



## PUBLIC HEALTH PROTECTION (CORONAVIRUS) REGULATIONS 2020

### Index

Regulation	Page
<b>PART 1 - INTRODUCTORY</b>	<b>5</b>
1 Title .....	5
2 Commencement .....	5
3 Application: serious and imminent threat declaration .....	5
4 Expiry .....	6
5 Interpretation.....	6
5A 2 + 2 vaccination exemption .....	10
5B Children travelling from the common travel area .....	11
<b>PART 2 – RESTRICTIONS AND REQUIREMENTS</b>	<b>11</b>
6 Restrictions and requirements: general .....	11
7 Restrictions on private vessels .....	12
8 Restrictions on private aircraft.....	12
9 Contact tracing .....	13
9A Guidance and Directions – Council of Ministers .....	13
<b>PART 3 – CATEGORY A PERSONS</b>	<b>14</b>
10 Direction notices and entry certificates .....	14
11 Prohibition of entry .....	15
12 Category A persons .....	16
13 [Revoked].....	17
13A Biological samples .....	17
<b>PART 4 - CATEGORY B PERSONS</b>	<b>20</b>
14 Category B persons.....	20
15 “Contact traced” Category B person.....	20
16 Assessment .....	21
16A Voluntary community testing.....	21
17 [Revoked].....	21
<b>PART 5 – CATEGORY C PERSONS</b>	<b>21</b>
18 Category C persons .....	21

19	Restrictions etc: Council of Ministers .....	22
20	[Revoked] .....	23
21	[Revoked] .....	23
<b>PART 6 - FURTHER POWERS</b>		<b>23</b>
22	Powers of Chief Secretary: entry .....	23
23	Powers of Chief Secretary: self-isolation requirements etc .....	23
24	Refusal and repatriation .....	23
25	Travel Corridors .....	24
26	Powers of constables .....	25
<b>PART 6A – PROHIBITIONS ON MOVEMENT ETC</b>		<b>25</b>
26A	Part 6A Interpretation .....	25
26B	Unrestricted movement .....	26
26C	Exceptions from regulation 26B: general .....	26
26D	Hotels, hostels etc .....	27
<b>PART 7 – CLOSURE OF PREMISES ETC</b>		<b>27</b>
27	Interpretation .....	27
28	Functions relating to Directions .....	27
29	Closure directions: general .....	27
30	Closure directions relating to classes or types of premises .....	28
31	Closure directions relating to individual premises .....	28
32	Closure directions: additional .....	28
33	Denial of entry etc .....	29
<b>PART 7A – EVENTS AND GATHERINGS</b>		<b>29</b>
33A	Interpretation of Part 7A .....	29
33B	Unrestricted events and gatherings .....	30
33C	Directions: prohibitions .....	30
33D	Directions: general .....	31
33E	Directions: procedure .....	31
<b>PART 8 – INFORMATION</b>		<b>31</b>
34	Use and disclosure of information .....	31
<b>PART 9 – APPEALS</b>		<b>32</b>
35	Appeals .....	32
<b>PART 10 – OFFENCES AND PENALTIES</b>		<b>33</b>
36	Offences and penalties .....	33
<b>PART 11 – FIXED PENALTY NOTICES</b>		<b>34</b>
37	Fixed penalty offences .....	34
38	Giving a fixed penalty notice .....	34

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39	Effect of a fixed penalty notice.....	34
40	Contents of a fixed penalty notice .....	35
41	Amount of fixed penalty.....	35
42	Payment of a fixed penalty .....	35
<b>PART 12 – SAVINGS</b>		<b>36</b>
<hr/>		
43	[Revoked].....	36
43A	Review.....	36
44	Savings .....	36
<b>SCHEDULE 1</b>		<b>37</b>
<hr/>		
CATEGORY A PERSONS		37
<b>SCHEDULE 2</b>		<b>46</b>
<hr/>		
SELF ISOLATION REQUIREMENTS AND PROVISION OF BIOLOGICAL SAMPLES		46
<b>ENDNOTES</b>		<b>54</b>
<hr/>		
TABLE OF ENDNOTE REFERENCES		54



Statutory Document No. 2020/0551

*Public Health Act 1990*

## **PUBLIC HEALTH PROTECTION (CORONAVIRUS) REGULATIONS 2020<sup>1</sup>**

*Approved by Tynwald: 15 December 2020  
Coming into operation in accordance with regulation 2*

The Council of Ministers makes the following Regulations under sections 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.

**Editorial Note:** These Regulations are amended by the Public Health Protection (Coronavirus) (Amendment) (No.13) Regulations 2021 [SD 2021/0174] Please see SD 2021/0174 for transitional provisions relating to the construction of the self-isolation period and refund of test fee.

### **PART 1 - INTRODUCTORY**

#### **1 Title**

These Regulations are the Public Health Protection (Coronavirus) Regulations 2020.

#### **2 Commencement**

If approved by Tynwald, these Regulations come into operation at 00:01 on Wednesday 23 December 2020.<sup>2</sup>

#### **3 Application: serious and imminent threat declaration**

- (1) These Regulations apply where the Council of Ministers publishes a notice (a “declaration notice”) declaring that the incidence or transmission of Coronavirus—
  - (a) constitutes a serious and imminent threat to public health; and

- (b) is at a point that the measures outlined in these Regulations may reasonably be considered as an effective means of preventing the further, significant transmission of Coronavirus,  
and the declaration notice has not been revoked.
- (2) Before publishing a declaration notice, the Council of Ministers must consult the Department of Health and Social Care and the Director of Public Health.
- (3) The Council of Ministers may revoke a declaration notice by way of the publication of a subsequent notice.
- (4) Before revoking a declaration notice the Council of Ministers must consult the Department of Health and Social Care and the Director of Public Health.
- (5) The revocation of a declaration notice does not affect the validity of any steps taken under these Regulations prior to its revocation.
- (6) A declaration notice is not a public document.

#### 4 Expiry

- (1) These Regulations cease to have effect on 26 October 2021.<sup>3</sup>
- (2) This regulation does not affect the validity of anything done under these Regulations before they cease to have effect.

#### 5 Interpretation

- (1) In these Regulations—
- “**the 2 + 2 vaccination exemption**” is to be construed in accordance regulation 5A;<sup>4</sup>
- “**the Act**” means the Public Health Act 1990;
- “**appointed person**” means, in the case of an incapacitated person, a person appointed by that incapacitated person, a court or someone with authority to do so, to manage the incapacitated person’s affairs;
- “**assessment**” means an assessment of whether a person presents or could present a risk of infecting or contaminating others;
- “**biological sample**” includes a sample of respiratory secretions, body fluids, tissue, serum or blood, obtained by appropriate means including by swabbing of the nasopharyngeal cavity, for analysis to ascertain whether a person is infected or contaminated and unless otherwise specified, includes a first biological sample and a second biological sample (as referred to in Schedule 2);<sup>5</sup>
- “**Category A person**” means a person specified in Schedule 1;<sup>6</sup>
- “**child**” means, unless otherwise stated, a person under the age of 18 years;

- “**common travel area**” has the meaning given in section 1(3) of the Immigration Act 1971 (of Parliament) as applied to the Island with modifications by the Immigration (Isle of Man) Order 2008 (S.I. 2008/680);<sup>7</sup>
- “**compassionate and family grounds**” means the grounds set out in guidance published by the Council of Ministers;<sup>8</sup>
- “**compassionate grounds**” [Revoked];<sup>9</sup>
- “**compassionate grounds**” [Revoked]<sup>10</sup>
- “**consent**” [Revoked]<sup>11</sup>
- “**consent**” means written permission to enter the Island given (and in the same manner revocable where, on reasonable grounds, no longer considered appropriate) by the Chief Secretary to a non-resident in any of the circumstances described in paragraphs 9A to 12A of Schedule 1;<sup>12</sup>
- “**contact tracing**” means the process of tracing an individual through the use of information provided by another person or by a Coronavirus mobile phone app (such as the NHS COVID-19 smartphone app developed and operated by the Secretary of State of HM Government of the United Kingdom) and a person traced in such a way is a “**contract traced person**”;<sup>13</sup>
- “**contact tracing information**” means details of people with whom a person has had close, recent contact (such as their names, addresses and telephone numbers) and details of places that a person has recently visited;
- “**Coronavirus**” means the virus associated with the clinical syndrome defined by the World Health Organisation as Covid-19;
- “**critical national infrastructure**” includes physical and cyber assets that are so vital to the Island that their incapacity or destruction would have a debilitating effect on the Island’s economy, security, public health or safety and includes the critical national infrastructure of the United Kingdom;
- “**default isolation period**” means the period specified as the default isolation period in Schedule 2 and means —
- (a) in the case of a Category A person, 21 days starting on the day the person enters the Island and ending at midday on the 21st day after the date of entry;
  - (b) in the case of a Category B person —
    - (i) 21 days starting on the day on which the Category B person had contact with the person in relation to whom the Category B person was contact traced and ending at midday on the 21st day after the date of contact; or
    - (ii) 21 days starting on the day on which the Category B person receives the results of the analysis of a biological sample which finds that the category B person is infected or

contaminated and ending at midday on the 21st day after the date of receipt of the finding; and

- (c) in the case of a Category C person, the default isolation period which applies to the Category A person or the Category B person (as the case may be) with whom the Category C person resides;<sup>14</sup>

**“Director of Public Health”** means the person nominated under section 1 of the Local Government Act 1985;

**“direction notice”** means a public document that is not legislative in character and performs any of the functions ascribed to it in these Regulations;

**“entry certificate”** means a document described in regulation 10 and 12;<sup>15</sup>

**“household”** means —

- (a) any other person with whom a person ordinarily shares his or her home; or
- (b) any person deemed to be a member of a person’s household under a direction;<sup>16</sup>

**“incapacitated person”** means a person who has attained the age of 18 and who, at a material time, is unable to make a decision for themselves about a matter because of an impairment of, or disturbance in, the functioning of the mind or brain;

**“landing card”** means the document described in paragraph 5A of Schedule 1;<sup>17</sup>

**“non-resident”** means a person who is not a resident of the Island;

**“non-UK country or territory”** [Revoked]<sup>18</sup>

**“notified place”** means the place specified in Schedule 2 —

- (a) as the place at which a person (P) who is required to self-isolate is to remain during self-isolation and which is suitable (as specified in guidance published by the Chief Secretary following its approval of the Council of Ministers) for that purpose; and<sup>19</sup>
- (b) of which P has notified the person requiring P to self-isolate prior to that person giving P a direction notice to do so;<sup>20 21</sup>

**“publish”** means publish in a way as to bring the matter to the attention of those likely to be affected by the thing being published;

**“registered resident”** has the meaning given in paragraph 6 of Schedule 1;<sup>22</sup>

**“responsible adult”** means, in the case of a child, a person with parental responsibility for the child within the meaning of the Children and Young Persons Act 2001 or a person who has custody or charge of the child for the time being;

**“self-isolation”** in the case of a person means the separation of that person—

- (a) [Revoked]<sup>23</sup>



- (b) in a manner as to prevent infection or contamination;
- (c) at a notified place;

**“United Kingdom”** [Revoked]<sup>24</sup>

- (2) In these Regulations, a reference to infection or contamination, however expressed, is a reference to infection or contamination with Coronavirus, and cognate expressions are to be construed accordingly.
- (2A) In these Regulations a reference to a “vulnerable adult” is a reference to a person whose ability to protect himself or herself from physical or psychological harm is significantly impaired through physical or mental disability or illness or condition, through intellectual, physiological or psychiatric impairment, through age or otherwise.<sup>25</sup>
- (3) A restriction, a requirement and a direction notice under these Regulations may be written or oral.
- (4) An oral restriction, requirement or direction notice must be confirmed in writing as soon as reasonably practicable and where the person it applies to—
  - (a) is a child, that confirmation must be given to the child’s responsible adult;
  - (b) is an incapacitated person, that confirmation must be given to that person’s appointed person.
- (5) A variation of a restriction, a requirement or a direction notice may be written or oral.
- (6) Where a restriction, a requirement or a direction notice is varied orally the person to whom it applies must be given a written notification of the fact and effect of that variation as soon as reasonably practicable and where that person —
  - (a) is a child, that confirmation must be given to the child’s responsible adult;
  - (b) is an incapacitated person, that confirmation must be given to that person’s appointed person.
- (7) References to the Director of Public Health, the Council of Ministers, the Chief Secretary, the Cabinet Office or any other Department include a person authorised by that individual or body to act on their behalf.
- (8) The Council of Ministers and the Chief Secretary have the function of issuing guidance for the purposes of these Regulations.
- (9) “Writing” includes writing in electronic form (and cognate expressions are to be construed accordingly).

**5A 2 + 2 vaccination exemption**

- (1) The 2 + 2 vaccination exemption applies where a person satisfies the Chief Secretary or, as the case may be, the Director of Public Health that they meet the conditions in paragraph (2).
- (2) Those conditions are that —
  - (a) the person has received 2 qualifying vaccinations and at least 2 weeks have passed since the second of them;
  - (b) both of those vaccinations were administered in a relevant country; and
  - (c) the person—
    - (i) is not infected or contaminated or reasonably suspected of being infected or contaminated; and
    - (ii) has not travelled outside the common travel area in the 10 days preceding their arrival in the Island.
- (3) For the purposes of paragraph (2) —
  - (a) a qualifying vaccination is any of the following —
    - (i) Pfizer/BioNTech Coronavirus vaccine,
    - (ii) the Moderna Coronavirus vaccine,
    - (iii) the Oxford/AstraZeneca Coronavirus vaccine, and
    - (iv) any other Coronavirus vaccine specified in a direction issued by the Council of Ministers;
  - (b) a “relevant country” is a country in the common travel area and any other country specified in a direction issued by the Council of Ministers.
- (4) In issuing a direction referred to in paragraph (3), the Council of Ministers may —
  - (a) add a qualifying vaccine or relevant country;
  - (b) remove a qualifying vaccine or relevant country including a country which would otherwise fall within the common travel area.
- (5) A person referred to in this regulation must —
  - (a) no earlier than 48 hours before their scheduled arrival in the Island, fully and truthfully answer all questions posed to them on the published landing card;
  - (b) submit that card in the manner instructed; and
  - (c) provide the Chief Secretary or, as the case may be, the Director of Public Health with such information as they may reasonably require for the purposes of this regulation.
- (6) A person to whom the 2 + 2 vaccination exemption applies —

- (a) is not required to self-isolate and need not provide a biological sample (and accordingly Schedule 2 does not apply to such a person where that person would otherwise be a Category A person and subject to that Schedule); but
- (b) must not, until the tenth day after their arrival, attend at any health or social care premises except to receive emergency treatment.<sup>26</sup>

## **5B Children travelling from the common travel area**

- (1) This regulation applies to a child –
  - (a) who in the 10 days preceding their arrival in the Island has not travelled outside the common travel area;
  - (b) who is not a Category A person;
  - (c) to whom the vaccination exemption does not apply; and
  - (d) who travels to the Island with an adult parent or guardian to whom the vaccination exemption does apply.
- (2) Such a child who –
  - (a) has not attained the age of 5 is not required to self-isolate or provide a biological sample;
  - (b) has attained the age of 5, must provide a first biological sample within 48 hours of their arrival and a second biological sample on the sixth day following their arrival
- (3) Where the analysis of the first biological sample is negative, the child –
  - (a) is not required to further self-isolate;
  - (b) must not, until the tenth day after their arrival, attend at any health or social care premises except to receive emergency treatment; and
  - (c) must still provide a second sample on the sixth day following their arrival
- (4) Where the analysis of any biological sample provided by the child is positive, they and any members of their household travelling with them must self-isolate as directed by the Director of Public Health.<sup>27</sup>

## **PART 2 – RESTRICTIONS AND REQUIREMENTS**

### **6 Restrictions and requirements: general**

- (1) Any person (P) who decides to enable the imposition of a restriction or requirement or do any other thing under these Regulations, may do so only if at the time of taking that decision or doing that thing P considers that the restriction or requirement or act in question is proportionate to what is sought to be achieved by imposing or doing it.

- (2) Before taking a decision referred to in paragraph (1), P may consult any person P considers it is appropriate to consult.
- (3) Where a restriction or requirement referred to in paragraph (1) applies or relates to a child, the child's responsible adult must, as far as that adult is reasonably able to do so, secure that the child complies with it.<sup>28</sup>
- (4) Where a restriction or requirement referred to in paragraph (1) applies or relates to an incapacitated person, the appointed person must as far as the appointed person is reasonably able to do so, secure that the incapacitated person complies with it.<sup>29</sup>

## 7 Restrictions on private vessels

- (1) A private vessel that enters the Island's territorial sea and seeks to dock must do so at the harbour in Douglas, from whence the Chief Secretary may, upon request, give it permission to travel onward to any other harbour in the Island.
- (2) Paragraph (1) is subject to the right of any vessel to dock in any available port in the Island in adverse weather, if there is a risk or threat to the life of any person on board it or if the vessel is in urgent need of repair.
- (3) "Private vessel" means any ship or boat, or any other vessel used in navigation that is neither owned by the government of any State or territory (or any organ thereof) nor used for commercial purposes.
- (4) "Island's territorial sea" has the meaning given to "territorial sea" in the Schedule to the Interpretation Act 2015.

## 8 Restrictions on private aircraft

- (1) A private aircraft seeking to land in the Island must land at Ronaldsway airport.
- (2) In respect of an aircraft referred to in paragraph (1), the Chief Secretary must —
  - (a) ascertain whether all persons on board the aircraft have met the requirements of these Regulations in order to be permitted to disembark; and
  - (b) grant permission to the pilot to proceed to another place in the Island, if the pilot so requests and the Chief Secretary is satisfied with respect to the matters referred to in sub-paragraph (a).
- (3) This regulation does not apply to a Category A person referred to in paragraph 7 or 8A of Schedule 1.<sup>30</sup>
- (4) "Aircraft" means any manned machine capable of flight (whether or not propelled by mechanical means) including any description of balloon.

## 9 Contact tracing

- (1) Where the Director of Public Health reasonably suspects that a person (“P”) is or may be infected or contaminated, the Director may decide that P should be required to provide the Director with contact tracing information.<sup>31</sup>
- (1A) Where the Director of Public Health reasonably believes that a person other than P may hold information which is relevant to contact tracing in relation to P, the Director may decide that the person should be required to provide that information to the Director.<sup>32</sup>
- (2) Where the Director of Public Health decides that a person referred to in paragraph (1) or (1A) should provide contact tracing information the Director —
  - (a) may request that person to do so; and
  - (b) if that person fails to comply with such a request, may give that person a direction notice requiring that person to do so.<sup>33</sup>

## 9A Guidance and Directions – Council of Ministers

- (1) The Council of Ministers may issue guidance for the purposes of these Regulations.
- (2) The Council of Ministers may issue directions under these Regulations, and regulations 33D and 33E apply to such directions as they apply to a direction notice issued by the Chief Secretary.`
- (3) Such directions (“a paragraph (2) direction”) may specify all or any of the following —
  - (a) the period for which a person must self-isolate and the conditions to be satisfied for such a period to apply;
  - (b) exemptions to such periods;
  - (c) where and with whom a person is to self-isolate;
  - (d) when a biological sample may be provided by a person and the information to be provided to the Chief Secretary in respect of such a sample;
  - (e) the consequences flowing from the analysis of such a sample;
  - (f) the conditions on which a person may leave a place of self-isolation.
- (4) Where a paragraph (2) direction is issued in respect of a relevant person, any part of Schedule 2 that would otherwise apply to that person is suspended whilst that direction applies.
- (5) A relevant person is a person falling into any of the categories referred to rows A to K of column 1 of the table in Schedule 2.
- (6) A paragraph (2) direction may only be issued where the House of Keys stands dissolved.

- (7) A paragraph (2) direction lasts only until the first sitting of Tynwald following the day on which the House of Keys is first assembled after its preceding dissolution unless Tynwald resolves to continue the paragraph (2) direction in operation.
- (8) A direction issued by the Council of Ministers is a non-legislative public document.<sup>34</sup>

### PART 3 – CATEGORY A PERSONS

#### 10 Direction notices and entry certificates<sup>35</sup>

- (1) The Chief Secretary has the function of issuing –
  - (a) direction notices to registered residents; and
  - (b) entry certificates to non-residents,under this Part.<sup>36</sup>
- (2) A direction notice and an entry certificate, issued by the Chief Secretary –
  - (a) shall direct a Category A person to self-isolate for a specified period beginning with a specified day;
  - (b) may include additional directions or conditions in connection with self-isolation; and
  - (c) may provide for entry by a person on more than one occasion.

This is subject to paragraphs (3) and (4).<sup>37</sup>

- (3) Despite paragraph (2), the Chief Secretary may, in writing (“written self-isolation modification”), exempt from a requirement to self-isolate or modify a requirement under these Regulations to self-isolate in relation to –
  - (a) a Category A person in accordance with guidance published by the Chief Secretary following its approval by the Council of Ministers; or
  - (b) a resident of the Island (within the meaning of paragraph 6 of Schedule 1) (“P”), in accordance with guidance published by the Chief Secretary following its approval by the Council of Ministers.<sup>38</sup>
- (3A) For the purpose of enabling the Chief Secretary to decide whether to issue a written self-isolation modification –
  - (a) the person must supply such information as the Chief Secretary may reasonably require; and
  - (b) the Chief Secretary may make enquiries of any person for the purpose of verifying the information supplied under this paragraph..<sup>39</sup>
- (4) The Chief Secretary –

- (a) must not issue a written self-isolation modification under paragraph (3) other than in accordance with advice given by the Department of Health and Social Care or the Director of Public Health; and<sup>40</sup>
  - (b) must ensure —
    - (i) when giving a written self-isolation modification, that conditions or measures are put in place as are reasonably practicable to mitigate any risks associated with that exemption, modification or direction; and<sup>41</sup>
    - (ii) that the terms of the written self-isolation modification and any mitigating conditions and measures are proportionate.<sup>42</sup>
- <sup>43</sup>
- (5) A person who enters, and remains until leaving the Island, within an area which is designated in a direction made by the Department of Infrastructure as a secure exempt area for the purpose of transportation, does not become a Category A person.
  - (6) A direction notice made under these Regulations, other than a direction notice made under this Part which relates to an individual, must be laid before Tynwald.<sup>44</sup>

## 11 Prohibition of entry

- (1) A person may not enter the Island unless that person is —
  - (a) a Category A person;
  - (b) a person referred to in regulation 10(5); or
  - (c) a person to whom the vaccination exemption applies and where that person is the parent or guardian of a child who accompanies them, that child.
- (2) A person referred to in paragraph (1) who has been in a Category 3 country or territory may not enter the Island unless —
  - (a) at least 10 days have passed since they were in that country or territory; and
  - (b) they have complied with any self-isolation or equivalent requirements (however expressed) of that country or territory or any other country or territory they have or intend to transit through, or embark from, in travelling to the Island.
- (3) Regulation 24 applies to a person who enters the Island without complying with the requirements of paragraph (2).
- (4) For the purposes of this regulation, a Category 3 country or territory has the same meaning as it has from time to time in the Health Protection (Coronavirus, Travel and Operator Liability) (England) Regulations 2021 (S.I. 2021/582).

- (5) Upon the revocation (if any) of S.I. 2021/582, references to a Category 3 country or territory shall be read as a reference to such a country or territory specified in that instrument as it applied immediately before its revocation.<sup>45</sup>

## 12 Category A persons

- (1) The Chief Secretary must give a Category A person who is a registered resident a direction notice specifying the notified place of self-isolation and specifying that the person must (unless they have not attained the age of 5) self-isolate for the default isolation period after entering the Island.

This is subject to Schedule 2.<sup>46</sup>

- (2) Schedule 2 specifies —
- (a) where and with whom (if anyone) a Category A person may self-isolate;
  - (b) the days on which a Category A person may provide a biological sample for analysis, the information that person must give the Chief Secretary about the analysis of that sample and the when that information must be given;<sup>47</sup>
  - (c) the circumstances in which, and any applicable conditions subject to which, a Category A person who is required to self-isolate may leave their notified place;
  - (d) the consequences for the Category A person and a person in the Category A person's household of the analysis finding that the Category A person —
    - (i) is infected or contaminated; or
    - (ii) is not infected or contaminated;
  - (e) the period for which a person must self-isolate and any conditions subject to which that period applies; and<sup>48</sup>
  - (f) any exemptions from self-isolation and the provision of biological samples.<sup>49</sup>
- (2A) Schedule 2 does not apply to a Category A person who has not attained the age of 5.<sup>50</sup>
- (3) The Chief Secretary may issue to a Category A person who is a non-resident an entry certificate which states that the Category A person is exempt from the prohibition in regulation 11 and specify the conditions the Chief Secretary, following consultation with the Director of Public Health, considers necessary to mitigate any risks associated with the person's entry into the Island.
- (4) The Chief Secretary may not give a consent unless satisfied that reasonably practicable measures are in place to mitigate any risks associated with the entry into the Island of the Category A person.



- (5) The conditions referred to in paragraph (3) may include, where the Chief Secretary has decided to give an entry certificate –
  - (a) details of the period, not exceeding 21 days from the date of the Category A person’s arrival in the Island, for which the Category A person is required to self-isolate; and
  - (b) other reasonably practicable stipulations as to the Category A person’s conduct while in the Island.
- (6) An entry certificate under this regulation must specify –
  - (a) the name of the Category A person to whom it is given;
  - (b) the date on which the exemption takes effect;
  - (c) the period of time for which the exemption has effect (the “exemption period”);
  - (d) whether the exemption permits entry by the Category A person on more than one occasion during the exemption period;
  - (e) any arrangements that must be made by the Category A person or another person which are reasonably incidental to the exemption in order to minimise the incidence or transmission of infection or contamination;
  - (f) that such measures are put in place as are reasonably practicable to mitigate any risks associated with the entry into the Island of the Category A person; and
  - (g) any other conditions the Chief Secretary considers reasonably necessary.
- (7) For the purposes of paragraph (6), the exemption period expires on the date specified in the entry certificate.
- (8) The Chief Secretary may, at any time after consultation with the Director of Public Health, amend an entry certificate or revoke it if no longer satisfied that the exemption on which it is based is appropriate.
- (9) This regulation is subject to regulations 10(3) and 13A.
- (10) To avoid doubt, where a person (“P”) shares accommodation with a Category A person, P is a Category C person and is subject to Part 5 (Category C persons).<sup>51</sup>

## **13 [Revoked]<sup>52</sup>**

### **13A Biological samples**

- (1) This regulation applies to a person who provides one or more biological samples in accordance with this regulation and Schedule 2.
- (2) A Category A person who elects to provide a biological sample, upon payment of the applicable sum to the Cabinet Office, may by arrangement

with the Chief Secretary leave the notified place for the purpose of attending, by appointment, a facility the Chief Secretary specifies in order to provide a biological sample.<sup>53</sup>

- (3) The requirement to pay the applicable sum referred to in paragraph (2) —
  - (a) does not apply to a person specified in paragraph 7(2) of Schedule 1; and
  - (b) does not apply to an eligible student or to a student escort.<sup>54</sup>
- (4) In paragraph (3) —
  - (a) an eligible student is a registered resident (within the meaning of paragraph 6 of Schedule 1) whom the Chief Secretary is satisfied, attends a school or educational establishment outside the Island which meets the criteria specified in guidance which may be published by the Chief Secretary following its approval by the Council of Ministers; and
  - (b) a student escort is a responsible adult or an appointed adult (as the case may be) who accompanies an eligible student to the Island in circumstances where the eligible student is a child or an incapacitated person.
- (5) For the purpose of enabling the Chief Secretary to decide whether a person is an eligible student or a student escort —
  - (a) the person must supply such information as the Chief Secretary may reasonably require; and
  - (b) the Chief Secretary may make enquiries of any person for the purpose of verifying the information supplied under this paragraph.
- (6) If the findings of the analysis of the biological sample are inconclusive in that they do not confirm whether or not the person is infected or contaminated, the person may provide a further biological sample.
- (7) A person to whom this regulation applies may leave the notified place —
  - (a) for the purpose of receiving emergency medical treatment;
  - (b) where directed to do so by the emergency services; or
  - (c) if given written permission by the Director of Public Health to do so.

This paragraph is subject to paragraph (8).

- (8) A person to whom this regulation applies must —
  - (a) at all times during which the person is not at the notified place —
    - (i) wear a face mask or other suitable face covering;
    - (ii) where reasonably practicable, maintain a distance of at least 2 metres from any person who is not a member of that person's household; and

- (iii) comply with any conditions relating to leaving a notified place, specified in Schedule 2; and
  - (b) immediately after providing a biological sample return to the notified place and must remain at that place.
- (9) A person must remain at the notified place unless paragraph (2) or (7) applies or Schedule 2 specifies otherwise.
- (10) Where a person has provided a biological sample, the Chief Secretary must –
  - (a) as soon as reasonably practicable analyse it, or arrange for it to be analysed, to ascertain whether it indicates that the person is infected or contaminated; and
  - (b) notify, or arrange for the person to be notified, of the findings of that analysis within 24 hours of the biological sample having been provided, or, if the findings are not known within that time, as soon as reasonably practicable after they are known.
- (11) Where a person who is an eligible student or an eligible patient referred to in paragraph 7 of Schedule 1, is a child –
  - (a) the child may be accompanied by a responsible adult for the purpose of providing a biological sample;
  - (b) the findings of the analysis of that sample must be notified to the responsible adult; and
  - (c) the responsible adult must take such steps as are reasonably necessary to ensure that the child complies with the requirements of this regulation and any direction notice given under it.
- (12) Where a person who is an eligible student or an eligible patient referred to in paragraph 7 of Schedule 1, is an incapacitated person –
  - (a) that incapacitated person may be accompanied by an appointed person for the purpose of providing a biological sample;
  - (b) the findings of the analysis of that sample must be notified to the appointed person; and
  - (c) the appointed person must take such steps as are reasonably necessary to ensure that the incapacitated person complies with the requirements of this regulation and any direction notice given under it.
- (13) In this regulation, “applicable sum” means £30 (whether for one or more tests).<sup>55 56</sup>

## PART 4 - CATEGORY B PERSONS

### 14 Category B persons

A Category B person is a person not falling within Part 3 and in respect of whom the Director of Public Health –

- (a) as a result of that person having been contact traced or assessed, reasonably suspects is, or may be, infected or contaminated; and
- (b) considers that there is a risk that the person may infect or contaminate others.

This paragraph is subject to regulation 13A.<sup>57</sup>

### 15 “Contact traced” Category B person

(1) Where a Category B person is a contact traced person, the Director of Public Health may –

- (a) decide that the person should undergo assessment; or
- (b) require the person to self-isolate,

and if so must give that person a direction notice to do so.

(2) Where the Director of Public Health requires a person to self-isolate, the direction notice must specify the notified place, and period, of self-isolation and any conditions subject to which that period applies.

This is subject to Schedule 2.<sup>58</sup>

(3) Schedule 2 specifies –

- (a) where and with whom (if anyone) a contact traced Category B person may self-isolate;
- (b) the days on which a contact traced Category B person may provide a biological sample for analysis, the information that person must give the Chief Secretary about the analysis of that sample and when that information must be given;<sup>59</sup>
- (c) the circumstances in which and any applicable conditions subject to which a contact traced Category B person who is required to self-isolate may leave their notified place;
- (d) the consequences for the contact traced Category B person and a person in the Category B person’s household of the analysis finding that the Category B person –
  - (i) is infected or contaminated; or
  - (ii) is not infected or contaminated;
- (e) any exemptions from self-isolation and the provision of biological samples.<sup>60 61</sup>

**16 Assessment**

- (1) Where as a result of the assessment of a Category B person (whether following contact tracing or otherwise) the Director of Public Health reasonably suspects that the person is or may be infected or contaminated, the Director of Public Health may require the person to self-isolate.
- (2) Where the Director of Public Health requires a person to self-isolate, the Director of Public Health must give that person a direction notice specifying the notified place, and period, of self-isolation.
- (2A) Schedule 2 specifies –
  - (a) where and with whom (if anyone) an assessed Category B person may self-isolate;
  - (b) the days on which an assessed Category B person may provide a biological sample for analysis;
  - (c) the circumstances in which and any applicable conditions subject to which an assessed Category B person who is required to self-isolate may leave their notified place; and
  - (d) the consequences for the assessed Category B person and a person in the Category B person’s household of the analysis finding that the Category B person –
    - (i) is infected or contaminated; or
    - (ii) is not infected or contaminated.<sup>62</sup>
- (3) [Revoked]<sup>63</sup>

**16A Voluntary community testing**

- (1) The Director of Public Health may request that a particular Category B person, two or more or a particular group of such persons or all such persons to voluntarily provide a biological sample.
- (2) Such a request must be published on [www.gov.im](http://www.gov.im) or in a manner the Director of Public Health considers will bring it to the attention of those likely to be affected by it.<sup>64</sup>

**17 [Revoked]<sup>65</sup>****PART 5 – CATEGORY C PERSONS****18 Category C persons**

- (1) A Category C person is a person who –
  - (a) resides with a Category A person (“P”) who is required to self-isolate under Part 3 at a place which is P’s notified place;

- (b) resided with P and P leaves the notified place before —
    - (i) having completed the period of self-isolation specified in P's entry certificate, direction notice or other consent by which P was permitted to enter the Island; or
    - (ii) the analysis of a second biological sample found that P was not infected or contaminated; or
  - (c) resides with a Category B person who is required to self-isolate under Part 4 at a place which is that Category B person's notified place.
- (2) The Director of Public Health may require a Category C person to self-isolate.
- (3) Schedule 2 specifies —
- (a) where a Category C person may self-isolate;
  - (b) the days on which a Category C person may provide a biological sample for analysis, the information that person must give the Chief Secretary about the analysis of that sample and when that information must be given;<sup>66</sup>
  - (c) the circumstances in which and any applicable conditions subject to which a Category C person who is required to self-isolate may leave their notified place;
  - (d) the consequences for the Category C person and a person in the Category C person's household of the analysis finding that the Category A or Category B person with whom the Category C person resides —
    - (i) is infected or contaminated; or
    - (ii) is not infected or contaminated;
  - (e) the period for which a person must self-isolate and any conditions subject to which that period applies; and<sup>67</sup>
  - (f) any exemptions from self-isolation and the provision of biological samples.<sup>68 69</sup>

## 19 Restrictions etc: Council of Ministers

- (1) The Council of Ministers may, having taken the advice of the Director of Public Health, by direction notice, state that a class or group of Category C person should be required to comply with any restrictions or requirements the Council of Ministers decides to impose.<sup>70</sup>
- (2) [Revoked]<sup>71</sup>
- (3) A direction notice made under paragraph (1) must be published on [www.gov.im](http://www.gov.im) or in a manner that the Council of Ministers considers will bring it to the attention of those likely to be affected by it.<sup>72</sup>

20 [Revoked]<sup>73</sup>

21 [Revoked]<sup>74</sup>

## PART 6 - FURTHER POWERS

### 22 Powers of Chief Secretary: entry

- (1) Where the Chief Secretary attends any place at which a mode of conveying passengers to the Island arrives, the Chief Secretary may decide that a disembarking passenger should be required to produce proof of their identity and proof of their right or authorisation in accordance with these Regulations to enter the Island.
- (2) Where the Chief Secretary makes that decision, a disembarking passenger must produce to the Chief Secretary that proof, right or authorisation.
- (3) The Chief Secretary has the power to make a decision under regulation 24(2) where—
  - (a) a disembarking passenger fails or refuses to comply with a demand under paragraph (1); or
  - (b) a disembarking passenger does not possess any proof demanded under paragraph (1).

### 23 Powers of Chief Secretary: self-isolation requirements etc<sup>75</sup>

- (1) Where, under these Regulations a person is required to self-isolate or to comply with the terms of a written self-isolation modification (under regulation 10), for the purpose of ascertaining whether the person is complying with the requirement the Chief Secretary may at a reasonable time —
  - (a) make an unscheduled visit to the place where the individual is required to self-isolate or, where a written self-isolation modification has been issued, to any other place specified in the written self-isolation modification; or<sup>76</sup>
  - (b) make an unscheduled telephone call to the individual.<sup>77</sup>
- (2) An individual present at the place visited under paragraph (1), or who receives a telephone call under that paragraph, must reasonably co-operate with the Chief Secretary.

### 24 Refusal and repatriation

- (1) In this regulation P means a person who disembarks in the Island despite not being a registered resident and despite not having been given an entry certificate under paragraph 4A of Schedule 1.<sup>78</sup>

- (2) P may be refused entry to, or the right to remain in the Island by the Chief Secretary.
- (3) P may, where P does not voluntarily leave the Island at the first available opportunity after disembarkation, be repatriated to the place where P last embarked.
- (4) A constable may decide that P should be required—
  - (a) to remain at the place of disembarkation pending repatriation;
  - (b) to self-isolate pending repatriation.
- (5) P may be required to bear the costs of P's repatriation and any accommodation, travel and associated expenses.
- (6) Where P refuses to self-isolate voluntarily, P is to be treated as if P were a Category B person and the Director of Public Health may require that person to self-isolate in accordance with Part 4.
- (7) Nothing in this regulation permits any action to be taken in respect of P which is contrary to P's rights under the European Convention on Human Rights and the Convention relating to the Status of Refugees done at Geneva on 28 July 1951 and its Protocol.
- (8) A person may not be refused entry to, or the right to remain in, the Island where that person has taken all reasonable steps and exercised all due diligence to avoid committing an offence under these Regulations in connection with that person's failure to become a registered resident or to be given an entry certificate.

## 25 Travel Corridors

- (1) The Council of Ministers may, by a direction establish a route along which a person may travel to the Island from a location specified in the direction (a "travel corridor").
- (2) A direction establishing a travel corridor must be published.
- (3) The Council of Ministers must not establish a travel corridor unless, having consulted the Department of Health and Social Care and the Director of Public Health, it is satisfied that such measures are put in place as are reasonably practicable to mitigate any risks associated with its establishment.
- (4) An individual who proposes to travel to the Island through a travel corridor must comply with all reasonably practicable stipulations made by the Council of Ministers in the direction.
- (5) The Council of Ministers may at any time modify or discontinue a travel corridor.
- (6) Any modification or discontinuance must be published.



## 26 Powers of constables

- (1) This regulation applies where a person (P) is directed to self-isolate.
- (2) Where paragraph (1) applies a constable may —
  - (a) direct P to go to or return to P’s notified place;
  - (b) remove P to that place.
- (3) This regulation also applies where a constable has reasonable grounds to believe that a person (P) has absconded from self-isolation.
- (4) Where paragraph (3) applies, a constable may —
  - (a) direct P to go to or return to P’s notified place;
  - (b) remove P to that place.
- (5) Where P is a child and has left, or is outside of, the place where P is self-isolating and is accompanied by another person, a constable may direct that other person to take P to that place and that person must, so far as reasonably practicable, ensure that P complies with such a direction.
- (6) Before exercising the powers in this regulation the constable must, so far as reasonably practicable, consult the individual who, or person which, gave P the direction to self-isolate and have due regard to the views of and any information provided by that individual or that person about P.
- (7) A constable may use reasonable force in the exercise of the powers under this regulation.

## PART 6A – PROHIBITIONS ON MOVEMENT ETC<sup>79</sup>

### 26A Part 6A Interpretation

In this Part —

“**appropriate social distancing**” [Revoked]<sup>80</sup>

“**asymptomatic**” [Revoked]<sup>81</sup>

“**emergency or necessary voluntary service**” means a service provided by —

- (a) the Isle of Man Constabulary;
- (b) the Isle of Man Fire and Rescue Service;
- (c) the Isle of Man Ambulance Service;
- (d) the St. John Ambulance Brigade;
- (e) the Red Cross;
- (f) the Royal National Lifeboat Institution;
- (g) the Royal Voluntary Service<sup>1</sup>;

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<sup>1</sup> Formerly the Women’s Royal Voluntary Service.

- (ga) Isle of Man Civil Defence Corps;<sup>82</sup>
- (gb) Isle of Man Coastguard;<sup>83</sup>
- (gc) Isle of Man Search and Rescue Dog Association; or<sup>84</sup>
- (h) similar body;

“**exempt person**” means a person who is so designated by an instrument in writing under the hand of the Chief Secretary; and

“**home**” means a person’s ordinary place of residence, and in the case of a child whose parents are separated or divorced includes both of their homes.<sup>85</sup>

## 26B Unrestricted movement

Unless prohibited from doing so in accordance with this Part or by reason of a requirement to self-isolate imposed under these Regulations, a person may leave his or her home.<sup>86</sup>

## 26C Exceptions from regulation 26B: general

- (1) A direction notice given by the Council of Ministers (a “prohibition notice”) may prohibit a person, other than an exempt person or a person who delivers an emergency or necessary voluntary service from leaving his or her home —
  - (a) to go to any premises (within the meaning of regulation 27); or
  - (b) for a purpose,  
otherwise than in accordance with any conditions specified in the prohibition notice.<sup>87</sup>
- (1A) [Revoked]<sup>88</sup>
- (2) A prohibition notice may —
  - (a) be general or specific;<sup>89</sup>
  - (b) make different provision for different purposes, or be framed by reference to whatever matters the Council of Ministers considers appropriate; and
  - (c) include such other provision as the Council of Ministers considers appropriate in connection with the giving of the prohibition notice.<sup>90 91</sup>
- (3) Before giving a prohibition notice the Council of Ministers must have regard to the need to ensure that members of the public have access to essential public services and goods.<sup>92</sup>
- (4) A prohibition notice must state the date and time on which it comes into effect and may state the date and time on which it ends.<sup>93</sup>

- (5) A prohibition notice to which more than one person is subject, must be published on [www.gov.im](http://www.gov.im) or in a manner that the Council of Ministers considers will bring it to the attention of those likely to be affected by it.<sup>94</sup>

<sup>95</sup>

## **26D Hotels, hostels etc**

- (1) For the purposes of a prohibition notice made under regulation 26C 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 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.<sup>96</sup>
- (2) Regulation 26C applies to a person falling within paragraph (1) as if the place where he or she is temporarily resident were his or her home.<sup>97 98</sup>

## **PART 7 – CLOSURE OF PREMISES ETC**

### **27 Interpretation**

In this Part, “premises” means any indoor or outdoor place to which a person has access (other than the person’s principal home) whether on payment or otherwise and includes any premises used wholly or mainly for business or other commercial purposes and any moveable structure and vehicle.<sup>99</sup>

### **28 Functions relating to Directions**

- (1) A relevant body has the function conferred on it by this Part of issuing directions (“closure directions”).
- (2) A relevant body may only exercise that function in accordance with this Part.

### **29 Closure directions: general**

- (1) Where a relevant body gives a closure direction it must—
- (a) notify the Council of Ministers as soon as reasonably practicable after the direction is given (except where regulation 30 applies); and
  - (b) at least once every 7 days review whether the conditions in regulation 3(1) continue to be met.

- (2) If on a review of a closure direction under paragraph (1)(b) a relevant body considers that the conditions in regulation 3(1) or the proportionality requirement of regulation 6(1) is no longer met, it must—
  - (a) revoke the direction without replacement; or
  - (b) revoke the direction and replace it with a further closure direction which meets those conditions and that proportionality requirement.
- (3) In determining whether to give or revoke a closure direction, a relevant body must have regard to any advice given to it by the Director of Public Health.

### **30 Closure directions relating to classes or types of premises**

- (1) A relevant body may decide that premises of a particular class or type should close and where it does so it may give a direction requiring those premises to close.
- (2) A relevant body for the purposes of this regulation means the Council of Ministers.

### **31 Closure directions relating to individual premises**

- (1) A relevant body may decide that an individual premises should close and where it does so it may give a direction requiring the premises to close.<sup>100</sup>
- (2) A relevant body for the purposes of this regulation means the Director of Public Health.<sup>101</sup>

### **32 Closure directions: additional**

- (1) A closure direction given by a relevant body may impose prohibitions, requirements or restrictions about the entry into, departure from, or location of persons in, the premises specified in the direction.
- (2) A relevant body may not give a closure direction about—
  - (a) any premises which form part of critical national infrastructure;
  - (b) any premises consisting of vehicles, trains, vessels or aircraft used for public transport or the carriage or haulage of goods; or
  - (c) a mode of transport not falling within sub-paragraph (b), where the direction would be likely to have the effect of preventing a change-over of personnel.
- (3) Before issuing a closure direction, a relevant body must have regard to the need to ensure that members of the public have access to essential public services and goods.
- (4) A closure direction may only have the effect of imposing a prohibition, requirement or restriction on—

- (a) the owner or any occupier of premises to which the direction relates; or
  - (b) any other person involved in managing entry into, or departure from, the premises or the location of persons in them.
- (5) A closure direction may impose a prohibition, requirement or restriction by reference to, among other things—
  - (a) the number of persons in the premises;
  - (b) the purpose for which a person is in the premises;
  - (c) the facilities in the premises.
- (6) A closure direction must state the date and time on which the prohibition, requirement or restriction comes into effect, and the date and time on which it will end.
- (7) Where a relevant body decides to give a closure direction it must take reasonable steps to give advance notice of the direction to a person carrying on a business from the premises to which the direction relates, and if different, any person who owns or occupies the premises.

### 33 Denial of entry etc

- (1) Where a relevant body or a constable considers that a person is seeking to enter premises in contravention of a closure direction, the relevant body or a constable may deny the person entry to those premises.
- (2) Where a relevant body or a constable considers that a person has entered premises in contravention of a closure direction, the relevant body or a constable may direct that person to leave those premises.
- (3) Where a person does not comply with a direction given to that person by a relevant body or a constable under paragraph (2), a constable may remove that person from the premises.
- (4) A constable exercising the power in paragraph (3) may use reasonable force in the exercise of the power.
- (5) A relevant body for the purposes of this regulation means the Cabinet Office and the Department of Environment, Food and Agriculture.

## PART 7A – EVENTS AND GATHERINGS<sup>102</sup>

### 33A Interpretation of Part 7A

In this Part —

“**event**” means a ceremony, celebration, entertainment, conference, exhibition or similar occasion;

“**gathering**” means any meeting or assembly of 2 or more persons;

“**household**” [Revoked]<sup>103</sup>

“**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);

“**private place**” means a place other than a public place;

“**public place**” includes —

- (a) any land or building or premises where the public is routinely allowed to enter without the need for prior permission (such as parks and beaches) whether on payment or otherwise; and
- (b) any vehicle used in the provision of public transport by the Department of Infrastructure; and

“**responsible person**” means —

- (a) in the case of residential premises, the person who is responsible for the premises including the owner and occupier; and
- (b) in the case of all other premises, the person who is responsible for the premises, for carrying on a business from the premises including, the owner, manager, any other person who is responsible for the premises or business and any other person involved in managing entry to or the location of persons inside the premises or business.<sup>104</sup>

### 33B Unrestricted events and gatherings

- (1) An event or gathering may take place in a public or private place unless the event or gathering is prohibited by a direction notice made under regulation 33C.
- (2) A direction notice made under regulation 33C may not prevent a person from entering —
  - (a) premises which are permitted to be open under Part 7;
  - (b) the person’s home;
  - (c) premises which are business premises and in respect of which the person is the responsible person,

but may specify conditions to be complied with where such a person does so.<sup>105</sup>

### 33C Directions: prohibitions

The Council of Ministers may give a direction notice prohibiting an event or gathering.<sup>106</sup>

**33D Directions: general**

A direction notice may —

- (a) include requirements or restrictions;
- (b) apply to one or more prohibitions or exceptions;
- (c) apply to all or any part of the Island;
- (d) be general or specific;
- (e) make different provision for different purposes, or be framed by reference to whatever matters the Council of Ministers considers appropriate; and
- (f) include such other provision as the Council of Ministers considers appropriate in connection with the giving of the direction notice.<sup>107</sup>

**33E Directions: procedure**

- (1) The Council of Ministers must consult the Director of Public Health before giving a direction notice under this Part.
- (2) The Council of Ministers may at any time revoke a direction notice to any extent.
- (3) A direction notice must be given in such manner as the Council of Ministers considers appropriate to bring it to the attention of those persons likely to be affected by it.<sup>108</sup>

## PART 8 – INFORMATION

**34 Use and disclosure of information**

- (1) Personal data obtained under these Regulations may be further processed for the following purposes—
  - (a) diagnosing communicable diseases and other risks to public health;
  - (b) recognising trends in diseases and risks;
  - (c) controlling and preventing the spread of diseases and risks; and
  - (d) monitoring and managing—
    - (i) outbreaks of infection or communicable disease;
    - (ii) incidents of exposure to infection or communicable disease including tracing of contacts of persons who may have been exposed, infected or diagnosed with infection or communicable disease;
    - (iii) the delivery, efficacy and safety of immunisation programmes;
    - (iv) adverse reactions to vaccines and medicines;

- (v) the giving of information to persons about the diagnosis of infection or communicable disease and risks of contracting a disease;
  - (vi) providing a public health response to the incidence, spread or contamination of an infection or disease;
  - (vii) mitigating or eliminating effects of an infection or disease in the Island.
- (2) The processing of personal data for the purposes specified in paragraph (1) may be undertaken by —
- (a) the Director of Public Health for the purposes of these Regulations; and
  - (b) persons engaged in the provision of a health and social care services on the Island.
- (3) A person who holds personal data which has at any time been provided under these Regulations may disclose it to another person if, and only if, the disclosure is for a purpose specified in paragraph (1).
- (4) A person who holds personal data which has at any time been provided under these Regulations may use it if, and only if, the use is for a purpose specified in paragraph (1).
- (5) Personal data may not be used or disclosed under this regulation if the use or disclosure would contravene —
- (a) these Regulations; or
  - (b) the data protection legislation.
- (6) “Personal data” has the meaning given in the GDPR and LED Implementing Regulations 2018<sup>2</sup>.
- (7) “Data protection legislation” has the meaning given in regulation 5(1) of the GDPR and LED Implementing Regulations 2018.

## PART 9 – APPEALS

### 35 Appeals

- (1) Where any decision taken under these Regulations enables a special restriction or requirement within the meaning of section 51C(6) of the Act to be imposed on, or about, a person or a person’s premises, that person may appeal to the High Bailiff against that decision.
- (2) A person may appeal to a summary court against any other restriction or requirement under these Regulations applying to, or about, that person or that person’s premises.

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<sup>2</sup> SD 2018/0145.



- (3) Where a special restriction or requirement referred to in paragraph (1) applies to a person who is a child, the person referred to in paragraph (1) includes the responsible adult for that child.
- (4) Where any other restriction or requirement applies to a person who is a child, the person referred to in paragraph (2) includes the responsible adult for that child.
- (5) Where a special restriction or requirement referred to in paragraph (1) applies to a person who is an incapacitated person, the person referred to in paragraph (1) includes the appointed person for that incapacitated person.
- (6) Where any other restriction or requirement applies to a person who is an incapacitated person, the person referred to in paragraph (2) includes the appointed person for that incapacitated person.

## PART 10 – OFFENCES AND PENALTIES

### 36 Offences and penalties

- (1) A person (“P”) commits an offence if P fails, without reasonable excuse, to comply with –
  - (a) these Regulations; or
  - (b) a restriction, a requirement, a direction, a notice, a certificate, a direction notice, a prohibition notice or consent given or otherwise applying to P or any conditions contained or given under these Regulations.<sup>109 110</sup>
- (2) P commits an offence if P –
  - (a) knowingly or recklessly provides false or misleading information to any person carrying out a function under these Regulations or in relation to an application for an entry certificate or other consent by which entry to the Island may be permitted; or<sup>111</sup>
  - (b) obstructs, without reasonable excuse, any person carrying out a function under these Regulations.
- (3) A responsible adult commits an offence if that person fails, without reasonable excuse, to comply with regulation 6(3).
- (4) An appointed person commits an offence if that person fails, without reasonable excuse, to comply with regulation 6(4).
- (5) The captain of a private vessel commits an offence under regulation 7 if, without first having docked at the harbour in Douglas, docks at any other harbour in the Island unless permitted to do so under that regulation.

- (6) The pilot of a private aircraft commits an offence under regulation 8 if, without first having landed at Ronaldsway airport, the pilot lands in any other place in the Island.

This does not apply to a pilot of such an aircraft carrying a person (P) referred to in paragraph 8A of Schedule 1 where P is not required to self-isolate or where the pilot is such a person.<sup>112</sup>

- (7) Section 27 of the Police Powers and Procedures Act 1998 (arrest without warrant: constables) applies to an offence under Part 4 referred to in this regulation as if the reasons in subsection (5) of that section included —
- (a) to maintain public health; and
  - (b) to maintain public order.
- (8) An offence specified in this regulation is punishable on summary conviction by custody for a term not exceeding 3 months or a fine not exceeding 4 times level 5 on the standard scale.

## PART 11 – FIXED PENALTY NOTICES

### 37 Fixed penalty offences

An offence referred to in regulation 36 is a fixed penalty offence for the purposes of this regulation.

### 38 Giving a fixed penalty notice

Where a constable reasonably believes that —

- (a) a person has committed a fixed penalty offence; and
- (b) the person is aged 18 or over,

a fixed penalty notice in respect of the offence may be served on that person by a constable.

### 39 Effect of a fixed penalty notice

Where a person is given a fixed penalty notice under regulation 38 —

- (a) proceedings must not be brought against the person for the offence before the end of the period for paying the fixed penalty (“the payment period”); and
- (b) the person cannot be convicted of the fixed penalty offence in respect of which that notice is given if the person pays the fixed penalty before the end of the payment period.

#### **40 Contents of a fixed penalty notice**

A fixed penalty notice must give such particulars of the circumstances alleged to constitute the fixed penalty offence as are necessary for giving reasonable information about that offence and must state —

- (a) the date of the notice;
- (b) the amount of the fixed penalty;
- (c) the payment period;
- (d) that until the expiry of the payment period proceedings will not be brought for the offence;
- (e) the consequences of the fixed penalty not being paid before the expiry of the payment period;
- (f) the person to whom and the address at which the fixed penalty may be paid;
- (g) the preferred, and other permissible, methods of payment;
- (h) that a copy of the relevant fixed penalty notice must be included where payment is sent by any form of post;
- (i) that proof of posting must be obtained and retained where payment is sent by any form of post;
- (j) that a receipt for payment must be requested at the time of payment, if one is required;
- (k) that a stamped, self-addressed envelope must be provided with any payment sent by any form of post for which a receipt is requested;
- (l) the name of the constable serving the fixed penalty notice and the name of the police station to which the constable is attached.

#### **41 Amount of fixed penalty**

The amount of the fixed penalty for a fixed penalty offence is —

- (a) if paid within the first 14 days of the payment period, £150;
- (b) otherwise, £250.

#### **42 Payment of a fixed penalty**

- (1) Payment of a fixed penalty must be made to the person referred to in the fixed penalty notice.
- (2) Where payment of the amount of the fixed penalty is made by post, payment is regarded as having been made at the time at which the copy of the fixed penalty notice together with the amount of the fixed penalty would be delivered in the ordinary course of post.

- (3) In any proceedings, evidence that a fixed penalty was or was not paid before the end of any period may be given by the production of a certificate which —
- (a) purports to be signed by or on behalf of the person referred to in paragraph (1); and
  - (b) states that payment of the fixed penalty was or was not received by the date specified in the certificate.
- (4) Sums collected under this Part must be paid into the General Revenue.

## PART 12 – SAVINGS<sup>113</sup>

### 43 [Revoked]<sup>114</sup>

### 43A Review

The Council of Ministers must review the need for these Regulations before the 25 March 2021.<sup>115</sup>

### 44 Savings

Anything permitted, done, to be done or required under the —

- (a) Emergency Powers (Coronavirus) (Entry Restrictions) (No.2) Regulations 2020<sup>3</sup>; and
- (b) Emergency Powers (Potentially Infectious Persons) Regulations 2020<sup>4</sup>,

as continued (with or without modification) under the Emergency Powers (Coronavirus) (Continuation) (No.2) Regulations 2020, shall be treated as permitted, done, to be done or required under the corresponding provision of these Regulations.

MADE 14:45 15TH DECEMBER 2020

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<sup>3</sup> SD 2020/0279.

<sup>4</sup> SD 2020/0171.

**SCHEDULE 1<sup>116</sup>****CATEGORY A PERSONS**

**A1** [Revoked]<sup>117</sup>

**1** [Revoked]<sup>118</sup>

**2** [Revoked]<sup>119</sup>

**3** [Revoked]<sup>120</sup>

**4** [Revoked]<sup>121</sup>

**5** [Revoked]<sup>122</sup>

**1A Non-resident key workers**

- (1) A non-resident of the Island is a Category A person (and a non-resident key worker) where the conditions in paragraphs 2A to 5A are satisfied.
- (2) The Chief Secretary may exempt a non-resident that is a company or other body (“exempt non-resident company or other body”).
- (3) An exemption under sub-paragraph (2) includes a non-resident individual in the employ or service of an exempt non-resident company or other body.<sup>123</sup>

**2A Non-resident key workers – first condition**

The first condition is that the non-resident makes an application to the Chief Secretary for an exemption from the prohibition in regulation 11.<sup>124</sup>

**3A Non-resident key workers – second condition**

- (1) The second condition is that one of the following applies –
  - (a) the Chief Secretary is satisfied, following consultation with the Department of Infrastructure, that the non-resident is a member of the merchant navy;
  - (b) the Chief Secretary is satisfied, following consultation with the Department of Infrastructure, that the non-resident is a person who is vital to critical national infrastructure of the Island and who enters the Island to provide services for that infrastructure;
  - (c) the Chief Secretary is satisfied, following consultation with the Department of Health and Social Care, that the non-resident is a

- supplier of goods or services that are essential for the Island's health infrastructure or for the health or care of the community;
- (d) the Chief Secretary is satisfied, following consultation with the Department of Home Affairs, that the non-resident is a member of the armed forces who enters the Island for the protection of life or property;
  - (e) the Chief Secretary is satisfied, following consultation with the Department of Home Affairs, that the non-resident is a police officer or a fire officer employed by that Department;
  - (f) the Chief Secretary is satisfied, following consultation with the Department of Home Affairs, that the non-resident is a person to whom an offer of employment as a police officer or a fire officer in that Department has been made by it;
  - (g) the Chief Secretary is satisfied, following consultation with the Chief Registrar, that the non-resident is a member of the Island's judiciary appointed under section 3A or 3B of the *High Court Act 1991* and who the Chief Registrar is satisfied enters the Island for a judicial purpose;
  - (h) the Chief Secretary is satisfied, following consultation with the Chief Registrar, that the non-resident is the holder of a temporary advocate's licence issued by the First Deemster under section 15 of the *Advocates Act 1995* and who the Chief Registrar is satisfied enters the Island to participate in proceedings before any court, tribunal or other person exercising a judicial function under a Manx enactment;
  - (i) the Chief Secretary is satisfied, following consultation with the Chief Registrar, that the non-resident is a person who the Chief Registrar is satisfied enters the Island to participate in proceedings before any court, tribunal or other person exercising a judicial function under a Manx enactment, whether as a witness or a party to the proceedings;
  - (j) the Chief Secretary is satisfied, following consultation with the Chief Registrar, that the non-resident is a person who the Chief Registrar is satisfied enters the Island as a chaperone to a person referred to in head (i);
  - (k) the Chief Secretary is satisfied, following consultation with the Department for Enterprise, that the non-resident is a person whose presence in the Island is in the interests of the economy of the Island;
  - (l) the Chief Secretary is satisfied that the non-resident is a person whose presence in the Island is necessary for compliance with international obligations that apply to the Island or for the provision of diplomatic, consular or related services;

- (m) the Chief Secretary is satisfied, following consultation with the Department of Health and Social Care or the Director of Public Health that the failure to exempt a non-resident from the prohibition in regulation 11 poses a greater risk to public safety and the life of the community than the risk of exempting that person;
  - (n) the Chief Secretary is satisfied that the non-resident is a person whose presence in the Island is in the public interest as specified in guidance published by the Chief Secretary following its approval of the Council of Ministers.
- (2) A person referred to in sub-paragraph (1)(l), is a person who is –
- (a) a member of a diplomatic mission within the meaning of Article 1(b) of the Vienna Convention on Diplomatic Relations signed in 1961;
  - (b) a member of a consular post within the meaning of Article 1(l) of the Vienna Convention on Consular Relations signed in 1963;
  - (c) an officer or servant of an international organisation whose members are any of the following –
    - (i) countries or territories;
    - (ii) governments of countries or territories;
    - (iii) a mixture of the above;
  - (d) an official or expert on mission of an international organisation.
- (3) For the purpose of enabling the Chief Secretary to consider whether the Chief Secretary is satisfied as to the matter in sub-paragraph (1)(m) –
- (a) the non-resident must supply such information as the Chief Secretary may reasonably require; and
  - (b) the Chief Secretary may make enquiries of any person for the purpose of verifying the information supplied under this sub-paragraph.<sup>125</sup>

#### **4A Non-resident key workers – third condition**

The third condition is that the non-resident person has been given an entry certificate by the Chief Secretary.<sup>126</sup>

#### **5A Non-resident key workers – fourth condition**

The fourth condition is that the non-resident has, no earlier than 48 hours before the non-resident's scheduled arrival in the Island, fully and truthfully answered all questions posed to the non-resident on the published landing card and has submitted that card in the manner instructed.<sup>127</sup>

## 6 Residents of the Island

- (1) A person who has been registered by the Chief Secretary as a resident of the Island (a “registered resident”) is a Category A person and may enter and leave the Island in accordance with this paragraph.
- (1A) A registered resident must, no earlier than 48 hours before their scheduled arrival in the Island, fully and truthfully answer all questions posed to them on the published landing card and must submit that card in the manner instructed.<sup>128</sup>
- (2) For the purpose of this paragraph, a person is a resident of the Island if that person owns, leases or occupies a dwelling in the Island as the person’s only or principal home.
- (3) The Chief Secretary must register a person as a resident of the Island for the purposes of this paragraph if both of the following are satisfied –
  - (a) the person has submitted an application for registration to the Chief Secretary in accordance with sub-paragraphs (5) and (6);
  - (b) the Chief Secretary is satisfied that the person is a resident of the Island.
- (4) The Chief Secretary must publish all of the following –
  - (a) the form of application for registration as a resident of the Island;
  - (b) the manner in which an application must be made;
  - (c) the electronic and postal addresses to which an application is to be sent;
  - (d) the criteria that would be used by the Chief Secretary to determine whether a person is a resident of the Island as required by sub-paragraph (3)(b).
- (5) A person wishing to be registered as a resident of the Island for the purposes of this paragraph must submit an application (either electronically or in hard copy) in the published form.
- (6) An application for registration under sub-paragraph (5) must be made –
  - (a) in respect of an individual aged 16 years and over, by the individual; or
  - (b) in respect of a child, by a responsible adult.
- (7) For the purpose of enabling the Chief Secretary to consider whether the matter in sub-paragraph (3)(b) is satisfied –
  - (a) the applicant must supply such information as the Chief Secretary may reasonably require; and
  - (b) the Chief Secretary may make enquiries of any person the Chief Secretary considers necessary for the purpose of verifying the information supplied under this sub-paragraph.



- (8) Sub-paragraph (7)(a) and (b) also applies in a case where, after registering a person as a registered resident under sub-paragraph (3), the Chief Secretary considers that further verification is required as to whether the individual is in fact a resident of the Island.
- (9) The Chief Secretary must immediately after registering a person under sub-paragraph (3) give the person written confirmation of the person's registration, including any specific reference by which the registration may be identified.
- (10) A registered resident may freely travel to and from the Island, subject to the requirement to comply with all of the following—
- (a) sub-paragraph (11);
  - (b) a direction notice given under sub-paragraph (13);
  - (c) any condition that the Chief Secretary specifies in such a direction notice and which is intended to give effect to measures designed to mitigate any risks associated with the individual's return to the Island.
- (11) Before a registered resident enters the Island that resident must, no earlier than 48 hours before the registered resident's arrival in the Island submit (in a manner the Chief Secretary must publish)—
- (a) a written declaration as to the state of the registered resident's health, setting out information necessary to establish whether the resident has contracted, or are suspected of having contracted, Coronavirus;
  - (b) a fully and truthfully completed landing card.
- (12) The Chief Secretary may require that a registered resident should self-isolate following entry to the Island.
- (13) Where the Chief Secretary requires a registered resident to self-isolate, prior to that resident entering the Island or as soon as reasonably practicable, the Chief Secretary —
- (a) must give the registered resident a direction notice requiring the registered resident to self-isolate for 21 days from the date of the registered resident's disembarkation on the Island; and<sup>129</sup>
  - (b) may include in that direction notice additional directions or conditions in connection with the self-isolation.
- This is subject to sub-paragraphs (14) and (15).
- (14) Despite sub-paragraph (13), the Chief Secretary may, by a direction notice exempt an individual from the requirement to self-isolate for 21 days, or direct the individual to self-isolate for less than 21 days.<sup>130</sup>
- (15) The Chief Secretary —

- (a) must not give a direction notice under sub-paragraph (14) other than in accordance with advice given by the Department of Health and Social Care or the Director of Public Health; and
  - (b) must, when giving the direction notice, ensure that conditions or measures are put in place as are reasonably practicable to mitigate any risks associated with that exemption or direction.
- (16) Where a direction notice cannot be given in writing, the Chief Secretary may give the notice orally and must as soon as reasonably practicable thereafter give the individual a written notice.
- (17) In this regulation “child” means a person under the age of 16 years.

## 7 Residents who leave and return

- (1) A person who satisfies the following conditions is a Category A person.
- (2) The first condition is that the person is a person who, having been registered as a resident under paragraph 6, is also one of the following —
- (a) a member of the armed forces who travelled off the Island for the purposes of the resident’s employment in the armed forces;
  - (b) an individual who the Chief Secretary considers to be vital to the critical national infrastructure who travelled off the Island for the purposes of the resident’s work relating to that infrastructure;<sup>131</sup>
  - (c) an individual who is a supplier of goods or services that the Chief Secretary considers to be essential to the critical national infrastructure who travelled off the Island for the purposes of the resident’s work in supplying those goods or services;<sup>132</sup>
  - (d) an individual who is a medical expert or professional whose skills the Chief Secretary considers to be essential to the critical national infrastructure who travelled off the Island for the purposes of the resident’s employment;<sup>133</sup>
  - (e) a police officer or a fire officer employed by the Department of Home Affairs who travelled off the Island for the purposes of the resident’s employment as a police officer or fire officer;
  - (f) a member of the Island’s judiciary appointed under section 3 or 3B of the High Court Act 1991;
  - (g) an eligible patient; and
  - (h) an eligible escort.
- (3) The second condition is that the registered resident mentioned in sub-paragraph (2) is a person who —
- (a) having travelled off the Island as mentioned in that sub-paragraph has re-entered the Island in compliance with paragraph 6;
  - (b) self-isolates in accordance with a direction notice given under regulation 12; and<sup>134</sup>

- (c) is not subject to any other requirement to self-isolate under these Regulations or any other enactment
- (4) “Eligible patient” means an individual who requires medical treatment at a place outside the Island and —
  - (a) the Department of Health and Social Care —
    - (i) arranges the appointments for the individual’s treatment and arranges or approves the travel arrangements for the individual to attend the appointments or undergo treatment; or
    - (ii) is satisfied, in the case of an individual receiving treatment otherwise than through the Department, that the individual has made travel arrangements for the purpose of attending medical appointments in connection with that treatment or for undergoing that treatment; and
  - (b) the individual is likely to need to leave the Island to attend a medical appointment or undergo treatment and thereafter return to the Island at such times, and within such a period, after the end of that treatment as the Council of Ministers may having consulted the Director of Public Health and the Department of Health and Social Care notify to that individual.
- (5) “Eligible escort” means an individual who accompanies an eligible patient and whose travel arrangements for that purpose are made by or validated or, in the case of an individual receiving medical treatment otherwise than through the Department of Health and Social Care, approved by it.

## 8A Emergency services

- (1) A person who is employed or engaged in the provision of emergency services and who enters the Island to perform those services is a Category A person.
- (2) “Emergency services” means —
  - (a) emergency search and rescue services;
  - (b) air ambulance services; and
  - (c) services as an air accident inspector with the United Kingdom Air Accidents Investigation Branch.
- (3) Such measures as are reasonably practicable to mitigate any risks associated with the entry into the Island of a person referred to in subparagraph (1) must be put in place by the Chief Secretary.<sup>135</sup>

## 9A Compassionate and family grounds

A non-resident to whom the Chief Secretary has given an entry certificate to enter the Island on compassionate and family grounds is a Category A person.<sup>136</sup>

## 10A Contractual obligations

- (1) A non-resident to whom the Chief Secretary has given an entry certificate to enter the Island on the grounds referred to in sub-paragraph (2) is a Category A person.<sup>137</sup>
- (2) Those grounds are that the Chief Secretary is satisfied that the non-resident —
  - (a) owns a property in the Island;
  - (b) either —
    - (i) has entered into a legally binding contract for a permanent office or employed position for a period of at least 3 months; or
    - (ii) has entered into a legally binding contract for the purchase or lease of premises, in the Island and in the case of leased premises, for a term of at least 6 months during which period the Island is to be the person's main place of residence.<sup>138</sup>
- (3) A consent given under sub-paragraph (1) must provide that measures are put in place as are reasonably practicable to mitigate any risks associated with the entry into the Island of that non-resident.
- (4) In this paragraph, references to a non-resident include —
  - (a) the non-resident's spouse or civil partner or a person they were living with as if they were a spouse or civil partner;
  - (b) any child for whom a person specified in paragraph (a) has parental or guardianship responsibilities; and
  - (c) any other relative of the non-resident in respect of whom the Chief Secretary is satisfied there is a compelling case for inclusion in the consent.
- (5) The Council of Ministers may publish guidance for the purposes of this paragraph.<sup>139</sup>

## 11A Planning appeal inquiries

- (1) A person to whom the Chief Secretary has given an entry certificate to enter the Island on the grounds referred to in sub-paragraph (2) is a Category A person.<sup>140</sup>
- (2) Those grounds are that the Chief Secretary is satisfied that the individual is —
  - (a) a planning inspector, as defined in the Town and Country Planning (Development Procedure) Order 2019<sup>5</sup>; or

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<sup>5</sup> SD 2020/0423

(b) an expert or professional with appropriate and essential expertise, whose attendance at a planning appeal inquiry is necessary.

(3) [Revoked]<sup>141 142</sup>

## **12A Removal and transportation services**

(1) A person to whom the Chief Secretary has given an entry certificate to enter the Island and who provides removal or transportation of furniture, personal effects and personal property services into, and out of, the Island, is a Category A person.<sup>143</sup>

(2) [Revoked]<sup>144 145</sup>

**8** [Revoked]<sup>146</sup>

**9** [Revoked]<sup>147</sup>

**10** [Revoked]<sup>148</sup>

**11** [Revoked]<sup>149</sup>

**12** [Revoked]<sup>150</sup>

SCHEDULE 2<sup>151</sup>

## SELF ISOLATION REQUIREMENTS AND PROVISION OF BIOLOGICAL SAMPLES

All references to exercise in the table below are subject to any conditions as set out in the Direction Notice or Entry Certificate issued to the person.

This Schedule does not apply to a person to whom the 2+2 vaccination exemption applies.

	<b>Column 1</b> Category of person	<b>Column 2</b> Form of consent to enter the Island or condition for testing	<b>Column 3</b> Where that category of person can isolate and who with	<b>Column 4</b> Default Isolation Period (as defined in regulation 5) in days	<b>Column 5</b> Voluntary test (namely, the provision of a biological sample as defined in regulation 5): regime/days	<b>Column 6</b> Consequences of negative test (Biological Sample as defined in regulation 5) for category of person	<b>Column 7</b> Consequences of negative test (Biological Sample as defined by regulation 5) for household	<b>Column 8</b> Consequences of positive test for the individual and household
A	<b>Resident of the Island</b> (including a resident who is an eligible patient or eligible escort) who in the 10 days preceding their arrival in the Island – (a) has travelled	Direction Notice (see regulation 10)	The members of the traveller's household if the traveller agrees to provide a first biological sample within	21	A first biological sample provided within 48 hours of the traveller's arrival and a second	Where the first biological sample is negative the traveller – (a) is not required to further self-isolate ; (b) must not, until the tenth day after their	Not applicable	Where the traveller returns a positive test at any point during the isolation period applicable to them, they and their household



	(b) outside the Island; but has not travelled outside any other country in the common travel area		48 hours of their arrival and a second biological sample on the sixth day following their arrival		biological sample provided on the sixth day following their arrival	(c) arrival, attend at any health or social care premises except to receive emergency treatment ;and must provide a second sample on the sixth day following their arrival		must self-isolate as directed by the Director of Public Health
<b>B</b>	<b>Resident of the Island</b> who has travelled outside the common travel area in the 10 days preceding their arrival in the Island	Direction Notice (see regulation 10)	The members of the traveller's household if the traveller agrees to provide a first biological sample within 48 hours of their arrival and a second biological sample on the sixth day following their arrival	21	A first biological sample provided within 48 hours of the traveller's arrival and a second biological sample provided on the sixth day following their arrival	Where the first biological sample is negative the traveller – (a) may leave their notified place for the purpose of exercise but otherwise must self-isolate; (b) must not, until the tenth day after their arrival, attend at any health or social care premises except to receive emergency	Not applicable	Where a person returns a positive test at any point during the isolation period applicable to them, they and their household must self-isolate as directed by the Director of Public Health

						<p>(c) treatment ;and must provide a second sample on the sixth day following their arrival</p> <p>Where the second biological sample is negative, the traveller person is not required to further self-isolate</p>		
C	<p><b>Non-Resident</b> who arrives in the Island on Compassionate and Family Grounds (see regulation 5) or to fulfil a contractual obligation (see Schedule 1, paragraph 10A) and who has not travelled outside the common travel area in the 10 days preceding their arrival</p>	<p>Entry Certificate (see regulation 10)</p>	<p>The members of the traveller’s household if the traveller agrees to provide a first biological sample within 48 hours of their arrival and a second biological sample on the sixth day following their arrival</p>	21	<p>A first biological sample provided within 48 hours of the traveller’s arrival in the Island and a second biological sample provided on sixth day following their arrival</p>	<p>Where the first sample is negative the traveller –</p> <p>(a) is not required to further self-isolate;</p> <p>(b) must not, until the tenth day after their arrival, attend at any health or social care premises except in accordance with the conditions of their Entry Certificate or to receive emergency</p>	Not applicable	<p>Where the traveller returns a positive test at any point during the isolation period applicable to them, they and their household must self-isolate as directed by the Director of Public Health</p>





						treatment; and (c) must provide a second sample on the sixth day following their arrival		
<b>D</b>	<b>Non-Resident</b> who arrives in the Island on Compassionate and Family Grounds (see regulation 5) or to fulfil a contractual obligation (see Schedule 1, paragraph 10A) and who has travelled outside the common travel area in the 10 days preceding their arrival	Entry Certificate (see regulation 10)	The members of the traveller's household if the traveller agrees to provide a first biological sample within 48 hours of their arrival and a second biological sample on the sixth day following their arrival	21	A first biological sample provided within 48 hours of the traveller's arrival in the Island and a second biological sample provided on sixth day following their arrival	Where the first biological sample is negative the traveller – (a) may leave their notified place for the purpose of exercise but otherwise must self-isolate; (b) must not, until the tenth day after their arrival, attend at any health or social care premises except in accordance with the conditions of their Entry Certificate or to receive emergency treatment ; and	Not applicable	Where the traveller returns a positive test at any point during the isolation period applicable to them, they and their household must self-isolate as directed by the Director of Public Health

						(c) must provide a second sample on the sixth day following their arrival  Where the second biological sample is negative, the traveller person is not required to further self-isolate		
<b>E</b>	<b>Non-resident Key Worker</b> (see Schedule 1, paragraph 1A)	Entry Certificate (see regulation 10)	As per the conditions on the entry certificate	As per the conditions on the entry certificate	As per the conditions on the entry certificate	As per the conditions on the entry certificate	Not applicable	Not applicable
<b>F</b>	<b>UK Emergency Services Workers</b> (see Schedule 1, paragraph 8A)	Entry Certificate (see regulation 10)	As per the conditions on the entry certificate	As per the conditions on the entry certificate	As per the conditions on the entry certificate	As per the conditions on the entry certificate	Not applicable	Not applicable
<b>G</b>	<b>Planning appeal inquiries</b> (see Schedule 1, paragraph 11A)	Entry Certificate (see regulation 10)	As per the conditions on the entry certificate	As per the conditions on the entry certificate	As per the conditions on the entry certificate	As per the conditions on the entry certificate	Not applicable	Not applicable
<b>H</b>	<b>Removal and transportation services</b> (see Schedule 1,	Entry Certificate (see regulation	As per the conditions on the entry certificate	As per the conditions on the entry	As per the conditions on the entry certificate	As per the conditions on the entry certificate	Not applicable	Not applicable

	paragraph 12A)	10)		certificate				
<b>I</b>	<b>A person who is, or is reasonably suspected of being, an infected or contaminated person</b> (see regulation 14(a))	Direction Notice (see regulation 15)	Not applicable	21	A biological sample provided on or after the ninth day of being given the direction notice	Where the sample provided is negative, the person — (a) is no longer required to self-isolate as from midday on the day following notification of that negative result; but (b) must not, for the next 10 days, attend at any health or social care premises except to receive emergency treatment	Not applicable	Where the sample provided is positive, the person must continue to self-isolate as directed by the Director of Public Health
<b>J</b>	<b>Contact Traced Person</b> (see regulation 5) who is a member of the household of a person who is, or is reasonably suspected	Direction Notice (see regulation 15)	Not applicable	21	A biological sample provided on or after the ninth day of being given the direction	Where the sample provided is negative, the person — (a) is no longer required to self-isolate as from midday	Not applicable	Where the sample provided is positive, the person must continue to self-isolate as

	of being, an infected or contaminated person				notice	(b) on the day following notification of that negative result; but must not, for the next 10 days, attend at any health or social care premises except to receive emergency treatment		directed by the Director of Public Health
<b>K</b>	<b>Contact Traced Person</b> (see regulation 5) (“C”) who is not a member of the household of a person who is, or is reasonably suspected of being, an infected or contaminated person (“P”)	Direction Notice (see regulation 15)	Members of C’s own household	21	A first biological sample provided on the day on which C is given a direction notice or as soon as reasonably practicable thereafter, and a second biological sample	Where the first biological sample is negative, C may leave their notified place for the purpose of exercise but otherwise must self-isolate and provide a second biological sample. Where the second biological sample is negative, C is not required to further self-isolate as from midday of the day following notification of the negative result	Where the first biological sample is negative, the members of C’s household are no longer required to self-isolate as from the day C is notified of that result [Note: if C does not provide a first biological sample, the	If C returns a positive test at any point during the isolation period, C and their household must self-isolate as directed by the Director of Public Health



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					provided on or after the ninth day of C being given a direction notice		members of C's household must self-isolate for the default period of 21 days]	
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## 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.

<sup>2</sup> Reg 2 amended by SD2020/0599, as corrected by correction notice SD2020/0599cn, with effect from 23/12/2020 at 00:01.

<sup>3</sup> Para (1) substituted by SD2021/0046 with effect from 01/02/2021 at 00:01 and amended by SD2021/0194 with effect from 16/06/2021.

<sup>4</sup> Definition of “the 2+2 vaccination exemption” inserted by SD2021/0205 with effect from 28/06/2021 at 00:01.

<sup>5</sup> Definition of “biological sample” amended by SD2020/0599 with effect from 23/12/2020 at 00:01, by SD2021/0012 with effect from 07/01/2021 at 00:01, by SD2021/0151 with effect from 30/04/2021 at 12:01 and by SD2021/0205 with effect from 28/06/2021 at 00:01.

<sup>6</sup> Definition of “Category A person” inserted by SD2021/0151 with effect from 30/04/2021 at 12:01.

<sup>7</sup> Definition of “common travel area” inserted by SD2021/0205 with effect from 28/06/2021 at 00:01.

<sup>8</sup> Definition of “compassionate and family grounds” inserted by SD2021/0151 with effect from 30/04/2021 at 12:01.

<sup>9</sup> Definition of “compassionate grounds” inserted by SD2021/0035 with effect from 25/01/2021 at 17:55 and revoked by SD2021/0151 with effect from 30/04/2021 at 12:01.

<sup>10</sup> Definition of “compassionate grounds” revoked by SD2020/0599 with effect from 23/12/2020 at 00:01.

<sup>11</sup> Definition of “consent” revoked by SD2020/0599 with effect from 23/12/2020 at 00:01.

<sup>12</sup> Definition of “consent” inserted by SD2021/0047 with effect from 04/02/2021 at 00:01 and amended by SD2021/0151 with effect from 30/04/2021 at 12:01.

<sup>13</sup> Definition of “contact tracing” substituted by SD2021/0205 with effect from 28/06/2021 at 00:01.

<sup>14</sup> Definition of “default isolation period” inserted by SD2021/0151 with effect from 30/04/2021 at 12:01.

<sup>15</sup> Definition of “entry certificate” amended by SD2021/0047 (as corrected by correction notice dated 05/02/2021) with effect from 04/02/2021 at 00:01 and by SD2021/0151 with effect from 30/04/2021 at 12:01.

<sup>16</sup> Definition of “household” inserted by SD2021/0013 with effect from 09/01/2021 at 17:15.

<sup>17</sup> Definition of “landing card” amended by SD2021/0047 with effect from 04/02/2021 at 00:01 and by SD2021/0151 with effect from 30/04/2021 at 12:01.

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- <sup>18</sup> Definition of “non-UK country or territory” inserted by SD2021/0151 with effect from 30/04/2021 at 12:01 and revoked by SD2021/0205 with effect from 28/06/2021 at 00:01.
- <sup>19</sup> Para (a) amended by SD2021/0012 with effect from 07/01/2021 at 00:01 and by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>20</sup> Para (b) amended by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>21</sup> Definition of “notified place” amended by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>22</sup> Definition of “registered resident” amended by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>23</sup> Para (a) revoked by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>24</sup> Definition of “United Kingdom” inserted by SD2021/0151 with effect from 30/04/2021 at 12:01 and revoked by SD2021/0205 with effect from 28/06/2021 at 00:01.
- <sup>25</sup> Para (2A) inserted by SD2021/0013 with effect from 09/01/2021 at 17:15 and amended by SD2021/0065 with effect from 12/02/2021 at 00:01.
- <sup>26</sup> Reg 5A inserted by SD2021/0205 with effect from 28/06/2021 at 00:01.
- <sup>27</sup> Reg 5B inserted by SD2021/0205 with effect from 28/06/2021 at 00:01.
- <sup>28</sup> Para (3) amended by SD2021/0012 with effect from 07/01/2021 at 00:01.
- <sup>29</sup> Para (4) amended by SD2021/0012 with effect from 07/01/2021 at 00:01.
- <sup>30</sup> Para (3) amended by SD2020/0599 with effect from 23/12/2020 at 00:01, by SD2021/0047 with effect from 04/02/2021 at 00:01 and by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>31</sup> Para (1) amended by SD2021/0102 with effect from 11/03/2021 at 00:01.
- <sup>32</sup> Para (1A) inserted by SD2021/0102 with effect from 11/03/2021 at 00:01.
- <sup>33</sup> Para (2) amended by SD2021/0102 with effect from 11/03/2021 at 00:01.
- <sup>34</sup> Reg 9A inserted by SD2021/0205 with effect from 28/06/2021 at 00:01.
- <sup>35</sup> Reg 10 heading amended by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>36</sup> Para (1) substituted by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>37</sup> Para (2) substituted by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>38</sup> Para (3) substituted by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>39</sup> Para (3A) inserted by SD2021/0012 with effect from 07/01/2021 at 00:01 and amended by SD2021/0035 with effect from 25/01/2021 at 17:55.
- <sup>40</sup> Subpara (a) amended by SD2021/0035 with effect from 25/01/2021 at 17:55.
- <sup>41</sup> Para (i) amended by SD2021/0035 with effect from 25/01/2021 at 17:55.
- <sup>42</sup> Para (ii) amended by SD2021/0035 with effect from 25/01/2021 at 17:55.
- <sup>43</sup> Para (4) substituted by SD2021/0012 with effect from 07/01/2021 at 00:01.
- <sup>44</sup> Para (6) inserted by SD2021/0012 with effect from 07/01/2021 at 00:01 and substituted by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>45</sup> Reg 11 substituted by SD2021/0205 with effect from 28/06/2021 at 00:01.
- <sup>46</sup> Para (1) amended by SD2021/0205 with effect from 28/06/2021 at 00:01.
- <sup>47</sup> Subpara (b) amended by SD2021/0205 with effect from 28/06/2021 at 00:01.
- <sup>48</sup> Subpara (e) inserted by SD2021/0205 with effect from 28/06/2021 at 00:01.
- <sup>49</sup> Subpara (f) inserted by SD2021/0205 with effect from 28/06/2021 at 00:01.
- <sup>50</sup> Para (2A) inserted by SD2021/0205 with effect from 28/06/2021 at 00:01.

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- <sup>51</sup> Reg 12 substituted by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>52</sup> Reg 13 revoked by SD2021/0012 with effect from 07/01/2021 at 00:01.
- <sup>53</sup> Para (2) amended by SD2021/0174 with effect from 24/05/2021 at 00:01.
- <sup>54</sup> Para (3) amended by SD2021/0174 with effect from 24/05/2021 at 00:01.
- <sup>55</sup> Para (13) inserted by SD2021/0174 with effect from 24/05/2021 at 00:01.
- <sup>56</sup> Reg 13A inserted by SD2020/0599 with effect from 23/12/2020 at 00:01 and substituted by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>57</sup> Reg 14 amended by SD2020/0599 with effect from 23/12/2020 at 00:01, by SD2021/0013 with effect from 09/01/2021 at 17:15 and by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>58</sup> Para (2) amended by SD2021/0205 with effect from 28/06/2021 at 00:01.
- <sup>59</sup> Subpara (b) amended by SD2021/0205 with effect from 28/06/2021 at 00:01.
- <sup>60</sup> Subpara (e) inserted by SD2021/0205 with effect from 28/06/2021 at 00:01.
- <sup>61</sup> Reg 15 substituted by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>62</sup> Para (2A) inserted by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>63</sup> Para (3) revoked by SD2020/0599 with effect from 23/12/2020 at 00:01.
- <sup>64</sup> Reg 16A inserted by SD2021/0205 with effect from 28/06/2021 at 00:01.
- <sup>65</sup> Reg 17 revoked by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>66</sup> Subpara (b) amended by SD2021/0205 with effect from 28/06/2021 at 00:01.
- <sup>67</sup> Subpara (e) inserted by SD2021/0205 with effect from 28/06/2021 at 00:01.
- <sup>68</sup> Subpara (f) inserted by SD2021/0205 with effect from 28/06/2021 at 00:01.
- <sup>69</sup> Reg 18 substituted by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>70</sup> Para (1) amended by SD2020/0599 with effect from 23/12/2020 at 00:01.
- <sup>71</sup> Para (2) revoked by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>72</sup> Para (3) inserted by SD2020/0599 with effect from 23/12/2020 at 00:01.
- <sup>73</sup> Reg 20 revoked by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>74</sup> Reg 21 revoked by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>75</sup> Reg 23 heading amended by SD2021/0065 with effect from 12/02/2021 at 00:01.
- <sup>76</sup> Subpara (a) amended by SD2021/0065 with effect from 12/02/2021 at 00:01.
- <sup>77</sup> Para (1) amended by SD2021/0065 with effect from 12/02/2021 at 00:01.
- <sup>78</sup> Para (1) amended by SD2021/0047 with effect from 04/02/2021 at 00:01 and by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>79</sup> Part 6A inserted by SD2021/0012 with effect from 07/01/2021 at 00:01.
- <sup>80</sup> Definition of “appropriate social distancing” revoked by SD2021/0046 with effect from 01/02/2021 at 00:01.
- <sup>81</sup> Definition of “asymptomatic” revoked by SD2021/0046 with effect from 01/02/2021 at 00:01.
- <sup>82</sup> Para (ga) inserted by SD2021/0013 with effect from 09/01/2021 at 17:15.
- <sup>83</sup> Para (gb) inserted by SD2021/0013 with effect from 09/01/2021 at 17:15.
- <sup>84</sup> Para (gc) inserted by SD2021/0013 with effect from 09/01/2021 at 17:15.
- <sup>85</sup> Reg 26A inserted by SD2021/0012 with effect from 07/01/2021 at 00:01.
- <sup>86</sup> Reg 26B inserted by SD2021/0012 with effect from 07/01/2021 at 00:01 and substituted by SD2021/0046 with effect from 01/02/2021 at 00:01.



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- <sup>87</sup> Para (1) substituted by SD2021/0046 with effect from 01/02/2021 at 00:01.
- <sup>88</sup> Para (1A) inserted by SD2021/0013 with effect from 09/01/2021 at 17:15 and revoked by SD2021/0034 with effect from 22/01/2021 at 14:38.
- <sup>89</sup> Subpara (a) amended by SD2021/0034 with effect from 22/01/2021 at 14:38.
- <sup>90</sup> Subpara (c) amended by SD2021/0046 with effect from 01/02/2021 at 00:01.
- <sup>91</sup> Para (2) amended by SD2021/0034 with effect from 22/01/2021 at 14:38 and by SD2021/0046 (as corrected by correction notice dated 29/01/2021) with effect from 01/02/2021 at 00:01.
- <sup>92</sup> Para (3) amended by SD2021/0034 with effect from 22/01/2021 at 14:38 and by SD2021/0046 with effect from 01/02/2021 at 00:01.
- <sup>93</sup> Para (4) amended by SD2021/0046 (as corrected by correction notice dated 29/01/2021) with effect from 01/02/2021 at 00:01.
- <sup>94</sup> Para (5) amended by SD2021/0034 with effect from 22/01/2021 at 14:38 and by SD2021/0046 (as corrected by correction notice dated 29/01/2021) with effect from 01/02/2021 at 00:01.
- <sup>95</sup> Reg 26C inserted by SD2021/0012 with effect from 07/01/2021 at 00:01.
- <sup>96</sup> Para (1) amended by SD2021/0046 with effect from 01/02/2021 at 00:01.
- <sup>97</sup> Para (2) amended by SD2021/0034 with effect from 22/01/2021 at 14:38.
- <sup>98</sup> Reg 26D inserted by SD2021/0012 with effect from 07/01/2021 at 00:01.
- <sup>99</sup> Reg 27 amended by SD2021/0012 with effect from 07/01/2021 at 00:01.
- <sup>100</sup> Para (1) amended by SD2021/0012 with effect from 07/01/2021 at 00:01.
- <sup>101</sup> Para (2) amended by SD2021/0012 with effect from 07/01/2021 at 00:01.
- <sup>102</sup> Part 7A inserted by SD2021/0012 with effect from 07/01/2021 at 00:01.
- <sup>103</sup> Definition of “household” revoked by SD2021/0013 with effect from 09/01/2021 at 17:15.
- <sup>104</sup> Reg 33A inserted by SD2021/0012 with effect from 07/01/2021 at 00:01.
- <sup>105</sup> Reg 33B inserted by SD2021/0012 with effect from 07/01/2021 at 00:01 and substituted by SD2021/0046 with effect from 01/02/2021 at 00:01.
- <sup>106</sup> Reg 33C inserted by SD2021/0012 with effect from 07/01/2021 at 00:01 and substituted by SD2021/0046 with effect from 01/02/2021 at 00:01.
- <sup>107</sup> Reg 33D inserted by SD2021/0012 with effect from 07/01/2021 at 00:01.
- <sup>108</sup> Reg 33E inserted by SD2021/0012 with effect from 07/01/2021 at 00:01.
- <sup>109</sup> Subpara (b) amended by SD2021/0012 with effect from 07/01/2021 at 00:01 and by SD2021/0046 with effect from 01/02/2021 at 00:01.
- <sup>110</sup> Para (1) substituted by SD2020/0599 with effect from 23/12/2020 at 00:01.
- <sup>111</sup> Para (a) amended by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>112</sup> Para (6) amended by SD2021/0012 with effect from 07/01/2021 at 00:01, by SD2021/0047 with effect from 04/02/2021 at 00:01 and by SD2021/0151 with effect from 30/04/2021 at 12:01..
- <sup>113</sup> Part 12 heading amended by SD2021/0012 with effect from 07/01/2021 at 00:01.
- <sup>114</sup> Reg 43 revoked by SD2021/0012 with effect from 07/01/2021 at 00:01.
- <sup>115</sup> Reg 43A inserted by SD2021/0046 with effect from 01/02/2021 at 00:01.
- <sup>116</sup> Sch renumbered as Sch 1 by SD2021/0151 with effect from 30/04/2021 at 12:01.

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- <sup>117</sup> Para A1 inserted by SD2021/0012 with effect from 07/01/2021 at 00:01 and revoked by SD2021/0047 with effect from 04/02/2021 at 00:01.
- <sup>118</sup> Para 1 revoked by SD2021/0047 with effect from 04/02/2021 at 00:01.
- <sup>119</sup> Para 2 revoked by SD2021/0047 with effect from 04/02/2021 at 00:01.
- <sup>120</sup> Para 3 revoked by SD2021/0047 with effect from 04/02/2021 at 00:01.
- <sup>121</sup> Para 4 revoked by SD2021/0047 with effect from 04/02/2021 at 00:01.
- <sup>122</sup> Para 5 revoked by SD2021/0047 with effect from 04/02/2021 at 00:01.
- <sup>123</sup> Para 1A inserted by SD2021/0047 with effect from 04/02/2021 at 00:01.
- <sup>124</sup> Para 2A inserted by SD2021/0047 with effect from 04/02/2021 at 00:01.
- <sup>125</sup> Para 3A inserted by SD2021/0047 with effect from 04/02/2021 at 00:01.
- <sup>126</sup> Para 4A inserted by SD2021/0047 with effect from 04/02/2021 at 00:01 and substituted by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>127</sup> Para 5A inserted by SD2021/0047 with effect from 04/02/2021 at 00:01.
- <sup>128</sup> Subpara (1A) inserted by SD2021/0205 with effect from 28/06/2021 at 00:01.
- <sup>129</sup> Para (a) amended by SD2020/0599 with effect from 23/12/2020 at 00:01.
- <sup>130</sup> Subpara (14) amended by SD2020/0599 with effect from 23/12/2020 at 00:01 and by SD2020/0601 with effect from 24/12/2020 at 22:15.
- <sup>131</sup> Para (b) amended by SD2021/0047 with effect from 04/02/2021 at 00:01.
- <sup>132</sup> Para (c) amended by SD2021/0047 with effect from 04/02/2021 at 00:01.
- <sup>133</sup> Para (d) amended by SD2021/0047 with effect from 04/02/2021 at 00:01.
- <sup>134</sup> Para (b) substituted by SD2020/0599 with effect from 23/12/2020 at 00:01.
- <sup>135</sup> Para 8A inserted by SD2021/0047 with effect from 04/02/2021 at 00:01.
- <sup>136</sup> Para 9A inserted by SD2021/0035 with effect from 25/01/2021 at 17:55 and substituted by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>137</sup> Subpara (1) substituted by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>138</sup> Subpara (2) substituted by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>139</sup> Para 10A inserted by SD2021/0035 (as corrected by correction notice dated 29/01/2021) with effect from 25/01/2021 at 17:55.
- <sup>140</sup> Subpara (1) amended by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>141</sup> Subpara (3) revoked by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>142</sup> Para 11A inserted by SD2021/0047 with effect from 04/02/2021 at 00:01.
- <sup>143</sup> Subpara (1) substituted by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>144</sup> Subpara (2) revoked by SD2021/0151 with effect from 30/04/2021 at 12:01.
- <sup>145</sup> Para 12A inserted by SD2021/0047 with effect from 04/02/2021 at 00:01.
- <sup>146</sup> Para 8 revoked by SD2020/0599 with effect from 23/12/2020 at 00:01.
- <sup>147</sup> Para 9 revoked by SD2020/0599 with effect from 23/12/2020 at 00:01.
- <sup>148</sup> Para 10 revoked by SD2020/0599 with effect from 23/12/2020 at 00:01.
- <sup>149</sup> Para 11 revoked by SD2020/0599 with effect from 23/12/2020 at 00:01.
- <sup>150</sup> Para 12 revoked by SD2020/0599 with effect from 23/12/2020 at 00:01.
- <sup>151</sup> Sch 2 inserted by SD2021/0151 with effect from 30/04/2021 at 12:01 and substituted by SD2021/0205 with effect from 28/06/2021 at 00:01.