sportspersons) of Schedule 4; or
 - may temporarily cease to self-isolate by virtue of paragraph (15)(f)(ii) or (15)(i) of regulation 9 and the following paragraphs of Schedule 4—
 - paragraph 4 (foreign officials with border security duties),
 - paragraph 5 (road passenger transport workers),
 - paragraph 14 (civil aviation inspectors),
 - paragraph 21 (water and sewerage workers),
 - paragraph 22 (flood and coastal defence workers),
 - paragraph 23 (electricity workers),
 - paragraph 24 (nuclear power workers),

- (viii) paragraph 25 (chemical weapons inspectors),
- (ix) paragraph 26 (space workers),
- (x) paragraph 28 (oil workers),
- (xi) paragraph 29 (offshore oil and gas workers) unless paragraph (4) applies to the person,
- (xii) paragraph 31 (specialist technical workers),
- (xiii) paragraph 32 (specialist waste management workers),
- (xiv) paragraph 35 (medicines inspectors),
- (xv) paragraph 36 (clinical trial conductors),
- (xvi) paragraph 37 (clinical investigators),
- (xvii) paragraph 38 (medical and veterinary specialists),
- (xviii) paragraph 39 (infrastructure workers), or
- (xix) paragraph 40 (communications operation workers).

(2) In paragraph (1)(b), the reference to persons required to self-isolate under regulation 9 does not include anyone who may temporarily cease to self-isolate by virtue of regulation 9(15)(f)(ii), (15)(g)(ii), or (15)(i) (and accordingly regulation 6 does not apply to such persons).

(3) Regulation 7 (requirement to undertake workforce tests) applies to a person who is not required to self-isolate under regulation 9 by virtue of any sub-paragraph of regulation 9(15) and the following paragraphs of Schedule 4, or who may temporarily cease to self-isolate or whose obligation to self-isolate under that regulation is otherwise modified by virtue of those provisions—

- (a) paragraph 2 (UK officials with border security duties);
- (b) paragraph 3 (officials involved in essential defence activities);
- (c) paragraph 6 (seamen and masters) other than seamen and masters of fishing vessels within the meaning of the Merchant Shipping Act 1995(a);
- (d) paragraph 7 (pilots);
- (e) paragraph 8 (inspectors and surveyors of ships);
- (f) paragraph 9 (aircraft crew and pilots);
- (g) paragraph 10 (international rail crew, passenger and freight operators);
- (h) paragraph 13 (road haulage workers);
- (i) paragraph 15 (Channel Tunnel system workers);
- (j) paragraph 18 (repatriated prisoners);
- (k) paragraph 19 (international prison escorts);
- (l) paragraph 27 (aerospace engineers and aerospace workers);
- (m) paragraph 34 (persons transporting human blood etc.); or
- (n) paragraph 43 (seasonal agricultural workers).

(4) Regulation 7 also applies to a category 1 arrival who would have been a person to whom paragraph (3) applied if that person had arrived from a category 2 country or territory.

(5) Regulation 8 (test requirements: offshore installation workers) applies to a worker who falls within the description in paragraph 29(1)(a) of Schedule 4 who arrives in England and is required to undertake or commence activities on an offshore installation, including critical safety work on an offshore installation.

(a) 1995 c. 21.

Test requirements: offshore installation workers

8.—(1) This regulation applies to a person (“P”) to whom regulation 5(4) applies.

(2) P must undertake a day 2 test after arriving in England but before P departs to the offshore installation.

(3) If P intends to depart to the offshore installation before P has received the result of the day 2 test undertaken pursuant to paragraph (2), P must also take a workforce test before P departs to the offshore installation.

(4) If a workforce test undertaken pursuant to paragraph (3) generates a positive result P must self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until P has received the result of the day 2 test undertaken pursuant to paragraph (2).

(5) If the day 2 test undertaken pursuant to paragraph (2) generates a positive result P must self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until the end of the 10th day after P undertook that test.

(6) If the day 2 test undertaken pursuant to paragraph (2) generates a negative result, from the time that P is notified of that result, P is no longer subject to any requirement to self-isolate by virtue of paragraph (4).

(7) Subject to paragraph (8), while P is on an offshore installation, P must undertake a workforce test before the end of the third day following the day P arrives on the installation and then within each successive 3 day period within 3 days of the test most recently taken.

(8) P is not required to undertake any workforce test after the 10th day after the day P arrived in England.

(9) If a workforce test undertaken pursuant to paragraph (7) generates a positive result, P must—

- (a) undertake a day 2 test as soon as reasonably practicable; and
- (b) self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until the earlier of—
 - (i) the time P is notified of the result of the day 2 test undertaken pursuant to subparagraph (a), or
 - (ii) the end of the 10th day after the day P arrived in England.

(10) If a day 2 test undertaken pursuant to paragraph (9)(a) generates a positive result, P must self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until the 10th day after the day P undertook that test.

(11) If a day 2 test undertaken pursuant to paragraph (9)(a) generates a negative result, from the time that P is notified of that result P is no longer subject to any requirement to self-isolate by virtue of paragraph (9)(b).

(12) If P returns to England from the offshore installation on or before the 8th day after the day P arrived in England, P must undertake a day 8 test on, or as soon as reasonably practicable after, the 8th day after P the day arrived in England.

(13) If the day 8 test undertaken pursuant to paragraph (12) generates a positive result, P must self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until the end of the 10th day after P undertook that test.

(14) In this regulation—

“day 2 test” has the same meaning as in regulation 6(12)(a);

“day 8 test” has the same meaning as in regulation 6(12)(b);

“offshore installation” has the same meaning as in paragraph 29 of Schedule 4;

“workforce test” has the same meaning as in regulation 7(6)(b).

(iv) in the goods vehicle or a hotel, hostel or bed and breakfast accommodation while not undertaking the work described in that paragraph if P is travelling with another person in a goods vehicle with a sleeper cab.

(4) The address specified by P in the Passenger Locator Form pursuant to paragraph 2(a) of Schedule 6 must be—

- (a) their home;
- (b) the home of a friend or family member;
- (c) a hotel, hostel, bed and breakfast accommodation, holiday apartment or home, campsite, caravan park or boarding house, canal boat or any other vessel;
- (d) a military site or establishment;
- (e) accommodation facilitated by the Secretary of State for the purposes of P's self-isolation;
- (f) where P is an asylum seeker, accommodation provided or arranged under section 4, 95 or 98 of the Immigration and Asylum Act 1999; or
- (g) where P is a person described in paragraph 9(1) of Schedule 10 to the Immigration Act 2016 (powers of Secretary of State to enable person to meet bail conditions), accommodation provided or arranged under that paragraph.

(5) More than one address may be specified as the place at which P intends to self-isolate in the Passenger Locator Form where—

- (a) a legal obligation requires P to change addresses; or
- (b) it is necessary for P to stay overnight at an address on their arrival in England before travelling directly to another address at which they will be self-isolating.

(6) In paragraph (3)(a)(ii) “a place at which they intend to self-isolate while in England” means—

- (a) where the person has completed a Passenger Locator Form, at an intended place of self-isolation specified in that form;
- (b) where the person has completed a form equivalent to a Passenger Locator Form pursuant to an enactment in Scotland, Wales or Northern Ireland, at an intended place of self-isolation specified in that form;
- (c) in any other case at a place described in paragraph (4)(a) to (c).

(7) P must, on their arrival in England, travel directly to the place at which they are to self-isolate, and must then self-isolate until whichever is the earlier of—

- (a) the end of the 10th day after the day on which they arrived in England or, if later, the end of any period that applies by virtue of paragraph 2 or 3 of Schedule 8;
- (b) their departure from England; or
- (c) the beginning of P's period of self-isolation, where P or R, where P is a child, is notified under regulation 2A or 2B of the Self-Isolation Regulations(a).

(8) In paragraph (7)(c), “period of self-isolation” and “R” have the meanings given for the purposes of Part 1 of the Self-Isolation Regulations (see regulations 3 and 5 of those Regulations).

(9) Paragraph (2) does not require P to remain in isolation—

- (a) from any person with whom they were travelling when they arrived in England and who is also self-isolating in the place where P is self-isolating;
- (b) where P is self-isolating in their home, from any member of their household;
- (c) where P is self-isolating in the home of a friend or family member, from any member of the household of that friend or family member;

(a) A person notified, or a child in respect of whom a notification is given, under regulation 2A or 2B will be required to self-isolate in accordance with those Regulations from the moment the notification is given. Regulations 2A and 2B were inserted by S.I. 2021/364.

(d) where P leaves, or is outside of, the place where they are self-isolating in accordance with paragraph (11)(j), from any person (other than a person who is required by paragraph (2) to self-isolate) whose assistance P reasonably requires in order to undertake the test, by reason of—

- (i) P being a child, or
- (ii) any disability of P's.

(10) Paragraph (2) does not require P to remain in isolation from a person ("V") when V is at the place where P is self-isolating—

- (a) to provide emergency assistance;
- (b) to provide care or assistance, including relevant personal care within the meaning of paragraph 1(1B) or 7(3B) of Schedule 4 to the Safeguarding Vulnerable Groups Act 2006(a), to P or to any other person who is living in the place where P is self-isolating;
- (c) to provide medical assistance, including to provide any of the services mentioned in paragraph (11)(b), to P or to any other person who is living in the place where P is self-isolating, where this is required urgently or on the advice of a registered medical practitioner;
- (d) to provide veterinary services, where this is required urgently or on the advice of a veterinary surgeon;
- (e) to provide critical public services, including those mentioned in paragraph (11)(i)(ii);
- (f) to administer a test to P in accordance with Schedule 9.

(11) During the period of their self-isolation, P may not leave, or be outside of, the place where P is self-isolating except—

- (a) to travel in order to leave England, provided that they do so directly (subject to paragraph 3(1) of Schedule 8);
- (b) to seek medical assistance, where this is required urgently or on the advice of a registered medical practitioner, including to access services from dentists, opticians, audiologists, chiropodists, chiropractors, osteopaths and other medical or health practitioners, including services relating to mental health;
- (c) to undertake a workforce test required by regulation 7;
- (d) to access veterinary services where this is required urgently or on the advice of a veterinary surgeon;
- (e) to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (f) to avoid injury or illness or to escape a risk of harm;
- (g) on compassionate grounds, including to attend a funeral of—
 - (i) a member of P's household,
 - (ii) a close family member, or
 - (iii) if no-one within paragraph (i) or (ii) are attending, a friend;
- (h) to move to a different place for self-isolation specified in the Passenger Locator Form or a form equivalent to a Passenger Locator Form pursuant to an enactment in Scotland, Wales or Northern Ireland;
- (i) in exceptional circumstances such as—
 - (i) to obtain basic necessities such as food and medical supplies for those in the same household (including any pets or animals in the household) where it is not possible to obtain these provisions in any other manner,

(a) 2006 c. 47. Paragraph 1(1B) of Schedule 4 was inserted by section 64(3) of the Protection of Freedoms Act 2012 (c. 9) and paragraph 7(3B) was substituted by section 66(2) of that Act.

- (ii) to access critical public services, including—
 - (aa) social services,
 - (bb) services provided to victims (such as victims of crime),
- (iii) to move to a different place for self-isolation where it becomes impracticable to remain at the address at which they are self-isolating;
- (j) for the purposes of, or connected with, undertaking a test in accordance with Schedule 8 or Schedule 10;
- (k) if self-isolating in a goods vehicle by virtue of paragraph (3)(d)—
 - (i) for sanitary reasons,
 - (ii) to take exercise outside,
 - (iii) where required or permitted by that paragraph, to move to a different place for self-isolation,
 - (iv) to inspect the vehicle or its load or to carry out any other task required for the safe and continued operation of the vehicle, including refuelling, and
 - (v) for any other reason or purpose specified in this paragraph.

(12) For the purposes of this regulation, the place referred to in paragraph (3) includes the premises where P is self-isolating together with any garden, yard, passage, stair, garage, outhouse, or other appurtenance of such premises.

(13) If P is a child, any person who has custody or charge of P during P's period of self-isolation must ensure, so far as reasonably practicable, that P self-isolates in accordance with this regulation.

(14) If P has arrived from Wales or Scotland and is in England, temporarily, for a reason which would constitute an exception under paragraph (11), P is not required to comply with this regulation.

- (15) If P is a person described—
 - (a) in paragraph 1(1) of Schedule 4—
 - (i) where P is a person described in paragraph 1(1)(a) to (k) of, and meets the conditions set out in paragraph 1(3) of, that Schedule, P is not required to comply with this regulation,
 - (ii) in any other case, paragraph (3)(b) and (c) does not apply to P;
 - (b) in paragraph 1(2) of Schedule 4 (essential work for foreign country etc), P is not required to comply with this regulation;
 - (c) in paragraph 33 of Schedule 4 (healthcare), paragraph (2) does not require P to remain in isolation in the circumstances set out in paragraph 33 of that Schedule;
 - (d) in paragraph 43 of Schedule 4 (horticultural work)—
 - (i) paragraph (2) does not require P to remain in isolation from any other person who is living or working on the specified farm,
 - (ii) paragraph (3)(a)(i) applies with the modification that the address specified by P as the address at which they intend to self-isolate must be the specified farm, where "specified farm" has the meaning given in paragraph 43 of Schedule 4;
 - (e) either—
 - (i) in paragraph 44 of Schedule 4 (elite sports),
 - (ii) in sub-paragaphs (1)(h) to (l) of paragraph 2 of Schedule 11 (exemptions from additional measures applicable to arrivals from category 3 countries and territories),

P satisfies the requirements of paragraph (2) if P complies with the relevant conditions specified in paragraph 44(4) of Schedule 4;

- (f) in paragraph 4, 5, 6, 7, 8, 9, 13(2)(c)(ii), 14, 18, 19, 20 or 27 of Schedule 4 and is—
 - (i) ordinarily resident in the United Kingdom, P is not required to comply with this regulation;
 - (ii) not ordinarily resident in the United Kingdom, P is not required to comply with this regulation while undertaking the work or activity described in the relevant paragraph of that Schedule;
 - (g) in paragraph 10 of Schedule 4, is engaged in work relating to the carriage of passengers by way of the tunnel system and is—
 - (i) ordinarily resident in the United Kingdom, P is not required to comply with this regulation;
 - (ii) not ordinarily resident in the United Kingdom, P is not required to comply with this regulation while undertaking that work;
 - (h) in paragraph 13(2)(c)(i) of Schedule 4 (driver of a goods vehicle) and is ordinarily resident in the United Kingdom, P is only required to comply with this regulation while undertaking the work described in that paragraph;
 - (i) in paragraph 21, 22, 23, 24, 25, 26, 28, 29, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41 or 45 of Schedule 4, P is not required to comply with this regulation while undertaking the work or activity described in the relevant paragraph of that Schedule;
 - (j) in any other paragraph of Schedule 4, including paragraph 10 in so far as it relates to work other than the carriage of passengers by way of the tunnel system, P is not required to comply with this regulation.
- (16) P ceases to be required to comply with this regulation, where P—
- (a) has undertaken a test in accordance with Schedule 10; and
 - (b) is notified in accordance with paragraph 5(2) of that Schedule that the result of that test is negative,

from the time P is so notified.

- (17) The full or partial disapplication of the requirement to self-isolate under this regulation that is provided for in paragraphs (15) and (16) does not apply to person who is both—
- (a) described in paragraph (1)(a)(iii) of this regulation; and
 - (b) described in paragraph 1(1)(a) to (h) or (k) of Schedule 4.

Further requirements on arrivals from category 3 countries or territories

- 10.**—(1) This regulation applies to a person (“P”) where P is a Schedule 11 passenger.
- (2) P must remain in isolation from others in accordance with, and otherwise comply with the requirements in, Schedule 11.
- (3) The address specified by P in the Passenger Locator Form pursuant to paragraph 2(a) of Schedule 6 must be the designated accommodation which is part of the managed self-isolation package booked by or on behalf of P.

PART 3

Enforcement

Enforcement of requirement to self-isolate

- 11.**—(1) Where an authorised person has reasonable grounds to believe that a person (“P”) has left, or is outside of, the place where P is self-isolating in contravention of regulation 9, Schedule 8 or Schedule 11, the authorised person may—
- (a) direct P to return to the place where P is self-isolating;

- (11) For the purposes of this regulation, “authorised person” means—
- (a) a constable;
 - (b) for the purposes of paragraphs (2) and (3) only, an immigration officer; or
 - (c) a person designated by the Secretary of State for the purposes of this regulation.

Power of entry

- 12.**—(1) A constable may enter premises in order—
- (a) to search for a person who is suspected of committing an offence of contravening the requirement in paragraph 10 (duty to self-isolate) of Schedule 11;
 - (b) to remove a person of the description in sub-paragraph (a) to accommodation designated by the Secretary of State for the purposes of Schedule 11.
- (2) The power in paragraph (1) is exercisable if the constable—
- (a) has reasonable grounds to believe that a person of the description in paragraph (1)(a) is in or on the premises; and
 - (b) has a reasonable belief that it is necessary and proportionate to enter the premises for the purposes specified in paragraph (1)(b).
- (3) A constable exercising the power in paragraph (1)—
- (a) may use reasonable force if necessary; and
 - (b) may be accompanied by a police community support officer.
- (4) A constable exercising the power in paragraph (1)—
- (a) if asked by a person on the premises, must show evidence of the constable’s identity and outline the purpose for which the power is being exercised; and
 - (b) if the premises are unoccupied or the occupier is temporarily absent, must leave the premises as effectively secured against unauthorised entry as when the constable found them.
- (5) In this regulation, “premises” includes any building or structure and any land.

PART 4

Requirements on operators

Passenger information requirement

13.—(1) Subject to the following provisions of this regulation, an operator must ensure that a passenger who arrives at a port in England on a relevant service is provided with the information required by regulation 14 (“the passenger information requirement”) and in the manner required by that regulation at each of the times specified in paragraph (2).

- (2) The times are—
- (a) where prior to departure a booking was made for the passenger to travel on the relevant service, before the booking was made (“the pre-booking information requirement”);
 - (b) where, at least 48 hours prior to the scheduled departure time of the relevant service, a booking was made for the passenger to travel on it, between 24 and 48 hours prior to the scheduled departure time of that service (“the pre-departure information requirement”);
 - (c) where prior to departure the passenger was checked in to travel on the relevant service, at the time of check-in (“the check-in information requirement”); and
 - (d) while the passenger was on board the vessel, aircraft or train (“the on-board information requirement”).

(3) If another person (A) makes the booking on behalf of the passenger (whether or not A is also a passenger on the relevant service), the pre-booking information requirement is to be treated as complied with if the required information is provided to A in the required manner before the booking is made, along with a written request that A provide that information to the passenger unless A considers that, by virtue of age or mental capacity, the passenger is unlikely to be capable of understanding it.

(4) If another person (A) makes the booking on behalf of the passenger (whether or not A is also a passenger on the relevant service), the pre-departure information requirement is to be treated as complied with if the required information is provided to A in the required manner between 24 and 48 hours prior to the scheduled departure time of the relevant service, along with a written request that A provide that information to the passenger unless A considers that, by virtue of age or mental capacity, the passenger is unlikely to be capable of understanding it.

(5) If another person (A) checks in on behalf of the passenger (whether or not A is also a passenger on the relevant service), the check-in information requirement is to be treated as complied with if the required information was provided to A in the required manner at the time of check-in, along with a written request that A provide that information to the passenger unless A considers that, by virtue of age or mental capacity, the passenger is unlikely to be capable of understanding it.

Required information and manner

14.—(1) For the purposes of regulation 13(2)(a) (pre-booking information requirement), the required information—

- (a) in the case of online bookings—
 - (i) must be displayed prominently on an operator's website or mobile application,
 - (ii) is the information specified in Part 1 of Schedule 12 (information for passengers) and a hyperlink to each of the relevant websites;
- (b) in the case of telephone bookings—
 - (i) must be provided orally,
 - (ii) is the information specified in Part 1 of Schedule 12;
- (c) in the case of in-person bookings—
 - (i) must be provided orally or in writing,
 - (ii) where provided orally, is the information specified in Part 1 of Schedule 12,
 - (iii) where provided in writing, is a written notice which informs passengers of the requirements to provide information, to possess notification of a negative test result, to book and undertake tests and to self-isolate in regulations 3, 4, 6 and 9.

(2) For the purposes of regulation 13(2)(b) (pre-departure information requirement), the required information—

- (a) must be provided by text message, push notification, email or orally;
- (b) where provided by text message or push notification, is text which—
 - (i) informs passengers of the requirements to provide information in regulation 3 and that penalties apply for failure to comply with those requirements,
 - (ii) includes a hyperlink to <https://www.gov.uk/provide-journey-contact-details-before-travel-uk>,
 - (iii) informs passengers of the requirement to possess notification of a negative test result in regulation 4, and
 - (iv) informs passengers of the requirement to book and undertake tests in regulation 6;
- (c) where provided orally, is the information specified in Part 1 of Schedule 12;
- (d) where provided by email, is the information specified in Part 1 of Schedule 12 and a hyperlink to each of the relevant websites.

(4) In this regulation—

“authorised person” means—

- (a) a constable,
- (b) the Civil Aviation Authority,
- (c) the Secretary of State, or
- (d) a person authorised by the Civil Aviation Authority or the Secretary of State under the Air Navigation Order 2016(a);

“operator” has the meaning given in article 4 of the Air Navigation Order 2016;

“pilot in command” and “private aircraft” have the meanings given in the Air Navigation Order 2016 (see Schedule 1 to that Order);

“relevant transport service”, in relation to an operator, means a transport service provided by or on behalf of that operator;

“transport service” means—

- (a) a relevant service,
- (b) a shuttle service,
- (c) a service (other than a relevant service) which—
 - (i) is carrying passengers travelling to England from outside the common travel area (whether for payment or valuable consideration or otherwise), and
 - (ii) is provided by means of an aircraft (other than a private aircraft), or
- (d) a flight which—
 - (i) is carrying passengers travelling to England from outside the common travel area (whether for payment or valuable consideration or otherwise), and
 - (ii) is provided by means of a private aircraft.

PART 5

Offences, proceedings and information

Offences and penalties

19.—(1) A person (“P”) commits an offence where—

- (a) without reasonable excuse P contravenes a requirement in regulation 3 (requirement to provide information);
- (b) without reasonable excuse P contravenes a requirement in regulation 4 (requirement to possess notification of negative test result);
- (c) without reasonable excuse P contravenes a requirement in regulation 6 (requirement to book and undertake tests);
- (d) without reasonable excuse P contravenes a requirement in regulation 7 (requirement to undertake workforce tests);
- (e) without reasonable excuse P contravenes a requirement in regulation 8 (requirement for offshore installation workers to take tests);
- (f) P contravenes a requirement in regulation 9 (requirement to self-isolate);
- (g) without reasonable excuse P contravenes a requirement in or imposed under regulation 11 (enforcement of requirement to self-isolate) apart from paragraph (2) of that regulation;

(a) S.I. 2016/765.

(4) A fixed penalty notice must—

- (a) give reasonably detailed particulars of 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 in accordance with Schedule 14;
- (d) state the name and address of the person to whom the fixed penalty may be paid; and
- (e) specify permissible methods of payment.

(5) Subject to paragraph (7), whatever other method may be specified under paragraph (4)(e), payment of a fixed penalty may be made by pre-paying and posting to the person whose name is stated under paragraph (4)(d), at the stated address, a letter containing the amount of the penalty (in cash or otherwise).

(6) Where a letter is sent as described in paragraph (5), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.

(7) Paragraph (5) does not apply in the case of—

- (a) an offence under regulation 19(7); or
- (b) an offence under regulation 19(14) (obstruction) in relation to an offence under regulation 19(7).

(8) In any proceedings, a certificate that—

- (a) purports to be signed by or on behalf of the designated officer; 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.

(9) For the purposes of this regulation—

- (a) other than in relation to an operator offence, “authorised person” means
 - (i) a constable,
 - (ii) an immigration officer, but only in relation to the issue of a fixed penalty notice in respect of an information offence or an offence described in regulation 19(1)(a), (b), (c), (g), (h), (i), (j), (5) and (6), or
 - (iii) a person designated by the Secretary of State for the purposes of this regulation;
- (b) in relation to an operator offence, “authorised person” means
 - (i) in relation to passengers arriving by sea, the Secretary of State for Transport,
 - (ii) in relation to passengers arriving by air, the Civil Aviation Authority,
 - (iii) in relation to passenger arriving by rail, the Office of Rail and Road;
- (c) “the designated officer” means
 - (i) in relation to an offence other than an operator offence, an officer designated by the Secretary of State for the purposes of this regulation,
 - (ii) in relation to an operator offence, the authorised person;
- (d) “operator offence” means an offence
 - (i) under regulation 19(7),
 - (ii) under regulation 19(13), or
 - (iii) under regulation 19(14) (obstruction) in relation to a function relating to an offence under regulation 19(7).

SCHEDULES

SCHEDULE 1

Regulation 2(1)

Category 1 countries and territories

Australia
Brunei
Falkland Islands
Faroe Islands
Gibraltar
Iceland
Israel
New Zealand
Portugal, including the Azores and Madeira
Saint Helena, Ascension and Tristan da Cunha
Singapore
South Georgia and the South Sandwich Islands

SCHEDULE 2

Regulation 2(1)

Category 2 countries and territories

Any country or territory outside the common travel area not listed in Schedule 1 or Schedule 3.

SCHEDULE 3

Regulation 2(1)

Category 3 countries and territories

Angola
Argentina
Bangladesh
Bolivia
Botswana
Brazil
Burundi
Cape Verde
Chile

Colombia
Democratic Republic of the Congo
Ecuador
Eswatini
Ethiopia
French Guiana
Guyana
India
Kenya
Lesotho
Malawi
The Maldives
Mozambique
Namibia
Nepal
Oman
Pakistan
Panama
Paraguay
Peru
Philippines
Qatar
Rwanda
Seychelles
Somalia
South Africa
Suriname
Tanzania
Turkey
United Arab Emirates
Uruguay
Venezuela
Zambia
Zimbabwe

(b) prior to P's arrival in the United Kingdom the Foreign, Commonwealth and Development Office—

- (i) has confirmed in writing to the person giving the confirmation referred to in paragraph (a) that it has received that confirmation, and
- (ii) where P is a representative of a foreign country or territory, has then confirmed in writing to the person giving the confirmation referred to in paragraph (a) that P is travelling to the United Kingdom to conduct official business with the United Kingdom and is not required to comply with regulation 9.

(4) For the purposes of this paragraph—

- (a) “consular courier” means a person who has been provided by the State on behalf of which they are acting with an official document confirming their status as a consular courier in accordance with Article 35(5) of the Vienna Convention on Consular Relations of 1963;
- (b) “consular post” means any consulate-general, consulate, vice-consulate or consular agency;
- (c) “diplomatic courier” means a person who has been provided by the State on behalf of which they are acting with an official document confirming their status as a diplomatic courier in accordance with Article 27(5) of the Vienna Convention on Diplomatic Relations of 1961;
- (d) “G7 event” means—
 - (i) an event organised by Her Majesty’s Government in connection with the United Kingdom’s G7 2021 presidency,
 - (ii) a meeting, connected to an event described in sub-paragraph (a), between representatives of States, foreign territories or organisations which are represented at such an event;
- (e) “international organisation” means an international organisation accorded privileges and immunities in the United Kingdom;
- (f) “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(a), and “head of consular post” has the meaning given in that Schedule;
- (g) “member of a diplomatic mission” means the “head of the mission”, “members of the diplomatic staff”, “members of the administrative and technical staff” and “members of the service staff” as defined in Schedule 1 to the Diplomatic Privileges Act 1964(b);
- (h) “relevant person” means—
 - (i) where P is to attend or facilitate a G7 event on behalf of a State, a foreign territory or an organisation, the head of the relevant mission or post, the office representing the foreign territory in the United Kingdom or the organisation,
 - (ii) where P is to attend or facilitate a G7 event on their own behalf, P.

(5) This paragraph is without prejudice to any immunity from jurisdiction or inviolability which is accorded to any person described in sub-paragraph (1) or (2) under the law of England and Wales apart from these Regulations.

2.—(1) A Crown servant or government contractor where they are—

- (a) required to undertake essential government work related to the United Kingdom border in the United Kingdom within the period during which they would, but for this paragraph, have had to self-isolate in accordance with regulation 9; or
- (b) undertaking essential government work related to the United Kingdom border outside of the United Kingdom but—

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

(b) 1964 c. 81. There are amendments but none is relevant.

(c) “Air Operations Regulation” has the meaning given in paragraph 1 of Schedule 1 to the Air Navigation Order 2016.

10. Any of the following who have travelled to the United Kingdom in the course of their work—

- (a) drivers and crew on shuttle services and on services for the carriage of passengers or goods by way of the tunnel system;
- (b) other workers carrying out essential roles for the safe or efficient operation of the tunnel system, shuttle services or services for the carriage of passengers or goods by way of the tunnel system, or relating to the security of the tunnel system or any such services.

11.—(1) The condition mentioned in regulation 3(10)(c) is that the person has on their journey to England travelled only—

- (a) on a conveyance which does not carry passengers;
- (b) in an area of a conveyance which is not accessible to passengers; or
- (c) in an area of a conveyance which is accessible to passengers in vehicles, where passengers remain within their vehicles while the person is present in that area of the conveyance.

(2) For the purposes of this paragraph—

- (a) “not accessible to passengers” means separated by a continuous physical barrier which passengers are not permitted to cross;
- (b) “passenger” does not include a person of the description in paragraph 10(1)(b).

12.—(1) A transit passenger.

(2) For the purposes of sub-paragraph (1), “transit passenger” means a person who on arrival in the United Kingdom—

- (a) passes through to another country or territory outside the common travel area without entering the United Kingdom; or
- (b) enters the United Kingdom for the sole purpose of continuing a journey to a country or territory outside the common travel area and—
 - (i) remains within their port of entry until their departure from England, or
 - (ii) travels directly from their port of entry to another port of departure in England.

13.—(1) A road haulage worker.

(2) For the purposes of this paragraph—

- (a) “driver” includes a person who is travelling in a vehicle as a relief driver;
- (b) “goods vehicle” has the meaning given in section 192 of the Road Traffic Act 1988(a);
- (c) “road haulage worker” means—
 - (i) the driver of a goods vehicle that is being used in connection with the carriage of goods, other than goods for non-commercial personal use by the driver, or
 - (ii) a person who is employed by the holder of a Community licence issued under Article 4 of Regulation (EC) No 1072/2009 of the European Parliament and of the Council(b), and who is acting in the course of their employment.

14. Civil aviation inspectors, as defined in Annex 9 to the Convention on International Civil Aviation signed at Chicago on 7th December 1944(c), where they have travelled to the United Kingdom when engaged on inspection duties.

(a) 1988 c. 52. There are amendments to section 192 but none is relevant.

(b) OJ No. L 300, 14.11.2009, p. 72.

(c) The latest edition of Annex 9, which is published by the International Civil Aviation Organization, is the 15th edition, which applied from 23rd February 2018 (ISBN 978-92-9258-301-9).

21.—(1) Workers 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 they have travelled to the United Kingdom in the course of their 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 (England) Regulations 2016(a), the Water Supply (Water Quality) Regulations 2016(b), the Private Water Supplies (Wales) Regulations 2017(c), or the Water Supply (Water Quality) Regulations 2018(d);
- (b) “sewerage licensee” means the holder of a sewerage licence under section 17BA of the Water Industry Act 1991(e);
- (c) “sewerage services” has the meaning given in section 219(1) of the Water Industry Act 1991(f);
- (d) “water supply licensee” has the meaning given in sections 17A(7) and 219(1) of the Water Industry Act 1991(g).

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

- (a) the Environment Agency; or
- (b) a lead local flood authority in England.

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

- (a) “flood” and “coastal erosion” have the meanings given in section 1 of the Flood and Water Management Act 2010(h);
- (b) “lead local flood authority” has the meaning given in section 6(7) of that Act;
- (c) “risk management” has the meaning given in section 3 of that Act(i).

23.—(1) Workers engaged in essential or emergency works—

- (a) related to—
 - (i) a generating station,
 - (ii) an electricity interconnector,
 - (iii) a district heat network as defined in regulation 2 of the Heat Network (Metering and Billing) Regulations 2014(j),
 - (iv) communal heating as defined in regulation 2 of the Heat Network (Metering and Billing) Regulations 2014,
 - (v) automated ballast cleaning and track re-laying systems on a network, or
 - (vi) the commissioning, maintenance and repair of industrial machinery for use on a network; or

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

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

(c) S.I. 2017/1041 (W. 270), as amended by S.I. 2018/647 (W. 121), S.I. 2019/460 (W. 110) and S.I. 2019/463 (W. 111).

(d) S.I. 2018/647 (W. 121), as amended by S.I. 2019/463 (W. 111).

(e) 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.

(f) The definition of “sewerage services” was amended by paragraph 120 of Schedule 7 to the Water Act 2014.

(g) Section 17A was inserted by section 1 of the Water Act 2014.

(h) 2010 c. 29.

(i) And see section 2 of the Flood and Water Management Act 2010 for the meaning of “risk”.

(j) S.I. 2014/3120. There are no relevant amending instruments.

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

29.—(1) A worker required to undertake or commence within the period during which they would, but for this paragraph, have had to self-isolate in accordance with regulation 9—

- (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 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)—

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

30. A postal operator, as defined in section 27(3) of the Postal Services Act 2011(d), where they have travelled to the United Kingdom in the course of their work.

31. 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 they have travelled to the United Kingdom in the course of their work or otherwise to commence or resume their work.

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

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

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

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

(d) 2011 c. 5.

- (i) P provides, on arrival in England, written evidence from a United Kingdom or English sport national governing body of P's status as a domestic elite sportsperson returning to England from competing in an elite sports event or participating in training for an Olympic or Paralympic event;
 - (ii) P travels directly to, and remains in any place where P is self-isolating, apart from when P is travelling to or from, or attending the location of, an elite sports event in which they are competing or training for an elite sports event, or travelling between different locations where such an elite sports event or training for an elite sports event is taking place, and
 - (iii) at all times when P is not self-isolating P remains in isolation with any other domestic elite sportspersons or international elite sportspersons who are competing in or training for that elite sports event or with domestic ancillary sportspersons or international ancillary sportspersons involved in that elite sports event;
- (b) where P is a domestic elite sportsperson of a kind described in paragraph (c)(ii) of the definition of that expression in sub-paragraph (2)—
- (i) P provides, on arrival in England, written evidence from a United Kingdom or English sport national governing body of P's status as a domestic elite sportsperson who has travelled to England to participate in training for or to compete in an elite sports event,
 - (ii) P travels directly to, and remains in any place where P is self-isolating, apart from when P is travelling to or from, or attending the location of an elite sports event in which they are competing or training for an elite sports event, or travelling between different locations where such an elite sports event or training for an elite sports event is taking place, and
 - (iii) at all times when P is not self-isolating P remains in isolation with any other domestic elite sportspersons or international elite sportspersons who are competing in or training for that elite sports event or with domestic ancillary sportspersons or international ancillary sportspersons involved in that elite sports event;
- (c) where P is a domestic ancillary sportsperson—
- (i) P provides, on arrival in England, written evidence from a United Kingdom or English sport national governing body of P's status as a domestic ancillary sportsperson returning to England having been involved in the running of an elite sports event or the support of a domestic elite sportsperson,
 - (ii) P travels directly to, and remains in any place where P is self-isolating, apart from when P—
 - (aa) is travelling to or from, or attending the location of, any place in which P's presence is essential to the running of an elite sports event,
 - (bb) is travelling to or from, or attending the location of, any place in which P provides essential support to a domestic elite sportsperson who is competing in or training for an elite sports event,
 - (cc) is travelling between different locations where any activity described in paragraph (aa) or (bb) is taking place, and
 - (iii) at all times when P is not self-isolating P remains in isolation with domestic elite sportspersons or international elite sportspersons who are competing in or training for that elite sports event or with domestic ancillary sportspersons or international ancillary sportspersons involved in that elite sports event;
- (d) where P is an international elite sportsperson—
- (i) P provides, on arrival in England, written evidence from a United Kingdom or English sport national governing body of P's status as an international elite sportsperson attending a specified competition,
 - (ii) P travels directly to, and remains in any place where P is self-isolating, apart from when P is travelling to or from, or attending the location of the specified competition

- or training for the specified competition, or travelling between different locations where the specified competition or training for the specified competition is taking place, and
- (iii) at all times when P is not self-isolating P remains in isolation with any other international elite sportspersons or domestic elite sportspersons who are competing in or training for the specified competition or with international ancillary sportspersons or domestic ancillary sportspersons involved in the specified competition; and
- (e) where P is an international ancillary sportsperson—
- (i) P provides, on arrival in England, written evidence from a United Kingdom or English sport national governing body of P's status as an international ancillary sportsperson attending a specified competition,
 - (ii) P travels directly to and remains in the place where P will be self-isolating apart from when P is travelling to or from, or attending the location of the specified competition or training for the specified competition, or travelling between different locations where the specified competition or training for the specified competition is taking place, and
 - (iii) at all times when P is not self-isolating P remains in isolation with international elite sportspersons or domestic elite sportspersons who are competing in or training for the specified competition or with international ancillary sportspersons or domestic ancillary sportspersons involved in the specified competition.

(5) When considering whether a person derives a living from competing in a sport for the purposes of sub-paragraphs (2) and (3), any payment made for a person's benefit by reason of their competing in a particular sport is to be taken into account, including payment by way of salary, prize money or through a contractual arrangement of any other kind.

45.—(1) A person who has travelled to the United Kingdom for the purposes of essential work carried out for or on behalf of the nominated undertaker.

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

- (a) “essential work” means work which has been designated as such by the Secretary of State for Transport and includes, in particular, work done or required for Phase One purposes as defined in section 67 of the High Speed Rail (London-West Midlands) Act 2017(a);
- (b) “nominated undertaker” is the person appointed by article 2(1) of the High Speed Rail (London-West Midlands) (Nomination) Order 2017(b).

SCHEDULE 5

Paragraph 44(2) of Schedule 4

List of sporting events

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

(a) 2017 c. 7.

(b) S.I. 2017/184.

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 Europa League fixtures
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
GB Taekwondo Fight Night II – International Taekwondo, Para Taekwondo and Karate Event
Matchroom – World Pool Championship
Hennessy Sports – International Boxing Championship matches
Motorsport UK – British Rallycross Championship and Support Championship
Professional Darts Corporation – Unibet Premier League
GB Taekwondo Olympic and Paralympic Test Matches
Matchroom – Championship League Pool
Modern Pentathlon Test Event
Professional Darts Corporation – Challenge Tour
Professional Darts Corporation – Development Tour
Professional Darts Corporation – UK Open
Rugby League Betfred Championship
Wheelchair Rugby Quad Nations
Boxing Road to Tokyo
British Dressage – Keysoe International
British Eventing Elite Pathways Events
British Showjumping's Winter Classic series qualifiers
Burnham Market International
International Boxing - Dennis Hobson Promotions
Manchester Squash Open 2021
Matchroom – World Pool Masters
Vitality Big Half
British Athletics – 20km Race Walk Olympic Trial

FIA World Endurance Championship Prologue and Round 1 Silverstone
British Para Athletics Sprint Meet
Motorsport UK – HSCC Formula 2 Championship Masters Historic Race Weekend
Motorsport UK – British Superkart Championship and Support Series
Motorsport UK – British Truck Racing Championship
British Equestrian – International Dressage Events
European Tour – Betfred British Masters
Motorsport UK – GT World Challenge Europe Sprint Cup and Support Series
Motorsport UK – Donington Historic Festival
Motorsport UK – British Touring Car Championship and Support Series
Motorsport UK – Ferrari Challenge UK and Support
Motorsport UK – British GT Championship and Support Series / Porsche Sprint Challenge GB and Support Series
Motorsport UK – Master Historic F1 / Sports Cars and Support Series
Motorsport UK – FIA Main Event 2021 and Support Series
England Hockey Pro League
FIM Speedway Grand Prix World Championship - Qualifying Round
Royal Windsor Horse Show
British Speedway Premiership, Championship and National Development Leagues
The 2020 UEFA European Football Championship
British Superbike Championship and Support Series
ACU – British Motocross Championship and Support races
Equestrian Eventing – Cirencester
European Tour – English Championships
Lingfield Derby/Oaks Trials Day horse-racing
Dante Festival horse-racing
Al Shaqab Lockinge Day horse-racing
Lawn Tennis Association – GB Pro Series Roehampton 1 & 2
Equestrian Jumping – Wellington, Heckfield
Curling – World Mixed Doubles Championship 2021
UCI Mountain Bike World Cup
AJ Bell 2021 World Triathlon Leeds
European 10,000m Cup (incorporating the British 10,000 Olympic Trial)
Equestrian Eventing - Belsay International
W Series Test Event

European Tour – Staysure PGA Seniors Championship
Ladies European Tour – ISPS HANDA World Invitational
London Diamond League (Anniversary Games)
World Superbike – World Championship – British Round
FIM Speedway Grand Prix World Championship – British Round
2021 Great Britain Sail Grand Prix I Plymouth
The Hundred Cricket
Motorsport UK – Formula Student 2021
Motorsport UK – Silverstone Classic & Support Races
Motorsport UK – Festival of Speed
British Grand Prix
Motorsport UK – Porsche Sprint Challenge GB and supporting races
NASCAR Whelan Euro Series and support races
Motorsport UK – British GT Championship and support races
British Kart Grand Prix
Formula E
The Coral Eclipse – Sandown horse-racing
The Moet & Chandon July Festival at Newmarket horse-racing
QIPCO King George Diamond Weekend horse-racing
Qatar Goodwood Festival horse-racing
British Open Wheelchair Tennis Championships
Polaris Squads
Professional Darts Corporation – Betfred World Matchplay Darts
Equestrian Jumping – Wettenhall International
Equestrian Eventing – Keysoe International
Equestrian Jumping – Harthill International
Equestrian Dressage – Hartpury International
Equestrian Eventing – Barbury Castle International
Equestrian Jumping – Hickstead
Equestrian Eventing – Burgham International
Equestrian Eventing – Bishop Burton International
European Tour – Hero Open
European Tour – English Open
Ladies European Tour – Trust Golf Women's Scottish Open
Moto GP – World Championship Grand Prix – British Round

- (i) a sensitivity of at least 80%,
- (ii) a specificity of at least 97%, and
- (iii) a limit of detection of less than or equal to 100,000 SARS-CoV-2 copies per millilitre;
- (b) it is not a test provided or administered under the National Health Service Act 2006, the National Health Services (Wales) Act 2006, the National Health Service (Scotland) Act 1978, or the Health and Personal Social Services (Northern Ireland) Order 1972; and
- (c) the test sample is taken from the person no more than three days before—
 - (i) in the case of that person travelling to England on a commercial transport service, the service's scheduled time of departure, or
 - (ii) in any other case, the actual time of departure of the vessel or aircraft on which that person is travelling to England.

Form of notification of negative result

2. Notification of a negative test result must include, in English, French or Spanish, the following information—

- (a) the name of the person from whom the sample was taken;
- (b) that person's date of birth or age;
- (c) the negative result of the test;
- (d) the date the test sample was collected or received by the test provider;
- (e) the name of the test provider and information sufficient to contact that provider;
- (f) a statement—
 - (i) that the test was a polymerase chain reaction test, or
 - (ii) of the name of the device that was used for the test.

Persons not required to comply with regulation 4

3.—(1) The persons referred to in regulation 4(6)(c) (and not required to comply with that regulation) are—

- (a) a person ("P") described in—
 - (i) paragraph 16(1)(b) of Schedule 4 where, prior to P's departure to the United Kingdom, the relevant Department has certified that they meet this description and are not required to comply with regulation 4, or
 - (ii) paragraph 17 of Schedule 4 where, prior to P's departure to the United Kingdom, the relevant Department has also certified that they are not required to comply with regulation 4;
- (b) a Crown servant or government contractor ("C") who is required to undertake essential policing or essential government work in the United Kingdom or is returning from conducting such work outside the United Kingdom where, prior to C's departure to the United Kingdom, the relevant Department has certified that they meet this description and are not required to comply with regulation 4;
- (c) a representative ("R") of a foreign country or territory, or of the government of a British overseas territory, travelling to the United Kingdom to conduct official business with the United Kingdom where, prior to R's departure to the United Kingdom—
 - (i) 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 R 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) B undertook a day 2 test that generated a positive result.

(4) Subject to paragraph 4, where P's day 2 test and day 8 test both generate a negative result, P must continue to self-isolate in accordance with the relevant self-isolation provisions until the later of—

- (a) the end of the default self-isolation period;
- (b) the day on which P receives the result of their day 8 test.

(5) Where a mandatory test undertaken by P generates an inconclusive result P must continue to self-isolate in accordance with the relevant self-isolation provisions—

- (a) until the end of the 10th day after the day P undertook the test;
- (b) where P undertakes a test to which sub-paragraph (7) applies and the test generates a negative result, until the later of—
 - (i) the end of the default self-isolation period,
 - (ii) the day on which P receives the negative result; or
- (c) where P undertakes a test to which sub-paragraph (7) applies and the test generates a positive result, until the end of the 10th day after the day P undertook the test.

(6) Where sub-paragraph (5)(c) applies, P is not required to undertake a day 8 test in accordance with regulation 6.

(7) This sub-paragraph applies to—

- (a) a day 8 test;
- (b) a test—
 - (i) complying with the requirements for a day 8 test specified in paragraphs 8 and 9 (other than the requirement in paragraph 9(1)(e) that the test be administered or provided to P no earlier than the end of the seventh day after the day on which P arrived in England),
 - (ii) undertaken in the circumstances specified in paragraph 10 (other than the circumstances in paragraph 10(2) about when a test must be undertaken), and
 - (iii) undertaken during the period specified in sub-paragraph (5)(a).

Optional tests

4.—(1) This paragraph applies where P—

- (a) is a non-Schedule 11 passenger who is required to comply with regulation 9, and
- (b) undertakes a day 2 test which generates a negative or inconclusive result.

(2) P may undertake a test in accordance with Schedule 10 (optional testing after arrival in England), and, where the test generates a negative result, P ceases to be required to self-isolate from the time that P is notified of that result.

(3) P must in any event undertake the day 8 test booked in accordance with regulation 6.

(4) Where P ceases to be required to self-isolate under these Regulations in accordance with regulation 9(16), paragraph 3(1), (4) and (5) do not apply in relation to P's day 8 test.

Tests other than in accordance with these Regulations

5.—(1) This paragraph applies where—

- (a) P is a non-Schedule 11 passenger;
- (b) P undertakes a day 2 test which generates a negative result;
- (c) while P is self-isolating under these Regulations, P subsequently undertakes a test other than in accordance with these Regulations; and
- (d) P is notified that such test generates a positive result.

(2) P ceases to be required to self-isolate in accordance with these Regulations, and regulation 2A of the Self-Isolation Regulations applies in relation to P.

Day 2 tests: general test requirements

6.—(1) For the purposes of regulation 6(12)(a), a day 2 test complies with this paragraph where—

- (a) it is a test provided by a public provider; or
 - (b) it is a test provided by a private provider—
 - (i) in respect of—
 - (aa) a non-Schedule 11 passenger, on or after 1st March 2021;
 - (bb) a Schedule 11 passenger, on 1st or 2nd March 2021,
 - (ii) where the test complies with sub-paragraph (2), and
 - (iii) where the private provider complies with paragraph 7.
- (2) A test complies with this sub-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) it is, in relation to a Schedule 11 passenger, a test that can be self-administered;
 - (c) 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
 - (d) 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.
- (3) For the purposes of sub-paragraph (2)—
- (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, has the meaning given by paragraph 2(2) of Schedule 10;
 - (c) “variant of concern” means a variant of SARS-CoV-2 identified in a designation made by the Secretary of State for the purposes of this paragraph and published in a manner as appears to the Secretary of State to be appropriate.

Day 2 tests: private provider requirements

7.—(1) For the purposes of paragraph 6(1)(b)(iii), a private provider complies with this paragraph where—

- (a) they comply with the requirements of paragraph 3(1)(a) and (e) to (h) of Schedule 10 as if any reference in those provisions to an appropriate test were a reference to a day 2 test;
- (b) if the provider is a laboratory that conducts diagnostic test evaluation for testing in accordance with this Schedule, they have made a declaration to the Department of Health and Social Care that they meet the minimum standards for private sector-provided testing at <https://support-covid-19-testing.dhsc.gov.uk/InternationalTesting>;
- (c) they have provided the Department of Health and Social Care with a list of all organisations that they work with (whether by sub-contract or otherwise) to carry out the testing service or to carry out genomic sequencing, indicating the nature of the service that each organisation is providing, and kept that list updated as appropriate;
- (d) the person responsible for the taking of samples meets the relevant requirements for accreditation to ISO standard 15189 or ISO/IEC standard 17025 in respect of the taking of samples;
- (e) the laboratory used by the test provider for the processing of samples meets the relevant requirements for ISO standard 15189 or ISO/IEC standard 17025 in respect of the evaluation of the established molecular detection method and the genomic sequencing of samples;
- (f) they receive the information required by paragraph 10(3) or (4) (as appropriate), and if they administer the test to P, they do so no later than the end of the second day after the day on which P arrived in England;
- (g) each day, they notify the Secretary of State in writing of—
 - (i) the number of tests they sold on that day, and
 - (ii) in relation to each test sold on that day—
 - (aa) the date of the arrival in England of the person in respect of whom the test was sold, and
 - (bb) whether the person in respect of whom the test was sold is a category 1 arrival or not;
- (h) they sequence each sample with a cycle threshold less than 30 (equivalent to ~1,000 viral genome copies per millilitre);
- (i) in respect of the sequencing of samples, they must secure a reference genome coverage breadth of at least 50% and at least 30 times coverage;
- (j) on a request by the Secretary of State or the COVID-19 Genomics UK Consortium, they make samples available for the purpose of dual sequencing;
- (k) they preserve and transport samples in a manner that enables genome sequencing;
- (l) they have in place a process to remove human reads from any data submitted in a notification to Public Health England pursuant to the Health Protection (Notification) Regulations 2010; and
- (m) if they arrange with another person (“X”) for X to carry out any element of the single end-to-end testing service on their behalf, the test provider ensures that X complies with the following so far as relevant to the carrying out of that element—
 - (i) paragraph 3(1)(e) to (h) of Schedule 10 as applied by paragraph (a) of this sub-paragraph,
 - (ii) paragraph (c) to (l) of this sub-paragraph,
 - (iii) paragraph 11(2), (3) and (4).

(2) For the purposes of sub-paragraph (1)(m), “single end-to-end testing service” has the meaning given in paragraph 3(2)(c) of Schedule 10.

- (c) they have provided the Department of Health and Social Care with a list of all organisations that they work with (whether by sub-contract or otherwise) to carry out the testing service or to carry out genomic sequencing, indicating the nature of the service that each organisation is providing and kept that list updated as appropriate;
- (d) in relation to a test which requires laboratory processing—
 - (i) the person responsible for the taking of samples meets the relevant requirements for accreditation to ISO standard 15189 or ISO/IEC standard 17025 in respect of the taking of samples, and
 - (ii) the laboratory used by the test provider for the processing of samples meets the relevant requirements for accreditation to ISO standard 15189 or ISO/IEC standard 17025 in respect of the processing of samples;
- (e) in relation to a point of care test, they meet the relevant requirements for accreditation to ISO Standard 15189 and ISO standard 22870;
- (f) they receive the information required by paragraph 10(3) or (4) (as appropriate), and if they administer the test to P, they do so no earlier than the end of the seventh day after the day on which P arrived in England;
- (g) each day, they notify the Secretary of State in writing of—
 - (i) the number of tests they sold on that day, and
 - (ii) in relation to each test sold on that day—
 - (aa) the date of arrival in England of the person in respect of whom the test was sold, and
 - (bb) whether the person in respect of whom the test was sold is a category 1 arrival or not;
- (h) if they arrange with another person (“X”) for X to carry out any element of the single end-to-end testing service on their behalf, the test provider ensures that X complies with the following so far as relevant to the carrying out of that element—
 - (i) paragraph 3(1)(e) to (i) of Schedule 10 as applied by paragraph (a) of this sub-paragraph,
 - (ii) paragraph (b) to (g) of this sub-paragraph,
 - (iii) paragraph 11(2), (3) and (4).

(2) For the purposes of sub-paragraph (1)(h), “single end-to-end testing service” has the meaning given in paragraph 3(2)(c) of Schedule 10.

(3) For the purposes of sub-paragraph (1)(d) and (e), a person or laboratory (as the case may be) meets the relevant requirements for accreditation to a standard where the person who is the operator of the laboratory complies with the requirements of regulation 6 of the Health Protection (Coronavirus, Testing Requirements and Standards) (England) Regulations 2020 as if—

- (a) a reference to an applicable test were a reference to a day 8 test;
- (b) a reference to a test provider were a reference to a private provider.

Required circumstances for undertaking a day 2 test or a day 8 test

- 10.**—(1) The circumstances mentioned in regulation 6(12)(a) and (b) are as follows.
- (2) In relation to—
- (a) a day 2 test, P undertakes the test no later than the end of the second day after the day on which P arrived in England;
 - (b) a day 8 test, P undertakes the test no earlier than the end of the seventh day after the day on which P arrived in England.
- (3) Subject to sub-paragraph (4), at the time the test is booked P notifies the test provider that P is to undertake the test under these Regulations, and provides the test provider with—
- (a) the information set out in paragraph 4(b)(i) to (v) and (vii) to (xiii) of Schedule 10; and

- (b) their home address, and—
 - (i) where P is a person to whom regulation 9(1)(a) or (b) applies, the address or addresses at which they intend to self-isolate, or are self-isolating, in accordance with regulation 9 (if different from their home address), or
 - (ii) where P is a person to whom regulation 10 applies, the address of the accommodation designated for the purposes of Schedule 11.
- (4) Where P is a child, or a person with a disability who is unable for that reason to provide the notification and information set out or referred to in sub-paragraph (3) to the test provider—
 - (a) the notification and information set out or referred to in sub-paragraph (3), other than the information set out in paragraph 4(b)(xi) and (xii) of Schedule 10, is provided to the test provider on P's behalf by another person ("Y"); and
 - (b) either the information set out in paragraph 4(b)(xi) and (xii) of Schedule 10 is provided by Y to the test provider or, where appropriate, Y provides their own telephone number and email address to the test provider.
- (5) At the time the test is booked and payment made the test provider gives P a test reference number in the format specified in sub-paragraph (6) and, where appropriate, also provides that test reference number to Y.
- (6) A test reference number must consist of 12 characters comprising 5 letters followed by 7 digits.

Notification of test results

- 11.**—(1) This paragraph applies to a private provider who administers or provides a test to P in the circumstances described in paragraph 10.
- (2) The private provider must, within 24 hours of the result becoming available—
- (a) notify P or, where paragraph 10(4) applies, Y by email, letter, or text message, of the result of P's test; or
 - (b) make P's test result available to P, or where paragraph 10(4) applies, to Y via a secure web portal,
- in accordance with sub-paragraph (3).
- (3) The notification of P's test result must include P's name, date of birth, passport number, or travel document reference number (as appropriate), the name and contact details of the test provider and P's test reference number, and must be conveyed using one of the following forms of words, as appropriate—

Form A: negative test result

Your coronavirus (COVID-19) test result is negative. You did not have the virus when the test was done.

You are not required to quarantine if you are travelling from a green-list country. If you are travelling from an amber list country and took the test on or before day 2 of your quarantine you must continue to quarantine until you have completed the 10-day quarantine period and received a negative test result for a test taken on day 8. If you took the test on day 8 and are travelling from an amber-list country you may stop quarantine when you have completed your 10-day quarantine period.

You should self-isolate again if:

you get symptoms of coronavirus (COVID-19) – get an NHS coronavirus (COVID-19) test from www.gov.uk/get-coronavirus-test and self-isolate until you get the results

you're going into hospital (self-isolating until the date you go in)

someone you live with tests positive

Charge for day 2 tests and day 8 tests

12.—(1) The Secretary of State or a person designated by the Secretary of State may impose a charge in respect of mandatory tests provided by a public provider.

(2) The Secretary of State—

- (a) must publish details of the charges in such manner as the Secretary of State considers appropriate; and
- (b) may recover any sum owed by a person pursuant to such a charge as a debt.

SCHEDULE 9

Regulation 7(5)

Workforce tests

Interpretation of this Schedule

1. In this Schedule—

- (a) “P” means a person required to undertake workforce tests under regulation 7 (requirement to undertake workforce tests);
- (b) “workforce test” means any of the categories of workforce test described in regulation 7(6).

Requirement after failure to undertake test

2.—(1) Sub-paragraph (2) applies where P fails to undertake a workforce test that P is required by regulation 7 to undertake.

(2) Where this sub-paragraph applies, P must self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until the earlier of—

- (a) the end of the 14th day after the day on which P arrived in England; or
- (b) the time P obtains a negative result from a workforce test.

(3) P must comply with any applicable obligations in regulation 7(2) during any period that P is required to self-isolate in accordance with sub-paragraph (2).

(4) Where P is required to self-isolate in accordance with sub-paragraph (2), regulation 2(2) of the Self-Isolation Regulations (meaning of self-isolate) applies as if it also permitted P to leave the place of self-isolation where necessary to undertake a workplace test.

Consequences of test results

3.—(1) Where a workforce test undertaken by P in accordance with regulation 7 generates a positive result—

- (a) P must as soon as reasonably practicable undertake a further test which complies with the requirements for a day 2 test specified in paragraph 6 of Schedule 8 (mandatory testing after arrival in England), in the circumstances specified in paragraph 10 of that Schedule (other than the circumstances in paragraph 10(2) about when a test must be undertaken);
- (b) P must self-isolate in accordance with regulation 2 of the Self-Isolation Regulations until the end of the 10th day after the day P undertook the test.

(2) Where sub-paragraph (1) applies—

- (a) if the test taken by P was a workforce test undertaken for day 2, P is not required to undertake a workforce test for day 5 or day 8;
- (b) if the test undertaken by P was a workforce test undertaken for day 5, P is not required to undertake a workforce test for day 8.

(3) Where a further test undertaken in accordance with sub-paragraph (1)(a) generates a negative result, this paragraph applies to P from the time P is notified of that negative result as if the workforce test undertaken by P in accordance with regulation 7 had generated a negative result (and accordingly, from that time, P is no longer required to self-isolate).

(4) Paragraph 11(4) and (5) (notification of test results) of Schedule 8 applies in relation to a further test undertaken pursuant to sub-paragraph (1)(a) as it applies to a test provider in relation to a test provided under Schedule 8.

(5) Where a workforce test undertaken by P in accordance with regulation 7 generates an inconclusive result, P must as soon as reasonably practicable undertake a further workforce test and that further workforce test is to be treated as a replacement workforce test within the meaning of regulation 7(4).

Duties on employers

4.—(1) An employer with more than 50 employees who is the employer of any person who is required to undertake workforce tests or has responsibility for any agency worker who is required to undertake workforce tests, must take reasonable steps to facilitate the taking of those tests by that person or agency worker in accordance with these Regulations.

(2) In the discharge of the duty under sub-paragraph (1), an employer must have regard to any guidance issued by the Secretary of State for the purposes of this paragraph.

(3) In sub-paragraph (1) an employer has responsibility for an agency worker if—

- (a) the agency worker is supplied or to be supplied by a person (an “agent”) to the employer under a contract or other arrangements made between the agent and the employer; and
- (b) the agency worker is not—
 - (i) a worker because of the absence of a worker’s contract between the agency worker and the agent or the employer, or
 - (ii) a party to a contract under which the agency worker undertakes to do the work for another party to a contract whose status is, by virtue of the contract, that of a client or customer of any profession or business undertaking carried on by the agency worker.

SCHEDULE 10

Regulation 9(16)

Optional testing after arrival in England

Application of this Schedule

1. A person who is required by regulation 9(2) to self-isolate (“P”) may undertake an appropriate test in the circumstances described in paragraph 4 for the purposes of determining whether they may cease self-isolating (as provided for in regulation 9(16)).

Appropriate tests

2.—(1) A test is an “appropriate test” where—

- (a) it is a test for the detection of coronavirus;
- (b) the manufacturer of any device used for the purposes of the test states that the device has—
 - (i) a sensitivity greater than 95% (with 95% two-sided confidence interval entirely above 90%),
 - (ii) a specificity greater than 95% (with 95% two-sided confidence interval entirely above 90%),

- (iii) a limit of detection of less than or equal to 1000 SARS-CoV-2 copies per millilitre, and
- (iv) uses an established molecular detection method;
- (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,
 - (ii) has been validated no more than 18 months before the test is administered or provided to P;
- (d) it is not a test provided or administered under the National Health Service Act 2006, the National Health Service (Wales) Act 2006(a), the National Health Service (Scotland) Act 1978(b), or the Health and Personal Social Services (Northern Ireland) Order 1972(c); and
- (e) the test provider complies with paragraph 3.

(2) For the purposes of sub-paragraph (1), “validated”, in relation to a device, means confirmed as having the required sensitivity and specificity using at least 150 positive clinical samples and 250 negative clinical samples against a laboratory-based RT-PCR test that is itself within the performance specification of the target product profile published by the Medicines and Healthcare Products Regulatory Agency for laboratory based SARS-CoV-2 PCR tests, by—

- (a) the Secretary of State;
- (b) a laboratory which is accredited to ISO standard 15189 or ISO/IEC standard 17025(d) by—
 - (i) the United Kingdom Accreditation Service(e) (“UKAS”), or
 - (ii) an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation (“ILAC”) Mutual Recognition Arrangement(f) or the European co-operation for Accreditation (“EA”) Multilateral Agreement(g),
- 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 or the device manufacturer. (h); or
- (c) a laboratory which is accredited by UKAS to ISO standard 15189 or ISO/IEC standard 17025(i), 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 or the device manufacturer.

- (a) 2006 c. 42.
- (b) 1978 c. 29.
- (c) S.I. 1972/1265 (N.I. 14).
- (d) ISO standards are published in Geneva by the International Organisation for Standardisation, and are available on their website (www.iso.org) or at ISO Central Secretariat, International Organization for Standardization (ISO), 1 rue de Varembé, Case postale 56, CH-1211, Geneva 20, Switzerland. ISO/IEC 17025 General requirements for the competence of testing and calibration laboratories was published in November 2017.
- (e) The United Kingdom Accreditation Service is a company limited by guarantee incorporated in England and Wales under number 3076190.
- (f) ILAC is an international organisation which coordinates the work of its signatory national accreditation bodies which are themselves involved in the accreditation of conformity assessment bodies, testing laboratories, and medical testing laboratories.
- (g) EA is a regional organisation which coordinates the work of its signatory national accreditation bodies. EA is recognised by and works closely with ILAC.
- (h) A body corporate established under section 232 of the Health and Social Care Act 2012 (c. 7).
- (i) ISO standards are published in Geneva by the International Organisation for Standardisation, and are available on their website (www.iso.org) or at ISO Central Secretariat, International Organization for Standardization (ISO), 1 rue de Varembé, Case postale 56, CH-1211, Geneva 20, Switzerland. ISO/IEC 17025 General requirements for the competence of testing and calibration laboratories was published in November 2017. ISO 15189 Medical Laboratories requirements for quality and competence was published in November 2012.

- (b) complies with the requirements of sub-paragraph (4) where relevant.
- (4) The requirements of this sub-paragraph are that—
- (a) in the case of a person who completed stage one—
 - (i) before 15th December 2020 and who is carrying out a test after 18th January 2021,
 - (ii) on or after 15th December 2020 and who is carrying out a test after whichever is the later of—
 - (aa) 18th January 2021, and
 - (bb) the date four weeks after the date on which they completed stage one,

they have complied with the requirements published by UKAS in relation to accreditation to that standard at <http://www.ukas.com/C19-Stage2-UKAS-Appraisal> (“stage two”),
 - (b) in the case of a person who completed stage two—
 - (i) on or before 18th January 2021 and who is carrying out a test on or after 1st July 2021,
 - (ii) after 18th January 2021 and who is carrying out a test on or after whichever is the later of—
 - (aa) 1st July 2021, and
 - (bb) the date four months after the date on which they completed stage two,

they are accredited by UKAS to that standard.

Required circumstances for undertaking testing

4. The circumstances mentioned in paragraph 1 are that—
- (a) P undertakes the test on or after the fifth day after the day on which P arrived in England;
 - (b) subject to sub-paragraphs (c) and (d), at the time the test is booked P notifies the test provider that P wishes to undertake the test for the purposes of determining whether they may cease self-isolating under these Regulations, and provides the test provider with—
 - (i) their full name,
 - (ii) their sex,
 - (iii) their date of birth,
 - (iv) their NHS number (if known and applicable),
 - (v) their ethnicity,
 - (vi) their home address, and the address or addresses at which they intend to self-isolate in accordance with regulation 9 while in England (if different),
 - (vii) the date of their arrival in the United Kingdom,
 - (viii) their coach number, flight number or vessel name (as appropriate),
 - (ix) the date on which they last departed from or transited through a category 2 country or territory,
 - (x) the country or territory they were travelling from when they arrived in the United Kingdom, and any country or territory they transited through as part of that journey,
 - (xi) their email address,
 - (xii) their telephone number,
 - (xiii) their passport number, or travel document reference number (as appropriate);
 - (c) where P is a child, or a person with a disability who is unable for that reason to provide the notification and information set out in paragraph (b) to the test provider—
 - (i) the notification and information set out in paragraph (b), other than in paragraph (b)(xi) and (xii), is provided to the test provider on P’s behalf by another person (“X”), and

- (ii) either the information set out in paragraph (b)(xi) and (xii) is provided by X to the test provider or, where appropriate, X provides their own telephone number and email address to the test provider;
- (d) at the time the test is booked and payment made the test provider gives P a test reference number in the format specified in sub-paragraph (e) and, where appropriate, also provides that test reference number to X;
- (e) a test reference number must consist of 12 characters comprising 5 letters followed by 7 digits.

Notification of test results

5.—(1) Sub-paragraphs (2) to (6) apply to a test provider who administers or provides an appropriate test to P in the circumstances described in paragraph 4.

- (2) The test provider must, within 24 hours of the result becoming available—
 - (a) notify P or, where paragraph 4(c) applies, X by email, letter, or text message, of the result of P's test; or
 - (b) make P's test result available to P, or to X where paragraph 4(c) applies, via a secure web portal,

in accordance with sub-paragraph (3).

(3) The notification of P's test result must include P's name, date of birth, passport number, or travel document reference number (as appropriate), the name and contact details of the test provider and P's test reference number, and must be conveyed using one of the following forms of words, as appropriate—

Form A: negative test result

Your coronavirus test result is negative. You did not have the virus when the test was done. If you are self-isolating as an international arrival from an amber-list country, region or territory you may stop self-isolating.

You should self-isolate if:

you get symptoms of coronavirus (you should get an NHS coronavirus test and self-isolate until you get the results)

you are going into hospital (self-isolating until the date you go in)

someone you live with tests positive

you have been traced as a contact of someone who tested positive

For advice on when you might need to self-isolate and what to do, go to www.nhs.uk/conditions/coronavirus-covid-19 and read 'Self-isolation and treating symptoms'.

It is a legal requirement to self-isolate when you arrive in the UK from an amber-list country, territory or region. If you are contacted by the enforcement authorities or the police after you have received this negative result please show them this notification.

- (d) to visit a person (“D”) whom P reasonably believes is dying, and where P is a member of D’s household or a close family member or friend of D;
- (e) to attend the funeral of a member of P’s household or a close family member;
- (f) in other exceptional circumstances such as—
 - (i) to seek medical assistance where this is required urgently or on the advice of a registered medical practitioner including to access services from dentists, opticians, audiologists, chiropodists, chiropractors, osteopaths and other medical and health practitioners, including services relating to mental health,
 - (ii) to access critical public services including social services or services provided to victims (such as victims of crime),
 - (iii) to avoid injury or illness or to escape risk of harm,
 - (iv) to access veterinary services where this is required urgently or on the advice of a veterinary surgeon.

(2) P may only leave or be outside of the place where P is self-isolating in reliance on the grounds mentioned in sub-paragraph (1)(c), (d) or (e)—

- (a) if P has been given prior permission by a person authorised by the Secretary of State for this purpose;
- (b) if P complies with any reasonable requirements imposed by the person so authorised in relation to the exercise, the visit to the person or attendance at the funeral.

Meaning of “place”

14. For the purposes of this Schedule the place referred to in paragraphs 8 to 13 means the room in the designated accommodation where P is staying and, if connected to the room where P is staying, the room of any person referred to in paragraph 11(a) (travelling companion), including any balcony, and does not include the communal areas or any garden, yard, passage, stair, garage, outhouse or appurtenance of the accommodation in which the place is situated.

Designations

15. The Secretary of State must designate for the purposes of this Schedule—

- (a) accommodation;
- (b) transportation to the designated accommodation,

and must publish details of the designations in such manner as appears to the Secretary of State to be appropriate.

Duties where P is a child

16. If P is a child—

- (a) any person who has custody or charge of P when P is travelling to England must ensure, so far as is reasonably practicable, that P complies with the obligations in paragraphs 5 and 6;
- (b) any person who has custody or charge of P during P’s period of self-isolation must ensure, so far as is reasonably practicable, that P self-isolates in accordance with this Schedule.

Person caring for P

17. A person may reside in the place where P is residing pursuant to this Schedule to provide assistance P reasonably requires by reason of—

- (a) P being a child; or
- (b) any disability of P’s,

(5) P is also a relevant person if travelling with a person who is a relevant person by virtue of sub-paragraph (4), where it is necessary for P to care for that relevant person, and where the Secretary of State has confirmed in writing that this paragraph applies in relation to P and has not withdrawn that confirmation.

(6) P is also a relevant person if—

- (a) P needs to visit a person (“D”) whom P reasonably believes is dying, or where D is severely ill;
- (b) P is a member of D’s household or a close family member or friend of D;
- (c) it would not be reasonably practicable for P to visit D if P were required to self-isolate in designated accommodation; and
- (d) the Secretary of State has confirmed in writing that this paragraph applies in relation to P and has not withdrawn that confirmation.

(7) In this paragraph—

- (a) “boarding school” means a school or college, which—
 - (i) provides accommodation for its pupils or, as the case may be, students on its own premises, or
 - (ii) arranges accommodation for its pupils or students to be provided elsewhere (other than in connection with a residential trip away from the school);
- (b) “school” means—
 - (i) an alternative provision academy within the meaning of section 1C of the Academies Act 2010(a),
 - (ii) a community, foundation or voluntary school or a community or foundation special school within the meaning of section 20 of the School Standards and Framework Act 1998(b),
 - (iii) an independent school (as defined by section 463 of the Education Act 1996(c)) registered under section 95 of the Education and Skills Act 2008(d),
 - (iv) a non-maintained special school (as defined in section 337A of the Education Act 1996(e), or
 - (v) a pupil referral unit within the meaning of section 19(2B) of the Education Act 1996(f);
- (c) “college” means—
 - (i) an institution within the further education sector within the meaning of section 91 of the Further and Higher Education Act 1992(g), or
 - (ii) a 16 to 19 Academy within the meaning of section 1B of the Academies Act 2010(h).

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- (a) 2010 c. 32; section 1C was inserted by section 53(7) of the Education Act 2011 (c. 21).
 - (b) 1998 c. 31; section 20 was amended by paragraph 95 of Schedule 21 to the Education Act 2002 (c. 32), paragraph 13 of Schedule 3 to the Education and Inspections Act 2006 (c. 40) and S.I. 2010/1158.
 - (c) 1996 c. 56; section 463 was substituted by section 172 of the Education Act 2002 and amended so far as relevant by paragraphs 1 and 43 of Schedule 3 to the Children and Families Act 2014 (c. 6) and S.I. 2010/1158
 - (d) 2008 c. 25
 - (e) 1996 c. 56; section 337A was substituted by section 142(1) of the Education and Skills Act 2008 (c. 25).
 - (f) Section 19(2B) was amended so far as relevant by section 47 of and Schedule 8 to the Education Act 1997, section 3 of and paragraph 1 of Schedule 3 and Schedule 4 to the Children, Schools and Families Act 2010, section 101 of the Education and Inspections Act 2006, S.I. 2007/1507 and S.I. 2010/1158.
 - (g) 1992 c. 13; section 91 was amended in so far as relevant by paragraph 42 of Schedule 9 and Schedule 11 to the Learning and Skills Act 2000 (c. 21), paragraph 13 of Schedule 8 to the apprenticeships, Skills, Children and Learning Act 2009 (c. 22) and by paragraphs 23 and 26 of Schedule 8 to the Higher Education and Research Act 2018 (c. 29).
 - (h) Section 1B was inserted by section 53(7) of the Education Act 2011.

SCHEDULE 12

Information for passengers

Regulation 14

PART 1

The specified information is—

ESSENTIAL INFORMATION TO ENTER ENGLAND FROM OVERSEAS

Everyone entering England from overseas (including UK nationals and residents) must provide proof of a negative COVID-19 test taken within 3 days of departure to England.

Fill in your Passenger Locator Form up to 48 hours before arrival. You must declare all countries you have visited or transited through in the 10 days prior to your arrival on your Passenger Locator Form.

Before departure check the list of red, amber, and green countries, as the list can change regularly.

Red list passengers

1. Book a managed quarantine package
2. Complete a Passenger Locator Form

You can only enter if you are a British or Irish National, or you have residence rights in the UK. You must enter through a designated port and quarantine in a government approved hotel for 10 days

Amber list passengers

1. Book tests for day 2 and 8
2. Complete a Passenger Locator Form
3. Make plans to self-quarantine in private accommodation for 10 full days after arrival (or full duration of stay if less than 10 days)

Green list passengers

1. Book a test for day 2
2. Complete a Passenger Locator Form

These measures apply to all persons (including UK nationals and residents) arriving in England from outside the common travel area comprising the United Kingdom, Ireland, the Isle of Man,

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

<https://www.gov.uk/uk-border-control>

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

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

<https://gov.wales/arriving-wales-overseas>

SCHEDULE 13

Regulation 18(3)

Prohibition on the arrival of aircraft and vessels into England

Interpretation of this Schedule

1.—(1) In this Schedule—

“controller” means—

- (a) in relation to a commercially operated aircraft or vessel, the person who has management control over the aircraft or vessel when it arrives in England;
- (b) in relation to any other aircraft or vessel, the person who has physical control over the aircraft or vessel when it arrives in England;

“passenger” means a person carried in or on an aircraft or vessel other than a member of the aircraft or vessel’s crew;

“port” has the same meaning as in the Merchant Shipping Act 1995(a).

(2) In the definition of “controller” in sub-paragraph (1) “arrives” means—

- (a) in relation to an aircraft, lands;
- (b) in relation to a vessel, moors at a port.

Prohibition on arrival of aircraft into England

2.—(1) A controller must not cause or permit an aircraft whose last point of departure was in a country or territory listed in paragraph 4 to land in England unless—

- (a) landing in England is reasonably necessary to secure the safety of the aircraft or the health and safety of any person aboard it;
- (b) the landing is only for the purpose of refuelling, or aircraft maintenance, and no passengers are permitted to board, or disembark from, the aircraft; or
- (c) the aircraft is an air ambulance and landing for the purpose of transporting a person for medical treatment.

(2) This paragraph does not apply in relation to—

- (a) a commercially operated aircraft carrying no passengers;
- (b) an aircraft operated by or in support of Her Majesty’s Government in the United Kingdom;
- (c) an aircraft operated by or in support of a foreign country or territory where, prior to its arrival in England, a United Kingdom Government Department has provided written confirmation to the operator that the aircraft is carrying passengers who are travelling to conduct official business with the United Kingdom.

(a) 1995 c. 21.

Prohibition on arrival of vessels into England

3.—(1) A controller must not cause or permit a vessel whose last point of departure was a country or territory listed in paragraph 5 to moor at a port in England unless mooring at a port in England—

- (a) is reasonably necessary to secure the safety of the vessel or the health and safety of any person aboard it; or
- (b) is otherwise required pursuant to a direction issued under Schedule 3A to the Merchant Shipping Act 1995.

(2) This paragraph does not apply in relation to—

- (a) a commercially operated vessel carrying no passengers;
- (b) a vessel operated by or in support of Her Majesty’s Government in the United Kingdom;
- (c) a vessel operated by or in support of a foreign country or territory where, prior to its arrival in England, a United Kingdom Government Department has provided written confirmation to the operator that the vessel is carrying passengers who are travelling to conduct official business with the United Kingdom.

4. The countries or territories referred to in paragraph 2(1) are—

- (a) Argentina;
- (b) Brazil;
- (c) Cape Verde;
- (d) Chile;
- (e) Ethiopia;
- (f) The Maldives;
- (g) Oman;
- (h) Qatar;
- (i) South Africa;
- (j) Turkey;
- (k) United Arab Emirates.

5. The countries or territories referred to in paragraph 3(1) are—

Turkey

6. A controller who contravenes paragraph 2(1) or 3(1) commits an offence punishable on summary conviction by a fine.

SCHEDULE 14

Regulation 20(4)(c)

Amounts of fixed penalties

Amounts of fixed penalties

1. The amounts specified for the purposes of regulation 20(4)(c) are the amounts specified in paragraphs 2 to 17 in relation to the offences described in each paragraph.

Regulation 19(1)(a)

2. Breach of regulation 3(1), (2) (3) (5), (7) or (8) (without reasonable excuse fail to provide passenger information, or evidence of having provided passenger information, or to update passenger information)—

- (a) in the case of the first fixed penalty notice, £500;

- (b) in the case of the second fixed penalty notice, £1,000;
- (c) in the case of the third fixed penalty notice, £2,000;
- (d) in the case of the fourth and subsequent fixed penalty notices, £4,000.

Regulation 19(6)

- 3. Breach of regulation 19(6) (intentionally or recklessly provide false passenger information)—**
 - (a) if the offence consists of the intentional or reckless provision of false or misleading passenger information relating to the person's travel history in relation to a category 3 country or territory), £10,000;
 - (b) in any other case—
 - (i) in the case of the first fixed penalty notice, £500,
 - (ii) in the case of the second fixed penalty notice, £1,000,
 - (iii) in the case of the third fixed penalty notice, £2,000,
 - (iv) in the case of the fourth and subsequent fixed penalty notices, £4,000.

Regulation 19(1)(b)

- 4. Breach of regulation 4 (1), (2), (3) or (4) (without reasonable excuse fail to possess or produce evidence of negative test result on arrival)—**
 - (a) in the case of the first fixed penalty notice, £500;
 - (b) in the case of the second fixed penalty notice, £1,000;
 - (c) in the case of the third fixed penalty notice, £2,000;
 - (d) in the case of the fourth and subsequent fixed penalty notices, £4,000.

Regulation 19(1)(c)

- 5. Breach of regulation 6 (requirement to book and undertake tests)—**
 - (a) in the case of a fixed penalty notice issued in respect of a failure to possess a testing package in accordance with regulation 6(3), £1,000;
 - (b) in the case of a fixed penalty notice issued in respect of a failure to obtain a testing package in accordance with regulation 6(4), £2,000;
 - (c) in the case of a fixed penalty notice issued in respect of a failure to obtain a testing package for a child in accordance with regulation 6(5), £1,000;
 - (d) in the case of the first fixed penalty notice issued in respect of a failure to undertake a test in accordance with regulation 6(6) or (8), £1,000;
 - (e) in the case of the second fixed penalty notice issued in respect of a failure to undertake a test in accordance with regulation 6(6) or (8), £2,000;
 - (f) regulation 6(11) (duty to provide evidence), £1,000.

Regulation 19(1)(d)

- 6. Breach of regulation 7(2), (3) or (9) (requirement to undertake workforce tests)—**
 - (a) in the case of a first fixed penalty notice, £1,000;
 - (b) in the case of a second fixed penalty notice, £2,000;
 - (c) in the case of a third and subsequent fixed penalty notice, £3,000.

Regulation 19(7)(b) to (d)

15. Breach of requirement under regulation 16(1), 17(1) or 18(1) (other operator offences), £2,000.

Regulation 19(13)

16. Breach of requirement under regulation 15 (operator records and information), £500.

Regulation 19(14)

17. Breach of regulation 19(14) (wilful obstruction of a person carrying out a function under these Regulations)—

- (a) obstruction of a function relating to regulation 3—
 - (i) in the case of the first fixed penalty notice, £500,
 - (ii) in the case of the second fixed penalty notice, £1,000,
 - (iii) in the case of the third fixed penalty notice, £2,000,
 - (iv) in the case of the fourth and subsequent fixed penalty notices, £4,000,
- with no account taken of any fixed penalty notices given before 4.00 a.m. on 18th January 2021;
- (b) obstruction of a function relating to regulation 4—
 - (i) in the case of the first fixed penalty notice, £500,
 - (ii) in the case of the second fixed penalty notice, £1,000,
 - (iii) in the case of the third fixed penalty notice, £2,000,
 - (iv) in the case of the fourth and subsequent fixed penalty notices, £4,000;
- (c) obstruction of a function relating to regulations 9 or 11 apart from regulation 11(3), £1,000;
- (d) obstruction of a function relating to regulation 11(3) or in relation to regulation 10—
 - (i) in the case of the first fixed penalty notice, £5,000,
 - (ii) in the case of the second fixed penalty notice, £8,000,
 - (iii) in the case of the third and subsequent fixed penalty notice, £10,000;
- (e) in any other case, £500.

18. In determining how many fixed penalty notices a person (“P”) has received for the purposes of paragraph 8 (breach of requirement in regulation 9 to self-isolate etc), if P received more than one fixed penalty notice for that offence before 2nd October 2020, only one of those notices may be taken into account.

SCHEDULE 15

Consequential Amendments

Regulation 26(2)

1.—(1) The Health Protection (Notification) Regulations 2010(a) are amended as follows.

(2) In regulation 4(3D)(b), for “regulation 3B of the Health Protection (Coronavirus, International Travel) (England) Regulations 2020” substitute “regulation 6 of the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021”.

(a) S.I. 2010/659. Regulations 4(3D) and 4ZA were inserted by S.I. 2021/150. There are other amendments but none is relevant.

