

Statutory Document No. 2020/0313



Emergency Powers Act 1936

EMERGENCY POWERS (CORONAVIRUS) (CLOSURE OF BUSINESSES AND OTHER PREMISES) (AMENDMENT) (NO.9) 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) (Closure of Businesses and Other Premises) (Amendment) (No.9) Regulations 2020.

2 Commencement

These Regulations come into operation —

- (a) for the purposes of regulations 3(5) and 4, on 25 May 2020¹; and
- (b) for all other purposes, immediately after they are made.

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), omit paragraph (4).
- (3) In regulation 5A (directions), in paragraph (4) —

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 2020/0294, SD 2020/0299, SD 2020/0297 and SD 2020/0311.

- (a) in subparagraph (a), after “persons”, insert **“and persons from the same household”**; and
- (b) omit subparagraphs (d) and (e).
- (4) In regulation 5B (exemptions from regulations 4 and 5) –
- (a) for paragraph (3), substitute –
- “(3) A person referred to in paragraph (1) may reopen a business or premises to which paragraph (2) applies, 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.**”**
- (b) omit paragraph (4); and
- (c) for paragraph (5), substitute –
- “(5) A person responsible for a business or premises to which this regulation applies must comply with regulation 5(3).”**
- (5) In Part 2 of the Schedule (businesses and premises that may remain open for restricted purposes) 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” –
- (a) in the first column (premises), after “boarding houses”, insert **“self-catering accommodation”**;
- (b) in the second column (purpose), after “In the case of a campsite or caravan park, for any purpose.”, insert **“In the case of self-catering accommodation, for providing accommodation to a person who is ordinarily resident in the Island or to whom any of paragraphs (a) to (g) below apply.”**; and
- (c) in the third column (conditions), for “In the case of a campsite or caravan park, any communal facilities for the use of campers remain closed”, substitute –
- “In the case of a campsite or caravan park, any communal facilities for the use of campers, other than toilet and washing facilities, remain closed.**
- In the case of self-catering accommodation, the accommodation must be occupied only by members of the same household.”**

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), after paragraph (ab) —
 - (ac)** to attend self-catering accommodation at which the person is a guest, provided that a person who does so complies with the Emergency Powers (Coronavirus) (Closure of Businesses and Other Premises) Regulations 2020⁴ and a direction made under the Emergency Powers (Coronavirus) (Events and Gatherings) Regulations 2020⁵. **(aa)**

MADE AT 12:25 ON 22 MAY 2020

W GREENHOW
Chief Secretary

³ SD 2020/0201 as amended by SD 2020/0213, SD 2020/0217, SD 2020/0249, SD 2020/0260, SD2020/0274, SD 2020/0276, SD 2020/279, SD 2020/0295, SD 2020/0297, SD 2020/0309 and SD 2020/0311.

⁴ SD 2020/0200

⁵ SD 2020/0185

*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 permit, with exceptions, Isle of Man residents who are members of the same household to stay at self-catering accommodation in the Island,.

These Regulations amend regulation 5A(4) of the principal regulations to clarify that the requirement to observe social distancing in that regulation does not apply to members of the same household.

The provisions in regulations 5, 5A and 5B of the principal regulations, (i) by which only the presence of such employees whose attendance is necessary for the proper performance of his or her office, employment or vocation at the business premises or such other premises as the employee would ordinarily be expected to attend in the course of his or her office, employment or vocation could be required and (ii) imposing an obligation to ensure that no more persons are present at any one time than is necessary for the effective operation of the business on a sustained basis, are omitted.

These Regulations also amend regulation 5(1) of the Emergency Powers (Prohibitions on Movement) Regulations 2020 [SD 2020/0201] so as to permit a person to leave his or her ordinary place of residence in order to attend self-catering accommodation at which the person is a guest, subject to compliance with the principal regulations and a direction under the Emergency Powers (Coronavirus) (Events and Gatherings) Regulations 2020.