



EMERGENCY POWERS (CORONAVIRUS) (PLANNING COMMITTEE) REGULATIONS 2020

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Statutory Document No. 2020/0241



Emergency Powers Act 1936

EMERGENCY POWERS (CORONAVIRUS) (PLANNING COMMITTEE) REGULATIONS 2020

Laid before Tynwald:

Coming into Operation: in accordance with regulation 2

The Governor in Council, by Order¹, makes the following Regulations under section 4 of the Emergency Powers Act 1936.

1 Title

These Regulations are the Emergency Powers (Coronavirus) (Planning Committee) Regulations 2020.

2 Commencement

These Regulations come into operation immediately after they are made².

3 Interpretation

In these Regulations —

“**Coronavirus**” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);

“**the Coronavirus Proclamation period**” means the period for which the Proclamation of Emergency dated 16 March 2020³ is in operation; and

“**principal Order**” means the Planning Committee (Constitution) Order 2019⁴.

¹ Section 4(1) specifies that “Where a proclamation of emergency has been made, and so long as such proclamation is in force, it shall be lawful for the Governor in Council, by Order, to make regulations ...”.

² By virtue of section 4(2) of the Emergency Powers Act 1936, these Regulations made by Order of the Governor in Council must be laid before Tynwald within 7 days of being made and continue in force beyond 7 days of being so laid only if Tynwald passes a resolution to that effect.

³ SD 2020/0162.

⁴ SD 2019/0464.

4 General

These Regulations contain temporary modifications of the principal Order relating to the functioning of the Planning Committee constituted under section 39C of the Town and Country Planning Act 1999.

5 Temporary modification of the principal Order

- (1) During the Coronavirus Proclamation period, the principal Order is modified as follows.
- (2) Article 3 (interpretation) shall be read as if after the definition of “lay member” there was inserted —
 - ▮ “meeting” includes a meeting which is conducted in such a way that those who are not present together at the same place may by electronic means participate in it, and “meet” is to be construed accordingly; ▮.
- (3) Article 15 (types of application) shall be read as if —
 - (a) the existing paragraph was renumbered as (1); and
 - (b) after paragraph (1) there was inserted —
 - ▮ (2) Despite paragraph (1), the committee may defer the consideration of an application if the committee resolves so to do. ▮.
- (4) Article 17(2) (proceedings) shall be read as if for “must be held in public” there was substituted ▮ must ordinarily be held in public unless this is not reasonably practicable, when they may be held in private. ▮.
- (5) Article 22(2)(d) (standing orders) shall be read as if “oral” was omitted.

MADE AT 15.51 ON 10 APRIL 2020

Signed by the authority of the Chief Secretary

K HEMSLEY
Interim Director of Change & Reform

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made by the Governor in Council under section 4 of the Emergency Powers Act 1936 and following a proclamation of a state of emergency under section 3 of that Act.

These Regulations are made for the purpose of securing the essentials of life to the community of the Island and for the protection of the economy of the Island.

These Regulations temporarily modify articles 3, 15, 17(2) and 22(2) of the Planning Committee (Constitution) Order 2019 [SD 2019/0464] for the duration of the present state of emergency.

For the duration of these Regulations meetings of the Planning Committee will be able to occur electronically and in private where it is not practicable to hold them in public. In addition, planning applications may be deferred to a later Committee meeting if agreed by the Committee.