

Statutory Document No. 2020/0173

*The Emergency Powers Act 1936*

EMERGENCY POWERS (LOCAL ELECTIONS) REGULATIONS 2020

Laid before Tynwald: 27 March 2020
Approved by Tynwald: 27 March 2020
Coming into operation: in accordance with regulation 2

The Governor in Council, by Order, makes the following Regulations under section 4(1) of The Emergency Powers Act 1936.

1 Title

These Regulations are the Emergency Powers (Local Elections) Regulations 2020.

2 Commencement

These Regulations come into operation immediately after they are made¹.

3 Interpretation

In these Regulations “**the Act**” means the Local Elections Act 1986.

4 Postponement of the Local Elections

The local elections due to be held, in accordance with section 3 of the Act, on 23 April 2020 are postponed until 22 April 2021.

5 Consequential amendments of the Act

- (1) The Act is amended as follows.
- (2) In sections 3(1) and 5, for “2004” substitute **2021**.
- (3) In section 3(2), for “The Department” substitute **Subject to subsection (3), the Department**.

¹ By virtue of section 4(2) of the Emergency Powers Act 1936, the Regulations made under this Order must be laid before Tynwald within 7 days of being made and only continue in force beyond 7 days of being so laid if Tynwald passes a resolution to that effect.

- (4) After section 3(2), insert —
- (3) Subsection (2) does not apply to the elections to be held in 2021.

6 Continuation of tenure of office

- (1) Every person who is currently a member of a local authority remains in office until 1 May 2021, unless he or she earlier vacates office.
- (2) Paragraph (1) does not apply to the parish districts of Arbory and Rushen.

7 Amendment to the Douglas (Alteration of Wards and Number of Members) Scheme 2018

- (1) The Douglas (Alteration of Wards and Number of Members) Scheme 2018² is amended as follows.
- (2) In paragraph 4 (elections of the Borough of Douglas), for “2020” substitute “2021”.

8 Amendment to the Douglas (Alteration of Wards and Number of Members) Order 2019

- (1) The Douglas (Alteration of Wards and Number of Members) Order 2019³ is amended as follows.
- (2) For article 4(3)(b) (commencement of scheme), substitute —
- (b) for all other purposes on 22 April 2021.

9 Amendment to the Port Erin (Number of Members) Order 2019

- (1) The Port Erin (Number of Members) Order 2019⁴ is amended as follows.
- (2) For article 4(3)(b) (commencement of scheme), substitute —
- (b) for all other purposes on 22 April 2021.

10 Amendment to the Port St Mary (Number of Members) Order 2019

- (1) The Port St Mary (Number of Members) Order 2019⁵ is amended as follows.
- (2) For article 4(3)(b) (commencement of scheme), substitute —
- (b) for all other purposes on 22 April 2021.

² SD 2018/0228.

³ SD 2019/0137.

⁴ SD 2019/0388.

⁵ SD 2019/0389.

11 Amendment to the Arbory and Rushen (Local Government District) Order 2019

- (1) The Arbory and Rushen (Local Government District) Order 2019⁶ is amended as follows.
- (2) In article 5 (commissioners of the Arbory and Rushen parish district) –
 - (a) for paragraph (2) substitute –
 - ¶(2) On and after 1 May 2021, there shall be 6 Commissioners.
 - (2A) There shall be 10 Commissioners from the appointed day to 30 April 2021 (inclusive).
 - This paragraph shall cease to have effect on 1 May 2021. ¶;
 - (b) for paragraph (4), substitute –
 - ¶(4) The first Commissioners for the Arbory and Rushen Parish District take up office on the appointed day and hold office for a 1 year term. ¶;
 - (c) after paragraph (4), insert –
 - ¶(5) On and after 1 May 2021, Commissioners for the Arbory and Rushen Parish District who take up office on the 1 May 2021 shall hold office for a 4 year term (and their successors shall take up office in each fourth succeeding year, other than when filling a casual vacancy in their number). ¶;
- (3) For article 9(2) (division of Arbory and Rushen district into wards), substitute –
 - ¶(2) On and after 1 May 2021, each ward shall elect 3 of the Commissioners.
 - (2A) Each ward shall be represented by 5 Commissioners from the former authorities that make up that ward on the appointed day for the period up to 30 April 2021 (inclusive).
 - This paragraph shall cease to have effect on 1 May 2021. ¶.

MADE 11:40 24TH MARCH 2020

W GREENHOW
Chief Secretary

⁶ SD 2019/0498.

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

These Regulations make emergency provision in respect of the local elections which were due to take place on 23 April 2020.

The elections are postponed under 22 April 2021, and those Commissioners who would otherwise have gone out of office on 1 May 2020 will remain in office (unless they vacate office earlier) until 1 May 2021.

These Regulations also make consequential amendments to the Local Elections Act 1986 and the following Orders —

- (a) Douglas (Alteration of Wards and Number of Members) Scheme 2018 [SD 2018/0228];
- (b) Douglas (Alteration of Wards and Number of Members) Order 2019 [SD 2019/0137]
- (c) Port Erin (Number of Members) Order 2019 [SD 2019/0388];
- (d) Port St Mary (Number of Members) Order 2019 [SD 2019/0389];
and
- (e) Arbory and Rushen (Local Government District) Order 2019 [SD 2019/0498].