

Statutory Document No. 2020/0425



*Emergency Powers Act 1936*

## **EMERGENCY POWERS (CORONAVIRUS) (CONTINUATION) (NO. 2) (AMENDMENT) (NO. 3) REGULATIONS 2020**

*Laid before Tynwald:*

*Approved by Tynwald:*

*Coming into Operation: in accordance with Regulation 2*

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The Governor in Council makes the following Regulations under section 4A of the Emergency Powers Act 1936.

### **1 Title**

These Regulations are the Emergency Powers (Coronavirus) (Continuation) (No. 2) (Amendment) (No. 3) Regulations 2020.

### **2 Commencement**

These Regulations come into operation immediately after they are made.

### **3 Amendment of Schedule 2**

In Schedule 2 to the Emergency Powers (Coronavirus) (Continuation) (No. 2) Regulations 2020 (modifications subject to which SD2020/0279 is continued in operation), after paragraph 4 (modification of regulation 7) insert —

#### **4A Insertion of new regulation: Regulation 7A**

##### **7A Residents of the Island: Exemption after negative Coronavirus test result**

- (1) This regulation applies where a resident of the Island —
  - (a) has entered the Island in compliance with regulation 7;
  - (b) has self-isolated in accordance with a Direction Notice given under regulation 7(12) for at least 7 days and continues to self-isolate under that Direction Notice; and


- (c) is not subject to any other requirement to self-isolate under this or any other enactment.
- (2) A resident to whom this regulation applies, by arrangement with and upon payment of the sum of £50 to the Cabinet Office —
- (a) may leave the address at which the resident is self-isolating for the purpose of attending by appointment such facility as the Chief Secretary must specify in order to have taken from the resident a sample for testing (“test sample”) to ascertain whether he or she is infected or contaminated with coronavirus;
- (b) must immediately after providing the test sample return to the address at which the resident is self-isolating; and
- (c) must remain at that address unless the resident receives from the Chief Secretary a Direction Notice under paragraph (6).
- (3) If a resident has provided a test sample under paragraph (2) the Chief Secretary must —
- (a) as soon as reasonably practicable analyse or arrange to be analysed, the test sample to ascertain whether it indicates that the resident is infected or contaminated with coronavirus; and
- (b) notify the resident, or arrange for the resident to be notified, of the findings of the analysis of the test sample within 24 hours of the test sample having been taken, or, if the findings are not known within that time, as soon as reasonably practical after they are known.
- (4) If the findings of the analysis are that the resident is infected or contaminated with coronavirus the Emergency Powers (Potentially Infectious Persons) Regulations 2020<sup>1</sup> shall apply in relation to the resident and the resident must accordingly comply with any requirement or restriction imposed upon the resident under regulation 6 of those regulations.
- (5) If the findings of the analysis are inconclusive in that they do not confirm whether or not the resident is infected or contaminated with Coronavirus, the resident —
- (a) is to be treated as having not provided a test sample; and
- (b) accordingly paragraph (2) applies except that the resident shall not be required to make a further payment of £50 before arranging for a test sample to be taken.

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<sup>1</sup> SD 2020/0171

- (6) If the findings of the analysis are that the resident is not infected or contaminated with coronavirus the Chief Secretary must give a Direction Notice to the resident exempting the resident from the requirement to self-isolate, provided that the resident must comply with the conditions in paragraph (7).
- (7) The conditions with which the resident must comply are that, for the remainder of the period of 14 days that applied —
- (a) the resident must not go to a gym, sports centre, public house, nightclub, restaurant or café (including any such premises at which eating or drinking outdoors is permitted);
  - (b) the resident must not attend the premises of a nursery, pre-school or other childcare centre, a school, the University College, Isle of Man or any other educational premises;
  - (c) the resident must not enter a shop, other than to buy food, drink or medicine;
  - (d) the resident must not enter a nursing, care or residential home unless prior to arriving at that home the resident has informed the manager of that home that the resident is subject to a direction under this regulation and the manager has agreed that the resident may nevertheless enter that home;
  - (e) the resident must not, other than in an emergency, enter Nobles Hospital or any other health or care facility unless prior to arriving at the hospital or care facility, as the case may be, the resident has informed the hospital or care facility that the resident is subject to a direction under this regulation and the hospital or care facility has agreed that the resident may nevertheless enter the hospital or care facility;
  - (f) the resident must not attend a gathering of more than ten people;
  - (g) the resident must not attend his or her place of work if the resident's employment requires the resident to interact face to face with any member of the public (other than his or her work colleagues);
  - (h) the resident must not use or travel on any bus, tram or train.
- (8) If the resident referred to in paragraph (2) is a child —
- (a) the child may be accompanied by a responsible adult for the purpose of providing a sample under paragraph (2);
  - (b) the findings shall be notified to the responsible adult;
  - (c) the responsible adult must take such steps as are reasonably necessary to ensure that the child complies with the

requirements of this regulation and any Direction Notice given under it.

- (9) Nothing in this regulation affects the power of the Chief Secretary to give a Direction Notice under regulation 7(13). .

**MADE AT 13:42 ON 6 SEPTEMBER 2020**

**W GREENHOW**  
*Chief Secretary*

*EXPLANATORY NOTE*

*(This note is not part of the Regulations)*

These Regulations further amend the Emergency Powers (Coronavirus) (Continuation) (No. 2) Regulations 2020 (“the principal Regulations”) to make further modifications to the Emergency Powers (Coronavirus) (Entry Restrictions) (No. 2) Regulations 2020 (“the Entry Restrictions Regulations”) that continued in operation under the principal Regulations so as to permit a resident of the Island who is required to self-isolate under regulation 7 of the principal Regulations to take a test to ascertain whether he or she is infected or contaminated with Coronavirus 7 days or longer from the day on which the self-isolation began. The fee for the test is fixed at £50.

If the test results in the resident being found to be infected or contaminated with Coronavirus then he or she will need to comply with the requirements of the Emergency Powers (Potentially Infectious Persons) Regulations 2020. If however the resident is found not to be contaminated then the resident will be given a Direction notice exempting him or her from the requirement to isolate, subject to conditions that are set out in regulation 7A(6) of the principal Regulations, as inserted by these Regulations.