



Isle of Man

Ellan Vannin

AT 8 of 2019

**COUNCIL OF MINISTERS (AMENDMENT)
ACT 2019**

**Isle of Man***Ellan Vannin*

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COUNCIL OF MINISTERS (AMENDMENT) ACT 2019

Signed in Tynwald: 16 July 2019
Received Royal Assent: 16 July 2019
Announced to Tynwald: 16 July 2019

AN ACT to uphold and support the rule of law, and the independence of the judiciary, on the Island; 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 Council of Ministers (Amendment) Act 2019.

2 Commencement

This Act comes into operation at the beginning of the month following that in which Royal Assent to it is announced to Tynwald.

3 Amendment of the Council of Ministers Act 1990

After section 6 of the *Council of Ministers Act 1990* insert —

6A Duty of Council of Ministers to uphold and support rule of law


P2005/4/1(adapted)

- (1) The constitutional principle of the rule of law continues to exist.
- (2) The Council of Ministers has a constitutional role in upholding and supporting the constitutional principle of the rule of law.

6B Guarantee of continued judicial independence

P2005/4/3(1) and (4) to (7) (adapted)

- (1) The Council of Ministers acting collectively, each Minister and all with responsibility for matters relating to the judiciary or

- otherwise to the administration of justice, must uphold and support the continued independence of the judiciary.
- (2) The following particular duties are imposed for the purpose of upholding and supporting that independence.
- (3) The Chief Minister and the other members of the Council of Ministers must not seek (individually or collectively) to influence particular judicial decisions through any special access to the judiciary.
- (4) The Council of Ministers, each Minister and every other person having responsibility as mentioned in subsection (1) must have regard to—
- (a) the need to defend that independence;
 - (b) the need for the judiciary to have the support necessary to enable them to exercise their functions;
 - (c) the need for the public interest in regard to matters relating to the judiciary or otherwise to the administration of justice to be properly represented in decisions affecting those matters.
- (5) In this section "**the judiciary**" includes the judiciary of any of the following—
- (a) the High Court;
 - (b) any other court or tribunal established under the law of the Island. .

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