



LAW OFFICERS BILL 2013

EXPLANATORY NOTES

These notes are circulated for the information of Members with the approval of the Member in charge of the Bill, the Hon Allan Bell MHK

Clause 1

1. Clause 1 specifies the short title of the Act resulting from the Bill.

Clause 2

2. Clause 2 provides that the Act resulting from the Bill will be brought into operation by means of an appointed day order made by the Council of Ministers. Such an order may contain transitional and incidental provision which appears to the Council of Ministers to be necessary.

Clause 3

3. Clause 3 amends section 3 of the Interpretation Act 1976. Subsection (3) of the clause replaces the existing definition of “the Attorney General” with a wider definition which includes any Acting Attorney General authorised to discharge the functions of the Attorney General by a warrant under Her Majesty’s Royal Sign Manual. In consequence of this replacement subsection (2) of the clause divides the existing section 3 into two subsections, the existing text becoming section 3(1). Subsection (4) of the clause adds a new section 3(2), which makes it clear that the replacement of the definition of “the Attorney General” does not limit any existing rule of law or practice authorising others to act on behalf of the Attorney General.

Clause 4

4. Clause 4 amends section 7(a)(1) of the Isle of Man Constitution Amendment Act 1919 to authorise the attendance at a sitting of Tynwald or the Legislative Council of either the Attorney General or the Acting Attorney General.

Clause 5

5. Clause 5 repeals the Isle of Man (Constitution) (Amendment) Act 1975, which is spent. Subsection (2) provides for the Act resulting from the Bill to cease to have effect on the day following its promulgation or, if not all of its provisions have come into operation before promulgation, on the day following that on which the last provision of the Act comes into operation.