

Statutory Document No. 2020/0260



Emergency Powers Act 1936

EMERGENCY POWERS (PROHIBITIONS ON MOVEMENT) (AMENDMENT) (NO.2) 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 makes the following Regulations under section 4 of the Emergency Powers Act 1936.

1 Title

These Regulations are the Emergency Powers (Prohibitions on Movement) (Amendment) (No.2) Regulations 2020.

2 Commencement

These Regulations come into operation immediately after they are made¹.

3 Amendment

- (1) The Emergency Powers (Prohibitions on Movement) Regulations 2020² are amended as follows.
- (2) In regulation 5 (exceptions from regulation 4: general) —
 - (a) in paragraph (1), after sub-paragraph (j) add—
 - (k) to move to a new residence (freehold or leasehold) where that move is reasonably necessary;
 - (l) to move to other accommodation on a temporary basis for the purposes of compliance with regulations made under the Emergency Powers Act 1936, social distancing, self-isolation, shielding or any other such measure required, or

¹ By virtue of section 4(2) of the Emergency Powers Act 1936, the Regulations 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 2020/0201 as amended by SD 2020/0213, SD 2020/0217 and SD 2020/0249.

advised, by a Department or any appropriate professional body in connection with the Coronavirus pandemic. **22**;

(b) after paragraph (5), insert—

23(5A) For the purposes of paragraph (1)(k) —

(a) a move is reasonably necessary if it is for one or more of the following reasons —

- (i) the person's health;
- (ii) the person's finances (including, but not limited to, a financial need to comply with a contractual obligation or a term of a mortgage offer entered into prior to the commencement of the Coronavirus Proclamation period);
- (iii) the health of a member of the person's household;

(b) the move may be to temporary accommodation pending completion of all necessary formalities in respect of a move into a new long-term residence;

(c) "household" means a group of people who, in respect of the new residence, will —

- (i) live together as a family or other unit (regardless of whether or not they are related);
- (ii) occupy that residence as their principal residence; and
- (iii) share its living accommodation and cooking facilities.

(5B) Where paragraph (1)(l) applies the accommodation referred to in that paragraph qualifies, in addition to any other home that person may have, as the person's home for the purposes of these Regulations for the duration of the person's residence at that accommodation. **22**.

(3) In the Schedule (essential services), for paragraph 3(1)(b) substitute—

24(b) advocates, trainee advocates and paralegal staff employed by advocates —

- (i) engaged in proceedings before any court, tribunal or other person exercising a judicial function pursuant to a Manx enactment;
- (ii) attending at the Isle of Man Prison or any police station in respect of proceedings referred to in (i);
- (iii) engaged in the preparation and completion (including execution) of testamentary documentation and enduring powers of attorney; or

- (iv) engaged in the preparation and completion of documentation relating to a conveyance, transfer, grant, assignment or other disposition of real property; **21**.

MADE AT 13:45 ON 21 APRIL 2020

W GREENHOW
Chief Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Emergency Powers (Prohibitions on Movement) Regulations 2020 (SD 2020/0201) which prohibit people leaving their homes except for specified purposes during the current Coronavirus outbreak.

The amendments provide further exceptions from the general prohibition on movement of persons and expand the meaning of essential services in relation to advocates.