



Isle of Man

Ellan Vannin

AT 10 of 2017

STATUTE LAW REVISION ACT 2017



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STATUTE LAW REVISION ACT 2017

Signed in Tynwald: 17 October 2017
Received Royal Assent: 17 October 2017
Announced to Tynwald: 17 October 2017

AN ACT to make minor amendments to the Legislation Act 2015, the Interpretation Act 2015 and other enactments; to repeal spent and redundant enactments; 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:—

PART 1 — INTRODUCTORY

1 Short title

The short title of this Act is the Statute Law Revision Act 2017.

2 Commencement

This Act comes into operation on the first day of the month following that in which Royal Assent to it is announced.

PART 2 — INTERPRETATION ACT 2015 AMENDED

3 Interpretation Act 2015 amended

The *Interpretation Act 2015* is amended in accordance with this Part.

4 Meaning of “Manx legislation” and “statutory provision”: section 9 amended

In section 9(1)—

- (a) [Inserted paragraph (aa)]

(b) [Amended paragraph (c)]

5 Measures: section 10A inserted

[Inserted section 10A]

6 Manx enactment: section 11 amended

- (1) Section 11 is amended as follows.
- (2) [Substituted subsection (1)]
- (3) [Amended subsection (3)]

7 Public documents: section 15 substituted

[Substituted section 15]

8 Public documents: section 15A inserted

[Inserted section 15A]

9 Statutory documents: section 16 amended

- (1) Section 16 (“statutory document” and its “responsible authority”) is amended as follows.
- (2) [Substituted subsection (1)(a)]
- (3) In subsection (3)—
 - (a) [Inserted paragraph (za) and note]
 - (b) [Inserted paragraph (ba) and example]
- (4) [Substituted subsection (4) and inserted subsections (5) and (6) and note]

10 Meaning of “person”: sections 35 and 69 amended

- (1) [Amended section 35(1)]
- (2) [Repealed section 69(5)]

11 Maximum fines: section 55 amended

- (1) Section 55 (maximum fines) is amended as follows.
- (2) [Substituted standard scale set out in subsection (1)]
- (3) [Inserted entries relating to Copyright Act 1991, Marine Infrastructure Management Act 2016 and Performers Protection Act 1996 in the table in subsection (7)]

12 Acting appointments and judicial officers: section 77 amended

[Amended section 77(1)]

13 Acting appointments: directions about appointor: section 78 amended

(1) Section 78 is amended as follows.

(2) [Inserted subsection (6A)]

(3) [Repealed subsection (7)]

14 Power to prescribe reasonable fee: ss. 84 and 91 and Schedule amended

(1) [Amended section 84(1)]

(2) [Substituted section 91]

(3) In the Schedule —

(a) [Amended paragraph 1]

(b) [Amended paragraph 2]

15 Repeal of provisions: section 105 repealed in part

[Repealed entry relating to the Insurance Act 2008 in the table in section 105]

16 Index of defined terms: Schedule amended

[Amended paragraph 1 of the Schedule]

PART 3 — LEGISLATION ACT 2015 AMENDED**17 Legislation Act 2015 amended**

The *Legislation Act 2015* is amended in accordance with this Part.

18 Measures: Part 2 amended

[Inserted Division 4 and section 23A]

19 Statutory documents: Part 3 amended

(1) Part 3 is amended as follows.

(2) [Substituted heading of Part 3]

(3) In section 24—

(a) [Amended heading]

(b) [Amended subsection (1)]

(c) [Amended subsection (2)]

- (4) [Amended section 25]
- (5) [Amended the following provisions —
 - (a) section 26;
 - (b) section 27;
 - (c) section 28; and
 - (d) section 38.
- (6) [Substituted the heading of Division 2]
- (7) In section 36 —
 - (a) [Amended subsection (1)]
 - (b) [Inserted subsection (5)]

20 Numbering of Acts: section 39 amended

- (1) Section 39 (numbering of Acts) is amended as follows.
- (2) [Inserted subsection (3A)]
- (3) [Amended subsection (4)]

21 Numbering of Measures: section 39A inserted

[Inserted section 39A]

22 Filing original and distributing copies of Acts and statutory documents: section 42 amended

[In section 42, substituted subsections (1) and (2) and inserted subsection (1A)]

23 Electronic gazettal and arrangements for publication and sale of Manx legislation: section 43 amended

- (1) Section 43 is amended as follows.
- (2) [Amended subsection (1)(a)]
- (3) [Inserted subsection (1A) and note]
- (4) [Amended subsection (2)]
- (5) [Amended subsection (3)]

24 Saving of operation of amended and repealed Manx legislation: section 58 amended

[Amended section 58(5)(c)]

25 Default savings and transitional provisions – application of Part 4, Division 4: section 60 amended

[Amended section 60(3)]

26 Existing Manx legislation: publication by a government authority

- (1) Section 91 is amended as follows.
- (2) [Amended subsection (2)]
- (3) [Inserted subsection (2A)]

27 Miscellaneous amendments: section 99 amended

[Repealed section 99(9)]

PART 4 – OTHER LEGISLATION AMENDED

28 Building Control Act 1991

[Substituted section 25 of the *Building Control Act 1991*]

29 Child Custody Act 1987

- (1) [Amended section 1(1)(c)(i) and (3)(a) of the *Child Custody Act 1991*]
- (2) The amendment made by subsection (1) is to be treated as having always had effect.

30 Church Legislation Procedure Act 1993

- (1) The *Church Legislation Procedure Act 1993* is amended as follows.
- (2) [Inserted subsections 2(2A) and 2(2B)]
- (3) [Repealed paragraph 4 of Schedule 1]

31 Customs and Excise Duties (General Reliefs) Act 1986

- (1) The *Customs and Excise Duties (General Reliefs) Act 1986* is amended as follows.
- (2) [Amended section 1(2)(b)]
- (3) [Amended heading to section 2]
- (4) [Amended heading to section 4]
- (5) [Amended the following provisions—
 - (a) section 5(3), (4)(a) and (5); and
 - (b) section 11(2), (4)(a) and (5)]

32 Customs and Excise Management Act 1986

- (1) The *Customs and Excise Management Act 1986* is amended as follows.
- (2) [Amended section 2]
- (3) [Amended definition of “EU customs duty” of section 174A(5)]¹

33 Designated Businesses (Registration and Oversight) Act 2015

[In section 3(2) of the *Designated Businesses (Registration and Oversight) Act 2015*—

- (a) repealed paragraph (c)
- (b) renumbered paragraph (d) as (c)
- (c) inserted new paragraph (d)]

34 Education Act 2001

[Amended paragraph 5 of Schedule 9 of the *Education Act 2001*]

35 European Communities (Isle of Man) Act 1973

[Reordered definition in section 1(1) of the *European Communities (Isle of Man) Act 1973*]

36 High Court Act 1991

- (1) The High Court Act 1991 is amended in accordance with subsections (2) and (3).
- (2) [Inserted section 36A, 36B, 36C and 36D]
- (3) [Inserted Schedule 1A]
- (4) [Repealed section 25 of the *Law Reform Act 1997*]

37 Interception of Communications Act 1988

- (1) The *Interception of Communications Act 1988* is amended in accordance with subsections (2) and (3).
- (2) [Amended section 7]
- (3) On the coming into operation of section 80 of the *Interpretation Act 2015* (deputies) in section 7(1) omit “under section 20 of the *Interpretation Act 1976*”.

¹ Printed as section 174(5) in original.

38 Isle of Man Constitution Amendment Act 1919

- (1) Section 17 of the *Isle of Man Constitution Amendment Act 1919* is amended as follows.
- (2) [Amended section 17]
- (3) [Amended section 17]

39 Law Reform Act 1997

[Substituted paragraph 16(3)(a) of Schedule 1 to the *Law Reform Act 1997* and inserted paragraph 16(3)(ab)]

40 Local Government Act 2006

- (1) [Substituted definition of "the appointed day" in paragraph 1 of Schedule 1 to the *Local Government Act 2006*]
- (2) The amendment made by subsection (1) is to be treated as having always had effect.

41 Marriage Act 1984

- (1) The *Marriage Act 1984* is amended in accordance with subsections (2) to (4).
- (2) [Amended section 4A(3)]
- (3) [Amended section 5(b)]
- (4) [In section 17(2), substituted paragraphs (b) and (c)]
- (5) The amendments made by subsections (2) to (4) are to be treated as having come into operation on 22 July 2016 (immediately after the commencement of the *Marriage and Civil Partnership (Amendment) Act 2016*).

42 Marriage and Civil Partnership (Amendment) Act 2016

- (1) The following amendment to Schedule 3 to the *Marriage and Civil Partnership (Amendment) Act 2016* are to be treated as having come into operation on 22 July 2016 immediately before that Act came into operation.
- (2) [Substituted sub-paragraph 2(2)(c)]

43 Mental Health Act 1998

- (1) The *Mental Health Act 1998* is amended as follows.
- (2) [In section 37—
 - (a) Substituted subsection (6)]

- (b) Substituted subsection (7)(b)]
- (3) [Amended section 38]
- (4) [In section 88(1) substituted definition of “regulations”]

44 Peel Town Commissioners (Acquisition and Disposal of Land) Act 1975 amended

- (1) The *Peel Town Commissioners (Acquisition and Disposal of Land) Act 1975* is amended as follows.
- (2) [Amended section 1(2)]
- (3) [Inserted section 1(3)]
- (4) [Repealed section 4]

45 Post Office Act 1993

- (1) [Substituted section 15(7) and (8) of the *Post Office Act 1993*]
- (2) The amendment made by subsection (1) shall be treated as having come into operation on 1 June 2013 immediately after section 11 of the *Cash in Postal Packets Act 2013* came into operation.

46 Proceeds of Crime Act 2008

- (1) The *Proceeds of Crime Act 2008* is amended as follows.
- (2) [Amended section 27(7)]
- (3) [Amended section 38(10)]
- (4) [Amended section 52(1)]
- (5) [Amended section 54(6)]
- (6) [Amended section 63]
- (7) [In section 222—
 - (a) Amended subsection (2)
 - (b) Amended subsection (5)
 - (c) Inserted subsection (5A)]
- (8) [Inserted section 222ZA]

47 Road Traffic Act 1985

- (1) The *Road Traffic Act 1985* is amended as follows.
- (2) [In section 72(1) —
 - (a) Amended definition of “**Community rules**”
 - (b) Relocated amended definition]

- (3) [In Schedule 5, in paragraph 12(1) repealed definition of “**the Communities**”]

48 Value Added Tax Act 1996

- (1) The *Value Added Tax Act 1996* is amended as follows.
- (2) [Amended the following provisions –
- (a) section 15(1)(c) and (2)(a) and (b)
 - (b) section 18(6)
 - (c) section 94(3)(b)
 - (d) Schedule 5, paragraph 6(2)(b)]
- (3) [Amended sections 18A(4)(c), 18B(6)(c)² and 18C(4)(b)]
- (4) [Substituted Note (1)(b) to Group 6 (education) in Schedule 10]

49 Veterinary Surgeons Act 2005

[Amended paragraph 5(2) in Schedule 1 to the *Veterinary Surgeons Act 2005*]

50 Church legislation – transfer of functions

For “Department of Infrastructure” substitute “Department of Environment, Food and Agriculture” in –

- (a) the Care of Churches and Ecclesiastical Jurisdiction Measure (Isle of Man) 1992, in the Schedule, paragraphs 15(3) and 17(2);
- (b) in the Mission and Pastoral Measure (Isle of Man) 2012 in section 3(1), Schedule 2 paragraphs 1(3)(a) and 2(1), and Schedule 3, paragraph 5(4)(b).

51 Repeals and savings

- (1) [Repealed the following provisions –
- (a) section 174(5) of the *Employment Act 2006*
 - (b) the *Electricity (Amendment) Act 2010*, so far as it is still in operation
 - (c) the *Lloyds TSB Act 1997*]

² Printed as section 18B(6)(a) in original.

- (2) Despite the repeal of the *Electricity (Amendment) Act 2010* by subsection (1)(b), section 11 of that Act (transitional provision in respect of revenues of the Manx Electricity Authority) continues to have effect in respect of financial years preceding the financial year 2010-11.

ENDNOTES

Table of Endnote References