

Statutory Document No. 2019/0440



*Tynwald Commissioner for Administration Act 2011*

## **TYNWALD COMMISSIONER FOR ADMINISTRATION ACT 2011 (APPOINTED DAY) (No. 2) ORDER 2019**

*Made*

*30 October 2019*

*Laid before Tynwald:*

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The Council of Ministers makes the following Order under section 2 of the Tynwald Commissioner for Administration Act 2011.

### **1 Title**

This Order is the Tynwald Commissioner for Administration Act 2011 (Appointed Day) (No. 2) Order 2019.

### **2 Commencement of provisions of the Tynwald Commissioner for Administration Act 2011**

- (1) The following provisions of the Tynwald Commissioner for Administration Act 2011 come into operation on 1 January 2020 –
  - (a) Section 30 (consequential amendments), to the extent that it is not already in operation;
  - (b) Paragraph 12 of Schedule 1 (the Commissioner);
  - (c) Paragraph 1(b), (f), (g), (h), (i) and (k) of Schedule 2 (listed authorities).
- (2) Paragraph 1(c), (d) and (e) of Schedule 2 to the Tynwald Commissioner for Administration Act 2011 comes into operation on 1 July 2020.

**MADE 30<sup>TH</sup> OCTOBER 2019**

**W GREENHOW**  
*Chief Secretary*

*EXPLANATORY NOTE**(This note is not part of the Order)*

This Order brings into operation further provisions of the Tynwald Commissioner for Administration Act 2011 (“the Act”) as follows:

Paragraph 12 of Schedule 1, which permits the Tynwald Commissioner for Administration (“the Commissioner”) to appoint staff to assist in the carrying out of the Commissioner’s functions comes into operation on 1 January 2020, together with a consequential amendment to the Personal Liability (Ministers, Members and Officers) Act 2007 (which is contained in section 30(3) of the Act). The effect of the consequential amendment is that officers (permanent or temporary) serving on the staff of the Tynwald Commissioner for Administration will not be personally liable in respect of any act done in the performance or purported performance of his or her functions if the officer acted in good faith and in the honest belief that his or her functions required or empowered the doing of the act; or that he or she was acting in the exercise or execution of any authority conferred on him or her in their official capacity.

Paragraph 1(b), (f), (g), (h), (i) and (k) of Schedule 2 (listed authorities) also comes into operation on 1 January 2020. Once these provisions are in operation the Commissioner’s investigatory functions will apply in relation to statutory boards; the Manx Museum and National Trust; the Public Services Commission; the Attorney General’s Chambers; the General Registry; and industrial relations officers appointed under section 5 of the Trade Disputes Act 1985.

Paragraph 1(c), (d) and (e) of Schedule 2 comes into operation on 1 July 2020. Once these provisions are in operation the Commissioner’s investigatory functions will apply in relation to all local authorities; a joint committee of two or more local authorities; and a joint board being a body corporate established under an enactment and consisting of members appointed by 2 or more local authorities; or by the Department of Infrastructure and one or more local authorities.