

2020 No. 1329 (W. 295)

PUBLIC HEALTH, WALES

**The Health Protection
(Coronavirus, International Travel)
(Wales) (Amendment) (No. 20)
Regulations 2020**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020 (S.I. 2020/574 (W. 132)) (the “International Travel Regulations”). The International Travel Regulations have been previously amended by:

- the Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020 (S.I. 2020/595) (W. 136);
- the Health Protection (Coronavirus, International Travel and Public Health Information to Travellers) (Wales) (Amendment) Regulations 2020 (S.I. 2020/714) (W. 160);
- the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) Regulations 2020 (S.I. 2020/726) (W. 163);
- the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/804) (W. 177);
- the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/817) (W. 179);
- the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 4) Regulations 2020 (S.I. 2020/840) (W. 185);
- the Health Protection (Coronavirus, International Travel) (Wales) (Amendment)

- (No. 5) Regulations 2020 (S.I. 2020/868) (W. 190);
- the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 6) Regulations 2020 (S.I. 2020/886) (W. 196);
 - the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 7) Regulations 2020 (S.I. 2020/917) (W. 205);
 - the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 8) Regulations 2020 (S.I. 2020/944) (W. 210);
 - the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 9) Regulations 2020 (S.I. 2020/962) (W. 216);
 - the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 10) Regulations 2020 (S.I. 2020/981) (W. 220);
 - the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 11) Regulations 2020 (S.I. 2020/1015) (W. 226);
 - the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 12) Regulations 2020 (S.I. 2020/1042) (W. 231);
 - the Transfer of Functions (Secretary of State for Foreign, Commonwealth and Development Affairs) Order 2020 (S.I. 2020/942);
 - the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 13) Regulations 2020 (S.I. 2020/1080) (W. 243);
 - the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 14) Regulations 2020 (S.I. 2020/1098) (W. 249);
 - the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 15) Regulations 2020 (S.I. 2020/1133) (W. 258);
 - the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 16) Regulations 2020 (S.I. 2020/1165) (W. 263);
 - the Health Protection (Coronavirus, International Travel) (Wales) (Amendment)

(No. 17) Regulations 2020 (S.I. 2020/1191) (W. 269);

- the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 18) Regulations 2020 (S.I. 2020/1223) (W. 277);
- the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 19) Regulations 2020 (S.I. 2020/1232) (W. 278);
- the Health Protection (Coronavirus, International Travel and Restrictions) (Amendment) (Wales) Regulations 2020 (S.I. 2020/1237 (W. 279);
- the Health Protection (Coronavirus, International Travel and Restrictions) (Amendment) (No. 2) (Wales) Regulations 2020 (S.I. 2020/1288 (W. 286).

The International Travel Regulations impose requirements on persons entering Wales after having been abroad. They include a requirement for persons arriving in Wales to isolate for a period determined in accordance with the Regulations. The requirements imposed by the International Travel Regulations are subject to exceptions, and certain categories of person are exempt from having to comply. Persons entering Wales after being in one or more of the countries and territories listed in Schedule 3 to the International Travel Regulations are not required to isolate. The countries and territories listed in Schedule 3 are referred to as “exempt countries and territories”.

Part 2 of these Regulations amends the list of exempt countries and territories.

Regulation 2 of these Regulations amends the International Travel Regulations to add Bonaire, Sint Eustatius and Saba, Commonwealth of the Northern Mariana Islands, Israel, the City of Jerusalem, the Republic of Namibia, Republic of Rwanda, Sri Lanka, Uruguay and the Virgin Islands of the United States to the list of exempt countries and territories.

Regulation 3 of these Regulations makes transitional provision relating to these countries’ change of status. The transitional provision addresses a potential area of doubt in terms of the effect on the operation of the International Travel Regulations, of the amendments made by regulation 2 of these Regulations.

Part 3 of these Regulations amends regulation 4 of the International Travel Regulations (requirement to provide passenger information) which requires persons arriving in Wales by ship or aircraft to provide information to the Secretary of State. Regulation 4 of

these Regulations requires passenger information to be provided on or before arrival in Wales.

Part 4 of these Regulations amends Schedule 2 (exempt persons) to the International Travel Regulations. Schedule 2 to those Regulations exempts certain categories of worker from having to provide passenger information and from having to isolate.

Part 5 of the Regulations makes miscellaneous amendments 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 cost and benefit of complying with these Regulations.

2020 No. 1329 (W. 295)

PUBLIC HEALTH, WALES

The Health Protection
(Coronavirus, International Travel)
(Wales) (Amendment) (No. 20)
Regulations 2020

Made at 3.02 p.m. on 20 November 2020

*Laid before Senedd
Cymru at 7.00 p.m. on 20 November 2020*

*Coming into force at 4.00 a.m. on 21
November 2020*

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

PART 1

General

Title, coming into force and interpretation

1.—(1) The title of these Regulations is the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 20) Regulations 2020.

(2) These Regulations come into force at 4.00 a.m. on 21 November 2020.

(3) In these Regulations, the “International Travel Regulations” means the Health Protection

(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.

PART 2

Addition of countries to the list of exempt countries and territories in Schedule 3 to the International Travel Regulations

Addition of countries to the list of exempt countries and territories

2. In Part 1 of Schedule 3 to the International Travel Regulations (exempt countries and territories outside the common travel area), at the appropriate place insert—

- “Bonaire, Sint Eustatius and Saba”
- “Commonwealth of the Northern Mariana Islands”
- “Israel”
- “the City of Jerusalem”(2)
- “Republic of Namibia”
- “Republic of Rwanda”
- “Sri Lanka”
- “Uruguay”
- “Virgin Islands of the United States”.

Transitional provision in connection with regulation 2

3.—(1) Paragraph (2) applies where, immediately before 4.00 a.m. on 21 November 2020—

- (a) a person (“P”) was subject to an isolation requirement by virtue of having arrived in Wales from, or having been in a country or territory listed in regulation 2, and
- (b) P’s last day of isolation is 21 November 2020 or a day after that day.

(1) S.I. 2020/574 (W. 132) as 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. 2020/944 (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. 2020/942, 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) and S.I. 2020/1288 (W. 286).

(2) This reference to Jerusalem means the City of Jerusalem in its entirety, including East Jerusalem in the Palestinian Territories.

(2) The addition of the country and territory listed in regulation 2 to Part 1 of Schedule 3 to the International Travel Regulations does not affect the isolation requirement as it applies to P, nor affect how P's last day of isolation is determined under the International Travel Regulations.

(3) Paragraph (4) applies where a person ("P")—

(a) arrives in Wales at or after 4.00 a.m. on 21 November 2020, and

(b) was in a country or territory listed in regulation 2 within the period of 14 days ending with the day of P's arrival in Wales.

(4) For the purposes of regulations 7(1) and 8(1) of the International Travel Regulations, the question of whether P has arrived in Wales from, or having been in, a non-exempt country or territory is, in relation to a country or territory listed in regulation 2, to be determined by reference to whether the country or territory was a non-exempt country or territory when P was last there (and not by reference to the country's or the territory's status upon P's arrival in Wales).

(5) In this regulation, "isolation requirement" has the meaning given by regulation 10(2) of the International Travel Regulations; and references to P's last day of isolation are to be interpreted in accordance with regulation 12 of those Regulations.

PART 3

Amendment to regulation 4 (requirement to provide passenger information) of the International Travel Regulations

Amendment to regulation 4 (requirement to provide passenger information) of the International Travel Regulations

4. In regulation 4(1) of the International Travel Regulations substitute "as soon as reasonably practicable upon arriving" with "on or before arrival".

PART 4

Amendments to Parts 1 and 2 of Schedule 2 to the International Travel Regulations

Amendment to Part 1 of Schedule 2 to the International Travel Regulations (persons not required to comply with regulations 4, 5, 7 or 8)

5. In Part 1 of Schedule 2 to the International Travel Regulations (persons not required to comply with

regulations 4, 5, 7 or 8), in paragraph 1(1)(f) after “conference” insert “in the United Kingdom”.

Amendment to Part 2 of Schedule 2 to the International Travel Regulations (persons not required to comply with regulations 7 or 8)

6.—(1) Part 2 of Schedule 2 to the International Travel Regulations (persons not required to comply with regulations 7 or 8), is amended as follows.

(2) For paragraph 13 substitute—

“13.—(1) Any person who the relevant Department has certified as meeting the descriptions in sub-paragraph (a), (b) or (c)—

- (a) a crown servant or government contractor who is required to undertake essential policing or essential government work in the United Kingdom within the period during which they would, but for this paragraph, have had to self-isolate in accordance with regulations 7 or 8;
- (b) a person returning from undertaking essential state business outside of the United Kingdom;
- (c) a person returning to the United Kingdom where this is necessary to facilitate the functioning of a diplomatic mission or consular post of Her Majesty or of a military or other official posting on behalf of Her Majesty.

(2) For the purposes of subparagraph (1)—

- (a) “consular post” means any consulate-general, consulate, vice-consulate or consular agency,
- (b) “Crown servant” has the meaning given in section 12(1)(a) to (e) of the Official Secrets Act 1989,
- (c) “essential government work” means work which has been designated as such by the relevant Department, and includes, in particular, work related to national security, the work of the National Crime Agency in pursuance of its statutory functions, and work related to immigration, the coronavirus disease or any other crisis response, but does not include work of the description in paragraph 2(1) of Part 1 of this Schedule,
- (d) “essential policing” means activity which has been designated as such on

behalf of the relevant chief officer or chief constable,

(e) “essential state business” means activity which has been designated as essential to the United Kingdom or Her Majesty’s Government by the relevant Department, and includes, in particular, bilateral or multilateral discussions with another state or international organisation and visits to another state on behalf of the United Kingdom or Her Majesty’s Government,

(f) “government contractor” has the meaning given in section 12(2) of the Official Secrets Act 1989.”

(3) After paragraph 13 insert—

“**13A.**—(1) A person returning from undertaking essential or emergency work outside of the United Kingdom, which has been certified by the relevant Department as necessary to facilitate essential government work or essential state business.

(2) For the purposes of sub-paragraph (1) “essential government work” and “essential state business” have the same meaning as in paragraph 13.”

(4) In paragraph 35(a)(i) omit “including work relating to maintenance and repair of submarine cables connecting the United Kingdom with other countries,”.

(5) After paragraph 38 insert—

“**39.** A person —

(a) who is engaged in the installation, maintenance or repair of subsea fibre optic telecommunications infrastructure,

(b) whose role directly supports the installation, maintenance or repair of subsea fibre optic telecommunications infrastructure,

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

PART 5

Miscellaneous Amendments to the International Travel Regulations

Amendment of the International Travel Regulations

7.—(1) The International Travel Regulations are amended as follows.

(2) In Part 1 of Schedule 3 to the International Travel Regulations for the heading substitute “Countries, territories and parts of countries or territories”.

(3) In regulation 12B(3)(a)(ii) (prohibition on the arrival of aircraft and vessels travelling directly from Denmark), in the Welsh language text omit “arall”.

Vaughan Gething

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

At 3.02 p.m. on 20 November 2020