Dear Industry Partner

COVID-19 – BORDER RESTRICTIONS

I am writing to provide guidance on the new rules which come into effect from 8th June, which introduce stricter border controls for international travellers entering the UK, and the implications for Defence contractors.

The rules introduce new health measures to manage the risk of transmissions being reintroduced to the UK from abroad, to avoid a second wave of COVID-19 infections and to protect the public. These measures will be subject to review every three weeks to ensure they are in line with the latest scientific evidence and support the UK’s roadmap to recovery.

There is a mandatory requirement for all personnel entering the UK to:

a) provide their travel and contact details; and
b) to self-isolate (i.e. quarantine) at a suitable location of their choosing for 14 days.

Personnel arriving into the UK will also be encouraged to download the NHS contact tracing app once it is available. Further government guidance is available online [https://www.gov.uk/uk-border-control](https://www.gov.uk/uk-border-control)

Exemption Process

There is a provision for an exemption from the legislation* for Defence where work is necessary in support of the delivery of essential defence activities. However, Ministerial direction is clear that exemptions should be used sparingly and only in exceptional circumstances where there would be a clear impact to critical Defence activity. The relevant question is not whether the travel was necessary, but whether the work upon return is necessary such that complying with the period of self-isolation is not practicable.

*Health Protection (Coronavirus, International Travel) (England) Regulations 2020 (and equivalent regulations elsewhere in the UK)
For example, circumstances where an exemption may be appropriate include:

- contractors who are required to conduct essential maintenance of Defence equipment where this activity cannot be delayed by 14 days on return to the UK
- critical aircrew where their role requires frequent travel in and out of the country.

The default position is that personnel moving across the border for any Defence activity, including contractors’ personnel, are NOT automatically exempt from this legislation.

The Defence Exemption applies to Crown servants (including members of the UK Armed Forces and MoD civil servants), government contractors and visiting forces (ie. Foreign military and other personnel including forces from a NATO country). Government contractors conducting subsequent non-Defence work on return to the UK may seek an exemption from other government departments or their employers in line with guidance and policies at [https://www.gov.uk/uk-border-control](https://www.gov.uk/uk-border-control).

Consideration should be given in the first instance to whether activity can be adapted to enable the requirements of the legislation to be fulfilled. If this is not possible and the activity cannot be cancelled or postponed as it is essential to Defence, then a decision should be made at the required level as to whether an exemption may be appropriate.

We would request that Suppliers undertake action to identify any possible mitigation activity (such as scrutinising the resource required) prior to approaching MOD. Only Suppliers with a clear and justifiable request will be granted an exemption.

Exemptions are to be approved by the MOD activity owner / contracting authority and should be applied for through the usual Project point of contact as soon as a requirement is identified to allow for consideration of the request. Further defence advice on exemptions is available from usual Project contacts. Any approvals will be granted at senior level within MOD, and recorded in a central database for audit and review purposes; applicants will be required to supply the detail necessary to support this reporting. Where an exemption is justified, this will be authorised both from the requirement to self-isolate, and the requirement to provide data. If an exemption is granted, a letter of authorisation will be issued which the individual will need to show as evidence to Border Force officials.

Where exemptions to self-isolation are granted, other mitigations to prevent the possible spread of coronavirus must be considered and implemented. Any personnel developing symptoms of coronavirus must begin a period of self-isolation in the normal way in accordance with [https://www.gov.uk/government/publications/covid-19-stay-at-home-guidance](https://www.gov.uk/government/publications/covid-19-stay-at-home-guidance) and must inform their employer as soon as possible. Symptomatic personnel may wish to be tested for COVID-19.
If Suppliers are unsure of the escalation process, or how to identify the relevant MOD point of contact, they should contact the DefComrcl-COVID-19@mod.gov.uk mailbox.

Yours Sincerely

*Helen Sawford*