



EMERGENCY POWERS (CORONAVIRUS) (CLOSURE OF BUSINESSES AND OTHER PREMISES) (AMENDMENT NO. 2) REGULATIONS 2020

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Statutory Document No. 2020/0269



Emergency Powers Act 1936

EMERGENCY POWERS (CORONAVIRUS) (CLOSURE OF BUSINESSES AND OTHER PREMISES) (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 (Coronavirus) (Closure of Businesses and Other Premises) (Amendment No. 2) Regulations 2020.

2 Commencement

These Regulations come into operation immediately after they are made¹.

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

- (1) The Emergency Powers (Coronavirus) (Closure of Businesses and Other Premises) Regulations 2020² are amended as follows.
- (2) In regulation 5 (continuation of operation of certain businesses), for paragraphs (3) and (4), substitute –

(3) If a business continues operating during the Coronavirus Proclamation period, the person who is responsible for carrying on the business must ensure that the business adopts such measures as are reasonably practicable to reduce the risk of a person being infected with Coronavirus as a result of being

¹ By virtue of section 4(2) of the Emergency Powers Act 1936, these Regulations made by 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.

² SD 2020/0200, as amended by SD 2020/0217 and SD 2020/0249

- present at the premises of that business or being in contact with a person from that business, including –
- (a) ensuring so far as it practicable that persons at the premises are able to remain at least 2 metres away from any other person;
 - (b) ensuring that the premises are regularly cleaned; and
 - (c) ensuring that facilities are provided for enabling persons at the premises to clean or otherwise sanitise their hands frequently.
- (4) The person responsible for carrying on a business that is not required under these Regulations to close –
- (a) may only require the presence at the business premises of such employees whose attendance is necessary for the proper performance of his or her office, employment or vocation; and
 - (b) must ensure that no more persons are present at any one time than is necessary for the effective operation of the business. **22**.
- (3) In regulation 7 (offences and penalties), after regulation 7(3), insert –
- 23**(4) If a person is alleged to have contravened regulation 5, regard may be given, when determining whether the person is guilty of the offence, as to whether the person operated the business in a way that was inconsistent with any guidance published on www.gov.im in relation to the operation of that business and, in particular, to any guidance on any action to be taken by the business for the purpose of reducing the risk of a person being infected with Coronavirus as a result of being present at the premises of that business or transacting business with a person from that business. **22**.
- (4) In Part 1 of the Schedule (businesses and premises that must close), in entry 22, after “cleaning business” insert **24**(except a window cleaning business) **22**.
- (5) In Part 2 of the Schedule (businesses and premises that may remain open for restricted purposes) –
- (a) in the entry relating to “Places of worship”, in the first item in the purpose column, after “Conducting of funeral services, including the broadcasting of the funeral to persons outside the place of worship”, insert **25**Installing and maintaining equipment used for the purpose of enabling the broadcasting of services of religious worship and other community information **22**;
 - (b) after the entry relating to “Crematoriums” insert –

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Any graveyard or cemetery	Any purpose	
Any civic amenity site	For the purpose of depositing domestic or commercial waste, garden waste or recyclable products	The site may not be used for the depositing or collecting of reusable items

22;

- (c) for the entries relating to “Any construction business”, “Any business of a tradesperson, including plumbers, electricians, carpenters, heating, gas or air condition engineers; roofers and general builders” and “Any business of landscaping, gardening or related activity” substitute –

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Any construction business	Any purpose	
Any business of a tradesperson, including plumbers, electricians, carpenters, heating, gas or air condition engineers; roofers and general builders	Any purpose except that, where the work is at the home of a person at which there is a potentially infected person (within the meaning of the Emergency Powers (Potentially Infectious Persons) Regulations 2020), only works that are urgent and necessary for the preservation of life or property are permitted	
Any business of landscaping, gardening or related activity	Any purpose	

22;

- (d) after the entry relating to “Any cleaning business” insert –

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Any window cleaning business		
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22;

- (e) for the entries relating to “Garden retail shops” and “Any business of keeping livestock” substitute –

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Garden retail shops	The delivery of goods to customers The collection of pre-ordered good by any customers The purchasing at the premises of any goods by any person in the business of landscaping, gardening or related activity	The business must remain closed to any member of the public except any person is the business of landscaping, gardening or related activity No other member of the public may attend the premises except to collect goods that are pre-ordered and supplied by the business
Any business of keeping livestock	Any purpose	

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MADE AT 21:28 ON 23 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 amend the Emergency Powers (Coronavirus) (Closure of Businesses and Other Premises) Regulations 2020 (“principal regulations”) to clarify that in the case of a business that continues to operate, the person responsible for that business may only require the attendance at the business premises of those persons whose attendance is necessary for the proper performance of his or her office, employment or vocation and no more persons at any one time than is necessary for the effective operation of the business.

These Regulations also amend Part 2 of the Schedule to the principal regulations, as that Part relates to (a) places of worship, (b) any construction business, (c) any business of a tradesperson, including plumbers, electricians, carpenters, heating, gas or air condition engineers; roofers and general builders, (d) any business of landscaping, gardening or related activity, (e) any window cleaning business, (f) retail garden shops and (g) livestock businesses, (h) cemeteries and (i) civic amenity sites.