

THE ISLE OF MAN CONSTITUTION AMENDMENT ACT 1919

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Received Royal Assent: 18 August 1919

Passed: 7 October 1919

AN ACT

to amend, in certain particulars, the Constitution of the Isle of Man.

1 Short title

This Act may be cited as 'The Isle of Man Constitution Amendment Act, 1919'.

2 Interpretation

'Council', in this Act, means the Legislative Council. 'House' means the House of Keys.

Convening Meetings of Legislature

3 President of Tynwald to convene meeting of Tynwald upon request

The President of Tynwald, upon receipt of a request signed by a majority of the members of either branch of Tynwald, shall, in the usual manner, and with all reasonable speed, convene a meeting of Tynwald.

[S 3 amended by Transfer of Governor's Functions Act 1992 Sch 1.]

4 President of Tynwald to convene meeting of Council upon request

The President of Tynwald, upon receipt of a request signed by a majority of the members of the Council, shall, in the usual manner, and with all reasonable speed, convene a meeting of the Council.

[S 4 amended by Transfer of Governor's Functions Act 1992 Sch 1.]

5 President of Tynwald to convene meeting of House of Keys upon request

The President of Tynwald, upon receipt of a request signed by a majority of the members of the House, shall, in the usual manner, and with all reasonable speed, convene a meeting of the House.

[S 5 amended by Transfer of Governor's Functions Act 1992 Sch 1.]

Constitution of Council

6 Archdeacon, Vicar-General, and Receiver-General to cease to be

members of Council

From and after the expiration of one month after the next dissolution of the House (hereinafter called 'the appointed day'), the Archdeacon, the Vicar-General, and the Receiver-General shall cease to be members of the Council.

[S 6 amended by Justices Act 1983 Sch 2.]

7 Constitution of Council

Notwithstanding any law or custom to the contrary, the Council shall, from and after the appointed day, be constituted in the manner herein provided:

(a) It shall consist, and consist only, of the following members, that is to say:-

- (1) Two ex-officio members, viz., the Bishop and the Attorney-General (such members being hereinafter referred to as the 'ex-officio members').

[Subpara (1) amended by Isle of Man Constitution Amendment Act 1965 s 1 and by Isle of Man Constitution (Amendment) Act 1975 s 1.]

- (2) Eight members to be elected by the House from their own members or otherwise (members so elected being hereinafter referred to as 'the elected members').

[Subpara (2) amended by Isle of Man Constitution (Amendment) Act 1975 s 1.]

- (3) The President of Tynwald.

[Subpara (3) added by Constitution Act 1990 Sch 1.]

Election of Members to Council by Keys

8 Election of members to the Council by the House

Within fourteen days from the date on which any members elected to the Council by the House go out of office pursuant to section 10 of this Act, the House shall elect, in the manner provided by section 2 of the Isle of Man Constitution (Elections to Council) Act 1971, to serve as members of the Council, such number of persons as are equivalent to the number of members who have so gone out of office; and, within three days after that election, a return shall be made, under the hand of the Speaker of the House, to the President of Tynwald certifying the decision of the House and giving the names and addresses of the persons so elected.

[S 8 substituted by Isle of Man Constitution (Amendment) Act 1975 s 3 and amended by Constitution Act 1990 Sch 1.]

9

[S 9 repealed by Isle of Man Constitution Act 1969 Sch.]

Retirement by Rotation of Elected Members

10 Retirement of elected members

Every elected member of the Council shall, unless he sooner vacates his office, go out of

office-

- (a) at the end of February next following the fourth anniversary of the date on which he was so elected; or
- (b) in the case of a member elected under section 22 of this Act to fill a casual vacancy, at the time when the member in whose place he was elected would ordinarily have gone out of office.

[S 10 substituted by Constitution Act 1990 Sch 1.]

11

[S 11 repealed by Isle of Man Constitution Act 1969 Sch.]

Qualifications

12 Qualification of elected member

A person to be qualified as an elected member must be not less than twenty-one years of age, and must be, at the time of his election, and must, so long as he continues in office by virtue of such election,

- (a) be resident within this Isle; and
- (b) not being a person in receipt of a salary payable by the Imperial or Insular Government.

[S 12 amended by Isle of Man Constitution Act 1961 s 25 and by Isle of Man Constitution Act 1969 s 5.]

13

[S 13 repealed by Isle of Man Constitution Act 1969 Sch.]

14 Elected member ceasing to have qualification to cease to be a member

Any elected member ceasing to be qualified as in this Act provided shall cease to be a member.

[S14 amended by Isle of Man Constitution Act 1969 Sch.]

Disqualifications

15 Seat of elected member vacated on bankruptcy or insolvency

If any elected member of the Council is adjudicated a bankrupt, or makes a deed of arrangement for the benefit of his creditors, the Court for the time being having jurisdiction in bankruptcy shall certify the same to the President of Tynwald and thereupon the seat of such member shall be vacant.

[S 15 amended by Isle of Man Constitution Act 1969 Sch and by Constitution Act 1990 Sch 1.]

16

[S 16 repealed by Representation of the People Act 1995 Sch 8.]

17 Seat of member suffering from mental disorder to be declared vacant

If any elected member of the Council shall be suffering from mental disorder (within the meaning of the Mental Health Act 1974), the President of Tynwald shall, upon being certified thereof by the First Deemster and Clerk of the Rolls, whose duty it shall be to certify the same, declare that the seat of such member has become vacant and so inform the President of Tynwald.

[S 17 amended by Isle of Man Constitution Act 1969 Sch, by Constitution (Legislative Council) (Amendment) Act 1980 Sch, by Constitution Act 1990 Sch 1 and by Transfer of Governor's Functions Act 1992 Sch 1.]

17A Elected member becoming member of local authority

(1) If an elected member of the Council becomes a member of a local authority, the seat of such member shall thereupon become vacant.

(2) For the purpose of subsection (1) a person becomes a member of a local authority on his making a declaration of acceptance of office as such pursuant to section 10 of the Local Elections Act 1986.

[S 17A inserted by Representation of the People Act 1995 Sch 7.]

18 Vacating by continuous absence for six months

If any elected member be and remain out of the Island, or be absent from the meetings of Tynwald and the Council, for a continuous period of six months without the consent of the President of Tynwald, the seat of such member shall thereupon become vacant.

[S 18 amended by Isle of Man Constitution Act 1969 Sch and by Constitution Act 1990 Sch 1.]

19

[S 19 repealed by Isle of Man Constitution Act 1969 Sch.]

Procedure

20 The Speaker to notify a person of his election by House

The Speaker of the House shall, within three days of the election by the House of any person as a member of the Council, notify such person of his election.

21 Completion of election and notification of President of Tynwald

(1) No person shall be deemed to be an elected member of the Council under the provisions of this Act unless he has-

- (a) within fourteen days of his election, signified in writing to the Speaker of the House his willingness to accept such office, and
- (b) within the said fourteen days, given to the Speaker an address to which all communications may be sent, and
- (c) received from the Speaker a formal warrant certifying his election as a member of the Council.

(2) It shall be the duty of the Speaker, as soon as may be after the receipt of the acceptance and address mentioned in paragraph (a) and (b) of sub-section (1) of this section to cause-

- (a) the formal warrant mentioned in paragraph (c) of the said subsection (1) to be delivered to the person elected, and
- (b) the paper writing signifying such acceptance to be delivered to the President of Tynwald.

[S 21 substituted by Isle of Man Constitution (Elections to Council) Act 1971 s 3. Para (b) amended by Constitution Act 1990 Sch 1.]

22 Casual vacancy in office of elected member

Should any casual vacancy occur in the office of elected member, by death, resignation, disqualification, or otherwise, the House shall forthwith fill up the vacancy by election in the manner hereinbefore provided for such election.

[S 22 amended by Isle of Man Constitution Act 1969 Sch, by Constitution Act 1990 Sch 2 and by Statute Law Revision Act 1997 Sch 2.]

23 President of Tynwald to certify to Speaker vacancy in office of elected member

Where any casual vacancy shall occur by reason of any of the events mentioned in the last preceding section, the President of Tynwald shall, upon the vacancy being brought to his knowledge, certify the same to the Speaker of the House.

[S 23 amended by Isle of Man Constitution Act 1969 Sch and by Constitution Act 1990 Sch 1.]

24

[S 24 repealed by Representation of the People Act 1995 Sch 8.]

Miscellaneous

25 Elected member of Council to have privileges, etc, pertaining to members of Council

All elected members shall have and enjoy all the privileges, powers, authorities, and advantages, and be subject to all the jurisdiction, control, obligations, liabilities, and responsibilities pertaining generally to members of the Council, by reason of such membership.

[S 25 amended by Isle of Man Constitution Act 1969 Sch.]

26 Power to resign on notice

Any elected member of the Council may resign on giving to the President of Tynwald one month's previous notice, in writing, of his intention so to do.

[S 26 amended by Isle of Man Constitution Act 1969 Sch and by Constitution Act 1990 Sch 1.]

27

[S 27 repealed by Isle of Man Constitution Act 1961 s 25.]

28, 29 and 29A

[Ss 28, 29 and 29A repealed by Council of Ministers Act 1990 Sch 2.]

30 Saving of Crown rights

Nothing in this Act shall affect the rights of His Majesty and his successors.

31 Commencement of Act

This Act shall come into operation when the Royal assent thereto has been by the Governor announced to Tynwald and a certificate to this effect has been signed by the Governor and the Speaker of the House of Keys.

ISLE OF MAN CONSTITUTION ACT 1961

Arrangement of Sections

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7.
8. Circumstances in which a member of the Council may appear before the Keys.
9. Circumstances in which a member of the Keys may appear before the Council.
- 10 to 12A.
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27.

Received Royal Assent: 27 November 1961

Passed: 12 December 1961

AN ACT

to amend the Constitution of the Isle of Man and to make procedural and other amendments in relation to the Legislature and Tynwald.

AS AT 1/7/07

PART I

Tynwald Procedure

1

[S 1 repealed by Council of Ministers Act 1990 Sch 2.]

2 Procedure when motion defeated in Council only

(1) Where the Council and the Keys have voted separately in Tynwald on any question and such question has received an affirmative vote in the Keys but has been defeated in the Council, then, notwithstanding anything which may from time to time be contained in the Standing Orders of Tynwald, the mover of the motion may at the same or the next subsequent sitting of Tynwald give notice of his intention to move the same motion at a subsequent sitting of Tynwald, which he shall specify in such notice, to be held not later than six months after the sitting at which the question was put and lost.

(2) When the question on such motion is put at such subsequent sitting of Tynwald, the Council and the Keys, notwithstanding anything which may from time to time be contained in the Standing Orders of Tynwald, shall not vote separately thereon but shall vote as one body, and the motion shall be carried if not less than seventeen votes are cast in the affirmative by the members of Tynwald who shall then be present.

[Subs (2) amended by Constitution (Amendment) Act 1978 Sch 1.]

PART II

3 to 5 ..

[Ss 3 to 5 repealed by Isle of Man Constitution (Amendment) Act 1975 Sch.]

PART III

House of Keys Procedure

6 Right of Speaker to abstain from voting in Keys

Notwithstanding anything which may from time to time be contained in the Standing Orders of the Keys, the Speaker may, if he thinks fit, abstain from voting when a question is put in the Keys, but in the case of an equality of votes he shall exercise a casting vote whether or not he shall previously have voted on that question.

PART IV

Procedural and Other Provisions Relating to the Legislature

7

[S 7 repealed by Constitution (Amendment) Act 1981 Sch 2.]

8 Circumstances in which a member of the Council may appear before the Keys

(1) Notwithstanding anything which may from time to time be contained in the Standing

Orders of the Council or of the Keys-

- (a) when a Bill which has been passed by the Council is before the Keys for consideration it shall be competent for a member of the Council, with the authority of the President and the consent of the Speaker, to appear before the Keys upon the whole of such Bill, or upon such part or aspect thereof as may be agreed between the President and the Speaker;

[Para (a) amended by Constitution (Legislative Council) (Amendment) Act 1980 Sch.]

- (b) such member of the Council shall have the right to be heard by the Keys at such stage or stages of the debate as may be agreed between the President and the Speaker and at such other stages as the Speaker may authorise;

[Para (b) amended by Constitution (Legislative Council) (Amendment) Act 1980 Sch.]

- (c) such member of the Council may, at any time when he is present in the Keys during the debate, be requested by a member of the Keys, with the leave of the Speaker, to answer questions or to give explanations relating to the Bill, and such questions or explanations need not be confined to the matters agreed between the President and the Speaker under paragraph (a) of this subsection;

[Para (c) amended by Constitution (Legislative Council) (Amendment) Act 1980 Sch.]

- (d) save as aforesaid such member of the Council shall not intervene in the debate or in any proceedings of the Keys, and he shall, at the request of the Speaker, withdraw from the Keys at any stage of the debate, but shall not be requested to do so at the stage or any of the stages agreed between the President and the Speaker under paragraph (b) of this subsection unless, in the opinion of the Speaker, he is disregarding the authority of the Speaker.

[Para (d) amended by Constitution (Legislative Council) (Amendment) Act 1980 Sch.]

(2) The member of the Keys in charge of the Bill may at any time request the Speaker to approach the President with a view to a member of the Council appearing before the Keys under the provisions of this section.

[Subs (2) amended by Constitution (Legislative Council) (Amendment) Act 1980 Sch.]

9 Circumstances in which a member of the Keys may appear before the Council

(1) Notwithstanding anything which may from time to time be contained in the Standing Orders of the Council or of the Keys-

- (a) when a Bill which has been passed by the Keys is before the Council for consideration it shall be competent for a member of the Keys, with the authority of the Speaker and the consent of the President, to appear before the Council upon the whole of such Bill, or upon such part or aspect thereof as may be agreed between the President and the Speaker;

[Para (a) amended by Constitution (Legislative Council) (Amendment) Act 1980 Sch.]

- (b) such member of the Keys shall have the right to be heard by the Council at such stage or stages of the debate as may be agreed between the President and the

Speaker and at such other stages as the President may authorise;

[Para (b) amended by Constitution (Legislative Council) (Amendment) Act 1980 Sch.]

- (c) such member of the Keys may, at any time when he is present in the Council during the debate, be requested by a member of the Council, with the leave of the President, to answer questions or to give explanations relating to the Bill, and such questions or explanations need not be confined to the matters agreed between the President and the Speaker under paragraph (a) of this subsection;

[Para (c) amended by Constitution (Legislative Council) (Amendment) Act 1980 Sch.]

- (d) save as aforesaid such member of the Keys shall not intervene in the debate or in any proceedings of the Council, and he shall, at the request of the President, withdraw from the Council at any stage of the debate, but shall not be requested to do so at the stage or any of the stages agreed between the President and the Speaker under paragraph (b) of this subsection unless, in the opinion of the President, he is disregarding the authority of the President.

[Para (d) amended by Constitution (Legislative Council) (Amendment) Act 1980 Sch.]

(2) The member of the Council in charge of the Bill may at any time request the President to approach the Speaker with a view to a member of the Keys appearing before the Council under the provisions of this section.

[Subs (2) amended by Constitution (Legislative Council) (Amendment) Act 1980 Sch.]

10

[S 10 repealed by Constitution Act 2006 Sch.]

11

[S 11 repealed by Treasury Act 1985 Sch 3.]

12 and 12A

[Ss 12 and 12A repealed by Constitution (Executive Council) (Amendment) Act 1986 Sch 2.]

13 Governor's nominations not to be subject to approval of Tynwald

Every provision contained in any enactment or public document which requires that any appointment or nomination by the Governor of a person to serve on any statutory or other body, or to perform any statutory or other duty, shall be made with or subject to the approval of Tynwald, is hereby repealed.

PART V

14 to 18 ..

[Ss 14 to 18 repealed by Constitution (Executive Council) Act 1984 Sch 2.]

19

[S 19 repealed by Constitution (Amendment) Act 1981 Sch 2.]

20 to 22

[Ss 20 to 22 repealed by Constitution (Executive Council) Act 1984 Sch 2.]

PART VI

Miscellaneous

23

[S 23 repealed by Constitution (Executive Council) (Amendment) Act 1986 Sch 2.]

24 Provisions as to interpretation

(1) In this Act-

'Keys' has the same meaning as has 'House' in the principal Act;

'the President' means the President of Tynwald;

[Definition of 'the President' substituted by Constitution Act 1990 Sch 1.]

'principal Act' means the Isle of Man Constitution Amendment Act, 1919.

(2) Any reference in this Act to any enactment is a reference thereto as amended by or under any subsequent enactment.

25

[S 25 repealed by Statute Law Revision Act 1983 Sch 2.]

26 Short title and citation

This Act may be cited as the Isle of Man Constitution Act, 1961, and shall be construed as one with the Isle of Man Constitution Acts, 1919 to 1946, and this Act and those Acts may be together cited as the Isle of Man Constitution Acts, 1919 to 1961.

27

[S 27 repealed by Constitution (Amendment) Act 1978 Sch 2.]

[ADO (Parts I, III, IV and VI) 13/2/1962 (GC92/61).]

ISLE OF MAN CONSTITUTION ACT 1969

Arrangement of Sections

1 to 4.	.....
5.	Amendment.
6.	Interpretation.
7.	.....
8.	Citation, construction and commencement.
Schedule	.....

Received Royal Assent: 31 July 1969

Passed: 21 October 1969

AN ACT

to abolish the appointed members of the Legislative Council and to replace them with elected members.

1 to 3 ..

[Ss 1 to 3 repealed by Isle of Man Constitution (Amendment) Act 1975 Sch.]

4

[S 4 repealed by Constitution (Amendment) Act 1978 Sch 2.]

5 [Amends section 12 of the Isle of Man Constitution Amendment Act 1919.]

6 Interpretation

In this Act-

'effective day'

[Definition of 'effective day' repealed by Isle of Man Constitution (Amendment) Act 1975 Sch.]

'principal Act' means the Isle of Man Constitution Amendment Act, 1919, as amended, or modified by or under any other enactment, including this Act.

7

[S 7 repealed by Isle of Man Constitution (Amendment) Act 1975 Sch.]

8 Citation, construction and commencement

(1) This Act may be cited as the Isle of Man Constitution Act, 1969, and shall be construed as one with the Isle of Man Constitution Acts, 1919 to 1968, and those Acts and this Act may be together cited as the Isle of Man Constitution Acts, 1919 to 1969.

(2)

[Subs (2) repealed by Constitution (Amendment) Act 1978 Sch 2.]

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Schedule

[Sch repealed by Isle of Man Constitution (Amendment) Act 1975 Sch.]

ISLE OF MAN CONSTITUTION (ELECTIONS TO COUNCIL) ACT 1971

(Chapter 34)

Arrangement of Sections

1.
2. Provisions to be followed in elections of persons as members of the Council.
3. Substitution.
- 4 and 5.
6. Meaning of principal Act.
7. Short title, citation, construction and commencement.

Received Royal Assent: 22 December 1971

Passed: 15 February 1972

AN ACT

to clarify and amend the procedure for the election of members of the Legislative Council.

1

[S 1 repealed by Isle of Man Constitution (Amendment) Act 1975 Sch.]

2 Provisions to be followed in elections of persons as members of the Council

(1) Notwithstanding anything which may from time to time be contained in the Standing Orders of the House, from and after the commencement of this Act every election by the House under section 8 of the principal Act of a person or persons to serve as a member or members of the Council shall be conducted in accordance with the following provisions of this section:

Provided that in respect of any circumstances arising for which this section does not make provision such Standing Orders shall have effect.

(1A) Any proposal that a person be elected to be a member of the Council shall be made in writing and delivered to the Secretary of the House not less than 10 days before the sitting of the House at which the election falls to be made, and shall be accompanied by particulars in writing of-

- (a) the qualifications and experience of the candidate, and
- (b) the reasons why the proposer considers the candidate to be suitable to be a member of the Council.

[Subs (1A) inserted by Statute Law Revision Act 1989 Sch 1.]

(2) No person shall be so elected unless not less than thirteen votes shall be recorded in his favour.

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(3) If a person shall have a majority of the votes of the members of the House present and voting recorded in his favour but such majority is less than thirteen votes then subject to the provisions of this section, the name of that person shall be forthwith voted upon separately by the House and, if he shall then receive a majority of not less than thirteen votes he shall, subject as aforesaid and subject also to the provisions of section 21 of the principal Act, be deemed to be elected a member of the Council.

(4) Where two or more persons receive a majority of the votes of the members of the House present and voting but the majorities of those persons do not amount to thirteen votes the House shall forthwith vote separately upon the name of the person who shall have received the largest majority and then, so often as the necessity arises, separately upon the names of the other such persons in the order of the amounts of their majorities. Where there is an equality in the amount of two or more majorities the order in which such persons shall be voted upon separately shall be decided by lot.

(5) For the purposes of subsection (4) above the necessity for a vote shall be deemed to arise so often as there remains a vacancy to be filled.

3 [Substitutes section 21 of the principal Act.]

4

[S 4 repealed by Constitution Act 1990 Sch 2.]

5

[S 5 repealed by Isle of Man Constitution (Amendment) Act 1975 Sch.]

6 Meaning of principal Act

In this Act the expression '**principal Act**' means the Isle of Man Constitution Amendment Act 1919.

7 Short title, citation, construction and commencement

(1) This Act may be cited as the Isle of Man Constitution (Elections to Council) Act 1971 and shall be construed as one with the Isle of Man Constitution Acts 1919 to 1971 and those Acts and this Act may together be cited as the Isle of Man Constitution Acts 1919 to 1971.

(2) This Act shall come into operation when the Royal Assent thereto has been by the Governor announced to Tynwald and a certificate thereof has been signed by the Governor and the Speaker of the House of Keys.

ISLE OF MAN CONSTITUTION ACT 1971

(Chapter 13)

Arrangement of Sections

1. Attorney General not to vote in Tynwald or Council.
2. Citation, construction and commencement.

Received Royal Assent: 25 May 1971

Passed: 6 July 1971

AN ACT

to provide that the Attorney General shall cease to have the right to vote in Tynwald or the Council whilst retaining membership thereof.

1 Attorney General not to vote in Tynwald or Council

(1) The Attorney General shall cease to have the right to vote either in Tynwald or the Council, but he shall continue to be a member of both such bodies with, save as aforesaid, the same rights to speak therein as heretofore.

(2) The presence of the Attorney General at a sitting of Tynwald or of the Council shall not reckon towards the constitution of a quorum of either of such bodies.

2 Citation, construction and commencement

(1) This Act may be cited as the Isle of Man Constitution Act 1971, and shall be construed as one with the Isle of Man Constitution Acts 1919 to 1969, and those Acts and this Act may be together cited as the Isle of Man Constitution Acts 1919 to 1971.

(2) This Act shall come into operation when the Royal Assent thereto has been by the Governor announced to Tynwald and a certificate thereof has been signed by the Governor and the Speaker of the House of Keys.

ISLE OF MAN CONSTITUTION (AMENDMENT) ACT 1975

(Chapter 12)

Arrangement of Sections

1.	First Deemster to cease to be a member of Legislative Council.
2.	.....
3.	Substitution.
4 and 5.	.....
6.	Interpretation.
7.	.....
8.	Short title and construction.
Schedule	.....

Received Royal Assent: 14 May 1975

Passed: 17 June 1975

AN ACT

to amend the constitution of the Isle of Man, and for connected purposes.

1 First Deemster to cease to be a member of Legislative Council

The First Deemster and Clerk of the Rolls shall cease to be a member of the Legislative Council

[Amends section 7 of the Isle of Man Constitution Amendment Act 1919.]

2

[S 2 repealed by Justices Act 1983 Sch 2.]

3 [Substitutes section 8 of Isle of Man Constitution Amendment Act 1919.]

4 and 5 ..

[Ss 4 and 5 repealed by Constitution (Amendment) Act 1978 Sch 2.]

6 Interpretation

'the appointed day'

[Definition of 'the appointed day' repealed by Constitution (Amendment) Act 1978 Sch 2.]

'the Act of 1919' has the meaning assigned to it by section 1 of this Act.

7

[S 7 repealed by Constitution (Amendment) Act 1978 Sch 2.]

8 Short title and construction

(1) This Act may be cited as the Isle of Man Constitution (Amendment) Act 1975 and

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shall be construed as one with the Isle of Man Constitution Acts 1919 to 1971 and this Act and those Acts may be together cited as the Isle of Man Constitution Acts 1919 to 1975.

(2) and (3)

[Subss (2) and (3) repealed by Constitution (Amendment) Act 1978 Sch 2.]

[ADO (whole Act) 20/10/1975 (GC129/75).]

Schedule

[Sch repealed by Constitution (Amendment) Act 1978 Sch 2.]

Government CONSTITUTION (AMENDMENT) ACT 1978

(Chapter 1)

Arrangement of Sections

1.	.....
2.	Amendment of the 1961 Act.
3.	.....
4.	Short title and construction.
Schedule 1	Amendment of the Isle of Man Constitution Act 1961.
Schedule 2	.....

Received Royal Assent: 9 February 1978

Passed: 18 April 1978

AN ACT

to amend the Constitution of the Isle of Man, and for connected purposes.

1

[S 1 repealed by Constitution Act 1990 Sch 2.]

2 **Amendment of the 1961 Act**

The Isle of Man Constitution Act 1961 shall be amended in accordance with Schedule 1.

3

[S 3 repealed by Statute Law Revision Act 1983 Sch 2.]

4 **Short title and construction**

This Act may be cited as the Constitution (Amendment) Act 1978 and shall be construed as one with the Isle of Man Constitution Acts 1919 to 1975, and those Acts and this Act may be cited together as the Constitution Acts 1919 to 1978.

Schedule 1

[Sch 1 amended by Constitution Act 2006 Sch and amends the following Act-

Isle of Man Constitution Act 1961 q.v.]

Schedule 2

[Sch 2 repealed by Statute Law Revision Act 1983 Sch 2.]

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CONSTITUTION (LEGISLATIVE COUNCIL) (AMENDMENT) ACT 1980

(Chapter 12)

Arrangement of Sections

1 and 2.	.....
3.	Amendments.
4.	Short title.
Schedule	Amendment of certain enactments.

Received Royal Assent: 28 July 1980

Passed: 21 October 1980

AN ACT

to amend the Constitution of the Legislative Council of the Island and for connected purposes.

1 and 2 ..

[Ss 1 and 2 repealed by Constitution Act 1990 Sch 2.]

3 Amendments

The enactments mentioned in the Schedule shall be amended in accordance with that Schedule.

4 Short title

(1) This Act may be cited as the Constitution (Legislative Council) (Amendment) Act 1980 and shall come into operation on such day as the Governor in Council may by Order appoint.

[ADO (whole Act) 27/10/1980 GC235/80.]

(2) This Act shall be construed as one with the Constitution Acts 1919 to 1978 and those Acts and this Act may be cited together as the Constitution Acts 1919 to 1980.

Schedule Amendment of Certain Enactments

[Schedule amended by Tynwald Proceedings Act 1984 s 1, by Constitution (Executive Council) Act 1984 Sch 2 and by Constitution Act 1990 Sch 2, and amends the following Acts-

Tynwald Proceedings Act 1876 q.v.

Isle of Man Constitution Act 1961 q.v.]

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CONSTITUTION (AMENDMENT) ACT 1981

(Chapter 16)

Arrangement of Sections

1 and 2.
3.	Amendments.
4.	.....
5.	Short title, commencement and construction.
Schedule 1	Amendment of certain enactments.
Schedule 2	.....

Received Royal Assent: 28 October 1981

Passed: 24 November 1981

AN ACT

to provide for the election of the Chairman of the Executive Council by Tynwald; to provide for the status of the President of the Legislative Council; to make provision for the date of House of Keys' elections; and for connected purposes.

1 and 2 ..

[Ss 1 and 2 repealed by Constitution (Executive Council) Act 1984 Sch 2.]

3 Amendments

The enactments mentioned in Schedule 1 shall be amended in accordance with that Schedule.

4

[S 4 repealed by Constitution (Executive Council) Act 1984 Sch 2.]

5 Short title, commencement and construction

(1) This Act may be cited as the Constitution (Amendment) Act 1981 and shall come into operation on such day as the Governor in Council may by Order appoint.

[ADO (whole Act) 24/11/1981 (GC249/81).]

(2) This Act shall be construed as one with the Constitution Acts 1919 to 1980 and those Acts and this Act may be cited together as the Constitution Acts 1919 to 1981.

Schedule 1 Amendment of Certain Enactments

[Sch 1 amended by Constitution (Executive Council) Act 1984 Sch 2, by Promulgation Act 1988 Sch, by Constitution Act 1990 Sch 2 and by Representation of the People Act 1995 Sch 8, and amends the following Acts-

Tynwald Court Adjournments Act 1919 q.v.]

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Schedule 2

[Sch 2 repealed by Constitution (Executive Council) Act 1984 Sch 2.]

CONSTITUTION (EXECUTIVE COUNCIL) (AMENDMENT)(NO. 2) ACT 1986

(Chapter 51)

Arrangement of Sections

- 1 and 2. Amendments.
- 3. Short title.

Received Royal Assent: 12 December 1986

Passed: 16 December 1986

AN ACT

to make further provision for the commencement of the Constitution (Executive Council) (Amendment) Act 1986; and for connected purposes.

1 (1) ...

[Subs (1) repealed by Council of Ministers Act 1990 Sch 2.]

(2) [Amends section 9 of the Health and Social Security Act 1986, section 23 of the Casino Act 1986, section 4 of the Civil Service Act 1986, section 8 of the Food (Emergency Provisions) Act 1986 and section 7 of the Miscellaneous Provisions Act 1986.]

2 [Amends section 1 of the Manx Heritage Foundation Act 1982.]

3 Short title

This Act may be cited as the Constitution (Executive Council) (Amendment) (No. 2) Act 1986.

CONSTITUTION ACT 1990

(Chapter 6)

Arrangement of Sections

- | | |
|------------|-------------------------------------------------|
| 1. | Functions of Governor. |
| 2. | Election of President of Tynwald. |
| 3. | Tenure of office of President of Tynwald. |
| 4. | Functions of President of Tynwald. |
| 5. | Deputy President etc. |
| 6. | Casting vote. |
| 7. | Commencement of Acts. |
| 8. | Resolutions of Tynwald. |
| 9. | Interpretation. |
| 10. | Minor and consequential amendments and repeals. |
| 11. | Commencement etc. |
| 12. | Short title. |
| Schedule 1 | Minor and consequential amendments. |
| Schedule 2 | Enactments repealed. |

Received Royal Assent: 14 March 1990

Passed: 15 May 1990

AN ACT

to provide for the election of a President of Tynwald, and that the Governor shall cease to preside at ordinary sittings of Tynwald; and for connected purposes.

1 Functions of Governor

(1) The Governor shall preside at that part of a sitting of Tynwald at St. John's which takes place on Tynwald Hill for-

- (a) the promulgation of Acts in pursuance of the Promulgation Act 1988,
- (b) the swearing and admission of coroners, and
- (c) any other business of Tynwald customarily done on Tynwald Hill.

[Subs (1) substituted by Constitution (Amendment) Act 2005 s 1.]

(1A) Nothing in this section or section 4 affects the right of Her Majesty to preside in person, or to authorise any other person to preside, at that part of such a sitting of Tynwald.

[Subs (1A) inserted by Constitution (Amendment) Act 2005 s 1.]

(2) Subject to subsection (1), the Governor shall cease to preside at sittings of Tynwald, and the presence of the Governor shall no longer be necessary at a sitting of Tynwald, or for any proceedings in Tynwald.

(3) Accordingly Her Majesty may assent to a Bill by and with the advice and consent of the Council and Keys in Tynwald assembled, notwithstanding any law or custom to the

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contrary.

2 Election of President of Tynwald

(1) Tynwald shall from time to time by resolution elect a member of the Keys or an elected member of the Legislative Council to be President of Tynwald.

(2) A resolution under subsection (1) shall not have effect unless it is passed by a majority of the members of Tynwald present and voting, who shall vote as one body by ballot.

(3) The person elected to be President of Tynwald shall forthwith go out of office as a member of the Keys or an elected member of the Legislative Council, as the case may be.

3 Tenure of office of President of Tynwald

(1) The President of Tynwald shall hold office until-

- (a) he resigns the office by giving to the Governor notice in writing of his desire to do so, or
- (b) the day of the first ordinary sitting of Tynwald held in the month during which falls the 5th anniversary of the sitting at which he was elected; or
- (c) where he was elected to fill a casual vacancy, the day when the person in whose place he was elected would ordinarily have gone out of office; or
- (d) Tynwald resolves that he shall cease to hold the office.

(2) On receiving a notice under subsection (1)(a) the Governor shall as soon as may be convene a sitting of Tynwald.

(3) A resolution under subsection (1)(d) shall not have effect unless-

- (a) notice thereof is given at the previous sitting of Tynwald, and
- (b) it is passed by a majority of the members of Tynwald present and voting, who shall vote as one body.

(4) Where the President of Tynwald goes out of office under subsection (1)(b) or (c), he shall be eligible for re-election.

(5) Accordingly the reference in section 2(1) to a member of the Keys or an elected member of the Legislative Council includes a reference to a retiring President of Tynwald who is eligible for re-election by virtue of subsection (4).

4 Functions of President of Tynwald

(1) Subject to sections 1 and 5, the President of Tynwald shall preside at every sitting of Tynwald.

[Subs (1) amended by Constitution (Amendment) Act 2005 s 1.]

(2) Subject to section 5, the President of Tynwald shall preside at every meeting of the Legislative Council.

5 Deputy President etc

(1) Tynwald shall from time to time by resolution elect a member of the Keys or an elected member of the Legislative Council to be Deputy President of Tynwald.

(2) Sections 2(2) and 3(1) and (3) apply in relation to the office of Deputy President of Tynwald as they apply in relation to the office of President of Tynwald.

(3) If the President of Tynwald is absent or unable to act, any of his functions (other than under section 4(2)) may be exercised by the Deputy President of Tynwald.

(4) If both the President of Tynwald and the Deputy President of Tynwald are absent or unable to act, any of the functions of the President of Tynwald (other than under section 4(2)) may be exercised by a member of Tynwald appointed by Tynwald to act in his place.

(5) If the President of Tynwald is absent from any meeting of the Legislative Council, the members of the Council present shall appoint one of their number to preside thereat.

6 Casting vote

(1) Subject to subsection (2), the President of Tynwald shall not vote in Tynwald or in the Legislative Council.

(2) Where there is an equality of votes-

- (a) in Tynwald, when voting as one body (except in the case of a vote by ballot), or
- (b) in the Council, whether sitting separately or in Tynwald (except when voting as one body),

the President of Tynwald shall have a casting vote.

(3) A reference in this section to the President of Tynwald includes a reference to-

- (a) the Deputy President of Tynwald, or
- (b) a member appointed under section 5(4) or (5),

when presiding in Tynwald or the Council by virtue of section 5(3), (4) or (5), as the case may be.

7 Commencement of Acts

(1) [Substitutes section 10 of the Interpretation Act 1976.]

(2) Subsection (1) does not apply in relation to an Act (including this Act), the Royal Assent to which has been announced to Tynwald before the commencement of this Act; and the said section 10, as it had effect immediately before such commencement, continues to apply in relation to such an Act.

8 Resolutions of Tynwald

A certificate stating that at a sitting of Tynwald-

- (a) the matter specified in the certificate was approved by Tynwald, or

(b) a resolution in the terms so specified was passed by Tynwald,
and signed by the President of Tynwald and the Speaker shall be conclusive evidence of the fact; and a certificate stating that fact and purporting to be so signed shall be presumed to be so signed until the contrary is proved.

9 Interpretation

In this Act-

'elected member', in relation to the Legislative Council, has the same meaning as in the Isle of Man Constitution Amendment Act 1919;

'ordinary sitting of Tynwald' means a sitting of Tynwald other than a sitting referred to in section 1(1).

10 Minor and consequential amendments and repeals

(1) The enactments specified in Schedule 1 are amended in accordance with that Schedule.

(2) The enactments specified in Schedule 2 are repealed to the extent specified in column 3 of that Schedule.

11 Commencement etc

(1) This Act shall come into operation on the day of the first ordinary sitting of Tynwald in July 1990.

(2) and (3)

[Subss (2) and (3) repealed by Statute Law Revision Act 1997 Sch 2.]

12 Short title

This Act may be cited as the Constitution Act 1990, and the Constitution Acts 1919 to 1986 and this Act may be cited together as the Constitution Acts 1919 to 1990.

Schedule 1 Minor and Consequential Amendments

[Sch 1 amended by Church Legislation Procedure Act 1993 Sch 2, by Constitution (Amendment) Act 2005 s 2 and by Constitution Act 2006 Sch, and amends the following Acts-

Tynwald Proceedings Act 1876 q.v.

Tynwald Court Adjournments Act 1919 q.v.

Isle of Man Constitution Amendment Act 1919 q.v.

Isle of Man Constitution Act 1961 q.v.

Tynwald Proceedings Act 1984 q.v.

Payment of Members' Expenses Act 1989 q.v.

Council of Ministers Act 1990 q.v.]

Schedule 2

Enactments Repealed

[Sch 2 repeals the following Act wholly-

Tynwald Proceedings Act 1954

and the following Acts in part-

Tynwald Court Adjournments Act 1919

Isle of Man Constitution Amendment Act 1919

Isle of Man Constitution Act 1961

Isle of Man Constitution (Elections to Council) Act 1971

Constitution (Amendment) Act 1978

Constitution (Legislative Council) (Amendment) Act 1980

Constitution (Amendment) Act 1981.]

CONSTITUTION (AMENDMENT) ACT 2005

(Chapter 2)

Arrangement of Sections

1. Amendments.
2. Substitution and amendment.
3. Short title and commencement.

Signed in Tynwald: 21 June 2005

Received Royal Assent: 7 June 2005

Announced to Tynwald: 22 June 2005

AN ACT

to provide that the Governor shall cease to preside at sittings of Tynwald holden at St John's, except on Tynwald Hill; and to amend the Promulgation Act 1988.

1 (1) [Amends section 1 of the Constitution Act 1990 by substituting subsection (1) and by inserting subsection (1A).]

(2) Amends section 4(1) of the Constitution Act 1990 by substituting the expression 'sections 1 and 5' for the expression 'sections 1(1) and 5'.

2 (1) [Substitutes section 4 of the Promulgation Act 1988.]

(2) [Amends Schedule 1 to the Constitution Act 1990 by repealing paragraph 7.]

3 Short title and commencement

(1) This Act may be cited as the Constitution (Amendment) Act 2005.

(2) This Act shall come into operation on the 1st July 2005.

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CONSTITUTION ACT 2006

(Chapter 16)

Arrangement of Sections

- | | |
|----------|------------------------------------|
| 1. | Power for Keys alone to pass Bill. |
| 2. | Short title etc. |
| Schedule | Enactments repealed. |

Received Royal Assent: 16 October 2006

Announced to Tynwald: 16 October 2006

AN ACT

to enable a Bill passed by the Keys alone to be passed as an Act of Tynwald.

1 Power for Keys alone to pass Bill

(1) This section applies to a Bill which-

- (a) has been introduced in the Keys,
- (b) has been passed by the Keys, and
- (c) has not been passed by the Council within 12 months beginning with the first sitting of the Council after the date on which it was sent to the Council.

In calculating the period of 12 months mentioned in paragraph (c) the months of July, August and September shall be left out of account.

(2) The Keys may, within 6 months after the expiration of the period of 12 months mentioned in subsection (1)(c), by resolution direct that the Bill be sent to Tynwald, and in that case the Bill shall be placed on the order paper of the first convenient sitting of Tynwald for signature.

(3) A resolution under subsection (2) shall not have effect unless it is passed by the affirmative vote of at least 17 members of the Keys.

(4) Where a Bill placed on the order paper of Tynwald pursuant to a resolution under subsection (2) is signed by at least 17 members of the Keys, whether or not it is signed by a quorum of the Council, it shall thereupon be submitted to Her Majesty for her Assent.

(5) A Bill submitted to Her Majesty pursuant to subsection (4) shall, if assented to by Her Majesty, be an Act of Tynwald and have full force and effect according to its tenor, notwithstanding any law or custom to the contrary.

(6) In subsection (1), a Bill shall be deemed not to be passed by the Council within 12 months if it is not passed by the Council either without amendment or with such amendments only as may be agreed to, after a conference between the Council and the Keys or otherwise, by both the Council and the Keys within that time.

2 Short title etc

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(1) This Act may be cited as the Constitution Act 2006.

(2) The enactments specified in the Schedule are repealed to the extent specified in column 3 of the Schedule.

Schedule Enactments Repealed

[Sch repeals the following Acts in part -

Isle of Man Constitution Act 1961

Constitution (Amendment) Act 1978

Council of Ministers Act 1990

Constitution Act 1990

Transfer of Governor's Functions Act 1992.]
