



EMERGENCY POWERS (CORONAVIRUS) (CLOSURE OF BUSINESSES AND OTHER PREMISES) (AMENDMENT) REGULATIONS 2020

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Statutory Document No. 2020/0217



Emergency Powers Act 1936

EMERGENCY POWERS (CORONAVIRUS) (CLOSURE OF BUSINESSES AND OTHER PREMISES) (AMENDMENT) REGULATIONS 2020

Laid before Tynwald: 3 April 2020
Approved by Tynwald: 3 April 2020
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) (Closure of Businesses and Other Premises) (Amendment) Regulations 2020.

2 Commencement

These Regulations come into operation immediately after they are made².

3 Emergency Powers (Coronavirus) (Closure of Businesses and Other Premises) Regulations 2020 amended

In the Emergency Powers (Coronavirus) (Closure of Businesses and Other Premises) Regulations 2020³ —

- (a) in regulation 3, for the definition of “immediate family member”, substitute —
- “immediate family” in relation to a person (P) means the P’s spouse or civil partner, a person living in an enduring

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 2020/0200

- family relationship with P, P's child, parent or grandparent, grandchild, brother, sister, half-brother or half-sister or a child of P's family; **22**;
- (b) in regulation 3, in the definition "enclosed spaces in parks", insert a comma after "garden" and for "or payment" substitute **23** on payment **22**;
- (c) after regulation 5(3), insert
- 24**(4) If a food business continues operating it must only operate in a way that is consistent with the Guidance entitled "Food Businesses and Coronavirus" published at <https://covid19.gov.im> **22**;
- (d) for the Schedule, substitute

25 SCHEDULE

PART 1

BUSINESSES AND PREMISES THAT MUST CLOSE

[Regulation 4(1)]

- (1) Libraries
- (2) Nightclubs
- (3) Bars, including bars in hotels or members' clubs
- (4) Bingo halls
- (5) Museums and galleries
- (6) Casinos
- (7) Betting shops
- (8) Auction houses
- (9) Car show rooms
- (10) Spas
- (11) Beauty and nail salons
- (12) Massage parlours
- (13) Hairdressers, barbers
- (14) Piercing and tattoo parlours
- (15) Indoor skating rinks
- (16) Indoor fitness studios, gyms, swimming pools

- (17) Arcades, bowling alleys, soft play centres and similar amusement centres
- (18) Enclosed spaces in parks, including playgrounds, sports courts and pitches
- (19) Outdoor gyms or areas with fitness apparatus
- (20) Golf courses
- (21) Any premises that provide recreational fishing activities
- (22) Any cleaning business where that business is concerned only with the cleaning of domestic premises
- (23) Opticians, dental surgeries, private physiotherapy clinics, private chiropody and podiatry clinics unless specifically commissioned by the Department of Health and Social Care
- (24) Any other private healthcare clinics and other professional vocational medical services unless specifically commissioned by the Department of Health and Social Care
- (25) Any shopping centre, except for the purpose of enabling a business described in Part 2 or 3 to operate
- (26) Any other retail business that is not permitted to continue in operation under Part 2 or 3

PART 2

BUSINESSES AND PREMISES THAT MAY REMAIN OPEN FOR RESTRICTED PURPOSES

[Regulation 5(1)]

Premises	Purpose	Conditions
Restaurants and public houses, wine bars or other drinking establishments	For the supply of hot or cold food and drink that has been prepared on the premises for consumption off the premises	Food or drink must not be supplied to any person for consumption on the premises. A person must not consume any food or drink on the premises, or in an area adjacent to the premises (An area adjacent to the premises of the business where seating is made available for customers of the business (whether or not by the business) is to be treated as part of the premises of that business)

Cafes and canteen premises at institutions such as hospitals, care homes, prisons, military premises or in the work place	For the supply of food or drink	The food or drink must only be supplied if it is not reasonably practicable to make alternative arrangements for the supply of food or drink to the users of the canteen or café
Cafes and canteen premises at institutions such as hospitals, care homes, prisons, military premises or in the work place	For the supply of food and drink and other services to homeless or vulnerable persons	
Cafés and canteen premises except those at institutions such as hospitals, care homes, prisons, military premises or in the work place	For the supply of hot or cold food and drink that has been prepared on the premises for consumption off the premises	The food or drink must not be supplied to any person for consumption on the premises. A person must not consume any food or drink on the premises or in an area adjacent to the premises (An area adjacent to the premises of the business where seating is made available for customers of the business (whether or not by the business) is to be treated as part of the premises of that business)
Mobile catering premises	For the supply of hot or cold food and drink that has been prepared on the premises for consumption off the premises	A person must not consume any food or drink on the premises or in an area adjacent to the premises (An area adjacent to the premises of the business where seating is made available for customers of the business (whether or not by the business) is to be treated as part of the premises of that business)
Indoor leisure centres	Facilitating blood donation sessions	
Community centres, youth centres and similar venues	Hosting essential voluntary or public services, such as operating food banks or services to homeless or vulnerable persons	
	Facilitating blood donation sessions	

Places of worship	Conducting of funeral services, including the broadcasting of the funeral to persons outside the place of worship		The operator of the premises must take all reasonable steps to ensure that the funeral is not attended by any person except the Minister of Religion, members of the deceased's immediate family and any carer of a member of the deceased's immediate family; or, in the case of a deceased with no immediate family attending, by a friend of the deceased
	Recording, streaming or otherwise broadcasting a service of religious worship; to persons outside the place of worship		
	Hosting essential voluntary or public services, such as operating food banks or services to homeless or vulnerable persons		
	facilitating blood donation sessions		
Crematoriums	For the purposes of the conduct of a funeral or cremation		
Cinemas, theatres and concert halls	Facilitating blood donation sessions		
Hotels, hostels, Bed and breakfast accommodation, boarding houses, campsites and caravan parks, where such premises are operated as a business	For providing accommodation, and food and drink by way of room service to --		
	(a)	a person who is unable to reside in his or her primary residence;	
	(b)	a key worker;	
	(c)	a person who is permanently resident at the premises;	
	(d)	a person attending a funeral;	

	(e)	a person who is not a permanent resident of the Isle of Man and who is unable to travel to his or her country of residence during the Coronavirus Proclamation period;	
	(f)	a person who is unable to move into a new home during the Coronavirus Proclamation period;	
		Facilitating blood donation sessions	
Schools and nurseries		For educating or caring for vulnerable children or the children of persons providing an essential service within the meaning of regulation 5(5) of and the Schedule to the Emergency Powers (Prohibitions on Movement) Regulations 2020 ⁴	
Any construction business		Any essential or emergency work on critical national infrastructure or in the national interest which is necessary for preservation of life or property	
Any business of a tradesperson, including plumbers, electricians, carpenters, heating, gas or air condition engineers; roofers and general builders.		Any essential or emergency work on any premises which is necessary for preservation of life or property	The person carrying on work in a person's home must do so in a way that is consistent with the Guidance entitled "Carrying out emergency repairs in people's homes" published at https://covid19.gov.im .
Any business of landscaping, gardening or related activity		Any emergency work on any premises which is necessary for preservation of life or property	

⁴ SD 2020/0201

Any cleaning business	The cleaning of commercial premises	
Garden retail shops	The delivery of goods to customers	The business must remain closed to any member of the public. No member of the public may attend the premises to collect goods supplied by the business.
Any business of keeping livestock		The person carrying on the business of keeping livestock must do so in a way that is consistent with the Guidance entitled "Coronavirus - advice for keepers of stock" published at https://covid19.gov.im..

PART 3

BUSINESSES THAT MAY REMAIN IN OPERATION

[Regulation 5(2)]

- (1) Supermarkets and other shops selling food
- (2) Health food shops concerned solely or principally with the sale or supply of health and nutritional and related products
- (3) Shops operating primarily as newsagents, tobacconists or confectioners
- (4) Premises granted an off-licence under Part 2 of the Licensing Act 1995
- (5) Pet shops
- (6) Builders merchants
- (7) Hardware shops concerned solely or principally with the sale of household products and domestic (as opposed to industrial or commercial) hardware
- (8) Agricultural merchants
- (9) General Practitioner surgeries and practices
- (10) Pharmacies and chemists
- (12) Any medical service which has been commissioned by the Department for Health and Social Care for the purpose of providing additional support
- (13) Veterinary surgeries
- (14) Petrol filling stations

- (15) Car rental businesses
- (16) Any taxi business
- (17) Bicycle shops concerned solely or principally with the sale or hire of bicycles and related products
- (18) Garages and workshops for the repair of vehicles
- (19) Laundrettes and dry cleaners
- (20) Any post office within the meaning of the Post Office Act 1993
- (21) Any bank, building society, short-term loan provider, credit union or cash dispensing points
- (22) Any other financial service or insurance business
- (23) Any business principally concerned with information and communication technology
- (24) Legal and accounting businesses
- (25) Any business providing corporate services
- (26) Any car park, if its use is for the purpose of —
 - (a) facilitating a business permitted to operate under these Regulations;
 - (b) facilitating the user of a hospital or any medical service, or facilitating any employee or user of a hospital or any medical service; or
 - (c) facilitating the operation of any other essential service within the meaning of regulation 5(5)(a) of, and the Schedule to, the Emergency Powers (Prohibitions on Movement) Regulations 2020
- (27) Public toilets
- (28) Storage and distribution facilities, including delivery drop off areas
- (29) Outdoor and indoor markets, for the purpose of enabling the sale of any goods or services by a business described in this Part
- (30) Shopping centres, for the purpose of enabling any business described in this Part to operate
- (31) Funeral homes and parlours
- (32) Any business that is an essential service within the meaning of regulation 5(5)(a) of, and the Schedule to, the Emergency Powers (Prohibitions on Movement) Regulations 2020, in so far as it is not listed in this Schedule
- (33) Logistics and supply businesses including but not limited to those providing food, fuel and essential goods

- (34) Transport businesses including but not limited to those providing on Island and off Island transportation services for goods and people
- (35) Manufacturing and engineering businesses including but not limited to those providing and sourcing goods and materials for the response to the Coronavirus pandemic
- (36) Businesses predominantly working remotely that are regulated by the Financial Services Authority and the Gambling Supervision Commission
- (37) Any other business that is not listed in this Schedule **22**.

4 Minor and consequential amendments to the Emergency Powers (Prohibitions on Movement) Regulations 2020

In the Emergency Powers (Prohibitions on Movement) Regulations 2020 —

- (a) for Regulation 5(1)(f) substitute —
 - 63**(f) in order to accompany a child to the child’s parent (or to a person who has parental responsibility for the child) in a case where the child does not live in the same household as his or her parents, or one of them, to enable the parent to continue existing arrangements for access to, and contact between the child and the parent; **22**;
- (b) In regulation 5(1)(i)(i), for “Emergency Powers (Coronavirus) (Closure of Premises) Regulations 2020” substitute **63**Emergency Powers (Coronavirus) (Closure of Businesses and Other Premises) Regulations 2020 **22**;
- (c) in regulation 5(4) for “a person’s “immediate family” comprises a person’s parents and remoter forebears, children or remoter descendants, and a person’s siblings” substitute **63**a person’s (P’s) “immediate family” comprises P’s spouse or civil partner or a person living in an enduring family relationship with P, and P ’s child, parent or grandparent, grandchild, brother, sister, half-brother, half-sister and a child of P’s family **22**;
- (d) in regulation 5(5) for “Emergency Powers (Coronavirus) (Closure of Premises) Regulations 2020” substitute **64**Emergency Powers (Coronavirus) (Closure of Businesses and Other Premises) Regulations 2020 **22**;
- (e) In the Schedule, in the sub-sub-heading, for “4(1)(i)” substitute **65**5(5)(a) **22**;
- (f) in the Schedule, in paragraph 3(5), after “persons” insert **65**involved in providing **22**.

MADE 12:30 31ST MARCH 2020

W GREENHOW
Chief Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Emergency Powers (Coronavirus) (Closure of Businesses and Other Premises) Regulations 2020 so as to –

- (a) amend the lists of businesses and premises in the Schedule to those Regulations that must close or that may remain in operation during the Coronavirus Proclamation Period (as defined in those Regulations);
- (b) modify the definition of “immediate family member” for the purpose defining who may attend a funeral or cremation service;
- (c) clarify that where a food business continues operating it must only operate in a way that is consistent with the Guidance entitled “Food Businesses and Coronavirus” published at <https://covid19.gov.im>.

These Regulations also make consequential amendments to the Emergency Powers (Prohibitions on Movement) Regulations 2020.