

CHAPTER No. 2

**CIVIL SERVICE (AMENDMENT)
ACT 2007**

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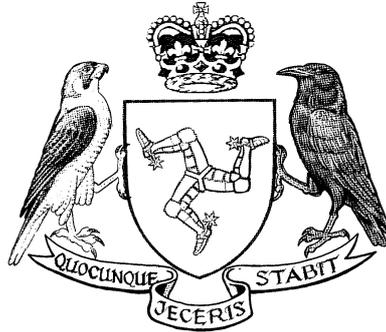
CIVIL SERVICE (AMENDMENT) ACT 2007

Arrangement of Sections

Section

- 1.** Amendment of constitution of Civil Service Commission
- 2.** Amendment of power for Chief Minister to give directions to Commission
- 3.** Commission to submit reports
- 4.** Membership of departments, statutory boards, etc.
- 5.** Membership of Commission : transitional
- 6.** Short title and commencement

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Isle of Man } Signed in Tynwald: 19th June 2007
 to Wit } Received Royal Assent: 19th June 2007
 Announced to Tynwald: 19th June 2007

AN ACT

to amend the constitution of the Civil Service Commission; to extend the power of the Chief Minister to give directions to the Commission; to require the Commission to submit reports to the Chief Minister; to make certain officers ineligible for membership of departments, statutory boards and certain public bodies; and for connected purposes.

WE, your Majesty's most dutiful and loyal subjects, the Council and Keys of the said Isle, do humbly beseech your Majesty that it may be enacted, and 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 (that is to say):—

1. In section 2 of the Civil Service Act 1990 —

(a) for subsections (1) to (3) substitute —

“(1) The Civil Service Commission shall consist of — [c. 8]

- (a) a chairperson and a vice-chairperson, who shall be members of Tynwald; and
- (b) no more than 3 other persons, who shall not be members of Tynwald.

Amendment
of constitution
of Civil Service
Commission

(2) The members of the Commission shall be appointed by the Chief Minister and shall hold office at the Chief Minister's pleasure.

(3) A member of the Commission may at any time resign on giving to the Chief Minister notice in writing of intention to do so.

(3A) The Chief Secretary and members of the Civil Service are not qualified for membership of the Commission.

(3B) Where the chairperson or deputy chairperson of the Commission ceases to be a member of Tynwald that person shall continue in office for all purposes (except that of filling the vacancy) until a successor is appointed.”;

(b) in subsection (4) the words “chairman of the” are repealed;

(c) subsection (8)(a) is repealed.

Amendment
of power for
Chief
Minister to
give
directions to
Commission

2. In section 2(7) of the Civil Service Act 1990, the words “in relation to any matter which appears to him to affect the public interest,” are repealed.

Commission
to submit
reports

3. In section 2 of the Civil Service Act 1990, at the end add —

“(9) As soon as practicable after the end of each year or more frequently if the Chief Minister so directs, the Commission shall make a report to the Chief Minister with respect to the carrying out of its functions under this Act.

(10) A copy of every report under subsection (9) shall be laid before Tynwald.”.

Membership
of
departments,
statutory
boards, etc.

4. (1) In section 1 of the Civil Service Act 1990, at the end add —

(6) Subject to subsection (7), no member of the Civil Service and no officer or employee of a Department, a statutory board or a body specified in an order made under section 4(1)(a) of the Payment of Members' Expenses Act 1989 shall be eligible to be a member of a Department, a statutory board or such a specified body.

(7) Subsection (6) shall not affect —

- (a) the chief executive officer of the Financial Supervision Commission;
- (b) the chief executive officer of the Insurance and Pensions Authority;
- (c) a person, a Department, a statutory board or a body specified for the purposes of this subsection in an order made by the Council of Ministers and approved by Tynwald.”.

(2) In Schedule 1 of the Electricity Act 1996 subsection 3(3) [c.14] is repealed.

5. (1) Notwithstanding section 1, the chairperson and members of the Civil Service Commission who are in office immediately before the date on which this Act comes into operation (“commencement”) shall remain in office until the date specified in subsection (2). Membership of Commission : transitional

(2) The date referred to in subsection (1) is —

- (a) in the case of the chairperson, the date of the first appointment of a chairperson after commencement;
- (b) in the case of the vice-chairperson (if any), the date of the first appointment of a vice-chairperson after commencement;
- (c) in the case of any other member, the date of the first appointment of a member after commencement;
- (d) the date on which that person would have gone out of office if this Act had not been passed, or
- (e) if the person resigns or is removed from office, the date on which the resignation or removal takes effect,

whichever is first.

6. (1) This Act may be cited as the Civil Service (Amendment) Act 2007. Short title and commencement

(2) Section 4 shall come into operation on such day as the Council of Ministers may by order appoint.