

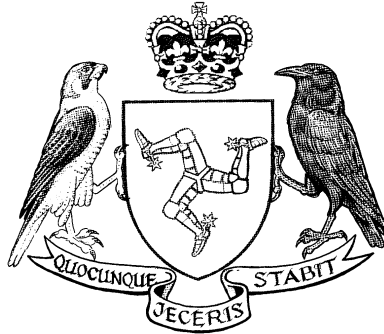
# **PRESIDING OFFICERS ACT 2008**

## **Arrangement of Sections**

### Section

1. Appointment of acting Speaker
2. Election of Deputy Speaker
3. Disqualifications for Speaker, acting Speaker and Deputy Speaker
4. Disqualifications for President of Tynwald and Deputy President of Tynwald
5. Repeal
6. Consequential amendments
7. Short title

Schedule — Consequential amendments



Isle of Man } Signed in Tynwald: 11th March 2008  
 tn Wit } Received Royal Assent: 11th March 2008  
 Announced to Tynwald: 12th March 2008

## AN ACT

to amend the Representation of the People Act 1995, the Constitution Act 1990 and the Council of Ministers Act 1990 so as to provide for the appointment of an acting Speaker and the election of the Deputy Speaker and to enable the Deputy President of Tynwald, the Deputy Speaker and an acting Speaker to be members of Departments and Statutory Boards; and for connected purposes.

**B**E 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. After section 9(1) of the Representation of the People Act 1995 insert — Appointment of acting Speaker

“(1A) The members of the Keys shall appoint an acting Speaker to preside over an election under subsection (1). [c.13]”

“(1B) The office of acting Speaker terminates automatically upon the election of the Speaker under subsection (1).”.

2. After section 9 of the Representation of the People Act 1995 (election of Speaker) insert — Election of Deputy Speaker

“Election  
of Deputy  
Speaker

- 9A.** (1) The members of the Keys shall —
- (a) on their first assembling following the election of the Speaker under section 9(1); and
  - (b) on the vacation of the office of Deputy Speaker under subsection (2)(a), (b) or (c),

forthwith proceed to elect one of their number to be Deputy Speaker.

(2) The office of Deputy Speaker shall be vacated —

- (a) on the death of the Deputy Speaker;
- (b) on his or her resignation by notice in writing to the members of the Keys of his or her office, or by his or her seat becoming vacant under section 6;
- (c) on his or her removal by a vote of the Keys;
- (d) by the dissolution of the Keys.

(3) The Deputy Speaker shall deputise in the absence of the Speaker and assume the powers of the Speaker when the Speaker is absent from the Island or is not present at any sitting of the Keys.”.

Disqualifications  
for Speaker,  
acting  
Speaker and  
Deputy  
Speaker

**3.** After section 9(A) of the Representation of the People Act 1995 insert —

“Disqualifi-  
cations

**9B.** (1) Neither the Speaker nor an acting Speaker nor the Deputy Speaker is eligible for nomination or appointment as Chief Minister or as a Minister.

(2) The Speaker is not eligible for nomination or appointment as a member of a Department or Statutory Board.

(3) An acting Speaker and the Deputy Speaker are each eligible for nomination and appointment as a member of a Department or Statutory Board.

(4) If the Chief Minister or a Minister is elected or appointed to be Speaker, acting Speaker or Deputy Speaker, he or she shall go out of office as Chief Minister or Minister, as the case may be.

(5) If a member of a Department or Statutory Board is elected to be Speaker, he or she shall go out of office as member of that Department or Statutory Board, as the case may be.

(6) No nomination, appointment or election (before the date on which the Presiding Officers Act 2007 comes into operation) of a person to an office specified in this section shall be invalid by reason only that the person was nominated, appointed or elected when disqualified from such nomination, appointment or election under the provisions of any enactment as they had effect at the time of the nomination, appointment or election.

(7) To avoid doubt, the definition of “the Speaker” in section 3 of the Interpretation Act 1976 does not apply to the interpretation of this section.” [c.20]

**4.** After section 5 of the Constitution Act 1990 (Deputy President) insert —

“Disqualifi-  
cations

**5A.** (1) Neither the President of Tynwald nor the Deputy President of Tynwald is eligible for nomination or appointment as Chief Minister or as a Minister.

Disqualifications  
for President of  
Tynwald and  
Deputy President  
of Tynwald

[c. 6]

(2) The President of Tynwald is not eligible for nomination or appointment as a member of a Department or Statutory Board.

(3) The Deputy President of Tynwald is eligible for nomination and appointment as a member of a Department or Statutory Board.

(4) If the Chief Minister or a Minister is elected or appointed to be President of Tynwald or Deputy President of Tynwald, he or she shall go out of office as Chief Minister or Minister, as the case may be.

(5) If a member of a Department or Statutory Board is elected to be President of Tynwald, he or she shall go out of office as member of that Department or Statutory Board, as the case may be.

(6) No nomination, appointment or election (before the date on which the Presiding Officers Act 2008 comes into operation) of a person to an office specified in this section shall be invalid by reason only that the person was nominated, appointed or elected when disqualified

from such nomination, appointment or election under the provisions of any enactment as they had effect at the time of the nomination, appointment or election.”.

Repeal           **5.** Section 7 of the Council of Ministers Act 1990 is repealed.

[c. 3]

Consequential amendments   **6.** The enactments specified in the Schedule are amended in accordance with that Schedule.

Short title       **7.** This Act may be cited as the Presiding Officers Act 2008.

## Section 6.

## SCHEDULE

## CONSEQUENTIAL AMENDMENTS

*The Tynwald Proceedings Act 1876 (IV p.473)*

1. In section 2, for the definition of “The Speaker” substitute —

““The Speaker” means the Speaker of the House of Keys for the time being and includes an acting Speaker and the Deputy Speaker when deputising in the absence of the Speaker;”.

*Interpretation Act 1976 (c.20)*

2. In section 3, for the definition of “the Speaker” substitute —

““the Speaker” means the Speaker of the House of Keys for the time being and includes an acting Speaker and the Deputy Speaker when deputising in the absence of the Speaker;”.

