

Statutory Document No. 2020/0601



Public Health Act 1990

PUBLIC HEALTH PROTECTION (CORONAVIRUS) (AMENDMENT) (NO.2) REGULATIONS 2020

Laid before Tynwald: 30 December 2020
Approved by Tynwald: 30 December 2020
Coming into Operation: in accordance with regulation 2

The Council of Ministers makes the following Regulations under section 51B, 51C and 51F of the Public Health Act 1990.

In accordance with section 51PA of the Public Health Act 1990 the Council of Ministers has, before making these Regulations, consulted the Department of Health and Social Care.

The Council of Ministers is of the opinion that, by reason of urgency, it is necessary for these Regulations to come into operation before they are approved¹.

¹ Section 51Q of the Public Health Act 1990 states –

“Tynwald control: regulations and orders

(1) This section applies to a public document issued by the Council of Ministers under this Part.

(2) A public document to which this section applies must not come into operation unless – (a) it is approved by Tynwald; or (b) subsection (3) applies.

(3) A public document may come into operation without first being approved by Tynwald if it contains a declaration that the person making it is of the opinion that, by reason of urgency, it is necessary for it to come into operation before it is approved.

(4) A public document that comes into operation in accordance with subsection (3) must be laid before Tynwald after it is made.

(5) A public document to which subsection (3) applies ceases to have effect at the end of the period of 14 days beginning with the day on which it is made unless, before that time, Tynwald has approved it with or without amendment.

(5A) If Tynwald is not due to sit during the period referred to in subsection (5) the President of Tynwald must summon Tynwald to meet on a day specified by the President within that period.

(5B) Where it is not reasonably practicable for Tynwald to sit within the period referred to in subsection (5A), the President of Tynwald must summon Tynwald to sit on the earliest day it is capable of sitting thereafter.

(5C) Where subsection (5B) applies, a public document shall continue in operation pending its approval (or otherwise) by Tynwald.

(6) But if on any day during that period, on proceedings on a motion that (or to the effect that) the public document be so approved, Tynwald comes to a decision rejecting the public document, it ceases to have effect at the end of that day instead.

1 Title

These Regulations are the Public Health Protection (Coronavirus) (Amendment) (No.2) Regulations 2020.

2 Commencement

These Regulations come into operation immediately after they are made².

3 Public Health Protection (Coronavirus) Regulations 2020 amended

The Public Health Protection (Coronavirus) Regulations 2020³ are amended as follows.

4 Regulation 20 (Category C person member of same household as a Category A person) amended

In regulation 20(5) (Category C person member of same household as a Category A person) —

- (a) at the end of sub-paragraph (b), add **or**;
- (b) at the end of sub-paragraph (c), for “; or”, substitute a full stop;
- (c) immediately below subparagraph (c) insert —
| **This paragraph is subject to paragraph (8).**; and
- (d) omit sub-paragraph (d).

5 Schedule (Category A persons) amended

In paragraph 6(14) of the Schedule (Category A persons – residents of the Island), for “14”, substitute **21**.

MADE AT 22:15 ON 24 DECEMBER 2020

W GREENHOW
Chief Secretary

(7) Subsections (5) and (6) do not — (a) affect anything done in reliance on the public document before it ceased to have effect; or (b) prevent the making of a further public document to the like effect.”

² See footnote 1 and the provisions of section 51Q of the Public Health Act 1990.

³ SD 2020/0551 as amended by SD 2020/0599

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation 20 and paragraph 6 of the Schedule to the Public Health Protection (Coronavirus) Regulations 2020⁴.

The amendment to regulation 20(5) clarifies that a Category C person may leave the relevant notified place only –

- for the purpose of receiving emergency medical treatment;
- where directed to do so by the emergency services; or
- if given written permission by the Director of Public Health to do so (whether under regulation 20(4) or otherwise),

and that where a person does so, that person must comply with regulation 20(8) and –

- wear a face mask or other suitable face covering; and
- maintain a distance of at least 2 metres from any person who is not a member of that household.

The amendment to paragraph 6(14) of the Schedule, corrects a reference to “14 days” which should have been amended to “21 days” in the Public Health Protection (Coronavirus) (Amendment) Regulations 2020⁵, by which provision the Chief Secretary may direct a person to self-isolate for less than 21 days.

⁴ SD 2020/0551

⁵ SD 2020/0599