

Statutory Document No. 2020/0297



Emergency Powers Act 1936

EMERGENCY POWERS (CORONAVIRUS) (CLOSURE OF BUSINESSES AND OTHER PREMISES) (AMENDMENT) (NO.8) 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.8) Regulations 2020.

2 Commencement

These Regulations come into operation on 18 May 2020¹.

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) —
 - (a) in paragraph (3)(c), after “frequently”, insert —
 - ; and
 - (d) complying with any guidance issued and published for the purpose of this paragraph by the Department for Enterprise. ■;

¹ By virtue of section 4(2) of the Emergency Powers Act 1936, the Regulations made under this Order 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 2020/0200 as amended by SD 2020/0217, SD 2020/0249, SD 2020/0269, SD 2020/0273, SD 2020/0278, SD 2020/0293, SD 2020/0299 and SD 2020/0294.

- (b) in paragraph (4)(b), after “operation of the business”, insert **63** on a sustained basis **62**.
- (3) In Part 1 of the Schedule (businesses and premises that must close) omit –
 - (a) paragraph (7) (betting shops);
 - (b) paragraph (9) (car show rooms);
 - (c) paragraph (25) (shopping centres); and
 - (d) paragraph (26) (any other retail business).

4 Emergency Powers (Prohibitions on Movement) Regulations 2020 amended

- (1) The Emergency Powers (Prohibitions on Movement) Regulations 2020³ are amended as follows.
- (2) In regulation 5(1) (exceptions from regulation 4: general) –
 - (a) in paragraph (i)(iii), after “of the business”, insert **64** on a sustained basis **62**; and
 - (b) after paragraph (t), insert –
 - 64**(u) to attend a retail business or premises which is not required to close by virtue of the Emergency Powers (Coronavirus) (Closure of Businesses and Other Premises) Regulations 2020⁴ (“the Closure Regulations”) provided that a person who does so complies with –
 - (i) any guidance issued and published for the purpose of regulation 5(3)(d) of the Closure Regulations, by the Department for Enterprise on www.gov.im;
 - (ii) any conditions subject to which premises or a business may be subject under Part 2 of the Schedule to the Closure Regulations; and
 - (iii) a direction made under the Emergency Powers (Coronavirus) (Events and Gatherings) Regulations 2020⁵. **62**.

³ SD 2020/0201 as amended by SD 2020/0213, SD 2020/0217, SD 2020/0249, SD 2020/0260, SD 2020/0274, SD 2020/0276 and SD 2020/0295.

⁴ SD 2020/0200

⁵ SD 2020/0185

MADE AT 15:59 ON 15 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) (Closure of Businesses and Other Premises) Regulations 2020 [SD 2020/0200] (“the principal regulations”) so as to require the person responsible for carrying on a business which is not required to close, to comply with guidance issued and published for the purpose of the provision, by the Department for Enterprise. These Regulations also clarify that employers may allow the minimum number of staff to attend on a sustained basis, recognising the medium term nature of the restrictions that are now in place, and as such, effective operations across the medium term might require more staff to attend than those previously required in the very short term.

These Regulations permit a number of retail businesses to reopen, by omitting reference to them in Part 1 of the Schedule to the principal regulations.

These Regulations also amend regulation 5(1) of the Emergency Powers (Prohibitions on Movement) Regulations 2020 [SD 2020/0201] so as to (i) include the reference to businesses operating “on a sustained basis” (in line with the amendment made to the principal regulations) and (ii) to permit a person to leave his or her ordinary place of residence in order to attend any retail premises or business which is not required to close under the principal regulations, subject to complying with specified requirements.