



Isle of Man

Ellan Vannin

AT 3 of 2020

**EMERGENCY POWERS (AMENDMENT)
ACT 2020**



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**Isle of Man***Ellan Vannin*

EMERGENCY POWERS (AMENDMENT) ACT 2020

Signed in Tynwald: 14 April 2020
Received Royal Assent: 14 April 2020
Announced to Tynwald: 14 April 2020

AN ACT to amend the Emergency Powers Act 1936 so as to amend the procedure for emergency regulations, confer jurisdiction on courts of summary jurisdiction generally over offences under the Act, to provide for the imposition of fixed penalties, for the temporary continuation of emergency regulations at the end of a state of emergency and to make provision postponing local elections until 2021; 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:—

Introductory

1 Short title

The short title of this Act is the Emergency Powers (Amendment) Act 2020.

2 Commencement

- (1) This Act 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 contain such consequential, incidental, supplementary, transitional and transitory provision, including provision modifying or amending Manx enactments, as the Council of Ministers considers appropriate.

Tynwald procedure – laying only.

*Amendment of the Emergency Powers Act 1936***3 Emergency Powers Act 1936 amended**

The *Emergency Powers Act 1936* is amended in accordance with sections 4 and 5 below.

4 Emergency regulations: section 4 amended

- (1) Section 4 is amended as follows.
- (2) [Amended subsection (1)]
- (3) [Inserted subsection (1A)]
- (4) [Substituted subsection (3) and inserted subsections (3A), (3B) and (3C)]

5 Continuation of emergency regulations: section 4A inserted

[Inserted section 4A]

*Provision about local elections***6 Local elections postponed**

- (1) The elections due to be held, in accordance with section 3 of the *Local Elections Act 1986*, on 23 April 2020 are postponed until 22 April 2021.
- (2) Subsections (3) and (4) amend the *Local Elections Act 1986* in consequence of the deferment in subsection (1).
- (3) In section 3—
 - (a) [Amended subsection (1)]
 - (b) [Amended subsection (2)]
 - (c) [Inserted subsection (3)]
- (4) [Amended section 5]
- (5) The Schedule makes further provision in consequence of the postponement in subsection (1).

SCHEDULE

POSTPONEMENT OF LOCAL ELECTIONS: CONSEQUENTIAL PROVISIONS

[Section 6(5)]

1 Continuation of tenure of office

- (1) Every person who is currently a member of a local authority remains in office until 1 May 2021, unless he or she earlier vacates office.
- (2) Subparagraph (1) does not apply to the parish districts of Arbory and Rushen.

2 Amendment to the Douglas (Alteration of Wards and Number of Members) Scheme 2018

- (1) The Douglas (Alteration of Wards and Number of Members) Scheme 2018 is amended as follows.
- (2) In paragraph 4 (elections of the Borough of Douglas), for “2020” substitute **2021**.

3 Amendment to the Douglas (Alteration of Wards and Number of Members) Order 2019

- (1) The Douglas (Alteration of Wards and Number of Members) Order 2019 is amended as follows.
- (2) For article 4(3)(b) (commencement of scheme), substitute —
| **(b)** for all other purposes on 22 April 2021.

4 Amendment to the Port Erin (Number of Members) Order 2019

- (1) The Port Erin (Number of Members) Order 2019 is amended as follows.
- (2) For article 4(3)(b) (commencement of scheme), substitute —
| **(b)** for all other purposes on 22 April 2021.

5 Amendment to the Port St Mary (Number of Members) Order 2019

- (1) The Port St Mary (Number of Members) Order 2019 is amended as follows.
- (2) For article 4(3)(b) (commencement of scheme), substitute —
| **(b)** for all other purposes on 22 April 2021.

6 Amendment to the Arbory and Rushen (Local Government District)

Order 2019

- (1) The Arbory and Rushen (Local Government District) Order 2019 is amended as follows.
- (2) In article 5 (commissioners of the Arbory and Rushen parish district) —
- (a) for paragraph (2) substitute —
- ☐ (2) On and after 1 May 2021, there shall be 6 Commissioners.
- (2A) There shall be 10 Commissioners from the appointed day to 30 April 2021 (inclusive).
- ☐ This paragraph shall cease to have effect on 1 May 2021. ☐;
- (b) for paragraph (4), substitute —
- ☐ (4) The first Commissioners for the Arbory and Rushen Parish District take up office on the appointed day and hold office for a 1 year term. ☐;
- (c) after paragraph (4), insert —
- ☐ (5) On and after 1 May 2021, Commissioners for the Arbory and Rushen Parish District who take up office on the 1 May 2021 shall hold office for a 4 year term (and their successors shall take up office in each fourth succeeding year, other than when filling a casual vacancy in their number). ☐.
- (3) For article 9(2) (division of Arbory and Rushen district into wards), substitute —
- ☐ (2) On and after 1 May 2021, each ward shall elect 3 of the Commissioners.
- (2A) Each ward shall be represented by 5 Commissioners from the former authorities that make up that ward on the appointed day for the period up to 30 April 2021 (inclusive).
- ☐ This paragraph shall cease to have effect on 1 May 2021. ☐.

ENDNOTES

Table of Endnote References

¹ ADO – Whole Act in operation 14/04/2020 [SD2020/0249].