

Guidance in respect of exemptions for non-residents in the public interest pursuant to paragraph 3(1)(n) of the Schedule of to the Public Health Protection (Coronavirus) (Amendment) Regulations 2020

Guidelines on determining 'public interest' for entry to the Isle of Man

Introduction

The Chief Secretary may exempt a person from the prohibition on entry to the Island if the Chief Secretary is satisfied on an application to him, that it is in the public interest to permit the person to enter the Isle of Man.

Paragraph 3(1)(n) of the Schedule to the Public Health Protection (Coronavirus) Regulations 2020 provides that the Chief Secretary must be satisfied that it is in the public interest in accordance with guidance approved by the Council of Ministers. This guidance in relation to the public interest is set out as follows.

Application for exemption

The application for exemption should set out the reasons why a person's **presence in the Island** is in the public interest. The presence could be for a number of reasons which should be fully explained in the application, and the basis upon which the application meets this guidance.

Public Interest Test and Consideration

In determining whether it is in the public interest to allow a person entry, the Chief Secretary will consider the following:

1. How serious the circumstances or nature of any matter in the application are – the more serious the issue, the more likely an application will be approved;
2. The likelihood of harm to public health and the community that could be caused if the application is refused;
3. Impacts on the community – the greater the impact, the more likely that the application will be approved;
4. The risk to the community of not permitting the application.

The Chief Secretary will use his discretion concerning applications and applications will be granted where it can be demonstrated that there is a compelling case for a person to be exempted on public interest grounds. Once the Chief Secretary has identified the arguments in the application for granting the exemption, and for the refusal of the application, the Chief Secretary must assess the relative weight of these arguments to decide where the balance of the public interest lies and will be approached as objectively as possible.

If your application is granted

If your application is granted, you may make travel arrangements to the Isle of Man. In order to enter, you will need to complete a landing card and health declaration prior to your entry to the Isle of Man. Details are available at <https://covid19.gov.im/>. The Director of Public Health (Cabinet Office) will require you to isolate for 14 days at a place notified in your application, and the terms of your self-isolation and any other requirements will be set out on a Exemption Certificate issued by the Cabinet Office for this purpose. If you have any questions regarding the terms of your Direction Notice, you should contact tns@gov.im in the first instance.

If your application is refused

If your application is refused, you may make a further application at any time if the circumstances of your application represent a change which might meet the requirements of the public interest guidance above.

Approved by Council of Ministers

23 December 2020