

2021 No. 1342 (W. 346)

PUBLIC HEALTH, WALES

**The Health Protection
(Coronavirus, International Travel
and Public Health Information to
Travellers) (Wales) (Amendment)
(No. 3) Regulations 2021**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020 (S.I. 2020/574 (W. 132)) (“the International Travel Regulations”) and the Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020 (S.I. 2020/595 (W. 136)) (“the Public Health Information Regulations”).

The International Travel Regulations impose requirements on persons entering Wales after having been abroad. They include requirements for booking and undertaking coronavirus tests in accordance with those Regulations. The requirements imposed by the International Travel Regulations are subject to exceptions, and certain categories of person are exempt from having to comply, including “regulation 2A travellers”, which includes vaccinated travellers and travellers under 18.

These Regulations amend the International Travel Regulations so as to provide day 2 PCR testing and isolation requirements in relation to “regulation 2A travellers”.

Regulation 14 of these Regulations amends the Public Health Information Regulations in consequence of the amendments made to the International Travel Regulations.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has not been prepared

as to the likely costs and benefits of complying with these Regulations.

2021 No. 1342 (W. 346)

PUBLIC HEALTH, WALES

The Health Protection
(Coronavirus, International Travel
and Public Health Information to
Travellers) (Wales) (Amendment)
(No. 3) Regulations 2021

Made at 5.35 p.m. on 29 November 2021

*Coming into force at 4.00 a.m. on 30
November 2021*

*Laid before Senedd
Cymru at 10.00 a.m. on 30 November 2021*

The Welsh Ministers, in exercise of the powers conferred on them by sections 45B, 45F and 45P(2) of the Public Health (Control of Disease) Act 1984(1), make the following Regulations.

Title and coming into force

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

(2) These Regulations come into force at 4.00 a.m. on 30 November 2021.

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

Amendments to the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020

2. The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020(1) are amended as follows.

Amendments to regulation 6AB

3. In regulation 6AB(2) (requirement to book and undertake tests)—

(a) for sub-paragraph (a), substitute—

“(a) a “day 2 test” is a test complying with paragraph 1 of Schedule 1C which is undertaken in the circumstances described in paragraph 1A of that Schedule;”.

(b) in sub-paragraph (d)(i), for “regulation 7(1) or 8(1) applies” substitute “regulation 2A does not apply”.

Amendment to regulation 6DA

4. In regulation 6DA (requirement to isolate on failure to take tests: travellers from non-exempt countries and territories), in paragraph (1), for “regulations 6AB(1) and either 7(1) or 8(1) apply”, substitute “regulation 6AB(1) applies and regulation 2A does not apply”.

(1) S.I. 2020/574 (W. 132), amended by S.I. 2020/595 (W. 136), S.I. 2020/714 (W. 160), S.I. 2020/726 (W. 163), S.I. 2020/804 (W. 177), S.I. 2020/817 (W. 179), S.I. 2020/840 (W. 185), S.I. 2020/868 (W. 190), S.I. 2020/886 (W. 196), S.I. 2020/917 (W. 205), S.I. 2020/942, S.I. 2020/944 (W. 210), S.I. 2020/962 (W. 216), S.I. 2020/981 (W. 220), S.I. 2020/1015 (W. 226), S.I. 2020/1042 (W. 231), S.I. 2020/1080 (W. 243), S.I. 2020/1098 (W. 249), S.I. 2020/1133 (W. 258), S.I. 2020/1165 (W. 263), S.I. 2020/1191 (W. 269), S.I. 2020/1223 (W. 277), S.I. 2020/1232 (W. 278), S.I. 2020/1237 (W. 279), S.I. 2020/1288 (W. 286), S.I. 2020/1329 (W. 295), S.I. 2020/1362 (W. 301), S.I. 2020/1477 (W. 316), S.I. 2020/1521 (W. 325), S.I. 2020/1602 (W. 332), S.I. 2020/1645 (W. 345), S.I. 2021/20 (W. 7), S.I. 2021/24 (W. 8), S.I. 2021/46 (W. 10), S.I. 2021/48 (W. 11), S.I. 2021/50 (W. 12), S.I. 2021/66 (W. 15), S.I. 2021/72 (W. 18), S.I. 2021/95 (W. 26), S.I. 2021/154 (W. 38), S.I. 2021/305 (W. 78), S.I. 2021/361 (W. 110), S.I. 2021/454 (W. 144), S.I. 2021/500 (W. 149), S.I. 2021/568 (W. 156), S.I. 2021/584 (W. 161), S.I. 2021/646 (W. 166), S.I. 2021/669 (W. 170), S.I. 2021/765 (W. 187), S.I. 2021/826 (W. 193), S.I. 2021/863 (W. 202), S.I. 2021/867 (W. 203), S.I. 2021/915 (W. 208), S.I. 2021/926 (W. 211), S.I. 2021/967 (W. 227), S.I. 2021/1063 (W. 250), S.I. 2021/1109 (W. 265), S.I. 2021/1126 (W. 273), S.I. 2021/1212 (W. 303), S.I. 2021/1321 (W. 336) and S.I. 2021/1330 (W. 343).

Amendments to regulation 6DB

5.—(1) Regulation 6DB (requirement to isolate on failure to take tests: regulation 2A travellers) is amended as follows.

(2) For paragraph (3) substitute—

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

(3) In paragraph (4)(b) for “regulation 7” substitute “regulations 7 or 8”.

(4) For paragraph (5)(a), substitute—

“(a) is a day 2 test,”.

Amendments to regulation 6E

6.—(1) Regulation 6E (consequences of positive test result) is amended as follows.

(2) Paragraph (1)(b) is omitted.

(3) Paragraphs (3) to (6) are omitted.

(4) Paragraph (8) is omitted.

Amendment to regulation 6HA

7. In regulation 6HA (consequences of receiving inconclusive test result: travellers from non-exempt countries and territories), in paragraph (1), for “regulations 6AB(1) and either 7(1) or 8(1) apply”, substitute “regulation 6AB(1) applies and regulation 2A does not apply”.

Amendments to regulation 6HB

8.—(1) Regulation 6HB (consequences of receiving inconclusive test result: regulation 2A travellers) is amended as follows.

(2) For paragraph (3) substitute—

“(3) Where paragraph (2) applies, the last day of P’s isolation under regulation 7 or 8 is the last day of the period of 10 days beginning with the day after the day on which P was last in a non-exempt country or territory (and regulation 12 does not apply for the purposes of determining the last day of P’s isolation).”

(3) In paragraph (4)(b) for “regulation 7” substitute “regulations 7 or 8”.

(4) For paragraph (5)(a), substitute—

“(a) is a day 2 test,”.

Amendment to regulation 9

9. In regulation 9(2) (isolation requirements: exemptions), sub-paragraph (e) is omitted.

Substitution of regulation 12

10. For regulation 12 (last day of isolation), substitute—

“Last day of isolation

12. For the purposes of regulations 7, 8 and 10, the last day of P’s isolation is—

- (a) where P is a regulation 2A traveller, the earlier of—
 - (i) the last day of the period of 10 days beginning with the day after the day on which P was last in a non-exempt country or territory; or
 - (ii) the day that P is notified the result of a day 2 test undertaken in accordance with regulation 6AB is negative;
- (b) where P is not a regulation 2A traveller, the last day of the period of 10 days beginning with the day after the day on which P was last in a non-exempt country or territory.”

Amendments to regulation 14

11.—(1) Regulation 14 (offences) is amended as follows.

- (2) Paragraph (1)(ha) is omitted.
- (3) In paragraph (1D), omit “or 6E(4)”.

Amendments to regulation 16

12. In regulation 16(6AB) (fixed penalty notices)—

- (a) in the opening words, omit “or (ha)”;
- (b) in sub-paragraph (b), omit “or 6E(4)”;
- (c) in sub-paragraph (c), omit “or 6E(4)”.

Amendments to Schedule 1C

13.—(1) Schedule 1C (mandatory testing after arrival in Wales) is amended as follows.

- (2) Paragraph 1ZB is omitted.
- (3) Paragraph 1ZC is omitted.
- (4) In paragraph 1A, sub-paragraph (b) is omitted.
- (5) Paragraph 2D is omitted.

(6) In paragraph 3(d), omit “, except in paragraph 1ZC(1)(h),”.

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

14. For the Schedule to the Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020(1) substitute—

“SCHEDULE

Regulations 3, 3A and 4

Part 1

The information to be provided for the purposes of regulations 3(2)(a)(i), 3(2)(b)(i), 3(2)(c)(i), 3A(4)(b)(i) and 3A(4)(c) is—

“Essential information to enter Wales from overseas

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 list of countries, as the list can change regularly.

Red list passengers (including passengers who are fully vaccinated)

1. Provide proof of a negative COVID-19 test taken within 3 days of departure to Wales
2. Book a managed quarantine package
3. Complete a Passenger Locator Form

You can only enter if you are a British or Irish National, or you have residency rights in the UK. You must enter through

(1) S.I. 2020/595 (W. 136) as amended by S.I. 2020/714 (W. 160), S.I. 2020/1118 (W. 253), S.I. 2020/1521 (W. 325), S.I. 2021/72 (W. 18), S.I. 2021/171 (W. 39), S.I. 2021/457 (W. 145), S.I. 2021/584 (W. 161), S.I. 2021/646 (W. 166), S.I. 2021/765 (W. 187), S.I. 2021/863 (W. 202), S.I. 2021/1109 (W. 265) and S.I. 2021/1212 (W. 303).

a designated port and quarantine in a government approved hotel for 10 days.

Unvaccinated passengers or passengers vaccinated with unauthorised vaccines who are not red list passengers

1. Provide proof of a negative COVID-19 test taken within 3 days of departure to Wales
2. Book tests for day 2 and 8
3. Complete a Passenger Locator Form
4. Make plans to self-quarantine in private accommodation for 10 full days after arrival (or full duration of stay if less than 10 days)

Fully vaccinated passengers who are not red list passengers

1. Book a test for on or before day 2 – this must be a PCR test
2. Complete a Passenger Locator Form
3. Self-isolate on arrival and until the result of your day 2 test is known. You may only leave self-isolation if the test is negative.

These measures apply to all persons (including UK nationals and residents) arriving in Wales from outside the common travel area comprising the United Kingdom, Ireland, the Isle of Man, and the Channel Islands. The British Overseas Territories are not in the common travel area. Public health requirements may vary depending upon in which nation of the UK you are staying.

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

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

Scotland: <https://www.gov.scot/publications/coronavirus-covid-19-international-travelquarantine/pages/overview/>

Wales: <https://gov.wales/travelrules>

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

Part 2

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

(a) Welsh language version—

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

Os ydych wedi eich brechu'n llawn neu'n bodloni'r meini prawf cymhwysra mewn ffordd arall, rhaid ichi gymryd prawf PCR ar neu cyn diwrnod 2 ar ôl ichi gyrraedd. Rhaid ichi hunanynysu wrth gyrraedd a dim ond os yw canlyniad y prawf yn negyddol y caniateir ichi adael yr hunanynysiad.

Rhaid i deithwyr nad ydynt wedi eu brechu hunanynysu am 10 niwrnod a chymryd prawf ar ddiwrnod 8 ar ôl ichi gyrraedd.

Os ydych wedi bod mewn unrhyw wledydd ar y rhestr goch, neu wedi tramwyo drwy unrhyw wledydd o'r fath, o fewn y 10 niwrnod blaenorol, rhaid ichi fynd i gwarantín mewn cyfleuster cwarantín a reolir am y 10 niwrnod cyntaf ar ôl ichi gyrraedd a hefyd gymryd prawf arall 8 niwrnod ar ôl ichi gyrraedd.

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

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

Ewch i [gov.uk/coronavirus](https://www.gov.uk/coronavirus) i gael rhagor o gyngor.”;

(b) English language version—

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

If you are fully vaccinated or otherwise meet the eligibility criteria, you must take a PCR test on or before day 2 after you arrive. You must self-isolate on arrival and may only leave self-isolation if the result of the test is negative.

Unvaccinated passengers must self-isolate for 10 days and take a test on day 8 after you arrive.

If you have been in or transited through any countries on the red list within the previous 10 days, you must quarantine in a managed quarantine facility for the first 10 days after arrival and also take another test 8 days after arrival.

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

Please follow the Public Health guidance for the area you are living or travelling in. Visit [gov.uk/coronavirus](https://www.gov.uk/coronavirus) for more advice.”;

(c) the statement in paragraph (a) or (b) translated into an officially recognised language of the country of departure.”

Eluned Morgan

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

At 5.35 p.m. on 29 November 2021