



## PUBLIC HEALTH PROTECTION (CORONAVIRUS)(AMENDMENT)(NO.18) REGULATIONS 2021

### Index

Regulation	Page
1 Title .....	3
2 Commencement .....	3
3 General .....	3
4 Amendment of regulation 4 .....	3
5 Amendment of regulation 5 .....	4
6 New regulation 5C.....	4
7 Amendment of regulation 7 .....	5
8 Omission of regulation 8.....	5
9 Amendment of regulation 10 .....	5
10 Amendment of regulation 11 .....	5
11 Amendment of regulation 12 .....	5
12 Amendment of regulation 13A.....	5
13 Amendment of regulation 24 .....	5
14 Amendment of regulation 36.....	5
15 Amendment of Schedule 1 .....	6
16 Amendment of Schedule 2 .....	6
17 Revocation .....	6
MADE.....	7



Statutory Document No. 2021/0296



*Public Health Act 1990*

## **PUBLIC HEALTH PROTECTION (CORONAVIRUS)(AMENDMENT)(NO.18) REGULATIONS 2021**

*Laid before Tynwald:*

*Approved by Tynwald:*

*Coming into Operation in accordance with regulation 2*

---

The Council of Ministers makes the following Regulations under sections 51B, 51C and 51F of the Public Health Act 1990.

In accordance with section 51PA of the Public Health Act 1990, the Council of Ministers has, before making these Regulations, consulted the Department of Health and Social Care.

The Council of Ministers is of the opinion that, by reason of urgency, it is necessary for these Regulations to come into operation before they are approved<sup>1</sup>.

### **1 Title**

These Regulations are the Public Health Protection (Coronavirus)(Amendment)(No.18) Regulations 2021.

### **2 Commencement**

These Regulations come into operation at 00:01 on 16 September 2021.

### **3 General**

The Public Health Protection (Coronavirus) Regulations 2020<sup>2</sup> are amended in accordance with regulations 4 to 16.

### **4 Amendment of regulation 4**

In regulation 4(1) (expiry), for “26 October 2021” substitute **20** January 2022 **22**.

---

<sup>1</sup> See section 51Q of the Public Health Act 1990

<sup>2</sup> SD 2020/0551.

**5 Amendment of regulation 5**

In regulation 5 (interpretation), in the definition of “registered resident” omit “registered”.

**6 New regulation 5C**

After regulation 5B (children travelling with a person to whom regulation 5A applies), insert —

**5C Natural immunity exemption**

- (1) This regulation applies where a person satisfies the Chief Secretary or, as the case may be, the Director of Public Health, that they meet the conditions in paragraph (2).
- (2) Those conditions are that —
  - (a) the person has undertaken a polymerase chain reaction test for Coronavirus (PCR test) within the 180 days preceding their arrival in the Island and the result of that test is positive;
  - (b) that PCR test was undertaken in the common travel area;
  - (c) the person has not travelled outside the common travel area in the 10 days preceding their arrival in the Island; and
  - (d) the positive PCR test result was at least 11 days prior to the person’s arrival in the Island.
- (3) A person referred to in this regulation must —
  - (a) no earlier than 48 hours before their scheduled arrival in the Island, fully and truthfully answer all questions posed to them on the published landing card;
  - (b) submit that card in the manner instructed; and
  - (c) provide the Chief Secretary or, as the case may be, the Director of Public Health with such information as they may reasonably require for the purposes of this regulation.
- (4) A person to whom this regulation applies —
  - (a) is not required to self-isolate; and
  - (b) need not provide a biological sample (and accordingly Schedule 2 does not apply to such a person where that person would otherwise be a Category A person and subject to that Schedule).<sup>22</sup>

**7 Amendment of regulation 7**

In regulation 7(1) (restrictions on private vessels), after “Douglas” insert **or**, in accordance with guidance issued by the Chief Secretary, the harbour in Peel **or**.

**8 Omission of regulation 8**

Regulation 8 (restriction on private aircraft) is omitted.

**9 Amendment of regulation 10**

In regulation 10(1)(a) (direction notices and entry certificates), omit “registered”.

**10 Amendment of regulation 11**

For regulation 11(1)(c) (prohibition of entry) substitute —

**(c)** a person referred to in regulation 5A, 5B or 5C. **or**.

**11 Amendment of regulation 12**

(1) Regulation 12 (Category A persons) is amended as follows.

(2) In paragraph (1), omit “registered”.

(3) For paragraph (2A) substitute —

**(2A)** Schedule 2 does not apply to a Category A person —

(a) who is a resident of the Island and who, in the 10 days preceding their entry to the Island, has not travelled to a country outside the common travel area; or

(b) who has not attained the age of 12.

**(2B)** Upon entry to the Island a Category A person referred to in paragraph (2A)(a) —

(a) is not required to self-isolate; and

(b) need not provide a biological sample. **or**.

**12 Amendment of regulation 13A**

In regulation 13A(4)(a) (biological samples), omit “registered”.

**13 Amendment of regulation 24**

In regulation 24(1) (removal and repatriation), for “not being” to the end substitute **the prohibition in regulation 11** **or**.

**14 Amendment of regulation 36**

In regulation 36 (offences and penalties), omit paragraph (6).

## 15 Amendment of Schedule 1

- (1) Schedule 1 is amended as follows.
- (2) In paragraph 6 (residents of the Island) –
  - (a) omit sub-paragraphs (1), (3) to (9) and (17);
  - (b) after sub-paragraph (2), insert –
    - █(2A) A person –
      - (a) aged 12 to 17;
      - (b) who spends part of their time on the Island living with a parent or guardian,  
is also to be treated as a resident of the Island for the purposes of this paragraph.█;
  - (c) in sub-paragraph (11) –
    - (i) omit “registered”(3 times); and
    - (ii) after “publish” insert █and in accordance with guidance issued by the Chief Secretary█;
  - (d) in sub-paragraphs (1A), (10), (12) and (13)(4 times), omit “registered”.
- (3) Omit paragraph 7 (residents who leave and return).

## 16 Amendment of Schedule 2

- (1) In Schedule 2 (self-isolation requirements and provision of biological samples), the table is amended as follows.
- (2) In row A, in column 1, for paragraphs (a) and (b) substitute █has travelled to a Category 1 country or territory but has not travelled to a Category 2 or 3 country or territory█.
- (3) In row B, in column 1, for “outside the common travel area or outside a Category 1 country or territory” substitute █to a Category 2 country or territory (but not a Category 3 country or territory)█.

## 17 Revocation

The Public Health Protection (Coronavirus)(Amendment)(No.16) Regulations 2021<sup>3</sup> are revoked.

---

<sup>3</sup> SD 2021/0210.

**MADE 15<sup>th</sup> SEPTEMBER 2021**

**W GREENHOW**  
*Chief Secretary*

***EXPLANATORY NOTE***

*(This note is not part of the Regulations)*

These Regulations further amend the Public Health Protection (Coronavirus) Regulations 2020 (“the 2020 Regulations”).

Regulation 6 provides for a “natural immunity” exemption. A person falling within the exemption is not required to self-isolate and need not provide a biological sample.

Other amendments relate to residents of the Island who will not be subject to testing and self-isolation if they have not travelled outside the common travel area prior to entering the Island but will be subject to such regimes if they have travelled to a Category 1 or Category 2 country or territory.

Regulation 4 amends the 2020 Regulations to provide they are expire on 20 January 2022 (rather than 25 October 2021).

Consequential amendments are made to the 2020 Regulations to reflect the move away from the concept of “registered” residents” of the Island and its replacement by “residents” of the Island.

Regulation 17 revokes the Public Health Protection (Coronavirus)(Amendment)(No.16) Regulations 2021 which were not moved for approval by Tynwald.