



















- (b) a person with a disability who reasonably requires assistance to undertake the exercise or leisure activity, with one assistant, must ensure, as far as is reasonably practicable —
  - (i) that there is as little physical contact as possible with the assistant and that reasonable steps are taken to minimise the risk of the spread of Coronavirus between the person and the assistant; and
  - (ii) that appropriate social distancing is observed between the person and a person other than the assistant.<sup>37</sup>
- (3A) In paragraph (3) —
  - (a) “disability” means a disability within the meaning of section 7 of the Equality Act 2017; and
  - (b) “assistant” means a person who is not a member of the disabled person’s household, whose assistance is necessary to enable the disabled person to take exercise or undertake a leisure activity.<sup>38</sup>
- (4) For the purposes of paragraph (1)(fa) a person’s (P’s) “immediate family” comprises P’s spouse or civil partner or a person living in an enduring family relationship with P, and P ‘s child, parent or grandparent, grandchild, brother, sister, half-brother, half-sister and a child of P’s family.<sup>39</sup>
- (5) For the purposes of paragraph (1)(j) an “essential service” means —
  - (a) a service or business described in the Schedule; or
  - (b) a service provided at or from —
    - (i) business premises;
    - (ii) the premises of a registered charity; or
    - (iii) premises of a local authority, joint board, joint committee or Department;where those premises are not required to close by the Emergency Powers (Coronavirus) (Closure of Businesses and Other Premises) Regulations 2020.<sup>40</sup>
- (5A) [Revoked]<sup>41</sup>
- (5B) Where paragraph (1)(l) applies the accommodation referred to in that paragraph qualifies, in addition to any other home that person may have, as the person’s home for the purposes of these Regulations for the duration of the person’s residence at that accommodation.<sup>42</sup>
- (5C) For the purposes of paragraph (1)(r) —
  - (a) the Council of Ministers may make guidance in relation to the exception, with which a person relying on the exception must comply;

- (b) the guidance referred to in subparagraph (a) must be published on [www.gov.im](http://www.gov.im);
  - (c) in subparagraph (ii) –
    - (i) the person may take his or her child to the residence of a family member in order to care for the child, only if the family member and every member of the person’s household is asymptomatic; and
    - (ii) the person must not enter the family member’s residence.<sup>43</sup>
- (5D) For the purposes of paragraph (1)(v) “premises in connection with a property transaction” include the premises of an estate agent or other professional instructed in relation to the property transaction and the premises which are the subject of the property transaction or a show home.<sup>44</sup>
- (5E) For the purposes of paragraphs (1)(v) and (5D) “property transaction” includes a mortgage, sale, purchase, letting or rental of any premises and any preparatory stages prior to the completion of the mortgage, sale, purchase letting or rental.<sup>45</sup>
- (6) In paragraph (5)(b)(iii) expressions which are defined in the Local Government Act 1985 have the same meaning as they have in that Act.
- (7) Where this regulation permits a person to leave his or her ordinary place of residence for a purpose specified in paragraph (1) (“exempt purpose”), the person is permitted to undertake any necessary travel in connection with that exempt purpose, provided that a person using private transport (including a taxi) may only share that private transport with members of his or her household, and in the case of a taxi, with members of his or her household and the driver.<sup>46</sup>

## 6 Hotels, hostels etc

- (1) Despite regulation 4 a person who is temporarily resident in an hotel, hostel or boarding house, or on a caravan park or a campsite may continue to reside there if –
- (a) the person is unable to return to his or her home because of travel or restrictions on his or her movement (other than those contained in these Regulations);
  - (b) the person is unable to move into a new home;
  - (c) the person is a vulnerable adult who cannot safely stay in his or her home.
- (2) Regulation 5 applies to a person falling within paragraph (1) as if the place where he or she is temporarily resident were his or her ordinary place of residence.

**7 Offences**

A person commits an offence if, without reasonable excuse or as expressly permitted by these Regulations, he or she leaves or is absent from his or her ordinary place of residence, or in a case falling within regulation 6 his or her place of temporary residence.

Maximum Penalty (summary) - 3 months' custody and a fine not exceeding level 5 on the standard scale.<sup>47</sup>

**8 Enforcement**

These Regulations may be enforced by a constable.

**9 Revocation**

In regulation 10 of the Emergency Provisions (Coronavirus) (Potentially Infectious Persons) Regulations 2020, omit paragraph (4A).

**MADE 10:30PM 26<sup>TH</sup> MARCH 2020**



**SCHEDULE****ESSENTIAL SERVICES**[Regulation 5(5)(a)]<sup>48</sup>**1 Health and social care**

- (1) Persons employed in, or for the purposes of, the health service provided under the National Health Service Act 2001 including, but not limited to doctors, nurses, midwives and paramedical personnel.
- (2) Social workers, care workers and other frontline health and social care staff and support staff necessary to maintain the Island's health and social care systems.
- (3) Persons employed or working in the supply chains associated with the Island's health and social care system, including producers and distributors of medicines and medical and personal protective equipment.

**2 Education and childcare**

Persons providing childcare, and essential educational support, teachers and educational social workers and other associated professionals whose work is essential in order to support children who need it during the Coronavirus Proclamation period.

**3 Key public services**

- (1) Persons involved in the operation of the justice system including –
  - (a) the judiciary;
  - (b) advocates, trainee advocates and paralegal staff employed by advocates –
    - (i) engaged in proceedings before any court, tribunal or other person exercising a judicial function pursuant to a Manx enactment;
    - (ii) attending at the Isle of Man Prison or any police station in respect of proceedings referred to in (i);
    - (iii) engaged in the preparation and completion (including execution) of testamentary documentation and enduring powers of attorney; or
    - (iv) engaged in the preparation and completion of documentation relating to a conveyance, transfer, grant, assignment or other disposition of real property;<sup>49</sup>
  - (c) court staff and prisoner escorts (within the meaning of the Prisoner Escorts Act 2008 .

- (2) Persons serving as Members of Tynwald and the Clerk of Tynwald and his staff.
- (3) The professional staff of HM Attorney General's Chambers.
- (4) Public sector employees (within the meaning of the Public Services Commission Act 2015) serving in any Department, and those employed directly by a Department who are involved in performing functions which are essential to the delivery of an effective response to Coronavirus.

*Example:* those involved in the payment of social security benefits

- (5) Persons involved in providing policy advice and technical support to Ministers (including the Chief Minister).<sup>50</sup>

#### **4 Local government**

- (1) Persons serving on a local authority, joint committee or joint board or who are employed by such an authority committee or board, but only insofar as they have functions —
  - (a) which are imposed upon them by statute; or
  - (b) which are essential in dealing with the Coronavirus outbreak.
- (2) Expressions used in this paragraph and which are defined in the *Local Government Act 1985* have the same meaning here.

#### **5 Food production etc**

- (1) Those involved in the production, harvesting, processing, distribution and sale of food, and the raising and harvesting of food sources.
- (2) Those involved in the manufacturing and distribution of other key essentials of life such as medicine and cleaning materials.
- (3) Expressions used in this paragraph which are defined in the *Food Act 1996* have the same meaning here.

#### **6 Public safety and security**

- (1) Those providing support and ancillary services to the Isle of Man Constabulary, the Isle of Man Fire and Rescue Service or the Isle of Man Ambulance Service.
- (2) The Isle of Man Prison and Probation Service and those providing ancillary services in connection with the operation of the Isle of Man Prison and the Probation Hostel.
- (3) Border security staff.

**7 Transport**

Those involved in the conduct of air, road, and water transport including in each case the transport of freight and the operation of systems which facilitate the movement of freight, and those involved in the operation of a taxi service.<sup>51</sup>

**8 Utilities and information technology**

Those involved in —

- (a) the supply of oil, gas, electricity and water (including sewerage and drainage);
- (b) the provision of essential telecommunications, information technology and data infrastructure necessary for providing a response to Coronavirus (including but not limited to key personnel in those sectors);
- (c) the supply of primary materials for the industries mentioned in subparagraph (b) for the purpose of providing a response to Coronavirus;
- (d) postal services and other document and parcel delivery services;
- (e) waste disposal and commercial cleaning services;

**9 Financial services**

Those involved in the conduct of any regulated activity within the meaning of the Financial Services Act 2008.

## ENDNOTES

### Table of Endnote References

---

<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.

<sup>2</sup> Definition of “appropriate social distancing” amended by SD2020/0311 with effect from 20/05/2020.

<sup>3</sup> Definition of “the Coronavirus Proclamation period” substituted by SD2020/0249 with effect from 14/04/2020 at 14:48.

<sup>4</sup> Definition of “court” inserted by SD2020/0276 with effect from 05/05/2020 at 14:01.

<sup>5</sup> Para (h) inserted by SD2020/0213 with effect from 30/03/2020 at 11:12.

<sup>6</sup> Para (i) inserted by SD2020/0213 with effect from 30/03/2020 at 11:12.

<sup>7</sup> Definition of “leisure activities” inserted by SD2020/0274 with effect from 23/04/2020 at 20:26 and substituted by SD2020/0295 with effect from 14/05/2020 at 14:37.

<sup>8</sup> Definition of “taxi” inserted by SD2020/0276 with effect from 05/05/2020 at 14:01.

<sup>9</sup> Subpara (b) amended by SD2020/0274 with effect from 23/04/2020 at 20:26.

<sup>10</sup> Subpara (ba) inserted by SD2020/0274 with effect from 23/04/2020 at 20:26 and amended by SD2020/0276 with effect from 05/05/2020 at 14:01.

<sup>11</sup> Subpara (c) amended by SD2020/0274 with effect from 23/04/2020 at 20:26.

<sup>12</sup> Subpara (f) substituted by SD2020/0217 with effect from 31/03/2020 at 12:30.

<sup>13</sup> Subpara (fa) inserted by SD2020/0274 with effect from 23/04/2020 at 20:26.

<sup>14</sup> Subpara (g) amended by SD2020/0274 with effect from 23/04/2020 at 20:26 and by SD2020/0312 with effect from 22/05/2020 at 08:27.

<sup>15</sup> Subpara (ga) inserted by SD2020/0311 with effect from 20/05/2020.

<sup>16</sup> Head (i) amended by SD2020/0217 with effect from 31/03/2020 at 12:30.

<sup>17</sup> Item (iii) amended by SD2020/0297 with effect from 18/05/2020.

<sup>18</sup> Subpara (k) inserted by SD2020/0260 with effect from 21/04/2020 at 13:45 and amended by SD2020/0309 with effect from 18/05/2020.

<sup>19</sup> Subpara (l) inserted by SD2020/0260 with effect from 21/04/2020 at 13:45.

<sup>20</sup> Subpara (m) inserted by SD2020/0276 with effect from 05/05/2020 at 14:01.

<sup>21</sup> Subpara (n) inserted by SD2020/0276 with effect from 05/05/2020 at 14:01.

<sup>22</sup> Subpara (o) inserted by SD2020/0276 with effect from 05/05/2020 at 14:01.

<sup>23</sup> Subpara (p) inserted by SD2020/0276 with effect from 05/05/2020 at 14:01.

<sup>24</sup> Subpara (q) inserted by SD2020/0276 with effect from 05/05/2020 at 14:01.

<sup>25</sup> Subpara (r) inserted by SD2020/0276 with effect from 05/05/2020 at 14:01.

<sup>26</sup> Subpara (s) inserted by SD2020/0276 with effect from 05/05/2020 at 14:01.

<sup>27</sup> Subpara (t) inserted by SD2020/0279 with effect from 08/05/2020 at 11:05.

<sup>28</sup> Subpara (u) inserted by SD2020/0297 with effect from 18/05/2020.

<sup>29</sup> Subpara (v) inserted by SD2020/0309 with effect from 18/05/2020.



- 
- <sup>30</sup> Subpara (w) inserted by SD2020/0311 with effect from 20/05/2020.
- <sup>31</sup> Subpara (x) inserted by SD2020/0311 with effect from 20/05/2020.
- <sup>32</sup> Subpara (y) inserted by SD2020/0311 with effect from 20/05/2020.
- <sup>33</sup> Subpara (z) inserted by SD2020/0311 with effect from 20/05/2020.
- <sup>34</sup> Subpara (aa) inserted by SD2020/0311 with effect from 20/05/2020.
- <sup>35</sup> Subpara (ab) inserted by SD2020/0312 with effect from 22/05/2020 at 08:27.
- <sup>36</sup> Subpara (ac) inserted by SD2020/0313 with effect from 25/05/2020.
- <sup>37</sup> Para (3) substituted by SD2020/0311 with effect from 20/05/2020.
- <sup>38</sup> Para (3A) inserted by SD2020/0276 with effect from 05/05/2020 at 14:01.
- <sup>39</sup> Para (4) amended by SD2020/0217 with effect from 31/03/2020 at 12:30 and by SD2020/0312 with effect from 22/05/2020 at 08:27.
- <sup>40</sup> Para (5) amended by SD2020/0217 with effect from 31/03/2020 at 12:30.
- <sup>41</sup> Para (5A) inserted by SD2020/0260 with effect from 21/04/2020 at 13:45 and revoked by SD2020/0309 with effect from 18/05/2020.
- <sup>42</sup> Para (5B) inserted by SD2020/0260 with effect from 21/04/2020 at 13:45.
- <sup>43</sup> Para (5C) inserted by SD2020/0276 with effect from 05/05/2020 at 14:01.
- <sup>44</sup> Para (5D) inserted by SD2020/0309 with effect from 18/05/2020.
- <sup>45</sup> Para (5E) inserted by SD2020/0309 with effect from 18/05/2020.
- <sup>46</sup> Para (7) inserted by SD2020/0274 with effect from 23/04/2020 at 20:26 and substituted by SD2020/0295 with effect from 14/05/2020 at 14:37.
- <sup>47</sup> Reg 7 substituted by SD2020/0276 with effect from 05/05/2020 at 14:01.
- <sup>48</sup> Sub-sub-heading substituted by SD2020/0217 with effect from 31/03/2020 at 12:30.
- <sup>49</sup> Para (b) substituted by SD2020/0260 with effect from 21/04/2020 at 13:45.
- <sup>50</sup> Subpara (5) amended by SD2020/0217 with effect from 31/03/2020 at 12:30.
- <sup>51</sup> Para 7 amended by Sd2020/0274 with effect from 23/04/2020 at 20:26.