

Statutory Document No. 2020/0311



Emergency Powers Act 1936

EMERGENCY POWERS (CORONAVIRUS) (MISCELLANEOUS AMENDMENTS) REGULATIONS 2020

Laid before Tynwald: 26 May 2020
Approved by Tynwald: 26 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) (Miscellaneous Amendments) Regulations 2020.

2 Commencement

These Regulations come into operation on —

- (a) 20 May 2020 for the purpose of every provision other than one specified in paragraph (b); and
- (b) 21 May 2020 for the purpose of —
 - (i) regulation 4(2)(d) and (e); and
 - (ii) regulation 4(3)(c)¹.

3 Emergency Powers (Prohibitions on Movement) Regulations 2020 amended

- (1) The Emergency Powers (Prohibitions on Movement) Regulations 2020² are amended as follows.

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 2020/0201 as amended by SD 2020/0213, SD 2020/0217, SD 2020/0249, SD 2020/0260, SD 2020/0274, SD 2020/0276, SD 2020/0279, SD 2020/0295, SD 2020/0297 and SD 2020/0309.

- (2) In regulation 3 (interpretation) in the definition of “appropriate social distancing”, after “persons” insert **66** other than persons from the same household **62**.
- (3) In regulation 5(1) (exceptions from regulation 4: general) –
- (a) after paragraph (g), insert –
- 66**(ga) in order to attend a wedding and in order to undertake preparatory activities in connection with a wedding, provided that a person who does so complies with a direction under the Emergency Powers (Coronavirus) (Events and Gatherings) Regulations 2020³ and observes appropriate social distancing; **62**;
- and
- (b) after paragraph (v), insert –
- 66**(w) in order to attend a library provided that a person who does so complies with a direction under the Emergency Powers (Coronavirus) (Events and Gatherings) Regulations 2020⁴ and observes appropriate social distancing;
- (x) in order to attend a nursery provided that a person who does so complies with a direction under the Emergency Powers (Coronavirus) (Events and Gatherings) Regulations 2020 and observes appropriate social distancing;
- (y) in order to attend an auction house provided that a person who does so complies with a direction under the Emergency Powers (Coronavirus) (Events and Gatherings) Regulations 2020 and observes appropriate social distancing;
- (z) in the case of a person who provides domestic cleaning services (“P”), to go to another person’s place of residence at which P will perform such services, provided that appropriate social distancing is observed between P and any other person at the residence; and
- (aa) in order to go to a campsite or caravan park provided that a person who does so complies with a direction under the Emergency Powers (Coronavirus) (Events and Gatherings) Regulations 2020 and observes appropriate social distancing. **62**.
- (4) For regulation 5(3), substitute –
- 66**(3) For the purposes of paragraph (1)(c) –
- (a) every person undertaking the exercise or leisure activity must comply with a direction under the Emergency

³ SD 2020/ 0185

⁴ SD 2020/0185

- Powers (Coronavirus) (Events and Gatherings) Regulations 2020⁵ and observe appropriate social distancing; but
- (b) a person with a disability who reasonably requires assistance to undertake the exercise or leisure activity, with one assistant, must ensure, as far as is reasonably practicable –
 - (i) that there is as little physical contact as possible with the assistant and that reasonable steps are taken to minimise the risk of the spread of Coronavirus between the person and the assistant; and
 - (ii) that appropriate social distancing is observed between the person and a person other than the assistant. **22**.

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

- (1) The Emergency Powers (Coronavirus) (Closure of Businesses and Other Premises) Regulations 2020⁶ are amended as follows.
- (2) In Part 1 of the Schedule (businesses and premises that must close) omit –
 - (a) paragraph (1) (libraries);
 - (b) paragraph (8) (auction houses);
 - (c) paragraph (22) (domestic cleaning businesses);
 - (d) paragraph (23) (opticians, etc); and
 - (e) paragraph (24) (private healthcare clinics, etc).
- (3) In Part 2 of the Schedule (businesses and premises that may remain open for restricted purposes) –
 - (a) in the entry relating to “Hotels, hostels, Bed and breakfast accommodation, boarding houses, campsites and caravan parks, where such premises are operated as a business” –
 - (i) in the second column (purpose), for “For providing”, substitute **66** In the case of a campsite or caravan park, for any purpose. In all other cases for providing **22**; and
 - (ii) in the third column (conditions), insert **66** In the case of a campsite or caravan park, any communal facilities for the use of campers remain closed **22**;

⁵ SD 2020/0185

⁶ 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 2020/0294, SD 2020/0299 and SD 2020/0297.

- (b) in the entry relating to “Schools and nurseries”, for “providing an essential service within the meaning of regulation 5(5) of and the Schedule to”, substitute **64** who may leave his or her residence for the purpose of his or her office, employment or vocation under **62**; and
- (c) after the entry relating to “Any business of keeping livestock”, insert —

66

| | | |
|--------------------------|--|---|
| Opticians | For the purposes of retail services related to optometry | Any relevant advice published by the Department of Health and Social Care must be complied with |
| Private dental surgeries | Any purpose | Any relevant advice published by the Department of Health and Social Care must be complied with |

62.

5 Emergency Powers (Coronavirus) (Events and Gatherings) Regulations 2020

- (1) The Emergency Powers (Coronavirus) (Events and Gatherings) Regulations 2020⁷ are amended as follows.
- (2) In regulation 3 (interpretation) in the definition of “gathering”, for “means any meeting or assembly of two or more persons who are not members of the same household”, substitute **66** means any meeting or assembly of a number of persons who are not members of the same household, which exceeds the number provided for in a direction made under these regulations **62**.

MADE AT 22:45 ON 19/05/2020

W GREENHOW
Chief Secretary

⁷ SD 2020/0185 as amended by SD 2020/0249, SD 2020/0248, SD 2020/0272 and SD 2020/0295.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made 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 (Prohibitions on Movement) Regulations 2020 (“POM Regulations”), the Emergency Powers (Coronavirus) (Closure of Businesses and Other Premises) Regulations 2020 (“COB Regulations”) and the Emergency Powers (Coronavirus) (Events and Gatherings) Regulations 2020 (“E&G Regulations”).

These Regulations amend the POM Regulations so as to clarify that appropriate social distancing does not apply to persons from the same household. These Regulations amend regulation 5(1) of the POM Regulations to insert several specific exceptions (in relation to weddings, libraries, nurseries, auction houses, domestic cleaners, campsites and caravans) to the general prohibition on movement. Regulation 5(3) of the POM Regulations is substituted so as to be in line with amendments referred to below in relation to the relaxations regarding events and gatherings.

These Regulations amend the COB Regulations by removing the entries relating to several categories of business and premises ((libraries, auction houses, domestic cleaning businesses, opticians and private healthcare clinics) from Part 1 of the Schedule (businesses and premises that must close).

These Regulations also amend Part 2 of the Schedule to the COB Regulations (businesses that may remain open for restricted purposes) to give effect to the changes referred to above to the POM Regulations in relation to campsites and caravan parks, nurseries, opticians and private dental surgeries.

These Regulations also amend the E&G Regulations so as to align the definition of “gathering” with the detail provided in a direction made under those Regulations.