



# EMERGENCY POWERS (CORONAVIRUS) (EVENTS AND GATHERINGS) (AMENDMENT) (NO.3) REGULATIONS 2020

## Index

Regulation	Page
1 Title .....	3
2 Commencement .....	3
3 Emergency Powers (Coronavirus) (Events and Gatherings) Regulations 2020 amended.....	3
4 Emergency Powers (Coronavirus) (Fixed Penalty) Regulations 2020 amended.....	4



Statutory Document No. 2020/0272



*Emergency Powers Act 1936*

## **EMERGENCY POWERS (CORONAVIRUS) (EVENTS AND GATHERINGS) (AMENDMENT) (NO.3) REGULATIONS 2020**

*Laid before Tynwald: 12 May 2020*  
*Approved by Tynwald: 12 May 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) (Events and Gatherings) (Amendment) (No.3) Regulations 2020.

### **2 Commencement**

These Regulations come into operation immediately after they are made<sup>1</sup>.

### **3 Emergency Powers (Coronavirus) (Events and Gatherings) Regulations 2020 amended**

- (1) The Emergency Powers (Coronavirus) (Events and Gatherings) Regulations 2020<sup>2</sup> are amended as follows.
- (2) After regulation 7(2) (enforcement), insert —
  - (3)** Paragraphs (4), (5) and (6) apply whether or not a direction has been given under regulation 4 or 5.
  - (4) A constable may stop a person and ask the person questions to establish whether the person or a member of the person's

<sup>1</sup> 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.

<sup>2</sup> SD 2020/0185, as amended by SD 2020/0249 and SD 2020/0248.

- household has taken part, or is taking part, in a gathering and if so, the purpose of the gathering.
- (5) The person must answer any reasonable question that he or she is asked by a constable under paragraph (4).
  - (6) A constable may require a person or the members of the person’s household to leave any premises if the constable reasonably believes that –
    - (a) the person or members of the person’s household are at a high risk of coming within 2 metres of a person who is not a member of the person’s household if they remain at those premises; and
    - (b) the contact with such a person is not permitted under a provision of regulations made under the Emergency Powers Act 1936. **22**.

(3) For regulation 8 (offences), substitute –

**23 8 Offences**

A person (P) commits an offence if P fails without reasonable excuse –

- (a) to comply with a direction given to the person under these Regulations;
- (b) to answer questions put to the person by a constable under regulation 7(4); or
- (c) to comply with a constable’s requirement under regulation 7(6) that the person or the members of the person’s household leave premises.

Maximum Penalty (summary) - 3 months’ custody and a fine not exceeding level 5 on the standard scale. **22**.

**4 Emergency Powers (Coronavirus) (Fixed Penalty) Regulations 2020 amended**

In the Schedule to the Emergency Powers (Coronavirus) (Fixed Penalty) Regulations 2020<sup>3</sup> (fixed penalty notices), for entry 2 (relating to the Emergency Powers (Coronavirus) (Events and Gatherings) Regulations 2020<sup>4</sup>) substitute –

**24**

2	2020/0185	Emergency Powers (Coronavirus) (Events and Gatherings) Regulations 2020	Regulation 8: failure without reasonable excuse to – (i) comply with a direction given under the Regulations,
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<sup>3</sup> SD 2020/0258 as amended by SD 2020/0271

<sup>4</sup> SD 2020/0185



			(ii) answer questions put to the person by a constable under regulation 7(4) or (iii) comply with a constable's requirement under regulation 7(6) that the person or the members of the person's household leave premises
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22.

MADE AT 11:41 ON 7 MAY 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) (Events and Gatherings) Regulations 2020 to enable a constable to require a person or the members of the person's household to leave any premises if the constable reasonably believes that the person or members of the person's household are at a high risk of coming within 2 metres of a person who is not a member of the person's household if they remain at those premises; and the contact with such a person is not permitted under a provision of regulations made under the Emergency Powers Act 1936.

These Regulations also make it an offence for a person to fail to (i) comply with a direction, (ii) to answer questions put to them by a constable or (iii) to comply with a requirement to leave premises when asked to do so by a constable.

These Regulations also amend the Emergency Powers (Coronavirus) (Fixed Penalty) Regulations 2020 so as to include the new offences in the list of offences for which a penalty notice may be issued.