



STANDING ORDERS OF THE HOUSE OF KEYS

REVISED EDITION JUNE 2017

Editorial note

The Standing Orders of the House of Keys were subject to a wholesale revision during the period 2001 to 2006 with the revised Standing Orders being adopted by the House on 30th May 2006.

The present edition is based on the May 2006 text and incorporates the amendments made on the dates listed below, superseding the September 2011 consolidated edition (PP 0128/11) and the updated editions of May 2013 (PP 0093/13), September 2013 (PP 0129/13), May 2014 (PP 2014/0081), September 2014 (PP 2014/0114), September 2015 (PP 2015/0129), January 2017 (PP 2017/0010) and April 2017 (PP 2017/0076). The Code of Conduct for Journalists in Annex 1 has been approved by the House. The other material in the Annexes has been added editorially as have the footnotes and index.

Date	Standing Order(s) affected
23 rd January 2007	11.5A
27 th March 2007	4.17–4.24, 6.6
23 rd October 2007	3.10, 11.5A
8 th December 2009	8.1–8.3
29 th March 2011	1.3(1), 3.4.3(2), 3.11(3), 6.4(2), 11.6.1
27 th November 2012	1.1(2)
14 th May 2013	3.5.1(2), 3.21
15 th April 2014	4.7(4A)
30 th June 2015	3.6(5)
24 th January 2017	4.4A
7 th March 2017	Annex 1
4 th April 2017	8.1, 8.2, 8.3, 11.5A(1), 11.5A(4)
5 th June 2017	Annex 2

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Secretary of the House and Counsel to the Speaker
5th June 2017

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I: SITTINGS OF THE KEYS

Sittings

- 1.1** (1) The House of Keys shall assemble and sit at each duly convened sitting of Tynwald Court.
- (2) Unless it is resolved otherwise or the Speaker otherwise directs, the House shall, if such days are not days when the House is sitting in accordance with paragraph (1), sit alone on each Tuesday –
- (a) from the third Tuesday in October to the third Tuesday in December,
 - (b) from the third Tuesday in January to the Tuesday before Good Friday,
 - (c) from the third Tuesday after Good Friday to the last Tuesday in May, and
 - (d) from the third Tuesday in June to the last Tuesday in June.¹
- (3) At a sitting of the House in Tynwald, the Speaker shall, after that sitting of Tynwald and the transaction of any business of the House, adjourn to the next sitting day prescribed in 1.1(2).
- (4) If it appears to the satisfaction of the Speaker that the public interest requires that the House should meet at a time other than those prescribed in 1.1(1) or (2), or if the Speaker receives a written request signed by no fewer than eight other Members, the Speaker shall give notice that the House shall meet at the time stated in such notice.
- (5) Notice of sittings convened under (4) shall be given to each Member in writing and shall specify the reason for summoning the House; it shall be given by the Secretary of the House by such means as the Speaker may direct.

Times of sittings

- 1.2** (1) A sitting shall begin at 10.00 am unless the Speaker otherwise determines.

¹ 1.1(2) amended 27th November 2012

- (2) On ordinary occasions, the business of the day shall terminate by 5.30 pm, and any later sitting of the House shall be determined by a majority of the Members present and voting.

Summoning, prorogation and dissolution

- 1.3** (1) The Keys, unless dissolved sooner, shall be dissolved on 18th August 2011 and thereafter on the Thursday during the fifth succeeding month of August (computed from the day on which the last General Election of the Keys has been held) following the third Tuesday in that month.²

(Representation of the People Act 1995, s. 2)

- (2) The Lieutenant Governor may, whenever he thinks it expedient –
 - (a) by precept under the Lieutenant Governor's hand –
 - (i) summon the House when not in Session, or when the House stands adjourned or prorogued though adjourned or prorogued to a more distant date or for a longer period; or
 - (ii) prorogue the House; or
 - (b) by proclamation dissolve the House and issue fresh writs for a General Election of Members to serve therein.
- (3) Unless it is impractical to do so, the Lieutenant Governor shall seek the advice of the Chief Minister before proceeding under paragraph (2).

(Representation of the People Act 1995, s. 3)

- (4) When the House is convened under authority of the Lieutenant Governor, it shall meet at the time named in such authority.

Adjournments

- 1.4** (1) An adjournment of the House shall take place when the business set out in the Order Paper is completed, or by the authority of the Speaker.
- (2) Whenever the Speaker is of the opinion that it is desirable for the House not to sit on one of the days prescribed in 1.1(2), it shall be lawful for the Speaker to notify the Members of an intention to adjourn to some other day. If, however, it is necessary to adjourn the Keys from one day to another, without the Keys having assembled, the Speaker

² 1.3(1) amended 29th March 2011

may, by signed writing, authorise the Secretary of the House, or any other person named in such writing, to attend at the place and time for which the Keys has been convoked and adjourn it to the day, time and place appointed by such writing.

(cf Tynwald Court Adjournments Act 1919, s. 2A

II: ARRANGEMENT OF BUSINESS

Order Paper

- 2.1** (1) Other than for the sitting of the House in Tynwald Court, the business before the House shall be set out in an Order Paper, containing Questions and other matters, prepared by the Secretary of the House and issued under the authority of the Speaker.
- (2) The business shall be set out in the Order Paper under the authority of the Speaker.
- (3) The business of the House shall be that set out on the Order Paper and it shall be taken in the sequence there shown; but by a resolution of the House supported by a majority of Members present and voting the order in which business is considered may be changed.
- (4) Petitions may be presented by Members without previous notice.
- (5) Except where the House is recalled under Standing Order 1.1(4), Order Papers shall be sent to each Member so as to be received at least three clear days before the sitting.
- (6) When the House sits in Tynwald Court, there shall be no Order Paper sent to Members and no business considered, unless the Speaker shall certify a matter as proper to be considered before the next sitting of the House which is due under Standing Order 1.1(2); and, in that case, Standing Orders shall apply as for such a sitting.

Notices of motion, Questions and amendments to Bills

- 2.2** Save as provided in Standing Order 4.7(3)(b), Notices of Motion, Questions and amendments to Bills which are before the House for consideration must be submitted to the Secretary by 5.00 pm six working days before the sitting at which the motion is to be made.

Speaker may disallow motions and Questions

- 2.3** (1) The Speaker shall decide if a motion or Question is admissible under these Standing Orders and shall disallow any motion or Question if it infringes any of them.
- (2) The Secretary of the House shall inform the Member concerned in writing of the disallowance of a motion or Question by the Speaker,

with the reason therefor, within twenty four hours of the Speaker making such ruling.

Business interrupted

2.4 Proceedings may be interrupted –

- (a) under Standing Orders, on a point of order (which the Member must specify);
- (b) by a matter of privilege suddenly arising;
- (c) by a message or communication from the Lieutenant Governor, the President of Tynwald or the Council;
- (d) by a motion for the reading of an Act of Tynwald, an entry in the records of the House, or any document relevant to the Question before the House;
- (e) by a motion for the adjournment of the debate; or
- (f) by a Member seeking to move the immediate discussion of a specific matter of urgent public importance, in which case —
 - (i) written notice of a motion for the immediate discussion of a specific matter of urgent public importance must be given to the Speaker, and
 - (ii) if the Member who has given notice is supported by four other Members rising (no amendment or debate being allowed) such motion shall, with leave of the House, take precedence over any other business.³

Adjournment by resolution of the House

2.5 Any business may be adjourned by resolution of the House, supported by a majority of the Members present and voting, to such time or date as the resolution provides.

Adjournment in absence of quorum

2.6 If it appears, on attention being called thereto, that a quorum of Members is not present, the Speaker shall suspend the proceedings until a quorum be present or adjourn the House to such time or date

³ No seconder is needed because the four other Members rising are the equivalent of “seconders”: see for example 3rd April 2012.

as, considering the business before the House, to the Speaker seems fit.

Business not concluded or not reached

- 2.7** (1) All business not concluded or not reached at the adjournment of a sitting shall be listed on the next Order Paper and take precedence over new business of the same class.
- (2) At the request of any Member, the Speaker may give directions about the position in which any item of business appears on the Order Paper.
- (3) In exercising discretion under paragraph (2), the Speaker shall take into account the overall state of business before the House, the number of sittings remaining in the current Session and the need to ensure a balance between the time given to Government and non-Government business.

II: GENERAL RULES OF PROCEDURE

Attendance of Members

3.1 Attendance and leave of absence

- (1) Every Member, unless that Member has leave of absence, shall attend the service of the House.
- (2) The Speaker may either grant a Member leave of absence, which shall be communicated to the House, or the Member shall be required to seek leave of absence from the House sitting in private.
- (3) The Secretary of the House shall maintain a register in which shall be recorded the names of Members attending each sitting.

Prayers

3.2 Prayers

- (1) Before the commencement of business, prayers shall be read by the Chaplain of the House (or, in the Chaplain's absence, by the Speaker) on the morning of every day the House meets (except when it assembles before or after Tynwald).
- (2) No person shall enter or leave the Chamber while prayers are being read.

Questions

Members may be questioned

- 3.3** (1) The proper object of a Question is to obtain information.
- (2) A Question may be put
 - (i) to the Speaker, if confined to the business of the House; and
 - (ii) to any Member on a matter for which that Member has responsibility or which is within the Member's cognisance.

Right to ask Questions

3.4.1 The right to ask Questions shall be governed by the following rules, as to the interpretation of which the Speaker shall be the sole judge.

3.4.2 A Question shall –

- (1) be concise and refer to one subject only;
- (2) contain no argument, implication, imputation, unnecessary, disparaging, abusive or ironical word;
- (3) be printed on the Order Paper without any special emphasis or distinguishing type, save that needed to identify a quotation or reference contained within it.

3.4.3 A Question shall not –

- (1) renew or repeat in substance a Question already answered in the House or in Tynwald within the preceding six months, unless:
 - (i) an answer has been refused or no substantive answer was given;
 - (ii) a Member has refused or failed to take action in response to the earlier Question, or,
 - (iii) the Speaker is satisfied that it raises a matter of urgency, or that special reasons exist;
- (2) refer to any matter which is *sub judice*, subject to the discretion of the Speaker;⁴
- (3) seek an expression of opinion save in relation to issues of public policy, or seek the interpretation of the law, the answer to an abstract legal question or to a hypothetical proposition;
- (4) contain the name of any person or any statement not strictly necessary to make the Question intelligible;
- (5) reopen any issue debated in the House or in Tynwald within the preceding six months, except where the Speaker is satisfied that special reasons exist and that asking the Question is in the public interest;

⁴ 3.4.3(2) amended 29th March 2011

- (6) relate to proceedings in a committee of the House or of Tynwald, unless such proceedings have been placed before the House or Tynwald by a report of the committee; but a Question may be asked about the date on which a committee expects to report;
- (7) reflect on the character or conduct of any person, or make or imply a charge of a personal nature;
- (8) contain any statement for whose accuracy the Member asking it does not accept personal responsibility.

3.4.4 (1) A Question which contains unbecoming expressions or offends against Standing Orders may, with the consent of the Member asking the Question, be amended by the Secretary of the House, and may thereupon appear on the Order Paper.

- (2) The character or conduct of any person may only be challenged on a substantive motion.

3.4.5 For the purposes of 3.4.1 to 3.4.4 above, “Question” includes a supplementary Question.

Questions and statements – procedure

3.5.1 (1) Tabled Questions shall be taken at the stage of business provided by Standing Order 2.1(3).

- (2) The time allotted for tabled Questions shall be one hour.⁵

(3) A tabled Question shall be asked –

- (a) by the Member who has tabled the Question, or
- (b) by another Member, where the Member who has tabled the Question:
 - (i) has leave of absence; and
 - (ii) has requested that other Member to ask the Question and has previously informed the Speaker of the request.

(4) A Question which is not a tabled Question but which has been submitted to the Speaker in writing may be asked by a Member for oral

⁵ 3.5.1(2) amended 14th May 2013

answer at such time as the Speaker may direct where in the opinion of the Speaker it is of an urgent character and relates to a matter of public importance.

- (5) In asking a Question, no argument or opinion shall be offered nor any fact stated, except to the extent necessary to explain the Question.

3.5.2 (1) A Question which has not been tabled may be asked on a Statement made by a Member.

- (2) All Statements made by Members shall, unless they are made with the consent of the Speaker on a matter of urgency, be noted on the Order Paper for the sitting at which they are to be made, which shall indicate their subject matter if it is related to the business of Government or any public body, or indicate that the Statement is made by the Member in a personal capacity.

- (3) The text of a Statement (except where it is a personal Statement) shall be provided to each Member of the House at or before the time it is made.

Answering of Questions

3.6 (1) A Question shall be answered orally unless the Member, when tabling the Question, has indicated that a written answer is required or, if it has not been asked by virtue of the provision of Standing Order 3.5.1(2), a written answer shall be given.

- (2) In the case of any Question to which an oral answer is required –

- (a) the Speaker shall call upon the Member in whose name it stands and the Member so called shall rise and ask the Question and the person questioned shall answer; and

- (b) if the answer is lengthy, the Member questioned may (without affecting the right to ask supplementary questions) circulate a written answer to Members and to the Secretary of the House at least 24 hours before the sitting at which the Question will be asked.

- (3) In the case of any Question to which a written answer is required, the Member questioned shall provide the answer to the Secretary of the House no later than 10 am on the sitting day on which the Question was tabled for answer, and the Secretary shall circulate it to the House.

- (4) A Member who wishes another Member to ask a Question standing in the name of the first Member shall, except in case of emergency, so notify the Speaker no later than 5 pm on the day before the sitting at which the Question is to be asked.
- (5) Subject to the discretion of the Speaker, a Member answering shall be allowed to postpone answering a Question to allow the information to be collated.⁶

Supplementary Questions

- 3.7** (1) Any Member may ask a supplementary Question for the purpose of further elucidating any matters of fact arising out of an answer given under Standing Order 3.6(2) but must not otherwise introduce matter not included in the original Question.
- (2) The Speaker shall disallow any supplementary Question if satisfied that it infringes any of these Standing Orders relating to the admissibility of Questions.

Questions not answered or reached

- 3.8** If a tabled Question for oral answer is not reached during the time allowed under Standing Order 3.5.1(2), the Member to whom it is addressed shall provide the answer in writing to the Secretary of the House by 12 noon on the following day and the Secretary shall circulate it to Members forthwith, unless the Member who has tabled the Question elects to –
- (a) withdraw the Question, or
 - (b) table the Question for answer at the next sitting.

Answers to Questions not asked

- 3.9** If a Question is not asked when it is reached or is withdrawn, the Member to whom it is addressed may give an answer to it at discretion upon the ground of public interest.

Answers may be refused

- 3.10** (1) At discretion an answer to a Question may, on application to the Speaker, be declined by the Member questioned as being contrary to public interest.⁷

⁶ 3.6(5) inserted 30th June 2015

- (2) If a Member to whom a tabled Question is addressed declines to answer it on the ground that to do so would be contrary to the public interest, that Member shall no later than 24 hours before the sitting confirm in writing to the Speaker the reasons for refusal.
- (3) If a Member to whom a supplementary Question is addressed declines to answer it on the ground that to do so would be contrary to the public interest, that Member shall no later than 24 hours after the sitting confirm in writing to the Speaker the reasons for refusal.
- (4) The Speaker shall report to the House at the sitting at which the Question is tabled, or in the case of a supplementary Question at the next sitting, whether the Speaker is or is not satisfied that it would be contrary to the public interest for the Question to be answered, and may give reasons.⁸

Motions and amendments to motions

Rules as to framing and making motions

- 3.11** (1) Except for a motion for rescission under Standing Order 3.19, no motion may be proposed which is the same in substance as any motion which, during the same Session, has been superseded or resolved in the affirmative or negative.⁹
- (2) No motion shall refer to a matter already tabled for consideration of the House at the same sitting or at a subsequent sitting in the same Session, except by leave of the House supported by a quorum.
 - (3) A motion shall not refer to any matter which is *sub judice*, subject to the discretion of the Speaker.¹⁰
 - (4) A motion which is not seconded shall not be debated but shall be recorded in the votes and proceedings of the House.
 - (5) Prior to a Member offering a motion or amendment for the consideration of the House, the Member shall (save in the case of a

⁷ 3.10(1) amended 23rd October 2007

⁸ 3.10(4) amended 23rd October 2007

⁹ This Standing Order does not prohibit the proposing of a motion in the Keys which is the same in substance as a motion which during the same session has been superseded or resolved in Tynwald Court. See for example 3rd April 2012.

¹⁰ 3.11(3) amended 29th March 2011

motion to suspend Standing Orders or for an adjournment) produce it in writing, and hand the same to the Speaker or the Secretary of the House.

Motion divided into paragraphs or parts

3.12 If a motion contains two or more distinct propositions (whether or not it is formally divided into parts), the Speaker may with the consent of the House direct that

- (a) a particular proposition be debated separately and put as a substantive motion; or
- (b) the propositions be debated as one but voted upon separately.

Motion withdrawn.

3.13 (1) A Member who has moved a motion or amendment may withdraw it by the leave of the House.

(2) A motion which has been withdrawn may be tabled again.

Superseding a motion

3.14 A motion is superseded by –

- (a) an amendment to it, or
- (b) a resolution “That the House do now proceed to the next business”.

Rules as to amendments

3.15 (1) A motion may be amended.

(2) Every amendment must be relevant to the motion to which it is proposed.

(3) Save in connection with a Bill before the House, no Member may move more than one amendment to any motion.

(4) An amendment to a Bill before the House shall be tabled in accordance with Standing Order 2.2.

(5) Where there is more than one amendment tabled to a clause or Schedule in a Bill before the House the Speaker may with the consent of the House direct that –

- (a) each amendment be debated and voted upon separately; or
- (b) all the amendments be debated together but voted upon separately; or
- (c) all the amendments be debated and voted upon together.

Closure of debate

- 3.16** (1) When any motion is before the House, a motion may be made “That the motion be now put”, no amendment or debate being allowed.
- (2) Unless it appears to the Speaker that such motion is an abuse of the rules of the House or an infringement of the rights of the minority, it shall be put forthwith.
- (3) If such motion is decided in the affirmative by two-thirds of the Members present, the Speaker shall call upon the mover of the original motion to reply, after which the original motion shall be put.

Putting of motion

- 3.17** (1) At the conclusion of the debate, the Speaker shall put the motion to the House.
- (2) Where an amendment has been proposed and seconded, the Speaker shall put the Question and, if carried, the amendment shall form part of the motion.
- (3) Where more than one amendment has been proposed and seconded, each amendment shall be moved, unless otherwise determined by the Speaker, in the order in which, if agreed to, it would stand in the amended motion.
- (4) If a motion or amendment is divided into parts, the Speaker shall put the parts of such motion or amendment consistently with the directions made under Standing Orders 3.12 and 3.15(5) above and, subject thereto, the motion then resulting shall be put as a whole and carried or lost as such.
- (5) In the case of a Bill before the House, when it has been resolved by way of amendment to adopt an amendment in substitution for the main question, or to alter the form of such question, the substituted or amended question shall become the main question, and shall be proposed; the same course shall be followed until all amendments have been disposed of.

- (6) A motion being put shall be resolved in the affirmative or negative by the majority of Members declaring “Aye” or “No”.
- (7) The Speaker shall state an opinion whether the “Ayes” or the “Noes have it, and shall repeat that opinion once; if a Member calls for a division before the Speaker has finished repeating the opinion, the matter shall be determined by a division. When the House divides, the votes of Members shall be taken openly.

Voting on a division

- 3.18** (1) Every Member entitled to do so, and who is both present and seated in the House when a motion is put, shall vote, but the Speaker may, at discretion, abstain.

(Isle of Man Constitution Act 1961, s. 6)

- (2) As each Member’s name is called by the Secretary of the House, the Member shall vote “for” or “against” and the Secretary shall record the votes.
- (3) In the case of confusion or error concerning the numbers on a division, the Speaker, at discretion, or at the request of a Member, shall direct the vote to be taken again.
- (4) The Speaker shall announce the result of the voting.
- (5) Where there is an equality of votes, the Speaker shall exercise a casting vote, whether or not the Speaker has previously voted on the motion, except in the case of a ballot.

(Isle of Man Constitution Act 1961, s. 6)

Resolutions rescinded

- 3.19** (1) No resolution shall be rescinded in the Session in which it was passed except upon a substantive motion supported by a vote of at least sixteen Members of the House.
- (2) This Standing Order shall not apply to clauses of Bills or to amendments of clauses introduced after a Bill has been returned by the Council, which shall be dealt with as provided in Standing Orders 4.13, 4.14 and 4.15.

Rules of conduct and debate

Keys to debate apart from other Branch

- 3.20** The House shall not sign or pass any law, ordinance, or other Act or Acts whatsoever which it has not previously debated apart from the Council.

House may retire to its own Chamber.

- 3.21** (1) When any question is proposed in Tynwald, if any Member of the House at any stage of the proceedings shall move that the same be debated apart from the Council before any decision is come to; or
- (2) At any time in Tynwald if any Member of the House shall move that the House retire to their own Chamber,
- such motion shall, if seconded, be forthwith put to the House, no debate or amendment being allowed, and if a majority of the Members present vote in its favour the House shall forthwith retire to its own Chamber.¹¹

Conduct of Members

- 3.22** (1) Members shall bow to the Speaker on entering, leaving or crossing the Chamber.
- (2) Members shall not pass between the Speaker and a Member who is speaking. .
- (3) Members shall not stand in the passages or gangways. .
- (4) Members shall dress appropriately and behave with decorum. .
- (5) Members shall not interrupt the business of the House by speaking or whispering. .
- (6) No Member may read any book or newspaper save in connection with business actually before the House, or operate any electronic equipment inappropriately.

The Speaker calls on Members to speak

- 3.23** (1) Subject to paragraph (3), every Member who desires to speak shall stand and address the Speaker, or otherwise indicate a wish to speak.

¹¹ 3.21 amended 14th May 2013

- (2) When two or more Members rise to speak, the Speaker shall call upon the Member who in the Speaker's opinion first rose, or at discretion, any Member who has given notice of a desire to speak.
- (3) By leave of the Speaker, a Member who is unable conveniently to stand by reason of sickness or infirmity, may speak sitting.

Members speaking.

- 3.24**
- (1) A Member speaking shall address the Speaker and shall speak only to a motion or amendment which that Member is moving, or which has been moved, or to a matter of order or privilege
 - (2) When an amendment has been moved which seeks to substitute for a motion words more or less at variance therewith, debate shall not be restricted to the amendment but may relate to the amendment and the motion, both matters being under the consideration of the House, as alternative proposals.
 - (3) If an amendment be to add or omit words, the debate shall be restricted to the desirability of the addition or omission of those words.
 - (4) Whenever the Speaker speaks, any Member then speaking or offering to speak shall sit down, so that the Speaker may be heard without interruption.
 - (5) No Member may speak to any motion after it has been put by the Speaker.
 - (6) The proceedings of the House shall be in English; but if a Member at any point pronounces a customary term or sentence in Manx Gaelic or another language, the Speaker may call upon the Member for a translation.
 - (7) With leave of the House, a Member may explain matters of a personal nature although there is no question before the House, but no debatable matter may be brought forward and no debate shall arise upon an explanation. The ruling of the Speaker on the admissibility of a personal explanation shall not be open to objection at the meeting at which the ruling is given.
 - (8) (a) A Member shall refer to another Member by name and/or by the constituency the Member represents.

- (b) In the case of constituencies represented by more than one Member, such Members shall be referred to by constituency and name.
- (9) When any question is put, the Speaker may explain, but shall not sway the House by argument or implication.
- (10) No debate shall be permitted with respect to any Bill sent to the Council.

Speaking “to order”

- 3.25** (1) Upon a matter of order or of privilege arising, any Member may speak provided that the Member does so immediately, and commences by a statement that the Member rises for that purpose.
- (2) The Member who was addressing the House must thereupon be seated, and the Member who rose on a matter of order or privilege, when that Member has concluded an appeal to the Speaker, must then do likewise.
- (3) The ruling of the Speaker on a point of order shall not be open to objection at the meeting at which the ruling is given.
- (4) When a Member raises a matter of privilege, the Speaker shall (unless the Speaker considers that the point clearly does not relate to the privileges of the House or of Members) refer the matter to the Management and Members’ Standards Committee of the House.

Reserved speech

- 3.26** (1) Subject to paragraph (2), Members who move or second motions may reserve their speeches and speak later in the debate upon the motion.
- (2) Members who move or second amendments or procedural motions may not reserve their speeches.

Members speaking twice

- 3.27** (1) Subject to paragraph (3), a Member may only speak once to a motion.
- (2) No Member having spoken to a motion may subsequently move or second an amendment thereto.
- (3) A Member who has spoken to a motion may speak again –
- (a) in reply, where permitted to do so under Standing Order 3.28;

- (b) with the leave of the Speaker, to explain some material point but, in doing so, may not introduce any new matter.
- (4) Subject to Standing Order 3.27(2) above, a Member who has spoken to a motion may speak to any amendment moved in respect of it.

Reply

3.28 A reply shall be allowed only to a Member who –

- (a) has moved a substantive motion, or
- (b) has moved the adjournment, or
- (c) an amendment to a motion.

Motion for adjournment of debate

- 3.29** (1) A Member who is speaking, or who has not yet spoken, on the motion before the House may move or second the adjournment of the debate, and shall remain entitled to speak on the substantive motion.
- (2) When a motion is made for the adjournment of the debate, the discussion shall be confined to that motion and no Member in speaking thereto shall speak for more than five minutes.
- (3) On resuming an adjourned debate, the Member who moved its adjournment shall be allowed precedence, by courtesy, provided that the Member rises at the proper time; or the Member may subsequently join in the debate.

New motions

3.30 A Member who has spoken to a motion may speak again when a procedural motion has been proposed.

Maintenance of order

Presiding officer

3.31 The Speaker shall preside and maintain order at all sittings, and a ruling on any matter at a sitting by the Speaker shall not be challenged at that sitting.

Use of Queen's name, offensive words, etc.

- 3.32** (1) No Member may use the name of the Sovereign, the Sovereign's representative or the President of Tynwald irreverently or for the purpose of influencing the House in its deliberations.
- (2) No Member may use offensive words against the House, the Council or Tynwald, or in reference to any person.
- (3) All imputations of improper motives and all personal reflections on Members shall be deemed disorderly.

Irrelevance, repetition

- 3.33** (1) No Member shall digress from the subject matter of any motion under discussion.
- (2) In case of continued irrelevance or tedious repetition on the part of a Member, the Speaker may caution the Member and, in the event of such caution being disregarded, the Speaker may direct the Member to discontinue speaking.

Objections to words used in debate

- 3.34** (1) An objection to words used in debate must be taken at the time the words are used, and shall not afterwards be entertained.
- (2) When any Member shall object to words used in debate and shall desire them to be taken down, the Member shall repeat the words to which are objected to, immediately after they have been uttered, stating them to be exactly as the Member conceives them to have been spoken, whereupon the Speaker (if it appears to be the pleasure of the House) shall direct them to be taken down by the Secretary.
- (3) Any Member who uses objectionable words, and does not explain or retract them or offer apologies for the use thereof to the satisfaction of the Speaker when required to do so, shall be censured by the Speaker, who may suspend the Member from the remainder of that day's sitting.

Offences against Standing Orders

- 3.35** (1) Should a Member abuse Standing Orders by –
- (a) persistently and wilfully obstructing the business of the House,
- (b) disorderly conduct,

- (c) persistent interruption, or
- (d) disregarding the authority of the Speaker,

the Speaker may, after formal warning, order the Member to withdraw immediately from the House for the remainder of that day's sitting and the Member shall forthwith withdraw.

- (2) If the Speaker considers the powers under paragraph (1) inadequate, or if a Member is absent without leave, the Speaker may name such Member, and move (no amendment, adjournment or debate being allowed) "That be suspended from the service of the House" and, if supported by a majority of the Members present and voting, the Member named shall forthwith withdraw.
- (3) The suspension of a Member shall –
 - (a) on the first occasion, be up to and including the next sitting of the House; and
 - b) on any subsequent occasion, continue until the House resolves that it be terminated.
- (4) A Member against whom a charge has been made may be present while it is discussed by the House and no motion under Standing Order 3.37 below shall be carried in relation to such a discussion unless it is supported by at least sixteen Members.
- (5) A suspension under paragraph (3) shall extend to sittings of Tynwald.
- (6) A Member who has been asked to withdraw or who has been suspended from the service of the House shall forthwith forfeit access to all facilities available to Members.
- (7) Nothing in this Standing Order shall deprive the House of any other power of proceeding against a Member.

Grave disorder

3.36 In the case of grave disorder arising in the House, the Speaker may

- (a) adjourn the House without motion, or
- (b) suspend the sitting to a specified time.

Strangers

- 3.37** (1) Strangers may be present in the House in the places set apart for them under such rules as the Speaker may make for that purpose.¹²
- (2) If at any sitting of the House of Keys, a Member wishing the House to sit in private may move (no amendment or debate being allowed), “That Strangers be ordered to withdraw” and, if such motion be supported by a majority of the Members present and voting, Strangers shall be excluded from the House forthwith.
- (3) The Speaker may also, at discretion, order the withdrawal of Strangers from any part of the House.

Sittings in private

- 3.38** (1) On the authority of the Speaker, the House may sit in private and all Strangers shall be excluded.
- (2) The proceedings of the House when sitting in private with Strangers excluded shall not be divulged without the authority of a resolution of the House, and any unauthorised disclosure or publication of such proceedings shall be a contempt of the House.

Messengers

- 3.39** (1) The Speaker shall, in accordance with Standing Order 9.5.1, from time to time appoint fit and able persons to discharge the duties of Messengers in the House, and shall issue to them warrants of their appointment prescribing the extent of their authority in the House and its precincts, their duties and their dress.
- (2) The Messengers of the House shall in addition take such steps as may be necessary to execute such directions as they receive from the Speaker for the enforcement of Standing Orders.
- (3) The remuneration of the Messengers shall be such as may be determined by the Tynwald Management Committee.

Votes and proceedings

- 3.40** The votes and proceedings of the House shall be recorded by the Secretary of the House and be published.

¹² See Annex for Rules made in January 2007 under 3.37(1)

IV: BILLS

Public Bills

Bills to be printed

- 4.1** A Bill that is to be introduced into the House to be passed into law shall have been printed and published, and a copy furnished to each Member, at least three days before the sitting at which the first reading is to take place, with a memorandum stating the objects and financial implications of the Bill.

Introduction

- 4.2** (1) A Bill may be given its first reading in the House only if —
- (a) the Council of Ministers has approved its introduction into the House; or
 - (b) it has been passed by the Council; or
 - (c) a Member has been given leave by the House to introduce the same; or
 - (d) the Member in charge re-introduces it following rejection by the Council; or
 - (e) the House has resolved that it be so introduced, or
 - (f) such Bill has been attached to the report of a committee of Tynwald or of the House, approved by Tynwald or the House.
- (2) A private Bill may only be introduced in accordance with Standing Order 4.34.

Endorsement—

- 4.3** All Bills to be introduced into the House shall bear an endorsement as to which requirement under Standing Order 4.2 has been satisfied

Leave to introduce

- 4.4** (1) A Member seeking leave of the House to introduce a Bill shall —

- (a) table a motion seeking leave, which shall include a proposed long title of the Bill; and
 - (b) in moving the motion, specify the objects of the Bill.
- (2) Where the House resolves to grant a Member leave to introduce a Bill, the leave to introduce shall lapse at the end of the Session following the one in which the leave was granted.
 - (3) No readings of a private Member's Bill shall be taken at the sitting to which leave to introduce the Bill is sought or granted.

Committee of the Whole House

- 4.4A** (1) The House may, on a motion without notice, interrupt any legislative business and resolve itself into a Committee of the Whole House; the Committee of the Whole House shall sit until it resolves that the business be resumed; whereupon, the business that was interrupted shall immediately be resumed.
- (2) A Committee of the Whole House may take oral evidence, but no amendment or motion relating to any Bill shall be moved.¹³

First reading and withdrawal

- 4.5** (1) A Bill to be introduced into the House shall be read the first time, without debate, the reading of the short title by the Secretary of the House to be sufficient.
- (2) A Bill, once read the first time, may only subsequently be withdrawn with the leave of the House supported by the votes of at least thirteen Members.

Second reading

- 4.6** At a subsequent sitting of the House, the Member in charge of the Bill shall move "That the Bill be now read the second time".

Consideration of clauses

- 4.7** (1) No earlier than the next but one sitting after that at which the House has resolved that a Bill be read the second time, each clause shall be considered on a motion that it stand part of the Bill.

¹³ 4.4A inserted 24th January 2017

- (2) A clause before the House in accordance with paragraph (1) may be amended and, if amended, shall be put to the House by the Speaker on a motion that the clause as amended stand part of the Bill.
- (3) An amendment must be –
 - (a) within the long title of the Bill; and
 - (b) tabled, by submitting it to the Secretary of the House, for circulation to Members, no later than 5.00 pm six working days before the day of the sitting at which it is to be considered; but for six days there may be substituted such shorter period as the Speaker may prescribe in respect of any amendment which in the Speaker's opinion is substantially the same as an amendment which has been tabled on six days' notice.
- (4) Such an amendment shall be included in a marshalled list of amendments to be considered at a sitting, and the marshalled list shall be circulated with the Order Paper for the sitting.
- (4A) Notwithstanding the provisions relating to notice in Standing Orders 2.2, 4.7(3) and 4.7(4), a Member may, with the leave of the House, move without notice an amendment to any amendment that stands on the Order Paper.¹⁴
- (5) A Member raising a legal issue in relation to any amendment shall give notice thereof to the Speaker, who shall take such steps as may appear necessary for the House to be adequately advised, including deferring (if necessary) further consideration of the Bill.
- (6) This Standing Order is without prejudice to Standing Orders 4.8, 4.16, 4.21, 4.27 and 4.28.

New clauses

- 4.8**
- (1) New clauses shall not be irrelevant, foreign or contradictory to the Bill.
 - (2) A Member intending to move a new clause must table such clause in accordance with the provision of Standing Order 2.2.
 - (3) The Speaker shall determine at which point in the Bill the new clause is to be moved.

¹⁴ 4.7(4A) inserted 15th April 2014

- (4) New clauses shall first be considered in principle and the proposer shall be allowed to reply in the debate.
- (5) If approved by the House in principle, a motion that the new clause stand part of the Bill may be made at the same sitting; but if any Member indicates to the Speaker immediately after approval in principle that that Member wishes to propose an amendment to the new clause, such a motion shall not be moved before the next but one sitting. Notice of an amendment to the new clause shall then be given in accordance with Standing Order 2.2.
- (6) When all amendments have been resolved in the affirmative or negative, the Speaker shall put the motion “That the new clause as amended stand part of the Bill” or “That the new clause stand part of the Bill”, as the case may be.

Preamble and title

- 4.9** Any preamble and the long title shall be considered and amended at such time as may appear to the Speaker to be appropriate.

Reference to committee

- 4.10** (1) After the motion for second reading has been carried, the clauses of the Bill may be referred to a committee to consider and report.
- (2) During the consideration of clauses of a Bill, any clause may be referred to a committee to consider and report.

Third reading

- 4.11** (1) After all clauses and the preamble and title have been agreed, and at a subsequent sitting of the House, the Member in charge of the Bill shall move “That the Bill be now read the third time.”
- (2) Such motion shall not carry unless supported by the votes of at least thirteen Members.

Bills to be signed

- 4.12** Bills which have been passed by the House shall be signed by the Speaker.

Council’s amendments

- 4.13** (1) If the Council pass, with amendments, a Bill which has been introduced into the House, the amended Bill shall again come before the House.

- (2) Unless the Speaker directs that the period shall be longer, the amendments shall be considered at the third sitting of the House following the list being sent to Members.
- (3) The House may –
 - (a) agree with the Council's amendments; or
 - (b) disagree with the Council's amendments; or
 - (c) amend the Council's amendments; or
 - (d) disagree with the Council's amendments with a view to a conference.
- (4) The time and place for a conference shall be appointed by the President of Tynwald, and such a conference shall be chaired by the President of Tynwald acting as such.
- (5) On receipt of a Bill amended by the Council, a consolidated list of amendments should be sent to all Members upon their receipt by the Secretary.
- (6) No further amendment to the Bill shall be considered unless it has been tabled, by submitting it to the Secretary of the House, for circulation to Members, no later than 5.00 pm six working days before the day of the sitting at which it is to be considered; but for six days there may be substituted such shorter period as the Speaker may prescribe in respect of any amendment which in the Speaker's opinion is substantially the same as an amendment which has been tabled on six days' notice.
- (7) An amendment which satisfies the requirements of paragraph (6) shall be included in a marshalled list of all the amendments to the Bill to be considered at the sitting, and the marshalled list shall be circulated with the Order Paper for the sitting.
- (8) An amendment includes a new clause and a new schedule.

Disagreement with or amendment of the Council's amendments.

- 4.14** (1) If the House disagree with or amend the Council's amendments, the Bill shall be returned to the Council, and if the Council disagree with the House's amendments, the House may disagree with a view to a conference.

- (2) If the House disagree with the amendments with a view to a conference, the Bill shall come again before the House on the conclusion of the conference.

Disagreement by Council .with the House’s amendments

- 4.15** (1) A Bill which has been first introduced into the Council and has come to the House shall, if any amendments have been made therein by the House, be returned to the Council after the amendments have been initialled by the Speaker.
- (2) If the Council disagree with the amendments made by the House, and return the Bill to the House, the House may ask for a conference.
 - (3) The procedure as to conferences shall be followed with respect to each further amendment of any clause.
 - (4) The House may at any stage ask for a further conference with the Council to endeavour to come to an agreement with the Council, and such further conference shall be treated as being at the same stage of the Bill as the first conference thereon.

Amendment of Bill after receiving suggestions from Her Majesty’s Privy Council

- 4.16** (1) At any stage during its consideration of a Bill, it shall be competent to the House to consider suggestions made by the Privy Council before a Bill has received the Royal Assent, and to make such amendments in the Bill as the House may consider desirable in relation to such suggestions.
- (2) A Memorandum setting out such suggestions and amendments shall be circulated to Members of the House with the Order Paper for the sitting at which the same are to be considered.

Power for Keys alone to pass Bill

- 4.17** Standing Orders 4.18 to 4.22 shall apply where a Bill –
- (a) has been introduced in the Keys,
 - (b) has been passed by the Keys, and
 - (c) has not been passed by the Council within 12 months beginning with the first sitting of the Council after the date on which it was sent to the Council.

In calculating the period of 12 months mentioned in paragraph (c), the months of July, August and September shall be left out of account.¹⁵

(Constitution Act 2006, s. 1(1))

Keys may direct Bill to be sent to Tynwald

4.18 The Keys may, within 6 months after the expiration of the period of 12 months mentioned in Standing Order 4.17 (c), by resolution direct that the Bill be sent to Tynwald, and in that case the Bill shall be placed on the Order Paper of the first convenient sitting of Tynwald for signature.¹⁶

(Constitution Act 2006, s. 1(2))

Affirmative vote of at least 17 Members of the Keys

4.19 A resolution under Standing Order 4.18 shall not have effect unless it is passed by the affirmative vote of at least 17 Members of the Keys.¹⁷

(Constitution Act 2006, s. 1(3))

Signatures of at least 17 Members of the Keys

4.20 Where a Bill placed on the Order Paper of Tynwald pursuant to a resolution under Standing Order 4.18 is signed by at least 17 Members of the Keys, whether or not it is signed by a quorum of the Council, it shall thereupon be submitted to Her Majesty for her Assent.¹⁸

(Constitution Act 2006, s. 1(4))

Act to have full force notwithstanding any law or custom to the contrary

4.21 A Bill submitted to Her Majesty pursuant to Standing Order 4.20 shall, if assented to by Her Majesty, be an Act of Tynwald and have full force and effect according to its tenor, notwithstanding any law or custom to the contrary.¹⁹

(Constitution Act 2006, s. 1(5))

¹⁵ 4.17 amended 27th March 2007

¹⁶ 4.18 amended 27th March 2007

¹⁷ 4.19 amended 27th March 2007

¹⁸ 4.20 amended 27th March 2007

¹⁹ 4.21 amended 27th March 2007

Bill to return to Keys unchanged if no agreement between the Branches

4.22 In Standing Order 4.17, a Bill shall be deemed not to be passed by the Council within 12 months if it is not passed by the Council either without amendment or with such amendments only as may be agreed to, after a conference between Council and the Keys or otherwise, by both the Council and the Keys within that time.²⁰

(Constitution Act 2006, s. 1(6))

4.23 [...] ²¹

4.24 [...] ²²

Secretary of the House to transmit Bills passed by the House

4.25 The Secretary of the House shall transmit to the Clerk of the Council Bills which have been introduced into and passed by the House, or Bills which have come from the Council and been amended by the House; and shall transmit to the Clerk of Tynwald Bills which have been passed by both Branches and which are with the House when finally passed.

Lapse of Bills and continuation

- 4.26** (1) Bills which have not passed their third reading in the House by the fifth day of July following their introduction shall be considered as having lapsed and must be introduced in the next legislative year.
- (2) The House may order any Bills to be suspended at the end of one legislative year and to be continued (at the same stage) in the next year.
- (3) On the dissolution of the House all Bills then before the House shall lapse.
- (4) A Bill passed by the House before a General Election and which has also been passed by the Council, whether before or after that election, or partly before and partly after (but has not by reason of the intervention of the election been able to receive the Royal Assent), may be introduced into the House as if it were a Bill falling within Standing Order 4.2(1)(b) and shall proceed in the House as a new Bill.

²⁰ 4.22 amended 27th March 2007

²¹ 4.23 deleted 27th March 2007

²² 4.24 deleted 27th March 2007

New clause added by Council

4.27 When a Bill is returned by the Council with new clauses, they can be amended but, if, after a Bill returned by the Council has been sent back to the Council, new clauses are then added by the Council, such new clauses can only be dealt with if suggested in conference and reported to the House by the Caairliagh/Chair of the deputation.

New clauses and amendments introduced after Bill returned from Council

4.28 When a Bill has been returned to the House by the Council new clauses may be introduced only if supported by the votes of at least sixteen Members.

Member of Council may appear before the House

- 4.29** (1) When a Bill which has been passed by the Council is before the House for consideration, it shall be competent for a Member of the Council, with the authority of the President and the consent of the Speaker, to appear before the House upon the whole of such Bill, or upon such part or aspect thereof as may be agreed between the President and the Speaker.
- (2) Such Member of the Council shall have the right to be heard by the House at such stage or stages of the debate as may be agreed between the President and the Speaker and at other stages as the Speaker may authorise.
- (3) Such Member of the Council may, at any time when present in the House during the debate, be requested by a Member of the House, with the leave of the Speaker, to answer questions or to give explanations relating to the Bill, and such questions or explanations need not be confined to the matters agreed between the President and the Speaker under paragraph (1) of this Standing Order.
- (4) Save as aforesaid, such Member of the Council shall not intervene in the debate or in any proceedings of the House and shall, at the request of the Speaker, withdraw from the House at any stage of the debate, but shall not be requested to do so at the stage or any of the stages agreed between the President and the Speaker under paragraph (2) of this Standing Order unless, in the opinion of the Speaker, he is disregarding the authority of the Speaker.
- (5) The Member of the House in charge of the Bill may at any time request the Speaker to approach the President with a view to a Member of the

Council appearing before the House under the provisions of this Standing Order.

(Isle of Man Constitution Act 1961, s. 8)

Member of the House may appear before the Council

- 4.30** (1) When a Bill which has been passed by the House is before the Council for consideration it shall be competent for a Member of the House, with the authority of the Speaker and the consent of the President, to appear before the Council upon the whole of such Bill, or upon such part or aspect thereof as may be agreed between the President and the Speaker.
- (2) Such Member of the House shall have the right to be heard by the Council at such stage or stages of the debate as may be agreed between the President and the Speaker and at such other stages as the President may authorise.
- (3) Such Member of the House may, at any time when present in the Council during the debate, be requested by a Member of the Council, with leave of the President, to answer questions or to give explanations relating to the Bill, and such questions or explanations need not be confined to the matters agreed between the President and the Speaker under paragraph (1) of this Standing Order.
- (4) Save as aforesaid such Member of the House shall not intervene in the debate or in any proceedings of the Council, and shall, at the request of the President, withdraw from the Council at any stage of the debate, but shall not be requested to do so at the stage or any of the stages agreed between the President and the Speaker under paragraph (2) of this Standing Order unless, in the opinion of the President, he is disregarding the authority of the President.
- (5) The Member of the Council in charge of the Bill may at any time request the President to approach the Speaker with a view to a Member of the House appearing before the Council under the provisions of this Standing Order.

(Isle of Man Constitution Act 1961, s. 9)

Persons who may be heard

- 4.31** (1) On the motion for the second reading of a public Bill which affects the general public or a section of the general public, any person who claims

an interest distinct from the interests of the general public, or that section of the general public with which the Bill deals, and to be adversely affected, may, by memorial presented for that purpose ask for leave to appear and to be heard at the Bar of the House either in person or by counsel (2) Every such memorial shall show how the interest of the memorialist is so affected and in particular how such interest is distinct from the interests of the general public.

- (3) A copy of the memorial shall be forwarded to the Secretary of the House at least forty-eight hours before the sitting at which it is to be presented.
- (4) The Secretary shall report to the Speaker as to whether the memorial is in order.
- (5) The Speaker shall first give a ruling as to whether such parties are entitled to be heard and, if such ruling be in the affirmative, the House shall decide whether they shall be so heard.

Hearing of counsel or other persons

- 4.32** (1) If the House decide to hear counsel, or any person, on a Bill, it shall in each case as it arises decide whether they shall be heard –
- (a) only on the question that the Bill be now read the second time, or
 - (b) only on each clause or on certain clauses to be named beforehand, or
 - (c) on the question that the Bill be now read the second time, and on each clause or on certain clauses to be named beforehand.
- (2) The counsel or other person may, by leave of the Speaker, be requested to answer questions or give explanations.

When counsel or other persons may be heard

- 4.33** (1) In every case such person or counsel shall be heard after the formal motion has been made and before any debate has taken place, and the Members proposing and seconding any such motion shall do so without making any speech, but shall have the right to speak when the motion is debated.
- (2) If, during consideration of the Bill, any new clauses or amendments be introduced which in the view of the Speaker adversely affect the

interest of the memorialists, the House may give leave to such person or counsel to be heard in respect thereto, prior to the same being discussed.

Private Bills

- 4.34** (1) A private Bill shall be introduced into the House only on leave being given by the House or on the motion of a Member.
- (2) Such leave is given by the House on the petition of the promoters, who shall prove that notice of the hearing of the petition along with a copy thereof and a copy of the Bill has been given in accordance with Standing Order 4.37 to all persons liable to be adversely affected by the Bill.
- (3) The House may refer the petition to a committee to report thereon, and shall decide whether leave be given or not after the report of the committee has been considered and determined.

Introduction of Bills passed by Council

- 4.35** A private Bill may be introduced into the House or may be received from the Council.

Expenses

- 4.36** (1) The expenses of a private Bill, including –
- (1) printing and distribution of the Bill and Act,
 - (2) committee expenses, including travelling expenses and printing of the report, and
 - (3) charges of persons, such as a specialist adviser, employed by the committee,
 - (4) such other expenses, as may be directed by the Speaker as being reasonable to reflect the time and cost of consideration of the Bill either by the House or by its officers,
- shall be payable by the promoters or their counsel to the Treasury.
- (2) The amount payable shall be certified by the Secretary of the House.

Notice

- 4.37** The Secretary shall, in the case of every private petition for leave to bring in a private Bill, direct what notice (if any) shall be given either by public advertisement or by service of a copy of the petition upon any person, body or association appearing to be interested in the subject matter of the private petition.
- 4.38** The Secretary shall give directions as to the manner and circumstances in which such notice is to be given, and the means by which the petitioner is to provide evidence that the same has been done.

Payment of costs by promoters

- 4.39** When either the House or a committee on a private Bill shall decide that the preamble is not proved, or shall insert in such Bill any provision for the protection of the petitioner, or strike out or alter any provision of such Bill for the protection of such petitioner; and further, if the House shall decide with respect to any or all of the petitioners against the Bill that such petitioner or petitioners has or have been unreasonably or vexatiously subjected to expense in defending the rights proposed to be interfered with by the Bill, such petitioner or petitioners shall be entitled to recover from the promoters of such Bill costs in relation thereto, or such portion thereof as the House may think fit, such costs to be taxed as the costs incurred in a superior Court of Justice, or the House may award such a sum for costs as they shall think fit with the consent of the parties affected.

(Tynwald Proceedings Act 1876, s. 8)

Payment of costs by opponent of private Bill

- 4.40** (1) When the House or a committee on a private Bill shall decide that the preamble is proved, and, further, if the House shall decide that the promoters of the Bill have been vexatiously subjected to expenses in the promotion of the Bill by the opposition of any petitioner or petitioners against the same, then the promoters shall be entitled to recover from the petitioners, or such of them as the House shall think fit, such portion of their costs of the promotion of the Bill as the House may think fit, such costs to be taxed as the costs incurred in a superior Court of Justice, or such a sum for costs as the House may award, with the consent of the parties affected.
- (2) No landowner who *bona fide* at their own sole risk and charge opposes a Bill which proposes to take any portion of their property for the

purposes of the Bill shall be liable to any costs in respect of opposition to such Bill.

(Tynwald Proceedings Act 1876, s. 9)

Deposit on private Bills to be liable for costs

- 4.41** (1) In any case when, in accordance with Standing Orders of Tynwald or of either House a deposit of money or stock is made, or security is given with respect to the application to Tynwald for an Act, the money or stock so deposited, or the security so given, shall, in addition to any other claim to which the deposit or security may be liable, be a security for the payment by the promoters of the Bill of all costs (if any) payable by them under the Tynwald Proceedings Act 1876; and every person entitled to recover any costs so payable shall accordingly have a lien available for the same of the money or stock so deposited, or on the security given:
- (2) Where several persons have the lien for an amount exceeding in the aggregate the net value of the money or stock, or of the amount of the security given, their respective claims shall proportionately abate.
- (3) In this Order, "either House" means the House of Keys or the Legislative Council.

(Tynwald Proceedings Act 1876, s. 13)

Application of Standing Orders

- 4.42** The Standing Orders applied to public Bills shall, so far as they are not affected by the foregoing regulations with regard to private Bills, be applicable to private Bills.

V: Deputations and conferences

General arrangements

- 5.1** (1) When the House shall desire a conference with the Council on a matter other than the contents of a Bill it shall send a message to the Council and shall state the subject matter of the conference.
- (2) A message may be delivered by the House to the Council orally or in writing as the House shall decide.
- (3) When delivered orally the message shall be communicated to the President of the Council by two Members nominated by the Speaker accompanied by the Secretary.
- (4) When delivered in writing the message shall be communicated by the Secretary of the House to the Clerk of the Council.
- (5) When a conference shall be agreed to, such agreement shall be communicated by message to the Speaker, who shall inform the House.
- (6) The President of the Council and the Speaker shall agree the time and place for a conference. .
- (7) The President of Tynwald, acting as such, shall preside at conferences.
- (8) All conferences shall be held in private, no Stranger being admitted

Election of deputation

- 5.2** A deputation to represent the House at a conference shall consist of such Members as the House shall elect other than the Speaker, and shall be accompanied by the Secretary.

Deputation to represent views of the majority

- 5.3** The deputation shall represent the views of the majority of the House only.

Procedure for Bill conferences

- 5.4** (1) When the Council shall –
- (a) disagree with any amendments in a Bill made by the House, or

- (b) insist upon any amendment upon which the House have disagreed;

the House shall receive the reasons of the Council for disagreeing or insisting (as the case may be) by message, without a conference, unless at any time the Council shall desire to communicate the same at a conference.

- (2) When the House shall –

- (a) disagree with any amendments made by the Council, or

- (b) insist upon any amendments to which the Council have disagreed,

the House shall communicate the reasons of the House for disagreeing or insisting (as the case may be) by message, without a conference, unless at any time the House shall desire to communicate the same at a conference.

- (3) At a conference upon a Bill the reasons for insisting upon any amendment, or for disagreement with amendment, or otherwise, shall be stated, and the differences between the Council and the House may be discussed.

Agreement.

- 5.5 (1) The deputation shall elect a Caairliagh/Chair who shall report the results of the conference to the House which shall, upon consideration thereof,

- (a) agree to the proposals of the Council,

- (b) disagree, or

- (c) request a further conference.

- (2) The House shall notify the Council of its decision.

VI: COMMITTEES

Members bound to serve on committee

- 6.1** All Members of the House except the Speaker are bound to serve on committees.

Election procedure

- 6.2** The procedure set out in this Standing Order shall be observed in any election by the Keys in which a successful candidate requires the majority of the votes of Members present and voting. It does not apply to elections under Standing Order 8.1 to 8.5.

- 6.3** (1) Every Member shall be supplied with a printed voting paper in accordance with the directions of the Speaker.
- (2) Candidates for election shall be proposed and seconded. After the Speaker has announced that nominations are closed the Secretary of the House shall, on the direction of the Speaker, read out the list of candidates in the order in which they appear in the voting paper.
- (3) If the number of candidates does not exceed the number of vacancies the Speaker shall declare the candidates elected.
- (4) If the number of candidates exceeds the number of vacancies the Speaker shall put to the House the names of the candidates to be voted on.
- (5) Each Member shall, at each stage of an election, vote for as many candidates as there are vacancies to be filled and a voting paper which contains a greater or lesser number of votes than the vacancies to be filled shall be considered invalid.
- (6) Two Members nominated by the Speaker shall conduct the count with the Secretary of the House.
- (7) The Speaker shall declare elected the candidates who have the majority of the votes of the Members present and voting; “voting” includes submitting an invalid voting paper.
- (8) If after a vote at any stage of an election vacancies remain, the House shall vote again on the remaining unelected candidates.

- (9) If after a vote at any stage of an election where there are at least three candidates, no candidate is declared elected –
 - (a) the candidate receiving the fewest votes shall be omitted from the list of candidates and the House shall proceed to vote again;
 - (b) where two or more candidates each receive the fewest votes or all candidates receive an equal number of votes, the House shall proceed to vote again on those candidates and the candidate receiving the fewest votes in that ballot shall be omitted from the list of candidates;
 - (c) if in a ballot under sub-paragraph (b) two or more candidates each receive the fewest votes or all candidates receive an equal number of votes, the procedure set out in sub-paragraph (b) shall be repeated; and
 - (d) if in a ballot under sub-paragraph (c) two or more candidates each receive the fewest votes or all candidates receive an equal number of votes one of them shall be eliminated by a lot drawn by the Speaker.
- (10) If after a vote on two candidates, neither candidate is elected the House shall vote once again on those candidates.
- (11) Where paragraph (10) has been applied and neither candidate is elected, the Speaker shall call for fresh nominations.
- (12) At each stage of an election the Speaker shall read out the number of votes recorded for each candidate and the number of spoilt papers.

Standing Committees

Management and Members' Standards Committee and Tynwald Standing Committee on the Emoluments of Certain Public Servants

- 6.4** (1) At the first sitting of the House following the sitting of Tynwald at which the Chief Minister is elected subsequent to each General Election, the House shall elect three Members who, along with the Speaker, shall form the Management and Members' Standards Committee and who shall hold office until the next succeeding dissolution of the House; and the House shall from time to time fill any vacancy that may arise.

- (2) The members of the Management and Members' Standards Committee shall be the House of Keys Members of the Tynwald Standing Committee on the Emoluments of Certain Public Servants.²³
- (3) The Speaker shall, *ex officio*, be Caairliagh/Chair of the Management and Members Standards Committee.

Duties of Management and Members' Standards Committee

6.5 The Management and Members' Standards Committee shall –

- (1) consider and report on any matter which concerns the business, precincts or facilities of the House which is not within the remit of any other Committee of the House or the Speaker alone;
- (2) represent the House in all matters brought before any chambers of the Legislature other than legislation, and report thereon from time to time to the House;
- (3) consider and report upon any matter that may from time to time be referred to the Committee by the House, or by a Member, which relates to the conduct of a Member;
- (4) consider and report on such standards and such privileges of the House and of Members as have been, or in the future should be, recognised as necessary and desirable for the proper and effective discharge of the duties of the House and its Members.

Standing Orders Committee

6.6 At the first sitting of the House after a General Election, the House shall elect five Members to form the Standing Orders Committee to hold office until the next succeeding dissolution of the House; and the House shall from time to time fill any vacancy that may arise. The Speaker shall be a member of the Committee *ex officio*.²⁴

Duties of Standing Orders Committee

6.7 It shall be the duty of the Standing Orders Committee to consider public petitions and to review the Standing Orders from time to time

²³ 6.4(2) amended 29th March 2011. As well as serving on the Emoluments Committee, the members of the Management and Members' Standards Committee are also the House of Keys members of the Tynwald Standing Committee on Standards and Members' Interests.

²⁴ 6.6 amended 27th March 2007

and to make recommendations to the House for any amendments thereof.

Committee procedure

Number constituting committee

6.8 Except in the case of a Standing Committee or unless otherwise provided by Statute or by these Standing Orders –

- (1) a committee to which any matter may be referred, shall consist of such number of members as the House shall determine;
- (2) The House may increase or diminish the number of members of a committee at any time after the first election, or may discharge Members from attending such committee and appoint others in their place.
- (3) A committee to meet a committee of the other Branch of the Legislature may consist of two or more, according to the circumstances, at the discretion of the House.

Meetings

6.9 If a committee does not meet within one month after its appointment, the Secretary of the House shall inform the Speaker, who shall convene it, and afterwards it shall meet as the committee or the Caairliagh/Chair thereof may direct.

Caairliagh/Chair

- 6.10** (1) A committee shall appoint a Caairliagh/Chair from amongst its Members at its first meeting and, in the case of a vacancy, at any subsequent meeting.
- (2) If the Caairliagh/Chair is not present at any meeting, the committee shall appoint a Caairliagh/Chair for that meeting.

Quorum

- 6.11** (1) Unless the House otherwise resolves, a majority of members of the committee shall be the quorum.
- (2) If at any time during the sitting of a committee, a quorum is not present, the Caairliagh/Chair shall suspend proceedings until a quorum is present or adjourn the committee to a future day.

Vacancies

- 6.12** (1) The Caairliagh/Chair of a committee shall report any vacancy in the number of the committee to the Speaker, who shall announce such vacancy to the House.
- (2) If it be decided to fill the vacancy, the selection of a member shall be made in the same manner as in the case of the original appointment of the committee.

Caairliagh/Chair to have casting vote

- 6.13** In the case of an equality of votes, the Caairliagh/Chair of a committee shall have a casting vote.

Evidence

- 6.14** (1) Whenever it may be necessary, the House shall specially empower a committee to take evidence under the provisions of the Tynwald Proceedings Act 1876.
- (2) In such case –
- (a) witnesses may be summoned and the production of papers, documents, or records receivable or produceable in evidence and pertinent to the matter of inquiry may be required on a written appointment as to time and place by order of the Caairliagh/Chair of the committee;
 - (b) the attendance of witnesses and the production of papers, documents or records may be enforced in like manner as in the case of witnesses or persons summoned to appear personally or to produce documents before a Court of Justice.

(Tynwald Proceedings Act 1876, ss. 3–4)

- (3) Unless the committee shall determine otherwise, oral evidence taken by a committee shall be taken in public and recorded, but the committee shall sit in closed session while deliberating.

Attendance of counsel

- 6.15** (1) A committee may at its discretion, on petition presented for that purpose, allow counsel to appear on behalf of any parties interested in the matter before the committee, but counsel shall only be heard subject to such limitations and restrictions as the committee may decide.

- (2) By leave of the Caairliagh/Chair, counsel may address a question to a witness before the committee as directed.
- (3) By leave of the Caairliagh/Chair, counsel may also make general submissions to the committee.

Adjournment

6.16 A committee may adjourn from time to time and from place to place.

Report

- 6.17** (1) A committee shall report to the House, and may also report its opinion or observations from time to time, or report the minutes of evidence only, or proceedings from time to time, and may make a special report of any matter which it may think fit to bring to the notice of the House.
- (2) The report of a committee shall be brought up by the Caairliagh/Chair, or in that Member's absence, by another member of the committee, and shall be ordered to be recorded, or otherwise dealt with, as the House may direct.

Clerk of the Committee

6.18 All committee meetings shall be attended by the Secretary of the House or an officer nominated by the Secretary.

Specialist adviser

6.19 A committee may appoint a specialist adviser, the Speaker's consent to such appointment being first obtained.

Expenses

6.20 A committee may charge its expenses against the funds funded by Tynwald to defray the expenses of the Legislature, subject to any limits imposed by the Tynwald Management Committee, or by the House from time to time.

Instruction

6.21 An instruction to a committee from the House may empower it to consider matters not specially or otherwise referred to it, or may extend or restrict the order of reference.

VII: PETITIONS AND MEMORIALS

General

- 7.1** Every petition or memorial shall be printed or typewritten and shall, save as otherwise provided –
- (1) be headed “In the Keys” and addressed “To the Honourable the Speaker and Members of the House of Keys”.
 - (2) be in English or, if in Manx, be accompanied by an English translation certified by the petitioner;
 - (3) set out the name and address of the petitioner or memorialist;
 - (4) be respectful, decorous and temperate;
 - (5) contain no reference to any debate in the House, the Council or Tynwald, nor to any intended motion unless notice of such motion stands upon the Order Paper of the House;
 - (6) contain no application for any sum relating to public service, or for compounding any debts due to the Crown, or for the remission of duties payable by any person;
 - (7) contain no erasure or alteration unless the same is specially referred to after the prayer and before any signatures;
 - (8) contain a prayer;
 - (9) be signed by the petitioner or memorialist or counsel (or, in the case of a corporation aggregate, be executed in any manner authorised by the Companies Acts 1931 to 2004) on the page on which the prayer appears, the prayer being repeated on each page which bears signatures.
 - (10) in the case of public petitions, carry at least 12 signatures;
 - (11) be forwarded to the Secretary in duplicate –
 - (a) in the case of a public petition not less than 14 days,
 - (b) in the case of a private petition for leave to introduce a private Bill not less than 7 days, or

- (c) in the case of any other private petition or memorial, except for good and sufficient cause shown, not less than forty-eight hours

before the day appointed for the sitting of the House at which such petition or memorial is to be presented.

Public petitions

Presentation of public petitions

- 7.2** (1) A Member, who is not one of the petitioners, may present a public petition.
- (2) It is the duty of a Member to read any petition or memorial before it is presented and the Member shall be satisfied that the petition or memorial does not violate Standing Orders.

Standing Orders Committee to report

- 7.3** (1) On receipt of a public petition, the Secretary shall, with all convenient speed, convene the Standing Orders Committee and lay such petition before it, whereupon the Committee shall consider and determine whether such petition is in conformity with the Standing Orders, and shall report its decision orally to the House.
- (2) Unless the Committee's decision shall be in the affirmative, such public petition shall not be presented.

Public petitions not to be debated

- 7.4** (1) In presenting a public petition a Member shall be confined to a statement of the persons from whom it comes, of the number of signatures which are attached to it and to the reading of the petition and prayer.
- (2) When a public petition is presented no debate shall be allowed.

Public petitions complaining of grievances

- 7.5** In the case of a public petition complaining of some present personal grievance, for which there may be an urgent necessity for providing an immediate remedy, the matter contained in such presentation may, by leave of the House, be brought into discussion on the presentation thereof.

Printing public petitions

- 7.6** On the presentation of a public petition a motion may be made that it be printed with the minutes; the motion shall be put, without any amendment or debate.

Private petitions

Presentation of private petitions

- 7.7** (1) A private petition may be presented by a public authority, a corporate body, a private association or an individual or individuals in relation to a private Bill.
- (2) No private petition may be accepted which requests the reversal of any decision of a statutory body in exercise of its statutory powers.

Examination by the Secretary of the House

- 7.8** (1) Every private petition shall be examined by the Secretary of the House to ascertain whether it is in order and the Secretary shall report to the Speaker the result of such examination.
- (2) The petition shall not be heard until the Speaker reports to the House that the petition complies with Standing Orders.

Presentation at Bar

- 7.9** (1) A private petition may be presented at the Bar by the petitioner or the petitioner's representative.
- (2) The petitioner, or the petitioner's representative, shall be heard without special leave being given.

Interested Parties

7.10 *Notices under private petition*

- (1) The Secretary shall, in the case of every private petition for leave to bring in a private Bill, direct what notice (if any) shall be given in accordance with Standing Orders 4.37 and 4.38 and when such notice shall be given.

Right to be heard

- (2) A person who has an interest in the subject of the private petition not held in common with the members of the public and who has been served with an individual copy of the petition shall be entitled to appear or cause an appearance to be entered as of right.

Presentation of memorial by parties not noticed

- (3) A person who has not been served with a copy of the private petition as aforesaid, but who claims to be interested in the subject matter of the petition and desires to be heard, may present a memorial asking for leave to be given to be heard and, if the House shall give such leave, that person or counsel may be heard with respect thereto in the House.

Adjournment for notice to be given

- (4) The House may adjourn consideration of any private petition to enable a copy of the petition to be served upon any person.

Person appearing may appear in subsequent proceedings.

- (5) If a person or counsel has appeared to a private petition in the House, they shall be entitled, without further leave being given, to appear in any subsequent proceedings with respect to such private petition, whether in the House or before a committee.

Committee may permit appearance of other persons

- (6) A committee to whom any private petition shall be referred may permit the appearance of any person who had not previously appeared in the House, whenever the committee may consider that such person is, by reason of that person's interest, entitled to be heard.

Appearance in subsequent proceedings

- (7) A person who has appeared in the House or before a committee, to any private petition, or has been duly summoned or noticed to appear before the House or such committee, shall be bound, without further notice, to attend to the subsequent proceedings under such petition, or in relation to the subject matter thereof, either in the House or before the committee, as the case may be.

VIII: ELECTIONS TO THE LEGISLATIVE COUNCIL

Vacancies of elected Members of the Council

- 8.1** (1) Where any Members elected to the Council by the House go out of office pursuant to section 10 of the Isle of Man Constitution Amendment Act 1919, the House shall elect, to serve as Members of the Council, such number of persons as are equivalent to the number of persons who have so gone out of office. Within three days after that election a return shall be made, under the hand of the Speaker of the House, to the President of Tynwald certifying the decision of the House and giving the names and addresses of the persons so elected.²⁵

(Isle of Man Constitution Amendment Act 1919, s. 8)

Casual vacancy

- (2) Should any casual vacancy occur in the office of elected Member, by death, resignation, disqualification, or otherwise, the House shall forthwith fill up the vacancy by election in the manner provided under these Standing Orders.²⁶

(Isle of Man Constitution Amendment Act 1919, s. 22)

- (3) The Speaker shall organize at least one joint meeting between candidates and Members at the earliest opportunity after the close of nominations to ensure that all candidates are known to the House ahead of the Election.²⁷

Elections to the Council

- 8.2**²⁸ (1) When it is necessary to elect a person to fill a vacancy for an elected Member of the Council, Members of the Keys may, upon being invited to do so by the Speaker, propose persons to be candidates for election to the Council. A member may propose or second up to as many candidates as there are vacancies. However, the Secretary will not accept any further nominations if to do so would mean that it would be impossible to appoint two tellers under Standing Order 6.3(6).
- (2) The Speaker shall, notwithstanding any other provisions in Standing Orders, choose the day for holding an election to the Legislative Council

²⁵ 8.1(1) amended 8th December 2009 and 4th April 2017

²⁶ 8.1(2) amended 8th December 2009

²⁷ 8.1(3) inserted 4th April 2017

²⁸ 8.2 replaced 4th April 2017

and the Secretary shall notify Members of the House in writing of the date when the election is to take place and the date by which nominations must be received. The day for the election may be a sitting day, but no other business may be taken on that day until the election has been disposed of.

- (3) The Speaker shall invite Members of the Keys to propose persons to be candidates for election to the Council –
 - (a) one month before an elected Member of the Council goes out of office in accordance with section 10 of the Isle of Man Constitution Amendment Act 1919 (retirement);
 - (b) as soon as practicable after an elected Member of the Council goes out of office, or a vacancy otherwise occurs, for any other reason.
- (4) Proposals may be made at any time between the call for nominations, and the deadline for nominations set by the Speaker in Standing Order 8.2(2), which shall not be less than four weeks after the invitation to propose persons to be candidates.
- (5) All proposals shall be in writing and delivered to the Secretary of the House and shall be accompanied by particulars in writing of –
 - (a) the qualifications and experience of the candidate, and
 - (b) the reasons why the proposer considers the candidate to be suitable to be a Member of the Council.
 - (c) the name of the Proposer and Seconder and at least two other Members.
 - (d) the contact details for the candidate.
- (6) The sitting of the Keys at which the election to the Council is held shall be not less than 14 days after the end of the period for the making of the proposals, but as soon as practicable thereafter, unless Mr Speaker deems it expedient to vary the date of the election, in which case he may appoint another day.
- (7) A person to be qualified as an elected Member must be not less than twenty-one years of age, and must be, at the time of election, and must, so long as he or she continues in office by virtue of such election –

- (a) be resident within this Isle; and
- (b) not be a person in receipt of a salary payable by either the United Kingdom Government or the Isle of Man Government.

(Isle of Man Constitution Amendment Act 1919, s. 12)

- (8) The Secretary of the House shall distribute to Members of the House, either with the Order Paper for the relevant sitting or earlier, copies of all nominations.
- (9) The Order Paper for the sitting at which the election is to take place shall include the names of the nominees and their proposers and seconders; the names of the nominees shall be in the order in which they were nominated.

Election Procedure

- 8.3**²⁹
- (1) If at the beginning of the process the number of candidates does not exceed the number of vacancies the Speaker shall declare the candidates elected.
 - (2) If the number of candidates exceeds the number of vacancies the Speaker shall put to the House the names of the candidates to be voted on.
 - (3) The Secretary of the House shall, on the direction of the Speaker, read out the list of candidates in the order in which they appear in the voting paper.
 - (4) The Speaker shall put the Question separately on the names of each person proposed and seconded for election, in the order in which the Secretary received the nominations.
 - (5) Each Member may vote for or against each candidate.
 - (6) If the vacancies to be filled differ in length of term, the person receiving the greatest number of votes shall fill the vacancy for the longer term of office.
 - (7) In any round of voting a successful candidate requires a majority of the votes of Members present and voting; and candidates shall be

²⁹ 8.3 replaced 4th April 2017

considered as elected in the order according to the number of votes received until the vacancies are filled.

- (8) If after a vote at any stage of an election vacancies remain, the House shall vote again on the remaining unelected candidates.
- (9) If after a vote at any stage of an election where there are at least three candidates, and no candidate is declared elected –
 - (a) the candidate receiving the fewest votes shall be omitted from the list of candidates and the House shall proceed to vote again;
 - (b) where two or more candidates each receive the fewest votes or all candidates receive an equal number of votes, the House shall proceed to vote again on those candidates and the candidate receiving the fewest votes in that ballot shall be omitted from the list of candidates;
 - (c) if in a ballot under sub-paragraph (b) no one candidate receives more votes than the other candidates, the procedure set out in sub-paragraph (b) shall be repeated; and
 - (d) if in a ballot under sub-paragraph (c) two or more candidates each receive the fewest votes or all candidates receive an equal number of votes one of them shall be eliminated by a lot drawn by the Speaker.
- (10) If after a vote on two candidates neither candidate is elected, but each has an equality of votes and an additional vote would represent a majority of those present and voting, one of them shall be elected by a lot drawn by the Speaker.
- (11) Where paragraph (10) cannot be applied and neither candidate is elected, the Speaker shall call for fresh nominations under Standing Order 8.2.
- (12) At each stage of an election the Speaker shall read out the number of votes recorded for each candidate.
- (13) The ballot shall be a public ballot unless the House by a majority resolves otherwise.

Speaker to notify successful candidates of election

8.4 The Speaker shall, within three days of the election by the House of any person as a Member of the Council, notify such person of that person's election.

(Isle of Man Constitution Amendment Act 1919, s. 20)

Completion of election and notification

8.5 (1) No person shall be deemed to be an elected Member of the Council unless that person has –

- (a) within fourteen days of this election signified in writing to the Speaker willingness to accept such office, and
- (b) within the said fourteen days, given to the Speaker an address to which all communications may be sent, and
- (c) received from the Speaker a formal warrant certifying election as a Member of the Council.

(2) It shall be the duty of the Speaker, as soon as may be after the receipt of the acceptance and address mentioned in paragraph (a) and (b) of (1) above, to cause –

- (a) the formal warrant mentioned in paragraph (c) of (1) above to be delivered to the person elected, and
- (b) the paper writing signifying such acceptance to be delivered to the President of Tynwald.

(Isle of Man Constitution Amendment Act 1919, s. 21)

IX: OFFICERS OF THE HOUSE OF KEYS

Speaker

Election of the Speaker of the House

- 9.1.1** (1) At the first meeting of the House after a General Election, and after the Members of the House present have been sworn (or on a vacancy in the office of Speaker occurring when there is no Deputy Speaker), the Secretary shall invite nomination for appointment of an Acting Speaker.
- (2) An Acting Speaker shall be appointed to preside over the election of the Speaker of the House.
- (3) In the case of a vacancy occurring in the office of Speaker, the Deputy Speaker shall be the Acting Speaker.
- (4) Every Member shall be supplied with a printed voting paper showing the names of all Members of the House
- (5) The Acting Speaker shall call for nominations and candidates shall be proposed and seconded. After the Acting Speaker has announced that nominations are closed, the Secretary of the House shall, on the direction of the Acting Speaker, read out the list of candidates in the order in which they appear on the voting paper.
- (6) If only one Member be proposed and seconded, that Member shall be called to the Speaker's place without the question being put.
- (7) If more than one Member has been proposed and seconded, the Acting Speaker shall proceed to take the votes of Members present by ballot and the Member receiving the highest number of votes shall be declared elected.
- (8) If after a vote on two candidates, no candidate is elected the House shall vote again on those candidates.
- (9) Where paragraph (8) has been applied and no candidate is elected, the Acting Speaker shall call for fresh nominations.

Speaker not eligible for nomination or appointment as Chief Minister, Minister or member of Department or Statutory Board

9.1.2 If the Chief Minister, a Minister or member of a Department or Statutory Board, is elected Speaker that person shall go out of office as Chief Minister, Minister or member of that Department or Board, as the case may be.

(Council of Ministers Act 1990, s. 7)

Official dress

9.1.3 The official dress of the Speaker shall be such as the person elected shall determine, and such official dress shall be worn at the sittings of the House, at the sitting of Tynwald at St John's and on such other ceremonial occasions as the Speaker may consider proper.

Deputy Speaker

Deputy Speaker

- 9.2** (1) At the meeting of the House following the election of the Speaker, or on a vacancy occurring, a Member shall be elected as Deputy Speaker, who shall deputise in the absence of the Speaker and assume the powers of the Speaker when the Speaker is absent from the Island or not present at any sitting of the House.
- (2) When deputising in the absence of the Speaker, such Member shall be addressed as "Deputy Speaker".
- (3) The Deputy Speaker shall be elected under the same procedure as for the election of the Speaker.

Secretary

Appointment

9.3.1 The House shall appoint some person to act as Secretary who shall hold office during the pleasure of the House.

Salary

9.3.2 The salary to be paid to the Secretary of the House shall be determined by the Tynwald Standing Committee on the Emoluments of Certain Public Servants.

Dress

- 9.3.3** The official dress of the Secretary shall be as may be determined by the Speaker, and such official dress shall be worn at the sittings of the House and of Tynwald, and at Tynwald at St John's.

Deputy Secretary

- 9.3.4** The Speaker shall from time to time appoint one or more persons in the Clerk of Tynwald's Office to be Deputy Secretary of the House to act as Secretary of the House whenever the Secretary is absent.

Chaplain

Election

- 9.4.1** (i) Immediately following the election of the Management and Members' Standards Committee, the Speaker shall call for nominations for Chaplain of the House to be submitted to that Committee.
- (ii) The Management and Members' Standards Committee shall report to the House on the nominations with a recommendation.
- (iii) The House, on considering the report of the Committee, shall appoint a Chaplain to serve for the life of the House.
- (iv) In the case of an occasional vacancy arising the above procedure shall be followed except that the term of office shall be the remainder of the term of office of the outgoing Chaplain.

Honorarium

- 9.4.2** The Management and Members' Standards Committee shall recommend the honorarium to be paid to the Chaplain of the House and report its recommendations to the House for approval.

Messengers

Appointment

- 9.5.1** The Speaker acting in conjunction with the Tynwald Management Committee may appoint one or more persons to act as Messenger in the House to serve the House, both in its Chamber, in Tynwald, and at Tynwald at St John's.

Salary

9.5.2 The Tynwald Management Committee shall determine the salary to be paid to the Messengers

X: MISCELLANEOUS

Pecuniary interest

- 10.1** (1) A Member may not take part in the discussion or vote, either in the House or in a committee, upon any question upon which that Member or any partner or any company of which the Member is a director has a direct pecuniary interest not held in common with the general public of the Isle of Man, and shall withdraw from the House or committee while the vote on such question is being taken.
- (2) No Member shall take part in the discussion of or vote upon any matter with regard to which the Member or any partner is acting, or has in any way acted professionally, or may, directly or indirectly, receive any professional remuneration.
- (3) In this Standing Order, “partner” means a partner in any business or profession, and any of the following:
- husband or wife;
 - son or daughter;
 - stepson or stepdaughter;
 - father or mother;
 - stepfather or stepmother;
 - brother or sister;
 - half brother or half sister;
 - grandparent or grandchild;
 - step-grandparent or step-grandchild;
 - uncle or aunt;
 - nephew or niece;
 - son-in-law or daughter-in-law.

Prohibition on professional advice and representation

- 10.2** A Member of the House who is a legal practitioner, or any partner or assistant of such a Member, may not appear before the House in a

representative capacity in any matter, and may not be retained by, or give professional advice to, any person who is concerned or interested in any Bill, petition, memorial or resolution or other matter.

Oral declaration of an interest

10.3 Whether or not the interest has been registered in the Register of Members' Interests, before participating in the consideration of a question before Tynwald or a committee, a Member shall first declare any relevant pecuniary interest or benefit, direct or indirect, which has accrued, or which the Member expects to accrue.

Witnesses

Attendance of a member to be examined

- 10.4** (1) Where the attendance of a Member is desired for examination by the House, the Member shall be ordered by the Speaker to attend in that Member's place.
- (2) If a committee empowered to take evidence desires the attendance of a Member as a witness, the Caairliagh/Chair shall order the Member to attend.
- (3) If a Member so ordered fails to attend, the Member may be summoned under order of the Speaker.

Attendance by a Member or officer of the Council

10.5 When the attendance of a Member or an officer of the Council is desired by the House or any committee thereof, a message shall be sent to the Council to request the Council to give leave to such Member or officer to attend, for the purpose of being examined upon the matter stated in the message, and any officer of the House shall attend likewise upon being summoned by the Speaker or the Secretary.

Attendance of witnesses and production of documents, etc

10.6 Witnesses may be summoned to the Bar of the House, or before a committee specially empowered to take evidence; and the production to the House, or a committee, of papers, documents, or records, receivable or producible in evidence, and pertinent to the matter of inquiry, may be required by order of the Speaker; and the attendance of witnesses, and the production of papers, documents, or records, may be enforced in like manner as in the case of witnesses or person

summoned to appear personally, or to produce documents before a Court of Justice.

(Tynwald Proceedings Act 1876, s. 3)

Witnesses may be examined on oath

10.7 The House, or a committee specially empowered to take evidence, may examine witnesses on oath, and for that purpose may administer an oath to any such witnesses.

(Tynwald Proceedings Act 1876, s. 4)

Evidence of proceedings in the House

10.8 Neither the Secretary of the House, nor any Hansard Clerk or other person authorised by the House required to record the proceedings of the House or any committee thereof, may give evidence elsewhere in respect of any such proceedings or of any examination had at the Bar or before a committee of the House, without special leave either of the House, or (in case of urgency) of the Speaker who shall then report the matter to the House at the earliest opportunity.

XI: STANDING ORDERS

Standing Orders to be printed

- 11.1** Standing Orders shall be printed and a copy given to each of the present Members, and to every new Member upon taking that Member's seat.

Standing Orders to be signed

- 11.2** These Standing Orders shall be signed by the present Members and by every new Member upon taking a seat in the House.

Alteration of Standing Orders

- 11.3** No Standing Order shall be altered, except after notice given to the House at least twenty-four hours previously, and after the particulars of the proposed alteration have been specified in writing and handed to the Secretary of the House.

Suspension of Standing Orders

- 11.4** The House may suspend Standing Orders upon the motion of any Member supported by a vote of no fewer than sixteen Members of the House.

Procedure where Standing Orders do not provide

- 11.5** If any case shall arise for which provision is not made by these Standing Orders, the procedure shall be such as the Speaker shall at the time determine.

Electronic voting

- 11.5A** (1) Where any division or ballot is required, it shall be conducted by means of electronic voting in accordance with directions issued by the Speaker;
- (2) The Speaker shall announce the result of each vote or ballot; and
- (3) If, after a division has been taken by electronic voting, a Member so requests the Secretary shall read out the names of the Members voting and indicate the votes which they have cast, those for and those against.

- (4) The provisions of Standing Order 11.5A(3) shall not apply in the case of an election to Legislative Council.³⁰

Interpretation of terms

11.6.1 In the construction of these Standing Orders, the following expressions shall have the meanings hereby assigned to them, unless the context otherwise requires:

“Bar” means the Bar of the House separating the part of the Chamber occupied by the Members from that part occupied by strangers;

“Branch” means the House or the Council;

“Cairliagh/Chair” means the Member presiding, who shall decide which term is used;

“Chamber” meaning the whole of the room in which the House is sitting and the precincts of the House;

“clear days” means every day including Saturday, Sunday and public holidays but excluding the day on which notice is given and the day upon which the noticed action takes place;

“Council” means the Legislative Council;

“counsel” means an advocate at the Manx Bar;

“House” means the House of Keys;

“land” includes hereditaments of any tenure, and easements therein, and also springs, streams, brooks, rivers, and other running waters;

“Member” means a Member of the House of Keys;

“Messengers of the House” means the persons appointed from time to time to be Messengers of the House;

“motion” includes an amendment to a motion;

³⁰ 11.5A inserted 23rd January 2007 and amended 23rd October 2007 and 4th April 2017

“officer” means an officer of the House and includes the Secretary, Chaplain and any person from time to time appointed to discharge any duties in relation to the House;

“person” includes corporation;

“private Bill” includes a local and a personal Bill and a Bill involving the taking of land;

“question” (except as mentioned in Standing Orders 3.3 to 3.8) means any Bill, motion, amendment, or any other matter brought before the House which has been put by the Speaker;

“quorum” means in the case of the House, 13 Members, and in the case of a committee the majority of its Members unless the full committee shall otherwise determine;

“Secretary of the House” means the Secretary or other person appointed by the Speaker under Standing Order 9.3.4 and, except in Standing Orders 9.3.1 and 9.3.2, includes a Deputy Secretary;

“session” means the period from and including the first day of October in any year to and including the thirtieth day of September in the next year; and Sessions shall be deemed to be successive Sessions notwithstanding that a General Election of the House of Keys shall have intervened;

“sitting day” means any day on which the House sits;

“Speaker” means the Speaker elected under Standing Order 9.1. or, in the absence of the Speaker, the Deputy Speaker elected under Standing Order 9.2;

“Stranger” means any person other than a Member, officer or Messenger of the House;

“*sub judice*” includes any civil case in which papers for the commencement of proceedings have been filed in the office of any court or tribunal, whether or not they have been served on or communicated to the other party or any criminal case where a person has been charged or summoned to appear at court. A case will remain *sub judice* until it is discontinued, or judgment has been or verdict and sentence have been delivered and until the time for appealing has expired; it will continue to be *sub*

judice after papers for the commencement of any appeal have been lodged until judgment or discontinuance.³¹

“tabled motion” means a motion, notice of which has been given in terms of Standing Order 2.2;

“tabled Question” means a Question in terms of Standing Orders 3.3 to 3.8 other than a Question under Standing Order 3.5(4) or (5);

“Tynwald Day” shall mean the day on which the midsummer sitting of Tynwald Court is held at St. John’s;

“working day” means all days other than a Saturday, Sunday or Bank Holiday, and includes the day on which an act is done or notice given.

11.6.2 In Standing Order 8.2, the expressions “United Kingdom Government” and “Isle of Man Government” have the same meanings as “Imperial Government” and “Insular Government” respectively in section 12 of the Isle of Man Constitution Amendment Act 1919.

11.7.1 Unless the context otherwise requires, words importing the singular number shall include the plural and vice versa.

11.7.2 Words importing one gender shall include the other.

11.7.3 Expressions defined in the Interpretation Act 1976 shall, subject to 11.6 above, have the same meanings in these Standing Orders.

Short title and commencement

11.8 These Standing Orders may be cited as the Standing Orders of the House of Keys 2006 and shall come in force at the conclusion of the sitting of the House on 27th June 2006.

³¹ Definition of “*sub judice*” amended 29th March 2011

ANNEX 1: RULES FOR ADMISSION AND CODE OF CONDUCT FOR JOURNALISTS

HOUSE OF KEYS RULES

For admission to the Public and Press Galleries and the Precincts of the House

(made by Mr Speaker in accordance with Standing Order 3.37(1))

Members of the public must observe the following rules; contravention of the rules may result in removal from the Precincts of the House or other appropriate sanction as determined by Mr Speaker.

Members of the public must:

- Permit any bags, packages or belongings to be searched and, if so required, deposit them until they depart
- Enter and leave the proceedings quietly
- Switch off mobile phones, pagers, laptops and similar electronic equipment
- Obey any instructions given by Mr Speaker
- Obey any instructions given by any official of the House

Members of the public must not:

- Enter the floor of the House on sitting days except with the authority of Mr Speaker
- Enter the Members' Room on sitting days except with the authority of Mr Speaker
- Talk, applaud or shout out
- Display banners or slogans
- Use cameras, recording or audio equipment without prior authorisation
- Paint, draw or sketch without prior authorisation
- Read newspapers or magazines

- Eat, drink or smoke
- Leave baggage or belongings unattended
- Enter the House or Members' Room when the House is not sitting unless accompanied by a Member or officer of the House
- Bring any firearm, knife or other offensive weapon into the Precincts

The Messengers and Guards on duty shall be responsible for seeing that such regulations are observed.

By Order of the Speaker

January 2007

Code of Conduct for Journalists¹

I. Code of Conduct for Journalists

1. Only accredited journalists and other media personnel may film, record, or broadcast within the precincts of Tynwald.
2. Accredited journalists and other media personnel may film, record, or broadcast sittings of Tynwald and its Branches only within their respective Chambers, unless they have specific permission to do otherwise. They should observe regulations about access to other areas.
3. Accredited journalists and other media personnel may film, record, or broadcast sittings of parliamentary Committees only with the permission of the Chair. Only those appearing in an official capacity and Committee members should be filmed.
4. Accredited journalists and other media personnel must not act as lobbyists, paid or unpaid, for any individual or organisation that might seek to influence the political process or benefit from inside knowledge of the political process.
5. Accredited journalists and other media personnel must conduct themselves appropriately within the precincts of Tynwald, taking care not to cause any disruption to proceedings. They are asked to observe appropriate standards of dress when attending sittings of Tynwald or its Branches.

¹ Inserted 7th March 2017

6. Accredited journalists and other media personnel must treat parliamentary staff with courtesy and consideration.
7. At any stage, accredited journalists and other media personnel may be asked to withdraw from any part of the precincts.

II. Accreditation

1. Tynwald welcomes all local, national, and international media. Applicants will be required to demonstrate that they operate in a regulated environment, adhering to the principles and standards set down by independent bodies such as the National Union of Journalists. Freelance journalists will be required to demonstrate that their work is likely to be used by an accredited news organisation; this will require the supporting signature of an Editor or equivalent. Applications should be made to the Clerk of Tynwald.
2. Accreditation will usually be given for a specified period.

III. Access

Interviews with Members may be conducted throughout the precincts of Tynwald, in accordance with the rules listed below. Consideration must be given to other building users. There are also Interview Rooms provided for this purpose.

Members' Offices: Filming, recording, or broadcasting may only take place inside the constituency offices and interview rooms in the Members' Area with the permission of the Members present. Filming, recording, or broadcasting in the communal areas of the Members' Area is prohibited.

Members' Room: Filming, recording, or broadcasting in the Members' Room is prohibited on sitting days.

Public Areas: Filming, recording, or broadcasting is permissible in public areas, but the privacy of building users should be respected.

Staff accommodation, including the Tynwald Library: Filming, recording, or broadcasting may take place in staff accommodation only with the permission of the Clerk of Tynwald.

IV. Breaches of the Code

Any breaches of the code of conduct may result in accreditation being withdrawn.

V. Copyright

Tynwald owns the copyright to any footage filmed within the precincts, with sharing permitted. Tynwald reserves the right to request copies, where available, of any footage filmed within the precincts.

ANNEX 2: ELECTIONS TO THE LEGISLATIVE COUNCIL: GUIDANCE NOTE ISSUED BY THE SPEAKER

1. The House of Keys is obliged by law to elect Members to the Legislative Council when vacancies arise.² The election procedure is laid down in the Standing Orders of the House of Keys. This Guidance Note summarises the procedure and also provides some further points of detail which are not otherwise covered.

Before the election day

2. The terms of office of elected MLCs expire at the end of February, just under five years after they are elected. This happens twice during each five-year term of the House of Keys.
3. When vacancies occur routinely at the end of February, the timescales for elections are as follows:
 - the Speaker must invite for nominations in late January, a month before the MLCs' terms of office expire;³
 - the Members have not less than four weeks in which to submit nominations;⁴
 - there is then a period of at least 14 days before the election sitting itself (subject to the Speaker's discretion);⁵
 - the actual date of the election sitting is chosen by the Speaker.⁶
4. If vacancies arise at any other time, the election timescales are similar. The Speaker calls for nominations as soon as practicable;⁷ there is not less than four weeks to submit nominations;⁸ and then at least 14 days before an election sitting (again, subject to Mr Speaker's discretion).⁹

² Isle of Man Constitution Amendment Act 1919, s 8

³ SO 8.2(3)(a)

⁴ SO 8.2(4)

⁵ SO 8.2(6)

⁶ SO 8.2(6)

⁷ SO 8.2(3)(b)

⁸ SO 8.2(4)

⁹ SO 8.2(6)

Submission of nominations in advance

5. MHKs must submit nominations to the Secretary of the House by the date and time stated in the Speaker's formal invitation. Nominations must be in writing and must be accompanied by particulars in writing of the qualifications and experience of the candidate, and the reasons why the proposer considers the candidate suitable, the name of the Proposer and Secunder and at least two other supporting Members (a candidate can have more than two extra supporting Members) and the contact details for the candidate.¹⁰ Supplying a digital photograph is also useful. Members can propose, second and assent to nomination papers in support of several candidates, but only up to the number of vacancies available.¹¹
6. Rules about who can nominate and second:
 - the Speaker is not eligible to nominate, second or assent to a candidate;
 - there is no rule against Members being able to nominate, second or assent to themselves as candidates;
 - there is no restriction on Members who are candidates proposing, seconding or assenting to other candidates.
7. The Secretary will distribute copies of the nominations to all Members as soon as possible.¹² The details of those nominated and which Members are supporting them will be placed on the Tynwald website.
8. Mr. Speaker must organize at least one joint meeting between candidates and Members ("hustings") at the earliest opportunity after the close of nominations to ensure that all candidates are known to the House ahead of the Election.¹³ Candidates are, of course, encouraged to make themselves known to MHKs as much as possible apart from the hustings process.

¹⁰ SO 8.2(5)

¹¹ SO 8.2(1) and Speaker's Ruling

¹² SO 8.2(8)

¹³ SO 8.1(3)

The election sitting

9. An Order Paper will be issued for the election sitting in the same way as for any other sitting. The Order Paper for the sitting at which the election is to take place will include the names of the nominees and their proposers and seconders, as well as their other supporters¹⁴ (a minimum of two further supporters is required for a nomination to be valid)¹⁵; the names of the nominees are set out on the Order Paper in the order in which they were nominated.¹⁶
10. The Speaker chooses the day for holding an election to the Legislative Council, when nominations may be received, the date by which nominations must be received and when the election is to take place. These are then notified to Members by the Secretary. The day for the election may be a sitting day, but no other business may be taken on that day until the election has been disposed of.¹⁷
11. If at the beginning of the election sitting the number of candidates does not exceed the number of vacancies the Speaker declares the candidates elected. Otherwise, a ballot will be held.¹⁸
12. If the number of candidates exceeds the number of vacancies the Speaker puts to the House the names of the candidates to be voted on.
13. In the first round of voting, but not in subsequent rounds, the proposer and seconder of each candidate may speak in favour of their candidate, but no other Member will be called to speak. In second and subsequent rounds, candidates are only formally proposed and seconded.¹⁹
14. Voting will be done electronically.²⁰
15. The ballot is a public ballot unless the House by a majority resolves otherwise.²¹

¹⁴ SO 8.2(9) and Speaker's Ruling

¹⁵ SO 8.2(5)(c)

¹⁶ SO 8.2(9)

¹⁷ SO 8.2(2)

¹⁸ Paragraphs 11-25 are taken from SO 8.3, unless otherwise indicated.

¹⁹ Speaker's Ruling

²⁰ SO 11.5A

²¹ SO 8.3(13) NB The provision allowing MHKs to ask the Secretary to read out the names of the Members voting and the result does not apply to an election to Legislative Council: SO 11.5A(4).

16. The Secretary of the House, on the direction of the Speaker, reads out the list of candidates in the order in which they appear in the voting paper.
17. The Speaker puts the Question separately on the names of each person proposed and seconded for election, in the order in which the Secretary received the nominations. The vote is a public vote, with the numbers voting for each candidate being announced after each round.²² The names of those voting for each candidate in each round are published later.
18. Each Member may vote for or against each candidate.
19. If the vacancies to be filled differ in length of term, the person receiving the greatest number of votes fills the vacancy for the longer term of office. This provision relates to votes cast in a particular voting round. Previously elected candidates are always senior for these purposes to those who are elected afterwards.
20. In any round of voting a successful candidate requires a majority of the votes of Members present and voting; and candidates are considered as elected in the order according to the number of votes received until the vacancies are filled.
21. If after a vote at any stage of an election vacancies remain, the House votes again on the remaining unelected candidates.
22. If after a vote at any stage of an election where there are at least three candidates, and no candidate is declared elected –
 - (a) the candidate receiving the fewest votes will be omitted from the list of candidates and the House will proceed to vote again;
 - (b) where two or more candidates each receive the fewest votes or all candidates receive an equal number of votes, the House will proceed to vote again on those candidates and the candidate receiving the fewest votes in that ballot will be omitted from the list of candidates;
 - (c) if in a ballot under sub-paragraph (b) no one candidate receives more votes than the other candidates, the procedure set out in sub-paragraph (b) will be repeated; and

²² SO 8.3(13)

- (d) if in a ballot under sub-paragraph (c) two or more candidates each receive the fewest votes or all candidates receive an equal number of votes one of them will be eliminated by a lot drawn by the Speaker.
23. If after a vote on two candidates neither candidate is elected, but each has an equality of votes and an additional vote would represent a majority of those present and voting, one of them will be elected by a lot drawn by the Speaker.
24. Where paragraph 23 cannot be applied and neither candidate is elected, the Speaker will call for fresh nominations under Standing Order 8.2.
25. At each stage of an election the Speaker reads out the number of votes recorded for each candidate.
26. An MHK who is a candidate for the Council and who has been elected is still an MHK for the moment and can vote in subsequent ballots. A Member stops being an MHK when he becomes an MLC, but this process is not completed until the Member has signified in writing willingness to accept such office and received a formal warrant from the Speaker.

Call for fresh nominations

27. If there is still a vacancy after the written nominations have been considered and voted on, Mr Speaker must call for fresh nominations.²³ There will be a further period of at least four weeks for these to be made in writing and a further period of at least 14 days before an election sitting.²⁴

Procedure not otherwise catered for

28. Any further arrangements may be made by the Speaker under the general provision which gives him power to determine procedure not otherwise catered for in Standing Orders.²⁵

5th June 2017

²³ SO 8.3(11)

²⁴ SO 8.2(4) and SO 8.2(6)

²⁵ SO 11.5

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