

Statutory Document No. 2020/0219



Emergency Powers Act 1936

EMERGENCY POWERS (CORONAVIRUS) (ROAD VEHICLES CARRYING DANGEROUS GOODS) REGULATIONS 2020¹

Laid before Tynwald: 7 April 2020
Approved by Tynwald: 7 April 2020
Coming into Operation: in accordance with regulation 2

The Governor in Council, by Order¹, makes the following Regulations under section 4 of the Emergency Powers Act 1936.

1 Title

These Regulations are the Emergency Powers (Coronavirus) (Road Vehicles Carrying Dangerous Goods) Regulations 2020.

2 Commencement

These Regulations come into operation immediately after they are made.²

3 Interpretation

In these Regulations —

“**2008 Regulations**” means the Road Vehicles carrying Dangerous Goods (Construction and Use) Regulations 2008³;

“**Coronavirus**” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV2); and

“**the Coronavirus Proclamation period**” means the period for which the Proclamation of Emergency dated 16 March 2020 is in operation⁴.

¹ 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 ...”.

² By virtue of section 4(2) of the Emergency Powers Act 1936, the Regulations made under this Order must be laid before Tynwald within 7 days of being made and continue in force beyond 7 days of being so laid only if Tynwald passes a resolution to that effect.

³ SD 566/08 as amended by SD 0597/12.

⁴ SD 2020/0162.

4 General

These Regulations provide an exemption for a person who is not able to meet the requirements to drive a vehicle carrying dangerous goods, as set out in regulation 8 (driver training and identification) of the 2008 Regulations.

5 Exemption

- (1) This regulation applies to a person who the Department of Infrastructure has certified as vital to the Island's critical national infrastructure.
- (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.
- (3) The Department of Infrastructure may (with or without conditions) certify a person for the purposes of paragraph (1) only if the Department of Infrastructure considers that person should be exempt from the requirements of regulation 8 of the 2008 Regulations.

6 Temporary modification of the 2008 Regulations

- (1) During the Coronavirus Proclamation period, the 2008 Regulations are modified as follows.
- (2) Regulation 8 (driver training and identification) shall be read as if there were inserted after paragraph (4) —
 - 5 (5) This regulation does not apply to a person who has an exemption granted to them under the Emergency Powers (Coronavirus) (Road Vehicles Carrying Dangerous Goods) Regulations 2020. 5.

MADE 12:55 2ND APRIL 2020

ENDNOTES

Table of Endnote References

¹ 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.