

Statutory Document No. 2020/0219



Emergency Powers Act 1936

EMERGENCY POWERS (CORONAVIRUS) (ROAD VEHICLES CARRYING DANGEROUS GOODS) REGULATIONS 2020

Laid before Tynwald: 7 April 2020
Approved by Tynwald: 7 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) (Road Vehicles Carrying Dangerous Goods) Regulations 2020.

2 Commencement

These Regulations come into operation immediately after they are made.²

3 Interpretation

In these Regulations —

“**2008 Regulations**” means the Road Vehicles carrying Dangerous Goods (Construction and Use) Regulations 2008³;

“**Coronavirus**” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV2); and

“**the Coronavirus Proclamation period**” means the period for which the Proclamation of Emergency dated 16 March 2020 is in operation⁴.

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, the Regulations made under this Order 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 566/08 as amended by SD 0597/12.

⁴ SD 2020/0162.

4 General

These Regulations provide an exemption for a person who is not able to meet the requirements to drive a vehicle carrying dangerous goods, as set out in regulation 8 (driver training and identification) of the 2008 Regulations.

5 Exemption

- (1) This regulation applies to a person who the Department of Infrastructure has certified as vital to the Island's critical national infrastructure.
- (2) In paragraph (1), "certified" means certified by the Chief Executive or a person duly authorised for the purpose by the Chief Executive of the Department of Infrastructure.
- (3) The Department of Infrastructure may (with or without conditions) certify a person for the purposes of paragraph (1) only if the Department of Infrastructure considers that person should be exempt from the requirements of regulation 8 of the 2008 Regulations.

6 Temporary modification of the 2008 Regulations

- (1) During the Coronavirus Proclamation period, the 2008 Regulations are modified as follows.
- (2) Regulation 8 (driver training and identification) shall be read as if there were inserted after paragraph (4) —
 - (5) This regulation does not apply to a person who has an exemption granted to them under the Emergency Powers (Coronavirus) (Road Vehicles Carrying Dangerous Goods) Regulations 2020.

MADE 12:55 2ND APRIL 2020

W GREENHOW
Chief Secretary

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 make emergency provision in respect of road vehicles carrying dangerous goods for the duration of the Coronavirus Proclamation period.

These Regulations provide that the Department of Infrastructure may exempt a person from meeting the requirements of regulation 8 of the Road Vehicles carrying Dangerous Goods (Construction and Use) Regulations 2008 (SD 566/08).