



EMERGENCY POWERS (CORONAVIRUS) (EVENTS AND GATHERINGS: QUALIFICATIONS) REGULATIONS 2020

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Statutory Document No. 2020/0339



Emergency Powers Act 1936

EMERGENCY POWERS (CORONAVIRUS) (EVENTS AND GATHERINGS: QUALIFICATIONS) REGULATIONS 2020

Laid before Tynwald: 17 June 2020
Approved by Tynwald: NOT MOVED
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.

PART 1 - GENERAL

1 Title

These Regulations are the Emergency Powers (Coronavirus) (Events and Gatherings: Qualifications) Regulations 2020.

2 Commencement

These Regulations come into operation immediately after they are made¹.

3 Interpretation

In these Regulations—

“**Coronavirus**” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);

“**the Coronavirus Proclamation period**” means the period for which the following proclamations are in operation —

- (a) the Proclamation of Emergency dated 16 March 2020², and

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 2020/0162

- (b) all subsequent consecutive Proclamations of Emergency that relate to the pandemic of Coronavirus (also known as COVID-19);

“**the Department**” means the Department of Health and Social Care;

“**event**” means a ceremony, celebration, entertainment, conference, exhibition or similar occasion”;

“**gathering**” means any meeting or assembly of two or more persons;

“**household**” means a group of people living together in premises as a family or other unit (whether or not related) who —

- (a) have those premises as their only or main residence; or
(b) share living accommodation and cooking facilities,

and includes a person deemed to be a member of a person’s household under Regulations made under the Emergency Powers Act 1936;

“**premises**” includes—

- (a) any public or private place;
(b) any premises which are wholly or mainly used as a private dwelling;
(c) any premises used wholly or mainly for business or other commercial purposes;
(d) any moveable structures and vehicles;

“**private place**” means a place other than a public place;

“**public place**” includes any place where the public is routinely allowed to enter without the need for prior permission whether on payment or otherwise;

“**responsible person**” means —

- (a) in the case of premises which are wholly or mainly used as a private dwelling, the owner or, in the case of leasehold premises, the occupant;
(b) in the case of premises used wholly or mainly for business or other commercial purposes, the person carrying on that business or commercial purpose from the premises, including the owner, manager and any other person involved in managing entry to or the location of persons inside the premises;
(c) in the case of all other premises, the owner, manager, any other person who is involved in managing entry to or the location of persons inside the premises.

4 Application

These Regulations apply during the Coronavirus Proclamation period.

PART 2 – QUALIFICATIONS

5 Events and gatherings: Qualifications

- (1) An event or gathering may take place in any public or private place subject to the following qualifications.
- (2) An event or gathering in a public place –
 - (a) prior to 15 June 2020, must not exceed 10 attendees;
 - (b) on or after that date, must not exceed 30 attendees.
- (3) An event or gathering in any indoor part of a private place consisting of premises used wholly or mainly as a private dwelling must not exceed (in addition to the members of that household) 2 attendees both of whom must be from the same household.
- (4) An event or gathering in any outdoor part (such as the grounds or garden) of a private place consisting of premises used wholly or mainly as a private dwelling –
 - (a) prior to 15 June 2020, must not exceed 10 attendees;
 - (b) on or after that date, must not exceed 30 attendees.
- (5) An event or gathering at a business or premises to which regulation 4(3) of the Emergency Powers (Coronavirus) (Closure of Businesses and Other Premises) (No.2) Regulations 2020³ applies may only be attended by the number of persons whose attendance is necessary for the purposes referred to in that provision.

PART 3 – ENFORCEMENT ETC.

6 Enforcement

- (1) Compliance with these Regulations may be enforced by –
 - (a) a constable; or
 - (b) any other person, or description of person, designated for the purpose of this regulation by the Department.
- (2) In exercising the power of enforcement conferred by paragraph (1), a constable may –
 - (a) enter any premises;
 - (b) require any one or more or all attendees at an event or gathering to leave that event or gathering;
 - (c) if necessary, use reasonable force.

³ SD 2020/0338

7 Offences and penalties

- (1) A person (P) commits an offence if P without reasonable excuse —
- (a) fails to comply with regulation 5;
 - (b) fails to comply with a constable's requirement under regulation 6(2) to leave an event or gathering;
 - (c) obstructs any person carrying out a function under these Regulations.

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

- (2) For the purposes of this regulation, P includes a responsible person.

8 Emergency Powers (Coronavirus) (Fixed Penalty) Regulations 2020 amended

In the Schedule to the Emergency Powers (Coronavirus) (Fixed Penalty) Regulations 2020⁴ (fixed penalty notices), following entry 2 (relating to the Emergency Powers (Coronavirus) (Closure of Businesses and Other Premises) (No.2) Regulations 2020) insert —

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2A	2020/ 0339	Emergency Powers (Coronavirus) (Events and Gatherings: Qualifications) Regulations 2020	Regulation 7: (1) failure without reasonable excuse to comply with regulation 5; (2) failure without reasonable excuse to comply with a constable's requirement under regulation 6(2) to leave an event or gathering of regulation 4, 5 or 6 and (3) obstructing without reasonable excuse a person carrying out a function under the Regulations
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MADE AT 18:42 ON 12 JUNE 2020

W GREENHOW
Chief Secretary

⁴ 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 set out the qualifications that apply in respect of certain events and gatherings.