

Statutory Document No. 2020/0199



*Emergency Powers Act 1936*

## EMERGENCY POWERS (CORONAVIRUS) (ENTRY RESTRICTIONS) REGULATIONS 2020<sup>1</sup>

*Laid before Tynwald: 31 March 2020*  
*Approved by Tynwald: 31 March 2020*  
*Coming into Operation: in accordance with regulation 2*

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The Governor in Council, by Order<sup>1</sup>, makes the following Regulations under section 4 of the Emergency Powers Act 1936.

### 1 Title

These Regulations are the Emergency Powers (Coronavirus) (Entry Restrictions) Regulations 2020.

### 2 Commencement

These Regulations come into operation immediately after they are made<sup>2</sup> and have effect until —

- (a) until the end of the Coronavirus Proclamation period; or
- (b) 21 days after they are made,

whichever is the earlier.

### 3 Interpretation

In these Regulations —

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

“**the Coronavirus Proclamation period**” means the period for which the Proclamation of Emergency dated 16 March 2020<sup>3</sup> is in operation.

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<sup>1</sup> Section 4(1) specifies that “Where a proclamation of emergency has been made, and so long as such proclamation is in force, it shall be lawful for the Governor in Council, by Order, to make regulations ...”.

<sup>2</sup> By virtue of section 4(2) of the Emergency Powers Act 1936, these Regulations made by Order of the Governor in Council 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.

<sup>3</sup> SD 2020/0162

#### 4 **General**

These Regulations provide for the restriction of entry to the Island.

#### 5 **Prohibition of entry**

Entry to the Island is prohibited with effect from 0630 on 27 March 2020.

This paragraph is subject to regulation 6 (exemption).

#### 6 **Exemption**

- (1) The prohibition in regulation 5 does not apply to —
  - (a) a person who the Department of Infrastructure has certified is vital to the Island’s critical national infrastructure;
  - (b) a person who the Department of Health and Social Care has certified is —
    - (i) a medical expert or professional whose skills are essential to the Island’s medical infrastructure and the health of its community; or
    - (ii) returning to the Island after having undergone essential medical treatment; or
  - (c) a person to whom an exemption notice under paragraph (3) applies.
- (2) In paragraph (1), “certified” means certified by the Chief Executive or a person duly authorised for the purpose by the Chief Executive, of the Department of Infrastructure or the Department of Health and Social Care, as the case may be.
- (3) During the Coronavirus Proclamation period, the Council of Ministers may specify in an exemption notice a person to whom the prohibition in regulation 5 does not apply.
- (4) The Department of Infrastructure and the Department of Health and Social Care may certify a person for the purposes of paragraph (1) and the Council of Ministers may make an exemption notice under paragraph (3), only if —
  - (a) the Department of Infrastructure, The Department of Health and Social Care or the Council of Ministers (as the case may be) considers that the failure to exempt a person to whom the prohibition in regulation 5 applies, poses a greater risk to public safety and the life of the community, as a direct or indirect result of the incidence or transmission of Coronavirus; and
  - (b) such measures are put in place as are reasonably practicable to mitigate any risks associated with making an exemption notice.

- (5) For the purposes of paragraph (4)(b) a measure is not reasonably practicable if it gives rise to a risk to human life or health or to the environment.
- (6) An exemption notice under paragraph (3) must specify —
  - (a) the person who is exempted from the prohibition in regulation 5 (“an exempted person”);
  - (b) the time at which the exemption notice takes effect;
  - (c) the period of time for which the exemption notice has effect (the “exemption period”);
  - (d) any arrangements that must be made by the exempted person or another which are reasonably incidental to the exemption notice in order to minimise the incidence or transmission of Coronavirus; and
  - (e) any other conditions subject to which the exemption notice is made.
- (7) The exemption period shall be —
  - (a) as specified in the exemption notice; or
  - (b) if a date is not specified in the exemption notice, 7 days after the end of the Coronavirus Proclamation period,whichever is the earlier.

## **7 Revocation of exemption notice**

The Council of Ministers may at any time revoke an exemption notice under regulation 6 to any extent, having regard to the matters referred to in regulation 6(4)(a) and (b).

## **8 Offences**

A person commits an offence —

- (a) if the person fails to comply with regulation 5; or
- (b) if the person fails to comply with the exemption notice under which he or she is permitted to enter the Island.

Maximum penalty — (summary) 3 months custody, a fine not exceeding level 5 on the standard scale or both.

**MADE 19:50 26<sup>TH</sup> MARCH 2020**

## ENDNOTES

### Table of Endnote References

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<sup>1</sup> The format of this legislation has been changed as provided for under section 75 of, and paragraph 2 of Schedule 1 to, the Legislation Act 2015. The changes have been approved by the Attorney General after consultation with the Clerk of Tynwald as required by section 76 of the Legislation Act 2015.