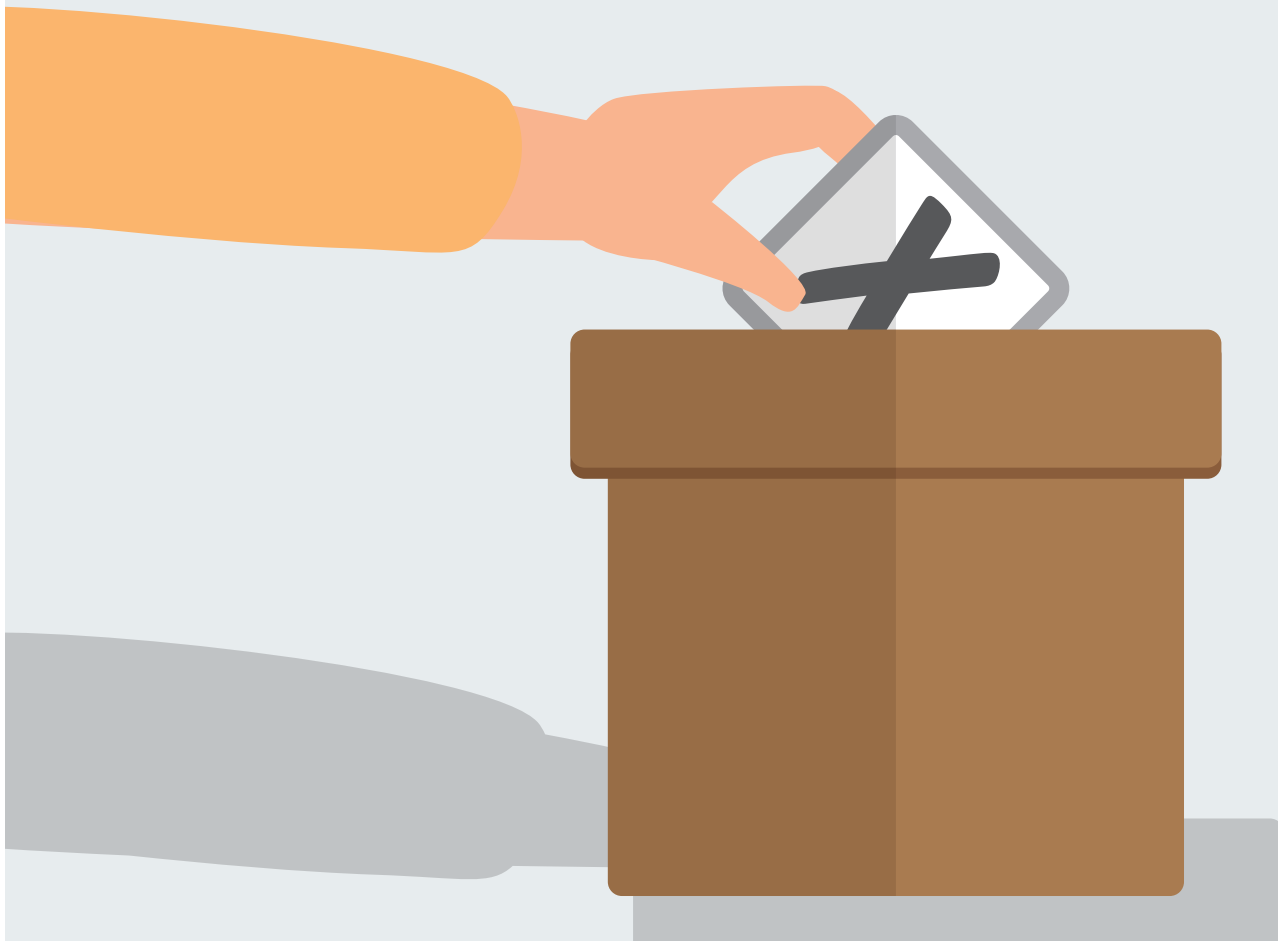


Guidance for Candidates



Isle of Man
Government

Reilrys Ellan Vannin

House of Keys General Election 2021

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PART 1 – INTRODUCTION

1.1 Purpose of this document

This guidance aims to provide practical advice to anyone who wishes to stand as a candidate in the **House of Keys General Election on Thursday 23 September 2021**. The advice in this document is provided as a guide to the requirements for candidates during an election. It should not be relied on as legally definitive and the Cabinet Office cannot accept responsibility for any errors or omissions or any act arising from it.

This guidance is intended to complement rather than replace or replicate other sources of information. Examples are used throughout this guidance for illustrative purposes only and should not be taken to be definitive.

If you have any doubts about a particular point you are advised to consult the appropriate legislation and speak to the Returning Officer for the constituency in which you are standing. The Crown & Elections team are also available to assist.

This guidance covers each of the main steps during the election process, including nominations, the election timetable, the campaign and candidate spending, polling day and the declaration of the result.

1.2 Resources

Prospective candidates and candidates should refer to and be familiar with the contents of the following documents, which can be downloaded from the Isle of Man Government website at www.gov.im/elections.

- The Elections (Keys and Local Authorities) Act 2020
- The Elections (Keys) Regulations 2021
- Guidance on election funding
- Constituency map
- Code of Conduct for tellers, volunteers and persons casually in attendance at a polling station
- Code of Practice on the production of election materials
- Details of polling stations
- Election forms, including —
 - nomination paper for election to the House of Keys

- declaration of relevant interests
- declaration of donations received
- declaration of donations provided
- declaration of expenses

1.3 Constituency Returning Officers

The Constituency Returning Officers are the officials who are responsible for conducting the election in each constituency and this document should be read in conjunction with any guidance or instructions given by them.

It is recommended that candidates and their agents should liaise at an early stage with the Returning Officer for their constituency, as listed below:

Arbory, Castletown and Malew

Mr Laurence Vaughan-Williams

Tel: 836757; email: quotes@laurencevaughan-williams.com

Ayre and Michael

To be confirmed

Tel: TBC; email: TBC

Douglas Central

Mr Tim Swift

Tel: 647607; email: TSwift@applebyglobal.com

Douglas East

Mr Andrew Bridson

Tel: 614422; email: abridson@iomlaw.com

Douglas North

Mr Geoffrey Kermeen

Tel: 0333 939 80000; email: Geoff.Kermeen@keystonelaw.co.im

Douglas South

Mr James Quinn

Tel: 665522; email: james@quinnlegal.im

Garff

Mr Miles Benham

Tel: 639351; email: MilesBenham@mannbenham.com

Glenfaba and Peel

Mrs Sally Bolton

Tel: 676868; email: sally.bolton@corlettbolton.com

Middle

Mr Steven Quayle

Tel: 638300; email: steven.quayle@cains.com

Onchan

Mr Jeremy Callin

Tel: 676763; email: jeremy@callinwild.com

Ramsey

Mr Robert Jelski

Tel: 812107; email: rjelski@dc-ramsey.com

Rushen

Mr Mark Humphrey

Tel: 651951; email: rushenro@longandhumphrey.com

1.4 Registration and conduct of political parties

Political parties supporting or endorsing candidates for election are required to be formally registered. Part 4 of the Elections (Keys and Local Authorities) Act 2020 details the requirements for the registration and conduct of political parties.

The document **Guidance for political parties in the Isle of Man** is available on the Government website and includes further information for candidates affiliated with registered political parties.

A candidate who accepts support or endorsement from a political party that is not registered is guilty of an offence under section 103 of the Elections (Keys and Local Authorities) Act 2020.

1.5 Election timetable

The date for the General Election in 2021 is **Thursday 23 September**.

The following table outlines key dates prior to polling day —

Dissolution of the House of Keys	
Thursday 12 August 2021	The House of Keys is dissolved six weeks before the General Election.
Issue of the writ by His Excellency the Lieutenant Governor	
Thursday 12 August 2021	His Excellency the Lieutenant Governor will issue a writ to the Returning Officer of each of the Island's 12 constituencies instructing him or her to proceed to an election immediately on the dissolution of the House of Keys.
Publication of Notice of Election	
Tuesday 17 August 2021	The Cabinet Office, on behalf of the Chief Secretary, will arrange for a Notice of Election to be published as soon as is practicable after the issue of the writ. The notice will include information for electors about advance and proxy voting and for prospective candidates about the nomination process.
Delivery of nomination papers and declaration of interests form	
From 10am on Wednesday 18 August 2021 to 1pm on Wednesday 25 August 2021	Nomination papers and a declaration of relevant interests form must be delivered to the Returning Officer for the constituency between 10am on Wednesday 18 August 2021 and 1pm on Wednesday 25 August 2021 ; the day and time to be agreed between the Returning Officer for the constituency and the candidate.
The making of objections to nominations	
Between 1pm and 2pm on Wednesday 25 August 2021	The Returning Officer for the constituency must attend and invite the persons standing nominated as a candidate to attend at a designated venue between 1pm and 2pm on Wednesday 25 August 2021 . During this time objections can be made to the nomination by persons also present as specified in <i>Regulation 13 of the Elections (Keys) Regulations 2021</i> .
Withdrawal of a candidate	
Wednesday 25 August 2021	A candidate may withdraw from their candidature by giving a notice in writing to that effect to the Returning Officer for the constituency, at any time prior to 2pm on Wednesday 25 August 2021 , but not afterwards.
Declaration of election	
As soon as practicable after	If there are more valid candidates than there are seats then the Returning Officer for the constituency will

nominations	declare an election for the constituency as soon as is practicable and will arrange for a Notice of Poll to be displayed.
Polling	
Thursday 23 September 2021	The polling stations will be open between 8.00am and 8.00pm on polling day, Thursday 23 September 2021

PART 2 BECOMING A CANDIDATE

2.1 Qualification for membership of the House of Keys

Section 4 of the Elections (Keys and Local Authorities) Act 2020 sets out the criteria that must be met in order for you to be able to stand as a candidate for, and be elected a Member of the House of Keys for a constituency.

The provisions in respect of the qualification and disqualification criteria are included in full in Appendix 1 of this document.

To be qualified you must —

- be 18 years old,
- be a British citizen or have the right to remain in the Island,
- have been ordinarily resident in the Isle of Man for at least five years (or periods amounting in aggregate to at least five years,
- be registered on the register of electors in the Isle of Man, and
- not be disqualified¹.

If you believe that you may be disqualified for any reason, please contact either your constituency Returning Officer or the Crown & Elections team on 685754.

ILLUSTRATIVE EXAMPLE

A person wishes to stand as a candidate in the forthcoming election. They have the right to remain in the Island and have lived here for more than five years. When they submit their nomination to the Returning Officer it transpires that they are not registered on the Register of Electors.

The Returning Officer will not be able to accept the nomination until such time as that person is registered.

Prospective candidates are strongly advised to ensure that they meet the criteria and that if they are not already registered on the Register of Electors, to ensure that they are registered as soon as possible.

This can be done by via www.gov.im/elections or by calling the Crown & Elections Team on 685201.

¹ See Appendix 1 and Section 5 of the Elections (Keys and Local Authorities) Act 2020

2.2 Prospective Candidates

You will become a prospective candidate for the 2021 General Election when you declare your intention to stand as a candidate or someone declares your intention to stand as a candidate on your behalf.

The declaration can be made in any manner as long as it is made publicly, for example, on social media, traditional media, radio etc.

You are also advised to contact the Crown & Elections team, to notify them of your intention to stand for election, by calling 685754 or emailing elections@gov.im.

Election spending is regulated to ensure that all prospective candidates are entitled to the same level of spending. You are required to log all of your expenses which you incur as a result of your intention to stand as a candidate from the date that is 12 months before the General Election, in this case from the **23rd September 2020**.

Spending limits are capped at £2,150 plus 54p for each elector in the constituency.

Please ensure that you have read and follow the **Guidance on Election Funding** whilst conducting your campaign.

Illustrative example

Prospective candidate "A" makes an announcement on social media in February 2021 of their intention to stand in the General Election on 23rd September 2021. Prospective candidate "B" makes an announcement on the radio, in July 2021 of their intention to stand in the General Election on 23rd September 2021. Both prospective candidates must log any expenses incurred and or donations made and received from 23rd September 2020 (i.e. 12 months before election day), irrespective of when they have declared their intention to stand.

You will remain a prospective candidate until you are 'nominated for election' and your nomination is accepted by the Returning Officer for the constituency in which you are standing. However, you may start campaigning for election from the time that you become a prospective candidate, subject to compliance with the Act, Regulations and Codes.

2.3 Data protection

Once you have declared your intention to stand as a candidate you are entitled to apply for copies of the register of electors for your constituency to help you conduct your campaign.

Before you do, you must have registered as a Data Controller with the Information Commissioner on the Isle of Man. You can submit an application online via the

registration section at www.inforights.im.

As a prospective candidate you are permitted to make use of the personal data contained in the electoral register only for the purpose of conducting your election campaign and you should ensure that the personal data is stored securely and not misused.

Guidance for candidates from the Information Commissioner in respect of data protection legislation and how it applies to elections, including methods of canvassing is available from the Information Commissioner's website or by following this link:

https://www.inforights.im/media/1774/sgn_election-candidates_2020.pdf

2.4 Copy of Electoral Register

A copy of the full register of electors for the constituency in which a prospective candidate intends to stand is available from the General Registry in Douglas free of charge upon application to the Chief Registrar.

The Chief Registrar will require the candidate to complete a form of declaration that it is his or her intention to seek nomination as a candidate in the forthcoming House of Keys election.

Candidates should be able to provide evidence that they have made a public declaration of their intention to stand, for example, a newspaper cutting or website article.

The relevant constituency register will be available for candidates to access via a secure web portal, which will be available from May 2021.

2.5 Electoral register for manifesto purposes

In addition to the full register, a version of the electoral register can be supplied to you in household format listing every property within the constituency containing one or more registered electors.

This information is helpful when planning your election campaign, particularly in respect of the postage of manifestos and door-to-door canvassing.

Further information on manifestos is provided below and in the **Code of practice in respect of the publication of election materials**.

2.6 Local plan of the constituency

You can obtain a copy of a constituency plan from the Mapping Section, Department of Infrastructure. Please note there will be a small charge for a detailed copy of the constituency plan.

You or your agent should contact the Mapping Section in order to arrange for a plan of the constituency to be produced before visiting the office. Call 685924 or email mapping@gov.im

2.7 Door-to-door canvassing

Prospective candidates often visit households in their constituency as a means of introducing themselves to electors and highlighting their policies.

Please respect people's property and boundaries when moving from one household to another and be aware that animals may be present in gardens or yards.

Prospective candidates should also ensure they comply with any emergency or public health regulations that may be in place. For example, door-to-door canvassing and public meetings may be prohibited in the event of a pandemic.

See Part 4.6 on contingency plans for further information.

2.8 Encouraging people to be registered and to vote

As has been stated elsewhere, you do not have to wait until you are validly nominated to declare that you will run for election to the House of Keys, ask people to support you or publish campaign material. In doing so please ensure that you follow all guidance given particularly in the **Guidance on Election Funding** and in the **Code of practice in respect of the publication of election materials**.

Taking part in elections is a fundamental democratic right, but individuals must first be registered to vote.

During your campaign you may encourage people who are not on the electoral register to apply for registration via the Government website www.gov.im/elections or by calling 685754.

The deadline for registering to vote in time for the 2021 House of Keys General Election is **Thursday 2 September 2021**. Individuals who are not registered will not be permitted to vote.

People are entitled to be registered if they have reached the age of 16, have had their usual place of abode in the Isle of Man for the preceding 12 months and are not subject to any legal incapacity to vote.

There are also special arrangements to enable Isle of Man residents who are serving in the Armed Forces, studying off-Island or temporarily working overseas to be registered and to vote in an election.

If a person is not registered to vote, he or she can apply for a registration form by —

- visiting the Government website www.gov.im/elections

- telephoning the Electoral Registration Unit on 685754 or emailing elections@gov.im
- visiting the Electoral Registration Office, 3rd Floor, Government Office, Bucks Road, Douglas

Anyone who wishes to check whether their name is on the electoral register for their constituency should contact their local authority or the Crown & Elections team.

Full electoral registers can also be viewed at the following locations –

- Local Authority offices
- Crown & Elections, 3rd Floor, Government Office, Bucks Road, Douglas
- General Registry, Deemsters Walk, Bucks Road, Douglas

2.9 Advising people on how they can vote

As a prospective candidate and a candidate, you can help voters with information about postal and proxy voting.

A comprehensive **Guidance for Voters** will be available on the Government website, which explains the three methods of voting in a House of Keys election —

- casting your vote at a polling station,
- applying for a postal vote, or
- applying, in exceptional circumstances only, for the appointment of a proxy who will be able to vote on their behalf

Voting in person

Registered electors can attend their allocated polling station between 8am and 8pm in order to cast their vote. The notice of poll and the poll card will indicate which polling station the elector should attend.

It is not necessary to have a poll card in order to vote at a polling station.

The Isle of Man provides more than double the number of polling stations suggested by the UK Electoral Commission for a population of our size. This supports the aim of maximising accessibility and ensuring that Island voters generally do not have to travel a significant distance within their constituency or queue for long periods in order to cast their ballot.

It should be noted that an elector's allocated polling station may not be the polling station that is closest to where they live. Because of the way constituencies are divided into polling districts, such situations are unfortunately unavoidable.

Electors who feel their allocated polling station is not conveniently located, or those with mobility or transport issues, will have the option of applying for a postal ballot.

Candidates can also arrange a lift to the polling station for any electors who do not have their own means of transport on the day.

Voting by post

Postal voting on demand is being introduced for the 2021 House of Keys General Election. It is an easy and convenient way of voting for those who are unable to vote at a polling station or choose not to vote in person.

First an elector must complete the postal vote application form, which is available from: —

- the Government website at www.gov.im/elections,
- the Cabinet Office, Third Floor, Government Office, Bucks Road, Douglas, IM1 3PN, or
- the Returning Officer for the constituency.

Postal voting packs can be sent to addresses in the Isle of Man, UK and overseas.

Full instructions on how to complete the application form and the voting pack can be viewed on the Government website.

Voting by proxy

Electors can apply to appoint a person to vote on their behalf, known as a proxy, only in exceptional circumstances, such as a medical emergency or urgent business necessitating overseas travel.

Details of how to obtain a proxy voting application form and who is eligible to be appointed as a proxy voter are published on the Government website.

2.10 Broadcast and social media

The [Programme Code published by Communications Commission](#) sets out the editorial standards that audiences are entitled to expect from broadcasting services in the Isle of Man.

It aims to ensure that requirements are met in respect of the programme content stipulated by Tynwald in the Broadcasting Act 1993.

Further information is provided in Appendix 2.

Social media

It has become increasingly common for election candidates to use social media channels such as Facebook and Twitter to support their election campaign.

News articles, campaign press releases, endorsements, website updates, blog posts and event alerts are useful to help keep voters informed.

However, in line with other election publications, candidates should not print, publish, post or distribute any material aimed at promoting or discouraging the election of a candidate, unless the name and address of the publisher is included. This includes electronic distribution and publishing. This can be achieved by stating your name and address in your online profile/biography.

In the interests of transparency it is also recommended that candidates make their identity clear when using online forums.

Any cost in respect of promoting online content should be recorded as an election expense. For example, paying to 'boost' election adverts or other content on platforms such as Facebook and Twitter.

2.11 Nomination process

To become nominated as a candidate in the House of Keys General Election for 2021, you must submit a completed set of nomination papers and a declaration of relevant interests form to the Returning Officer for the constituency between 10am on **Wednesday 18 August 2021** and 1pm on **Wednesday 25 August 2021** at a time and place to be agreed with the Returning Officer.

Copies of the nomination form and the declaration of relevant interests form are available to download from the 'Candidate' section at www.gov.im/elections.

You are not permitted to stand as a candidate in more than one constituency at the same election.

2.12 The Nomination Papers

The nomination paper requires you to provide your full name, address, telephone number, email address, political party (if any) and constituency.

On submission, you must produce either your passport, a certified copy of your passport or other evidence to the satisfaction of the Returning Officer for the constituency as proof that you are a British citizen or have the right to remain in the Isle of Man.

You must also confirm if you are standing on behalf of a registered political party. The party emblem will subsequently be published next to your name on the ballot paper on polling day.

Subscribers

Your nomination paper must be subscribed by —

- two electors from the constituency as proposer and seconder, and

- by no fewer than 20 other electors from the constituency

These are the people who are “assenting” to your nomination.

An individual elector may only propose or second up to two candidates at the same election, so please check with your chosen proposer/seconders to ensure that they do not sign more than the permitted number of papers.

All subscribers must be on the electoral register for the constituency in which you are standing and their elector number must be given on the nomination paper. Elector numbers can be found on the register of electors.

There are various reasons why a subscriber’s name may be removed from a nomination form. Therefore, you are advised to include more than 20 subscribers on your nomination form to avoid it being rejected.

Declaration of relevant interests

As part of the nomination process, you must also submit a form detailing all relevant interests which may reasonably be perceived to affect your judgement on the way in which you may carry out your duties if elected.

The definition of a relevant interest is set out in the Section 3 of the Elections (Keys and Local Authorities) Act 2020 and includes those existing at any time from 12 months before the election. By way of example, a relevant interest may include stocks or shares, directorships, sponsorships or membership of a trade union or professional society.

A copy of the declaration of relevant interests form is available on the Government website.

2.13 Delivery of nomination paper and Declaration of Relevant Interests

The Returning Officer for the constituency will confirm the arrangements for the delivery of the nomination paper and declaration of relevant interests form with you.

The papers may be delivered either by you or by your proposer or seconder. If you are delivering them personally you are entitled to invite your proposer or seconder and one other person to attend with you but no more.

You are encouraged to submit your nomination papers and declaration of relevant interests form to the Returning Officer for the constituency during the early stages of the nomination period where possible. This should provide time to discuss and resolve any potential problems in advance of the deadline for nominations, such as issues regarding your proposer/seconders or subscribers.

Illustrative example

A prospective candidate submits their nomination papers and declaration of relevant interest to the Returning Officer on the final day for submission. Upon checking the Returning Officer notes the following discrepancies

- 3 of the subscribers are not on registered on the Electoral Register
- 2 other subscribers have already assented to 2 candidates who have already submitted their nomination papers.

For the prospective candidate to ensure that his or her nomination papers are valid that person will need to obtain 3 further subscribers who are registered on the Electoral Register and 2 subscribers who haven't already assented to the nomination of 2 prospective candidates before the period for the nominations closes, otherwise they will not be able to stand as a candidate.

Publication of Declaration of Relevant Interests

After submission, the Declaration of Relevant Interests will be published on the 'candidate section' of the Isle of Man Government Website from **31st August 2021** to **23rd September 2021** in order to provide a level of transparency for each candidate. Following the election, the successful candidates who have been elected will be required to make a similar declaration as an elected Member. All declarations received will be kept by the Crown & Elections team for 6 months, following which they will be deleted.

2.14 Objections to nominations

The Returning Officer for the constituency will invite all prospective candidates for that constituency to attend at a specified venue between 1pm and 2pm on nomination day, **Wednesday 25 August 2021**. This meeting provides the opportunity to inspect and to object to the validity of any nomination paper.

The Returning Officer for the constituency will determine whether your nomination paper is valid.

You are entitled to invite your proposer or seconder and one other person to attend with you but no more.

Once the Returning Officer has deemed that your nomination is valid you become a candidate for election for that constituency.

2.15 Withdrawal of candidate

You may, at any time before 2pm on **Wednesday 25 August 2021**, withdraw from

your candidature by giving a notice in writing, in accordance with *Regulation 17 of the Elections (Keys) Regulations 2021*, to the Returning Officer for the constituency.

2.16 Contested / uncontested elections

If at 2pm on Nomination Day, **Wednesday 25 August 2021**, there are more than 2 candidates standing for a constituency, a poll shall be taken to elect 2 candidates to be MHKs for that constituency.

If at that time there are only two candidates nominated they shall immediately be declared to be elected in accordance with *Regulation 52 of the Elections (Keys) Regulations 2021*.

2.17 Election Agents

You must appoint an election agent for the duration of your election campaign, which can either be yourself or another person. The form for the appointment of an election agent can be found in the 'Candidate' section at www.gov.im/elections.

Election agents take on key responsibilities such as submitting the declaration of expenses and donations, approving campaign literature and overseeing the polling and counting of votes.

If you are standing as a candidate on behalf of a registered political party, the party must name one election agent to act on behalf of all its candidates.

2.18 Election safety

There are steps you can take to help protect yourself and others during the election campaign, for example:

- Keep records of any intimidating behaviour (what, where, when)
- Do not engage with individuals who are stalking/harassing you (offline and online)
- Report intimidation to your internet service provider or your mobile phone company
- Use 'Report Abuse' tools on social media platforms
- Block/report trolls
- Conduct an online health check - review online information and minimise availability of personal information
- Seek advice from your local police force on personal safety and building security (e.g. home/workplace security survey)
- If you feel you or others are in immediate danger, dial 999.

PART 3 - FROM NOMINATION TO ELECTION DAY

3.1 Election meetings

Pre-election meetings provide an opportunity for voters to gauge the performance of candidates. Such events can be an important factor for voters in making their decision who to support on polling day.

For the 2021 House of Keys General Election, the Isle of Man Government is organising and funding a series of pre-election meetings around the Island.

All candidates will be invited to participate in all the meetings for their relevant constituency. The dates, times and venues will be publicised well in advance, with the intention that more electors will be aware of the arrangements and that interest and attendance will be improved.

Further election meetings can be requested by electors. These meetings are chaired and arranged by a Captain of the Parish on receipt of a petition signed by a specified number of electors.

Campaign meetings can also be arranged by one or more candidates. The costs of such meetings, for example, the hire of the venue, should be included as an election expense in a candidate's statutory return.

The provision of modest hospitality – tea, coffee, soft drinks and biscuits – is permissible at campaign meetings and the cost should be listed on the candidate's declaration and return of expenses.

3.2 Candidate Supporters

You are entitled to appoint various supporters who will help you on Polling Day, these include tellers, polling agents and counting agents. Their appointment must be made in the form specified and given to the Returning Officer for the constituency before 5pm on **Monday 20th September 2021**.

The appointment forms are available on the Government website or from the Returning Officer for the constituency.

Further information is provided below however you **MUST** ensure that any person appointed has read and abides by the **Code of Conduct of tellers, volunteers and persons casually in attendance at polling stations**.

Polling and Count Agents

Each candidate may appoint —

- polling agents to attend each polling station in the constituency for the purpose of detecting personation. No more than two polling agents per

candidate may be present at any one polling station at the same time, and

- counting agents to attend the counting of the votes, up to the maximum number allowed by the Returning Officer for the constituency for each candidate.

All candidates and their agents must sign a declaration of secrecy in the presence of the Returning Officer for the constituency, a Justice of the Peace or a Commissioner for Oaths.

Tellers

Tellers are candidates' representatives who stand outside polling stations and record the elector numbers of individuals who have voted. By identifying electors who have not voted and relaying this information to the candidates, tellers play an important role in elections. Voters who have not yet been to vote during polling day can then be contacted and potentially persuaded to vote, thereby increasing turnout.

Voters have the right to refuse to give tellers any information.

Tellers, volunteers and others in attendance at the polling station must abide by the **Code of Conduct for tellers, volunteers and persons casually in attendance at a polling station**. This code aims to prevent electors from feeling uncomfortable or intimidated when they approach a polling station and candidates should ensure that their volunteers have read and understand it.

PART 4 - ELECTION DAY

4.1 Candidates' representatives – Election, Polling and Count Agents

On polling day candidates should—

- comply with all requests by the Returning Officer for the constituency and polling station staff about campaigning near polling stations,
- ensure that any tellers and campaign volunteers acting on their behalf are familiar with the **Code of Conduct for tellers, volunteers and persons casually in attendance at a polling station** and do not engage in any behaviour that may intimidate voters or deter voters from entering the polling station or otherwise contravene the Code of Conduct,
- make sure any agents who are attending polling stations, postal vote opening sessions or the count understand and comply with the rules about the secrecy of the ballot.

On polling day Candidates should not—

- campaign near polling stations in a way that could be seen by voters as aggressive or intimidating,
- publish or distribute material that is considered by the Returning Officer for the constituency or any additional deputies to be threatening, abusive or insulting,
- breach the requirements on the secrecy of the ballot,
- before the close of poll, publish any data based on information given by people about how they voted.

4.2 The count

Candidates and their counting agents – plus one additional individual nominated by a candidate – may attend the counting of the votes.

Before the opening of the poll, those in attendance must sign a declaration of secrecy. The Returning Officer for the constituency will provide instructions in respect of restrictions on the use of mobile phones and devices during the count.

Anyone who behaves unreasonably or fails to obey the orders of the Returning Officer for the constituency may be removed from the count venue.

Counting agents can oversee the proceedings to satisfy themselves that ballot papers are correctly sorted.

Re-count

Candidates or their counting agents may request the Returning Officer for the constituency to have the votes re-counted.

The Returning Officer for the constituency may refuse a request for a recount only if he or she considers the request unreasonable.

4.4 Complaints and queries

If, after the poll, you believe that you have a right to challenge the outcome of the election, you are entitled to present an election petition to the High Court of Justice. Further information about election petitions is set out in Schedule 1 of the Elections (Keys and Local Authorities) Act 2020 and you are advised to seek independent legal advice in this regard.

Any other complaints, i.e. any complaints that are not serious enough to require a petition to the Court should be directed to the Returning Officer for the constituency as soon as practicable after the event giving rise to the complaint.

It is the duty of the Returning Officer for the constituency to do everything necessary for effectually conducting the election in accordance with election regulations.

4.5 Successful candidates

Successful candidates will receive a certificate of election signed by the Returning Officer for the constituency, within 24 hours of the declaration of the result.

Successful candidates will be contacted by the Clerk of Tynwald's Office. They will be invited to undertake a comprehensive induction programme and will receive instructions and guidance regarding the arrangements for them to be sworn in as a Member of the House of Keys for a five-year term of office.

The first sitting of the House of Keys after the General Election is scheduled to take place on Tuesday 28 September 2021. This will feature the swearing in of new Members and the election of the Speaker.

A further sitting of Keys will be held on Tuesday 5 October 2021 to appoint the Chief Minister.

4.6 Contingency plans

The Elections (Keys and Local Authorities) Act 2020 provides that an order can be made to extend the term of the House of Keys during a period of national emergency.

Candidates should also be aware of – and comply with – any practical measures or restrictions that may be put in place at short notice in response to an event such as the Covid-19 pandemic.

For example, public gatherings or the ability to visit other households, may be prohibited, which would impact a prospective candidate's ability to attend any scheduled public meetings or to conduct door-to-door canvassing.

The current advice from Public Health is that items of mail can continue be sent during a pandemic/lockdown. Consequently, in such circumstances candidates would be able to post leaflets or manifestos to registered electors as part of their election campaign.

Part 5 – SUPPLEMENTARY

5.1 Useful Contacts

Chief Registrar

General Registry, Isle of Man Courts of Justice, Deemsters' Walk, Douglas, IM1 3AR.

Tel: (01624) 687505

Email: lynn.mcmechan@gov.im

Chief Secretary

Cabinet Office, Third Floor, Government Office, Bucks Road, Douglas, IM1 3PN.

Tel: (01624) 685211

Email: elections@gov.im

Clerk of the Rolls

Isle of Man Courts of Justice, Deemsters' Walk, Douglas, IM1 3AR.

Tel: (01624) 685247

Email: civil@courts.im

Electoral Registration Officer

Electoral Registration Unit, Cabinet Office, Third Floor, Government Office, Bucks Road, Douglas, IM1 3PN.

Tel: (01624) 685754

Email: elections@gov.im

Tynwald Library

Legislative Buildings, Finch Road, Douglas, IM1 3PW

Tel: (01624) 685520

Email: library@tywald.org.im

Appendix 1

Qualification for membership of the House of Keys

Under section 4 of the Elections (Keys and Local Authorities) Act 2020, a person may stand as a candidate for, and be elected a Member of the House of Keys for a constituency, if at the time of nomination as a candidate the person -

- (a) has reached the age of 18 years,
- (b) is either a British citizen or has the right to remain in the Island,
- (c) is ordinarily resident in the Isle of Man and has been so for a period of, or for periods amounting in the aggregate to, 5 years or more; and
- (d) is registered on the register of electors for any electoral area in the Isle of Man.

For the purpose of (b) a person has the right to remain in the Island if the person –

- (a) has indefinite leave to remain in the Island, within the meaning of the Immigration Act 1971 (of Parliament), as it has effect in the Island (the 1971 Act); or
- (b) does not under the 1971 Act require leave to enter or remain in the Island, by virtue of section 7(1) of the Immigration Act 1988 (of Parliament), as it has effect in the Island;

and, in either case, is not liable to deportation under section 3(5) or (6) of the said Act of 1971.

However, a person is disqualified for being a candidate if at the time of nomination the person-

- (a) is the holder of an office of profit under the government of any country or territory outside the Island;
- (b) has been convicted of a relevant offence, unless the conviction is spent for the purposes of the Rehabilitation of Offenders Act 2001;
- (c) is incapable of being elected to and sitting in the Keys by virtue of section 126 (incapacities on report or conviction of corrupt or illegal practice);
- (d) is serving a custodial sentence following conviction for any offence;

- (e) is an undischarged bankrupt;
- (f) is subject to any incapacity by virtue of this or any other Act;
- (g) has within 5 years before the day of the election or since his or her election, been convicted of an offence –
 - i. in the Island or, if it would have been an offence had it been committed in the Island, in any jurisdiction; and
 - ii. for which he or she has been sentenced to custody (whether suspended or not) for a period of not less than 3 months without the option of a fine.
- (h) is a full-time member of the Isle of Man judiciary – First Deemster, Second Deemster, Judge of Appeal, Deemster, High Bailiff, Deputy High Bailiff.

For the purpose of (b) a relevant offence is an offence (wherever committed) involving corruption, bribery or dishonesty or an offence (of any kind) under the Elections (Keys and Local Authorities) Act 2020, or under the equivalent Act in any other territory or country.

Appendix 2

Broadcast media

The [Programme Code published by Communications Commission](#) sets out the editorial standards that audiences are entitled to expect from broadcasting services in the Isle of Man.

It aims to ensure that requirements are met in respect of the programme content stipulated by Tynwald in the Broadcasting Act 1993.

Programme Code: Programmes at the time of elections

There is no expectation that the time devoted to all candidates in an election will be exactly equal.

Licensees must exercise their judgment, based on factors such as the number of candidates. However, new and unknown candidates may also be among those with significant views and perspectives, to which appropriate coverage may need to be given.

Discussion and analysis of election issues should finish when the polls open.

A licensee may not publish the results of any poll it has commissioned or undertaken on polling day itself, until the polls have closed.

Appearances by candidates in Isle of Man elections as newsreaders, interviewers or presenters of any type of programme should cease for the election period.

Programme Code - Coverage of constituencies at House of Keys and Local Government Elections in the Isle of Man

It is not necessary to secure the agreement of all candidates before any candidate can take part in an item about the relevant constituency. Also, likely candidates are not prevented from taking part in the period before the close of nominations.

Nevertheless, due impartiality must be strictly maintained in coverage of the campaign in any constituency. If any candidate takes part in an item about a particular constituency then all candidates should be offered the opportunity to take part.

Any constituency report or discussion after the close of nominations must include a list of all candidates standing, giving first names and surnames. This should be conveyed in caption and/or voice.

When a politician is appearing on a programme to speak about policy issues, care should be taken to avoid allowing him or her to make constituency points when no other candidate will have a similar opportunity.

The election period, during which the requirements in this sub-section of the Code must be applied, is defined as the period from the close of nominations to the close of poll on Election Day.



Cabinet Office
Government Office
Bucks Road
Douglas
IM1 3PN