

Statutory Document No. 2020/0294



*Emergency Powers Act 1936*

## **EMERGENCY POWERS (CORONAVIRUS) (CLOSURE OF BUSINESSES AND OTHER PREMISES) (AMENDMENT) (NO.7) REGULATIONS 2020**

*Laid before Tynwald: 19 May 2020*  
*Approved by Tynwald: 19 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) (Closure of Businesses and Other Premises) (Amendment) (No.7) Regulations 2020.

### **2 Commencement**

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

### **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 2020<sup>2</sup> are amended as follows.
- (2) In regulation 4, after paragraph (3), insert —  
| **44** (4) Paragraphs (1) and (2) are subject to regulation 5B. **22**.
- (3) In regulation 5 (continuation of operation of certain businesses), after paragraph (1) insert —  
| **44** (1A) Paragraph (1) is subject to regulation 5B. **22**.

<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 2020/0200 as amended by SD 2020/0217, SD 2020/0249, SD 2020/0269, SD 2020/0273, SD 2020/0278, SD 2020/0293 and SD 2020/0299.

(4) After regulation 5A (directions), insert —

**5B Exemptions from regulations 4 and 5**

(1) Despite regulations 4 and 5, where —

- (a) the Chief Minister announces that a business or premises to which paragraph (2) applies, is to be permitted to reopen from a specified date in the future, either generally or for a particular purpose and with or without conditions or restrictions; and
- (b) details of the announcement are published on [www.gov.im](http://www.gov.im) for the purpose of this regulation,

the person responsible for the business or premises may reopen the business or premises for the purposes specified and to the extent provided for in paragraph (3).

(2) This paragraph applies to —


- (a) a business listed in Part 1 of the Schedule;
- (b) the premises of any business listed in Part 1 of the Schedule;
- (c) a business or premises described in an entry in the first column of the table in Part 2 of the Schedule.

(3) A person referred to in paragraph (1) may reopen a business or premises to which paragraph (2) applies, and permit the presence of such employees whose attendance is necessary, only to the extent necessary to allow —

- (a) in the case of a business or premises to which paragraph (2)(a) or (b) applies, preparations to be made in readiness for the business to reopen; and
- (b) in the case of a business or premises to which paragraph (2)(c) applies, preparations to be made in readiness for the business to open for a purpose or to an extent over and above that provided for in the second column of the table in Part 2 of the Schedule.

(4) In making the preparations referred to in paragraph (3), the person referred to in paragraph (1) may only permit a person, whose attendance is necessary in connection with the preparations to enter or work in the business or premises.

(5) A person responsible for a business or premises to which this regulation applies must comply with —

- (a) regulation 5(3) and (4); and
- (b) any guidance issued for the purpose of this regulation by the Department for Enterprise and published on [www.gov.im](http://www.gov.im). 

- (5) In regulation 7 (offences and penalties) —
- (a) in paragraph (1), for “regulation 4 or 5”, substitute **66** regulation 4, 5 or 5B **66**;
  - (b) in paragraph (4), for “regulation 5”, substitute **66** regulation 5 or 5B **66**.

**3 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 3 (relating to the Emergency Powers (Coronavirus) (Closure of Business and Other Premises) Regulations 2020) substitute —

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3	2020/0200	Emergency Powers (Coronavirus) (Closure of Businesses and Other Premises) Regulations 2020	Regulation 7: (1) contravention without reasonable excuse of regulation 4, 5 or 5B or a direction made under regulation 5A; and (2) obstructing without reasonable excuse a person carrying out a function under the Regulations
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MADE AT 14:44 ON 14 MAY 2020

**W GREENHOW**  
*Chief Secretary*

<sup>3</sup> SD 2020/0258

*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<sup>4</sup>, by inserting provision relating to businesses or premises preparing to reopen.

These Regulations apply to businesses or premises which are referred to in an announcement by the Chief Minister as permitted to reopen from a date in the future.. Notwithstanding regulations 4 and 5, which provide that certain businesses and premises must be closed and that certain businesses and premises may open for specified purposes only, where such a business is to reopen, or is to open to a greater extent than applies at the time of the announcement, such businesses or premises may open to the extent necessary to prepare for the reopening, subject to certain safeguards and the need to comply with guidance issued for the purpose by the Department for Enterprise..

These Regulations provide that it is an offence for a person to contravene regulation 5B and amend the Emergency Powers (Fixed Penalty) Regulations 2020<sup>5</sup> to provide that a fixed penalty may be issued in relation to a contravention of regulation 5B.

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<sup>4</sup> SD 2020/0200

<sup>5</sup> SD 2020/0258

