



Isle of Man

Ellan Vannin

AT 14 of 2014

LAW OFFICERS ACT 2014



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Signed in Tynwald: 18 November 2014
Received Royal Assent: 10 December 2014
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AN ACT to make further provision about the discharge of the functions of the Attorney General; and for connected purposes.

BE IT ENACTED by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Council and Keys in Tynwald assembled, and by the authority of the same, as follows:—

1 Short title

The short title of this Act is the Law Officers Act 2014.

2 Commencement and automatic repeal

- (1) This Act, other than section 1 and this section, comes into operation on such day or days as the Council of Ministers may by order appoint.¹
- (2) An order under subsection (1) may include such incidental and transitional provision as appears to the Council of Ministers to be appropriate.
- (3) This Act is repealed —
 - (a) on the day after its promulgation; or
 - (b) if its provisions are not all then in operation, on the day following the day on which the last of its provisions comes into operation.
- (4) But the repeal does not affect the continuing effect of the amendments made by sections 3 to 5.²

3 Interpretation Act 1976: section 3(1) amended

In section 3(1) of the *Interpretation Act 1976* in the definition of “**the Attorney General**” for “includes” to the end substitute —

☐ includes —

- (a) Her Majesty’s Solicitor General for the Island; and
- (b) any person discharging the functions of Her Majesty’s Attorney General by virtue of a warrant under Her Majesty’s Royal Sign Manual; **¶¶**.

4 Isle of Man Constitution Amendment Act 1919: section 7 substituted

For section 7 of the *Isle of Man Constitution Amendment Act 1919* substitute —

¶¶7 Constitution of Council

- (1) The Council comprises the following members —
 - (a) the President of Tynwald;
 - (b) the Bishop and the Attorney General; and
 - (c) eight members elected by the House (whether from their own membership or others) (“**elected members**”).
- (2) The Attorney General —
 - (a) continues to be a member of Tynwald and of the Council; and
 - (b) has the same rights to speak in either of those bodies as he had before the passing of the *Law Officers Act 2014*.
- (3) The presence of the Attorney General at a sitting of Tynwald or the Council does not reckon towards the quorum of either body.
- (4) The definition of “the Attorney General” in section 3 of the *Interpretation Act 1976* does not apply for the purposes of this section but subsection (5) applies if —
 - (a) the office of the Attorney General is vacant; or
 - (b) the Attorney General is for any reason unable to attend a sitting of Tynwald or the Council.
- (5) If this subsection applies the President may authorise —
 - (a) Her Majesty’s Solicitor General for the Island; or
 - (b) a person discharging the functions of the Attorney General by virtue of a warrant under Her Majesty’s Royal Sign Manual,
 to attend the sitting.
- (6) A person attending a sitting of Tynwald or the Council by virtue of subsection (5) has the same rights and privileges in relation to the sitting as the Attorney General, and subsection (3) applies to that person as it applies to the Attorney General.
- (7) For the sake of clarity, the substitution of this section made by section 4 of the *Law Officers Act 2014* does not revive any rule of

law, right or custom in relation to membership of the Council which subsisted before the coming into operation of this section as originally enacted. **22**.

5 Consequential and minor amendments and repeals

- (1) In section 30(4) of the *Consumer Protection (Trade Descriptions) Act 1970* (certificates of compliance with procedural requirements) omit “or the Government Advocate”.
- (2) In section 20(1) of the *Interpretation Act 1976* (appropriate authority may provide for exercise of functions of office during absence or inability to act of holder, or during vacancy) for “a judicial officer” substitute **23** a judicial officer or the Attorney General **22**.
- (3) In section 7 of the *Poisons Act 1979* —
 - (a) in subsection (3) omit “or Government Advocate”; and
 - (b) in subsection (4) omit “or the Government Advocate”.
- (4) In section 33(3)(b) of the *Advocates Act 1995* omit “or as the Government Advocate”.
- (5) In section 3 of the *Public Sector Pensions Act 2011* after “the Attorney General” insert **23** and Her Majesty’s Solicitor General for the Island. **22**.

ENDNOTES

Table of Endnote References

¹ ADO - remaining sections in operation 22 January 2015 [SD2014/0416].

² Act promulgated 06/07/2015.