



**Isle of Man**

*Ellan Vannin*

**AT 1 of 2020**

**TYNWALD PROCEEDINGS  
(AMENDMENT) ACT 2020**





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## TYNWALD PROCEEDINGS (AMENDMENT) ACT 2020

*Signed in Tynwald:* 21 January 2020  
*Received Royal Assent:* 21 January 2020  
*Announced to Tynwald:* 21 January 2020

**AN ACT** to amend the Tynwald Proceedings Act 1876 to make provision about compulsion to give evidence, produce documents or supply information relating to proceedings in Tynwald and about the competence of witnesses in respect of those matters; 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 Tynwald Proceedings (Amendment) Act 2020.

### 2 Tynwald Proceedings Act 1876 amended

The *Tynwald Proceedings Act 1876* is amended as follows.

### 3 Section 2 amended and other consequential amendments made

- (1) In section 2 —
  - (a) immediately before the definition of “the Court” insert—
 

☐☐ “**Branch**” means the Legislative Council or the House of Keys, as the case requires;☐☐;
  - (b) omit the definition of “**House**”.
- (2) In consequence of the amendments made by subsection (1) for “either House” wherever occurring in the Act substitute ☐☐ either Branch☐☐.

### 4 Sections 6A and 6B inserted: matters within the exclusive cognisance of Tynwald Court or the Branches or subject to parliamentary privilege

After section 6 (punishment of libel) insert—

### **6A Matters within the exclusive cognisance of Tynwald Court or the Branches**

- (1) No court or tribunal (within the meaning of the *Tribunals Act 2006*) may require a person to give evidence, produce a document, or supply information, and no person may give evidence, produce a document or supply information, if doing so would infringe the exclusive cognisance of—
  - (a) Tynwald Court;
  - (b) the Legislative Council; or
  - (c) the House of Keys,
 in respect of the internal procedures of the body concerned.
- (2) Despite subsection (1), Tynwald Court or either Branch may by resolution authorise the giving of evidence, production of a document or the supply of information falling within subsection (1).
- (3) The relevant Presiding Officer, acting on the advice of the proper officer, may give a certificate that giving evidence, producing a document or supplying information in respect of a matter, would infringe the relevant body's exclusive cognisance.

Here —

- (a) “the relevant Presiding Officer” means—
  - (i) for Tynwald Court or the Legislative Council, the President of Tynwald; and
  - (ii) for the Keys, the Speaker; and
- (b) “the proper officer” means —
  - (i) for Tynwald Court, the Clerk of Tynwald;
  - (ii) for the Council, the Clerk to the Council; and
  - (iii) for the Keys, the Secretary to the House of Keys.
- (4) In any proceedings before a court or tribunal—
  - (a) a certificate under subsection (3) is conclusive evidence of the matters stated in it; and
  - (b) a document purporting to be such a certificate or a document purporting to be a certified copy of such a certificate, is to be treated as the certificate or copy (as the case requires) unless the contrary is proved.

### **6B Privileges and immunities in connection with proceedings in**

**Tynwald Court or the Branches**

P1688/2/art. 9

Article 9 of the Bill of Rights 1688 (an Act of Parliament [c. 2]) (which guarantees the freedom of speech and debate or proceedings in Parliament, and provides that those freedoms ought not to be impeached or questioned in any place outside Parliament) applies to Tynwald Court and to the Branches as it applies to the Commons House of Parliament. **22**.

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