



## Department for Business, Energy & Industrial Strategy

### Exemption Guidance: The Health Protection (Coronavirus, International Travel) (England) Regulations 2020

Dear Stakeholder,

As from the 8<sup>th</sup> June, anyone entering the UK will be subject to a mandatory 14-day quarantine period under the Health Protection (Coronavirus, International Travel) Regulations. There are some limited exemptions to this policy for which some of your workers may qualify. Companies will need to self-identify if their workers are covered by exemptions based on the guidance on gov.uk and the legal definitions included in the regulations – receipt of this guidance from BEIS should not be used to justify an exemption. Where you believe your workers may be exempt, we ask that you provide them with a letter to justify their exemption. The worker should ensure they have this on them when entering the UK and throughout their stay in case of spot checks. We have provided a template for this letter in Annexe A, which we would suggest you use, although it is not mandatory to use this template.

Although some of your workers may be exempt, we would continue to advise you that all staff should follow the Foreign Office travel advice which can be found here:

<https://www.gov.uk/foreign-travel-advice>

The template must be completed with the individual details for each employee whom it is absolutely necessary to exempt. A generic letter is not acceptable. A clear justification must be provided for why the individual is exempt. We would also suggest (although it is not compulsory) that you reference the relevant legal definition in the Regulations under which they are exempt. The legal definitions in the Regulations covering exempt groups relevant to your sector are provided in Annexe B, the full regulations and all exemptions can be found <http://www.legislation.gov.uk/uksi/2020/568/contents/made>.

If individuals are known to your company then please distribute this letter directly to them. If you are contracting employees through another company, then this guidance and template can be shared with the employer of individuals who will be travelling to the UK for them to complete and distribute to the worker. Contact details should also be provided for your company in case there are any concerns over the validity of the letter.

It is also important that you remind any worker entering the UK that they **must abide by government guidance at all times**, links to this guidance have been provided below.

Social Distancing – <https://www.gov.uk/government/publications/staying-alert-and-safe-social-distancing/staying-alert-and-safe-social-distancing>

Safer Working – <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19>

Safer Travelling – <https://www.gov.uk/guidance/coronavirus-covid-19-safer-travel-guidance-for-passengers>

Its also important to note that your employees are **not** exempt from the requirement to provide their information on entry to the UK. This should be done via an online form which will be available at <https://www.gov.uk/uk-border-control> (This form may not be live at the time of issuing this guidance, but should be available shortly)

Annexe A

*Please insert company  
logo / use company  
letter headed paper*

*Company Name  
Address  
City, Postcode  
Phone Number*

*Date*

*Recipient Name  
Address  
City, Postcode*

Dear *[exempt individual name]*,

Please provide this letter as evidence that you are exempt from reg. 4 of the Health Protection (Coronavirus, International Travel) Regulations requiring a self-isolation period of 14 days.

The purpose of travel to the United Kingdom is *[please provide details of purpose of travel as relevant to exemption, such as details of the essential work to be conducted and the date & locations this will be conducted at]*. This purpose of travel is exempt from reg. 4 as specified by the following exemption *[please provide the relevant legal text for the exemption from Schedule 2, Part 2 of the Regulations]*.

As your travel is exempt from the mandatory self-isolation period, you may proceed to conduct the activities for which you are exempt once you have entered the United Kingdom. However, you must at all times follow the relevant guidance from Public Health England, including the Safer Working Guidance applicable to any place of work you attend and the Safer Travel Guidance for any essential journeys.

The safer working guidance can be found here: <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19>

The safer travel guidance can be found here: <https://www.gov.uk/guidance/coronavirus-covid-19-safer-travel-guidance-for-passengers>

Enquiries regarding the provision of this exemption can be directed to *[company contact for exemptions]* at *[provide contact details for company]*.

Yours sincerely,

*Named company contact*

## Annexe B

**6** —(1) A road haulage worker or a road passenger transport worker.

(1) 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<sup>(1)</sup>,
- (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<sup>(2)</sup>, and who is acting in the course of their employment,
- (d) “public service vehicle” has the meaning given in section 1 of the Public Passenger Vehicles Act 1981<sup>(3)</sup>,
- (e) “road passenger transport worker” means—
  - (i) the driver of a public service vehicle, or
  - (ii) a person who is employed by the holder of a Community licence issued under Article 4 of Regulation (EC) No 1073/2009<sup>(4)</sup> of the European Parliament and of the Council, and who is acting in the course of their employment.

**13.**—(1) A Crown servant or government contractor who is—

- (a) required to undertake essential policing or essential government work in the United Kingdom within 14 days of their arrival,
- (b) undertaking essential policing or essential government work outside of the United Kingdom but—
  - (i) is required to return to the United Kingdom temporarily,
  - (ii) will thereafter depart to undertake essential policing or essential government work outside of the United Kingdom, or
- (c) who is conducting bi-lateral or multilateral discussions with another state or international organisation.

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

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

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

- (e) 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<sup>(5)</sup>,
  - (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

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<sup>(1)</sup> 1988 c. 52. There are amendments to section 192 but none is relevant.

<sup>(2)</sup> OJ No. L 300, 14.11.2009, p. 72.

<sup>(3)</sup> 1981 c. 14. Section 1 was amended by section 139(3) of the Transport Act 1985 (c.67).

<sup>(4)</sup> OJ No. L 300, 14.11.2009, p. 88–105.

<sup>(5)</sup> S.I. 2014/3120. There are no relevant amending instruments.

- (vi) the commissioning, maintenance and repair of industrial machinery for use on a network, or
- (f) carried out by or on behalf of—
  - (i) the national system operator,
  - (ii) a person holding a transmission licence,
  - (iii) a person holding a distribution licence,
  - (iv) a person holding a licence under section 7 and 7ZA of the Gas Act 1986<sup>(6)</sup>,
  - (v) a LNG import or export facility as defined in section 48 of the Gas Act 1986<sup>(7)</sup>, or
  - (vi) a person holding a network licence under section 8 of the Railways Act 1993,

where they have travelled to the United Kingdom for the purposes of their work.

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

- (a) “distribution licence” means a licence granted under section 6(1)(c) of the Electricity Act 1989<sup>(8)</sup>,
- (b) “essential or emergency works” includes commissioning, inspections, maintenance, repairs, and asset replacement activities,
- (c) “national system operator” means the person operating the national transmission system for Great Britain,
- (d) “network”, in sub-paragraph (1)(a)(v) and (vi), has the meaning given in section 83(1) of the Railways Act 1993<sup>(9)</sup>
- (e) “transmission licence” means a licence granted under section 6(1)(b) of the Electricity Act 1989,
- (f) “electricity interconnector”, “generating station” and “transmission system” have the meanings given in section 64(1) of the Electricity Act 1989<sup>(10)</sup>.

**19.**—(1) A person who is—

- (a) nuclear personnel, and who is essential to the safe and secure operations of a site in respect of which a nuclear site licence has been granted,
- (b) a nuclear emergency responder,
- (c) an agency inspector, or
- (d) a Euratom inspector, provided that they arrive in the United Kingdom before IP completion day,

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

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

- (a) “agency inspector” has the meaning given in section 1(1) of the Nuclear Safeguards Act 2000<sup>(11)</sup>,
- (b) “nuclear emergency responder” means a person providing assistance to the United Kingdom in accordance with the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency done at Vienna on 26 September 1986, who has been duly notified to and accepted by the United Kingdom, where the United Kingdom has requested assistance under that Convention,
- (c) “Euratom inspector” means an inspector sent to the United Kingdom by the Commission of the European Union in accordance with Articles 81 and 82 of the Euratom Treaty,
- (d) “nuclear personnel” means—
  - (i) a worker who is employed to carry out work on or in relation to a site in respect of which a nuclear site licence has been granted, or
  - (ii) an employee of the Nuclear Decommissioning Authority<sup>(12)</sup>,
- (e) “nuclear site licence” has the meaning given in section 1 of the Nuclear Installations Act 1965<sup>(13)</sup>.

**20.** An inspector from the Organisation for the Prohibition of Chemical Weapons, within the meaning given to “inspector” by section 24(e) of the Chemical Weapons Act 1996<sup>(14)</sup>, who has travelled to the United Kingdom for the purposes of an inspection.

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

<sup>(7)</sup> The definition was inserted by S.I. 2011/2704.

<sup>(8)</sup> 1989 c. 29.

<sup>(9)</sup> 1993 c. 43. There are amendments to section 83(1) but none is relevant.

<sup>(10)</sup> The definition of “electricity interconnector” was inserted by section 147(7) of the Energy Act 2004. The definition of “transmission system” was substituted by paragraph 15 of Schedule 19 to the 2004 Act.

<sup>(11)</sup> 2000 c. 5

<sup>(12)</sup> The Nuclear Decommissioning Authority was established by section 1 of the Energy Act 2004.

<sup>(13)</sup> 1965 c. 57. Section 1 was substituted by paragraph 17 of Schedule 2 to the Energy Act 2013 (c. 32); by virtue of section 1(2), a licence described in section 1(1) is referred to as a “nuclear site licence”.

<sup>(14)</sup> 1996 c. 6.

**21.**—(1) A person who is—

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

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

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

- (a) “space site” has the meaning given in paragraph 5(3) of Schedule 4 to the Space Industry Act 2018<sup>(15)</sup>,
- (b) “space situational awareness capabilities” means the sensors, systems and analytical services needed to provide time-sensitive warnings of space weather events, orbital collisions, orbital fragmentations or the re-entry of man-made objects from orbit,
- (c) “spacecraft” has the meaning given in section 2(6) of the Space Industry Act 2018,
- (d) “spacecraft controller” means a person competent, authorised and responsible for maintaining safe and secure operation of spacecraft through monitoring the status of a spacecraft, issuing manoeuvre commands or controlling other aspects of the spacecraft that influence its behaviour including its motion in space.

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

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

- (a) “specialist aerospace engineer” means a person who is employed or otherwise engaged to provide engineering services for the purpose of ensuring the continued operation of aviation activities (including but not limited to the provision of maintenance and repair services for production lines, aviation components, grounded aircraft and new aircraft),
- (b) “specialist aerospace worker” means a person who is employed or otherwise engaged to provide services for the purpose of ensuring safety management and quality assurance as required by relevant standards, guidance and publications on aviation safety produced by the Civil Aviation Authority or the European Union Aviation Safety Agency<sup>(16)</sup>.

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

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

where 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.

**24.**—(1) A worker undertaking, or required to commence—

- (a) activities on or in relation to offshore installations,
- (b) activities on or in relation to upstream petroleum infrastructure,

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<sup>(15)</sup> 2018 c. 5.

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

- (c) critical safety work on offshore installations and wells that are being decommissioned or which are being 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).
- (2) For the purposes of sub-paragraph (1)—
- (a) “offshore installations” has the meaning given in section 44 of the Petroleum Act 1998<sup>(17)</sup>,
  - (b) “upstream petroleum infrastructure” has the meaning given in section 9H of the Petroleum Act 1998 <sup>(18)</sup>,
  - (c) “wells” has the meaning given in section 45A(10) of the Petroleum Act 1998<sup>(19)</sup>.

**25.** A postal operator, as defined in section 27(3) of the Postal Services Act 2011<sup>(20)</sup>, where they have travelled to the United Kingdom in the course of their work.

**26.** 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.

**37.** A person—

- (a) pursuing an activity as an employed or self-employed person in the United Kingdom and who resides in another country to which they usually return at least once a week, or
- (b) residing in the United Kingdom and who pursues an activity as an employed or self-employed person in another country to which they usually go at least once a week.

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

<sup>(18)</sup> Section 9H was substituted by section 74(2) of the Energy Act 2016 (c. 20).

<sup>(19)</sup> Section 45A was inserted by section 75(1) of the Energy Act 2008. There are amendments to section 45A(10) but none is relevant.

<sup>(20)</sup> 2011 c. 5.