



**EMERGENCY POWERS (CORONAVIRUS)
(CONTINUATION) (NO. 2) (AMENDMENT) (NO. 6)
REGULATIONS 2020**

Index

Regulation	Page
1 Title	3
2 Commencement	3
3 Amendment of Schedule 2	3

Statutory Document No. 2020/0521



Emergency Powers Act 1936

EMERGENCY POWERS (CORONAVIRUS) (CONTINUATION) (NO. 2) (AMENDMENT) (NO. 6) REGULATIONS 2020

Laid before Tynwald: 18 November 2020
Approved by Tynwald: 18 November 2020
Coming into Operation: in accordance with regulation 2

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. 6) Regulations 2020.

2 Commencement

These Regulations come into operation immediately after they are made¹.

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 –

4B Insertion of new regulation: Regulation 7B

7B Self-isolation requirements varied for certain residents

- (1) This regulation applies to a resident mentioned in paragraph (2) who –
 - (a) has entered the Island in compliance with regulation 7;

¹ Section 4A(3) of the Emergency Powers Act 1936 provides that “Section 31 of the Legislation Act 2015 (Tynwald procedure – affirmative) applies to continuation regulations, but as if in subsection (3) the words “or the next following sitting” were omitted.

- (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 is any of the following –
- (a) a member of the armed services, whose reason for travelling off the Island was for a purpose connected to the resident’s employment in the armed services;
 - (b) an individual who the Chief Secretary considers to be vital to critical national infrastructure, within the meaning of regulation 6(3)(a)(i), and whose reason for travelling off the Island was for a purpose connected to the resident’s work relating to that infrastructure;
 - (c) an individual who is a supplier of goods or services that the Chief Secretary considers to be essential to the medical infrastructure and the health of the community, within the meaning of regulation 6(3)(b)(i), and whose reason for travelling off the Island was for a purpose connected to the resident’s work in supplying those goods or services;
 - (d) an individual who is a medical expert or professional whose skills the Chief Secretary considers to be essential to the medical infrastructure and the health of the community, within the meaning of regulation 6(3)(b)(i), and whose reason for travelling off the Island was for a purpose connected to the resident’s employment;
 - (e) a police officer or a fire officer employed by the Department of Home Affairs and whose reason for travelling off the Island was for a purpose connected to the resident’s employment as a police officer or fire officer;
 - (f) a member of the Island’s judiciary appointed under section 3 or 3B of the High Court Act 1991;
 - (g) an eligible patient; and
 - (h) an eligible escort.
- (3) In this regulation –
- “eligible patient” means an individual who requires medical treatment at a place outside the Island and –
- (a) the Department of Health and Social Care arranges the appointments for the individual’s treatment and the travel arrangements for the individual to attend the appointments; and

- (b) the individual is likely to need to leave the Island to attend a medical appointment or undergo treatment and thereafter return to the Island on 2 or more occasions after that appointment or at the end of that treatment within any period of 4 weeks (whether or not that period began before the coming into force of this regulation);

“eligible escort” means an individual who accompanies an eligible patient and whose travel arrangements for that purpose are made by the Department of Health and Social Care.

- (4) A resident to whom this regulation applies, by arrangement with 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 (8).

- (5) If a resident has provided a test sample under paragraph (4) 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.

- (6) If the findings of the analysis are that the resident is infected or contaminated with coronavirus the Emergency Powers (Potentially Infectious Persons) Regulations 2020² 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.

- (7) If the findings of the analysis are inconclusive in that they do not confirm whether or not the resident is infected or contaminated

² SD 2020/0171

- with Coronavirus, the resident is to be treated as having not provided a test sample and, accordingly paragraph (4) applies.
- (8) 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 (9).
- (9) The conditions with which the resident must comply are that, for the remainder of the period of 14 days that applies —
- (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.
- (10) If the eligible patient 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 (4);

- (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.
- (11) Nothing in this regulation affects the power of the Chief Secretary to give a Direction Notice under regulation 7(13). **22**.

MADE ON 6 NOVEMBER 2020 AT 16:21

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 certain residents (specified in the Regulations), who are required to self-isolate under regulation 7 of the Entry Restrictions Regulations, to take a test to ascertain whether they are infected or contaminated with Coronavirus 7 days or longer from the day on which the self-isolation began.

The residents who are specified for the purposes of these Regulations include any individual who is a member of the armed services; individuals who are considered to be vital to critical national infrastructure; individuals who are considered to be essential to the medical infrastructure and the health of the community; medical experts or professionals whose skills are considered to be essential to the medical infrastructure and the health of the community; police officers; fire officers; and members of the Island’s judiciary. Those residents must have returned after having travelled off-Island in connection with their work.

A resident who is “eligible patient” (as defined) and an “eligible escort” of such a patient are also specified for the purposes of the Regulations.

If a test taken under the new arrangement 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 7B(9) of the Entry Restrictions Regulations, as inserted by these Regulations.