



EMERGENCY POWERS (CORONAVIRUS) (EVENTS AND GATHERINGS) REGULATIONS 2020

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Statutory Document No. 2020/0185



Emergency Powers Act 1936

EMERGENCY POWERS (CORONAVIRUS) (EVENTS AND GATHERINGS) REGULATIONS 2020

Laid before Tynwald: 31 March 2020
Approved by Tynwald: 31 March 2020
Coming into operation in accordance with regulation 2

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

PART 1 – GENERAL

1 Title

These Regulations are the Emergency Powers (Coronavirus) (Events and Gatherings) Regulations 2020.

2 Commencement and duration

These Regulations come into operation immediately after they are made¹ and continue in operation during the Coronavirus Proclamation Period.

3 Interpretation

In these Regulations—

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

“**the Coronavirus Proclamation period**” means the periods for which any of the following proclamations is in operation —

- (a) the Proclamation of Emergency dated 16 March 2020²; and
- (b) any subsequent proclamation which relates to the pandemic of Coronavirus (also known as Covid-19) and specifies that it

¹ By virtue of section 4(2) of the Emergency Powers Act 1936, the Regulations made under this Order must be laid before Tynwald within 7 days of being made and only continue in force beyond 7 days of being so laid if Tynwald passes a resolution to that effect.

² SD 2020/0162.

appears that there is a threat of that disease affecting the Island and causing serious damage to human health on, and the economic well-being of the Island;

“the Department” means the Department of Health and Social Care;

“premises” includes any place and, in particular, includes –

- (a) any vehicle, train, vessel or aircraft,
- (b) any tent or movable structure, and
- (c) any offshore installation (within the meaning in the Mineral Workings (Offshore Installations) Act 1988).

PART 2 – POWERS TO GIVE DIRECTIONS

4 Power to prohibit or otherwise restrict events or gatherings

- (1) The Department may, for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of Coronavirus, give a direction imposing requirements or restrictions –
 - (a) in relation to the holding of events or gatherings generally by publishing the direction on www.gov.im and in such other manner as the Department considers appropriate; or
 - (b) in relation to the holding an event or gathering by giving notice in such manner as the Department considers appropriate to –
 - (i) the owner or occupier of a venue for an event or gathering;
 - (ii) the organiser of an event or gathering;
 - (iii) any other person involved in holding an event or gathering.
- (2) A direction under paragraph (1) may, amongst other things –
 - (a) prohibit the holding of an event or gathering or any event or gathering;
 - (b) impose requirements about informing persons who may be planning to attend an event or gathering or any events or gatherings of the cancellation of or any restrictions imposed on the holding of it.

5 Power to close premises or impose restrictions on persons entering or remaining inside them

- (1) The Department may, for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of Coronavirus, give a direction imposing requirements or

restrictions in relation to the entry into, or location of persons within, premises to—

- (a) the owner or occupier of premises;
 - (b) any other person involved in managing entry to premises or the location of persons inside them.
- (2) A direction under paragraph (1) may only be issued during the Coronavirus Proclamation period.
- (3) A direction under paragraph (1) may, amongst other things, impose requirements for the purpose of—
- (a) closing the premises or a part of the premises;
 - (b) restricting entry into the premises, whether by reference to the number of people in the premises, a period of time or otherwise;
 - (c) securing restrictions in relation to the location of persons in the premises.

6 Procedure

- (1) The Department must consult the Director of Public Health before giving a direction under these Regulations.
- (2) The Department may at any time revoke a direction to any extent.
- (3) A direction must be given in such manner as the Department considers appropriate to bring it to the attention of those persons likely to be effected by it.

7 Enforcement

- (1) Compliance with a direction under these Regulations may be enforced by—
 - (a) a constable; or
 - (b) any other person, or description of person, designated for the purpose of this regulation by the Department.
- (2) In exercising the power of enforcement conferred by paragraph (1), a person may—
 - (a) enter any premises; and
 - (b) if necessary, use reasonable force.

8 Offences

- (1) A person commits an offence if the person fails without reasonable excuse to comply with a direction given to the person under these Regulations.

- (2) A person who commits an offence under this regulation is liable on conviction before the High Bailiff to a fine not exceeding level 5 on the standard scale or to 3 months custody or both.

9 Compensation

The Department may with the concurrence of the Treasury pay compensation to a person adversely affected by or in connection with the giving of a direction under these Regulations.

MADE AT 15:50 on 26TH MARCH 2020

W GREENHOW
Chief Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations enable the Department of Health and Social Care to give directions prohibiting or regulating events and gatherings by written direction during the Coronavirus Proclamation Period (defined as the period beginning with the Proclamation of a State of Emergency on 16th March 2020 and continuing while that or any subsequent proclamation in respect of the Coronavirus pandemic is in operation).