



**Isle of Man**

*Ellan Vannin*

**AT 5 of 2021**

**ELECTIONS AND MEETINGS (LOCAL  
AUTHORITIES) ACT 2021**





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*Ellan Vannin*

## ELECTIONS AND MEETINGS (LOCAL AUTHORITIES) ACT 2021

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**Isle of Man***Ellan Vannin*

## **ELECTIONS AND MEETINGS (LOCAL AUTHORITIES) ACT 2021**

<i>Signed in Tynwald:</i>	<i>20 April 2021</i>
<i>Received Royal Assent:</i>	<i>20 April 2021</i>
<i>Announced to Tynwald:</i>	<i>20 April 2021</i>

**AN ACT** to change the date on which local elections in 2021 are due to take place and to enable meetings of local authorities to take place remotely; 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 Elections and Meetings (Local Authorities) Act 2021.

#### **2 Commencement**

This Act comes into operation on its announcement day.

### **PART 2: AMENDMENT OF THE LOCAL ELECTIONS ACT 1986**

#### **3 The Local Elections Act 1986**

The *Local Elections Act 1986* is amended as follows.

#### **4 Amendment of section 3**

[Substituted section 3(1)]

- 5     **New section 3A**  
      [Inserted section 3A]
- 6     **Amendment of section 5**  
      [Amended section 5]
- 7     **Amendment of section 12**  
      [Inserted section 12(4)]
- 8     **Amendment of section 17**  
      [Substituted section 17(1)]
- 9     **Amendment of section 21**  
      [Inserted section 21(5)]
- 10    **Amendment of section 22**  
      [Amended section 22(2)]

### **PART 3: AMENDMENT OF THE LOCAL GOVERNMENT ACT 1985**

- 11    **The Local Government Act 1985**  
      The *Local Government Act 1985* is amended as follows.
- 12    **New section 10A**  
      [Inserted section 10A]
- 13    **Amendment of section 32**  
      [Substituted section 32]
- 14    **Amendment of Schedule 1**  
      In Schedule 1 (meetings and proceedings of local authorities)—
- (a)    [Inserted paragraph 1(4)]
  - (b)    [Amended paragraph 2(1)]
  - (c)    [Inserted paragraph 4A]
  - (d)    [Substituted paragraph 6(2)]

**15 Amendment of Schedule 3**

[Amended Schedule 3]

**PART 4: AMENDMENT OF THE EMERGENCY POWERS  
(AMENDMENT) ACT 2020****16 The Emergency Powers (Amendment) Act 2020**

The *Emergency Powers (Amendment) Act 2020* is amended as follows.

**17 Amendment of section 6**

[Amended section 6(1)]

**18 Amendment of Schedule**

In the Schedule (postponement of local elections: consequential provisions) in paragraph 1 (continuation of tenure of office)—

- (a) [Amended sub-paragraph (1)]
- (b) [Repealed sub-paragraph (2)]

**PART 5: ORDERS ETC.****19 Orders**

- (1) This section applies where under a relevant order—
  - (a) a person (P) who holds an office as a committee member, a board member, chairman or vice-chairman (however expressed) of a board and is due to go out of office,
  - (b) a replacement for P is due to be appointed at a meeting of the relevant committee or board, and
  - (c) for whatever reason that meeting, whether remotely or otherwise, does not take place.
- (2) Where subsection (1) applies, and despite any provision in a relevant order to the contrary, P is to remain in office until P's successor has been appointed.
- (3) For the purposes of this section, the relevant orders are—
  - (a) Peel and Western District Housing Order 1969 (GR 7/69);
  - (b) Ramsey and Northern Districts Housing Order 1976 (GC 141/76);
  - (c) Western Swimming Pool Board Order 1999 (SD 574/99);
  - (d) Southern Civic Amenity Board Order 2000 (SD 58/00);

- (e) Southern Swimming Pool Board Order 2000 (SD 609/00);
- (f) Northern Swimming Pool Board Order 2000 (SD 610/00);
- (g) Northern Parishes Refuse Collection Board Order 2003 (SD 127/03);
- (h) Western Civic Amenity Board Order 2013 (SD 0183/13);
- (i) Southern Sheltered Housing Joint Board Order 2020 (SD 2020/0062).

## 20 Continuity of offices and appointments

- (1) Where a person (P) is to vacate office of a joint board on 1 May 2021 (or has already done so prior to that date) and a successor to that office has not been appointed, P is deemed to have been re-appointed and shall hold office until 1 August 2021 or such earlier time as the joint board may determine, unless P vacates that office earlier.
- (2) Where a person is to vacate office of a joint board on 1 May 2021 (or has already done so prior to that date) and a successor (S) to that office has been appointed, S is to continue in office until 1 August 2021 or such earlier time as the joint board may determine, unless S vacates that office earlier.
- (3) Where a local authority is required within a fixed number of days which fall before the date on which this section comes into operation to nominate or appoint a person to a joint board to fill a casual vacancy and has not done so, that requirement is satisfied if the local authority makes such nomination or appointment as soon as reasonably practicable.
- (4) Where—
  - (a) a local authority is required to—
    - (i) elect a member of a joint committee before the date this section comes into operation and has not done so, the person holding that office before that date continues to do so until the next meeting of the local authority, unless that person vacates that office earlier;
    - (ii) elect a member of a joint committee to fill a casual vacancy within a fixed number of days which fall before the date on which this section comes into operation and has not done so, that requirement is satisfied if the local authority fills the casual vacancy as soon as reasonably practicable;
  - (b) an appointment to an office falls to be made or would ordinarily be made at a meeting of a joint committee which is due to take place before the date on which this section comes into operation but has not done so, the person holding that office before that date continues to do so until the next meeting of the joint committee, unless the person vacates that office earlier.



**21 Schedule**

The Schedule, which makes consequential amendments to subordinate legislation, has effect.



## SCHEDULE

## CONSEQUENTIAL AMENDMENTS: SUBORDINATE LEGISLATION

[section 21]

**1 Douglas (Alteration of Wards and Number of Members) Order 2019**

In article 4(3)(b) of the Douglas (Alteration of Wards and Number of Members) Order 2019 (SD 2019/0137) for “22 April 2021” substitute **22** 22 July 2021 **22**.

**2 Port Erin (Number of Members) Order 2019**

In article 4(3)(b) of the Port Erin (Number of Members) Order 2019 (SD 2019/0388) for “22 April 2021” substitute **22** 22 July 2021 **22**.

**3 Port St Mary (Number of Members) Order 2019**

In article 4(3)(b) of the Port St Mary (Number of Members) Order 2019 (SD 2019/0389) for “22 April 2021” substitute **22** 22 July 2021 **22**.

**4 Arbory and Rushen (Local Government District) Order 2019**

(1) The Arbory and Rushen (Local Government District) Order 2019 (SD 2019/0498) is amended as follows.

(2) In article 5 —

- (a) in paragraph (2) for “1 May 2021” substitute **22** 1 August 2021 **22**;
- (b) in paragraph (2A) for “1 May 2021” substitute **22** 1 August 2021 **22** and for “30 April 2021” substitute **22** 31 July 2021 **22** and for “1 May 2021” substitute **22** 1 August 2021 **22**;
- (c) in paragraph (4) for “a 1 year term” substitute **22** a term of 1 year and 3 months **22**;
- (d) for paragraph (5) substitute —

**22** (5) Commissioners for the Arbory and Rushen Parish District who take up office on or after 1 August 2021 shall hold office until 1 May 2025 (and their successors shall take up office in each fourth succeeding year, other than when filling a casual vacancy in their number). **22**

## ENDNOTES

### Table of Endnote References