

**1. Interpretation Bill 2014 –
Standing Orders suspended to permit the following motion to be moved at this sitting**

HM Acting Attorney General to move:

That Standing Orders be suspended to permit the following motion to be moved at this sitting.

The President: We start off with the Interpretation Bill, Hon. Members, but I think that the learned Acting Attorney General wishes to start by suspending Standing Orders because of a problem with the amendment.

The Acting Attorney General: Yes, Madam President, thank you very much.

I would, with your leave, like to seek to move suspension of Standing Orders to enable me to move at short notice an amended motion to replace that which appears on the Order Paper for today's sitting as was first published.

As you said, Madam President, it refers to the Interpretation Bill 2014. Following its publication it was noticed that there had been a drafting slip with reference to the provision which was passed by the Keys on 3rd March 2015 and the motion which I am seeking leave to introduce today addresses that, Madam President.

So, if I could first seek the approval of Council and yourself to suspend the Standing Orders to enable that to happen.

The President: Do we have a seconder?

Mr Henderson: I beg to second.

Mr Corkish: I beg to second, Madam President.

The President: Is that agreed, Hon. Members?

Members: Agreed.

**Interpretation Bill 2014 –
Disagreement with and substitution of Keys' amendment –
Motion carried**

HM Acting Attorney General to move:

That the Council disagree with the amendment made by Keys, and in lieu thereof substitute the following:

Amendment to clause 107

1. Page 59, after line 32 insert —

(7) In section 2A of the European Communities (Isle of Man) Act 1973 —

(a) in subsection (1) for 'the provisions of any other statutory provision' substitute 'any other rule of law applying to the Island'; and

(b) in subsection (3) for 'repealing or amending any provision of any statutory provision (other than this section)' substitute 'repealing, amending or modifying, in its application to the Island, any rule of law (other than this section)'

The President: I call on the learned Attorney General, then, to move the amended motion in his name which has been circulated to Hon. Members.

The Acting Attorney General: Yes, Madam President, thank you very much.

The amended motion is brief in its purpose, which is to seek the agreement of Council today that it disagrees with the amendment made by the Keys and in lieu thereof substitute the following; and the following is that:

‘Amendment to clause 107
Page 59, after line 32 insert —’

— what is a new subsection (7) —

‘(7) In section 2A of the European Communities (Isle of Man) Act 1973 —
(a) in subsection (1) for “the provisions of any other statutory provision” substitute “any other rule of law applying to the Island”; and
(b) in subsection (3) for “repealing or amending any provision of any statutory provision (other than this section)” substitute “repealing, amending or modifying, in its application to the Island, any rule of law (other than this section)”.’

This motion, hon. colleagues, makes an amendment which is identical in its effect on the European Communities (Isle of Man) Act 1973 with that proposed by the Keys. Unfortunately the locating reference in the Keys’ motion referred to line 26 rather than line 32 and, therefore, puts the amendment in the wrong place in the text of clause 107.

Very briefly, Madam President and colleagues, this amendment which I will say was made by the Keys and identified by them, although they got on the drafting of it the insert line wrong, makes a change to the European Communities (Isle of Man) Act 1973 as a consequence of a change in the meaning in all Manx legislation of the term ‘statutory provision’. Until now it has included any provision in an enactment of the UK Parliament or in an instrument of a legislative character under such an enactment which applies to the Island.

This causes some tension in the construction of UK legislation applied to the Island and, accordingly, the present Bill limits the meaning of ‘statutory provision’ to provisions of Manx Acts and statutory documents made under them. Without the amendments to the European Communities (Isle of Man) Act 1973 there would have been a need to pass new primary legislation on each occasion when an EU obligation required an amendment to be made to UK legislation applying to the Island.

I hope that is of help to Hon. Members; and, Madam President, I would therefore beg to move the motion standing in my name.

The President: The Hon. Member, Mr Coleman.

Mr Coleman: Thank you, Madam President. I beg to second.

The President: The motion before Council is that the Council disagree with the amendment made by the Keys and in lieu thereof substitute the amendment as printed on your papers. Those in favour, please say aye; against no. The ayes have it. The ayes have it.