



## EMERGENCY POWERS (CLOSURE OF PREMISES) REGULATIONS 2020

### Index

Regulation	Page
1 Title .....	3
2 Commencement .....	3
3 Interpretation.....	3
4 Requirement to close premises and businesses during the Coronavirus Proclamation period .....	4
5 Offences and penalties .....	5
 <b>SCHEDULE</b>	 <b>7</b>
<b>BUSINESSES THAT MUST CLOSE</b>	<b>7</b>
 <b>[REGULATION 4]</b>	 <b>7</b>
 <b>PART 1</b>	 <b>7</b>
 <b>PART 2</b>	 <b>7</b>
 <b>ENDNOTES</b>	 <b>8</b>
<b>TABLE OF ENDNOTE REFERENCES</b>	<b>8</b>



Statutory Document No. 2020/0177

*Emergency Powers Act 1936*

## EMERGENCY POWERS (CLOSURE OF PREMISES) REGULATIONS 2020<sup>1</sup>

<i>Laid before Tynwald:</i>	<i>24 March 2020</i>
<i>Approved by Tynwald:</i>	<i>24 March 2020</i>
<i>Coming into Operation:</i>	<i>23 March 2020</i>

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

### 1 Title

These Regulations are the Emergency Powers (Closure of Premises) Regulations 2020.

### 2 Commencement

These Regulations come into operation on 23 March 2020.

### 3 Interpretation

In these Regulations—

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

“**the Coronavirus Proclamation period**” means the periods for which any of the following proclamations is in operation —

- (a) the Proclamation of Emergency dated 16 March 2020<sup>2</sup>; and
- (b) any subsequent proclamation which relates to the pandemic of Coronavirus (also known as COVID-19) and specifies that it appears that there is a threat of that disease affecting the Island and

<sup>1</sup> By virtue of section 4(2) of the Emergency Powers Act 1936, the Regulations 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>2</sup> SD 2020/0162.

causing serious damage to human health on, and the economic well-being of the Island;

and “**the remainder of the Coronavirus Proclamation period**” means the period beginning with the coming into operation of these Regulations and ending with the end of the Coronavirus Proclamation period;

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

“**person responsible for carrying on a business**” includes the owner, proprietor, and manager of that business;

“**premises**” includes any place and, in particular, includes —

- (a) any vehicle, train, vessel or aircraft,
- (b) any tent or movable structure, and
- (c) any offshore installation (within the meaning in the Mineral Workings (Offshore Installations) Act 1988).

#### **4 Requirement to close premises and businesses during the Coronavirus Proclamation period**

- (1) A person who is responsible for carrying on a business which is listed in Part 1 of the Schedule must —
  - (a) during the remainder of the Coronavirus Proclamation period —
    - (i) close any premises, or part of the premises, in which food or drink are sold for consumption on those premises, and
    - (ii) cease selling food or drink for consumption on its premises;  
or
  - (b) if the business sells food or drink for consumption off the premises, cease selling food or drink for consumption on its premises during the remainder of the Coronavirus Proclamation period.
- (2) For the purposes of paragraph (1)(a), food or drink sold by a hotel or other accommodation as part of room service is not to be treated as being sold for consumption on its premises.
- (3) For the purposes of paragraph (1)(a)(ii) and (b), an area adjacent to the premises of the business where seating is made available for customers of the business (whether or not by the business) is to be treated as part of the premises of that business.
- (4) A person responsible for carrying on a business which is listed in Part 2 of the Schedule must cease to carry on that business during the remainder of the Coronavirus Proclamation period.
- (5) If a business listed in the Schedule (“business A”) forms part of a larger business (“business B”), the person responsible for carrying on business B complies with the requirement in paragraph (1) if it closes down business A.

**5 Offences and penalties**

- (1) A person who, without reasonable excuse, contravenes regulation 4 commits an offence.
- (2) A person who obstructs, without reasonable excuse, any person carrying out a function under these Regulations commits an offence.
- (3) An offence under these Regulations is punishable on summary conviction before the High Bailiff by a fine not exceeding level 5, 3 months' custody or both.

**MADE 19:10 22<sup>ND</sup> MARCH 2020**



**SCHEDULE****BUSINESSES THAT MUST CLOSE****[Regulation 4]****PART 1**

1. Restaurants, including restaurants and dining rooms in hotels or members clubs.
2. Cafes, including workplace canteens, but not including—
  - (a) cafes or canteens at a hospital, care home or school;
  - (b) canteens at a prison or an establishment intended for use for naval, military or air force purposes;
  - (c) services providing food or drink to the homeless.
3. Bars, including bars in hotels or members' clubs.
4. Public houses.

**PART 2**

5. Cinemas.
6. Theatres.
7. Nightclubs.
8. Bingo halls.
9. Concert halls.
10. Museums and galleries.
11. Casinos.
12. Betting shops.
13. Spas.
14. Massage parlours.
15. Indoor skating rinks.
16. Indoor fitness studios, gyms, swimming pools or other indoor leisure centres.

## 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.