

Statutory Document No. 2020/0259



Emergency Powers Act 1936

EMERGENCY POWERS (CORONAVIRUS)(EMERGENCY ASSISTANCE BY MEMBER OF THE KEYS) REGULATIONS 2020

Laid before Tynwald: 28 April 2020
Approved by Tynwald: 28 April 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.

1 Title

These Regulations are the Emergency Powers (Coronavirus)(Emergency Assistance by Member of the Keys) Regulations 2020.

2 Commencement

These Regulations come into operation immediately after they are made¹ and continue to have effect throughout the Coronavirus Proclamation period.

3 Interpretation

In these Regulations —

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

“**the Coronavirus Proclamation period**” means the periods for which the following proclamations are 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 appears that there is a threat of that disease

¹ 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 only continue in force beyond 7 days of being so laid if Tynwald passes a resolution to that effect.

² SD 2020/0162

affecting the Island and causing serious damage to human health on, and the economic well-being of, the Island.

4 General

These Regulations permit a sitting member of the Keys to accept a specified type of office of profit under the Government of the Island, during the Coronavirus Proclamation period, without rendering the member's seat vacant.

5 Disapplication of legislative impediment

- (1) Paragraph (2) applies only where, during the Coronavirus Proclamation period, a sitting member of the Keys accepts an office of profit under the Government of the Island relating to any of the following services—
 - (a) the health service for which provision is made in the National Health Service Act 2001;
 - (b) fire and rescue services;
 - (c) ambulance services.
- (2) Section 6(6) of the Representation of the People Act 1995 (automatic disqualification of Member on accepting an office of profit under the Government of the Island) is disappplied for the duration of the Coronavirus Proclamation period.

MADE AT 18:26 ON 22 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 disapply section 6(6) of the Representation of the People Act 1995 for the duration of the Coronavirus Proclamation period where a sitting member of the Keys accepts an office of profit in the Government of the Island that relates to the provision of a specified emergency or health-related service during the COVID-19 crisis. As a result, a sitting member providing any such services during the crisis period will not automatically lose his or her seat.