



Department
for Transport

From the Parliamentary
Under Secretary of State
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Dear Colleagues,

COVID-19 Bill – Transport Elements

I am writing to you regarding the UK Government and Devolved Administrations' ongoing response to the current coronavirus outbreak, COVID-19. The risk level to the UK has been raised to high, and therefore it is prudent for the UK Government and Devolved Administrations to prepare for all eventualities. As outlined in the Government's coronavirus action plan, the Government will consider legislative options, if necessary, to help systems and services work more effectively in tackling the outbreak. Government officials have therefore been reviewing current legislative powers, and identifying requirements for emergency legislation, to support the UK in maintaining critical functions.

Maintaining UK border security is crucial for protecting our country and its citizens. Therefore, my Department has been working closely with the Home Office to draft a clause within the COVID-19 Bill which would permit the Home Secretary to direct ports, under defined circumstances, to suspend such operations in the event that Border Force resources are insufficient to maintain appropriate border security due to COVID-19. We recognise that the exercise of such a power could have potentially significant impacts on your sector. However, we would like to reassure you that this power will only be used in extremis and once the Home Secretary, in consultation with the Transport Secretary, has determined that all relevant alternative mitigations have been exhausted.

I recognise that the suspension of operations at a port is not an action which takes place in a vacuum. Whilst this is not a decision we ever wish to have to take, I hope you appreciate the requirement for prudent planning for a reasonable worst-case scenario at a national level. The Bill is specific to the circumstances of COVID-19, and its provisions will cease to apply after the end of this outbreak.

Government departments will continue to work together to ensure that impacts to the sector are minimised as far as practically possible. We therefore welcome any representations from the sector on the proposals, and your views on how the implementation can best be taken forward.

Thank you for your continued support and cooperation at this time.

A handwritten signature in blue ink, reading "Kelly Tolhurst". The signature is written in a cursive style with a large initial 'K' and 'T'.

KELLY TOLHURST

MINISTER FOR AVIATION, MARITIME AND SECURITY