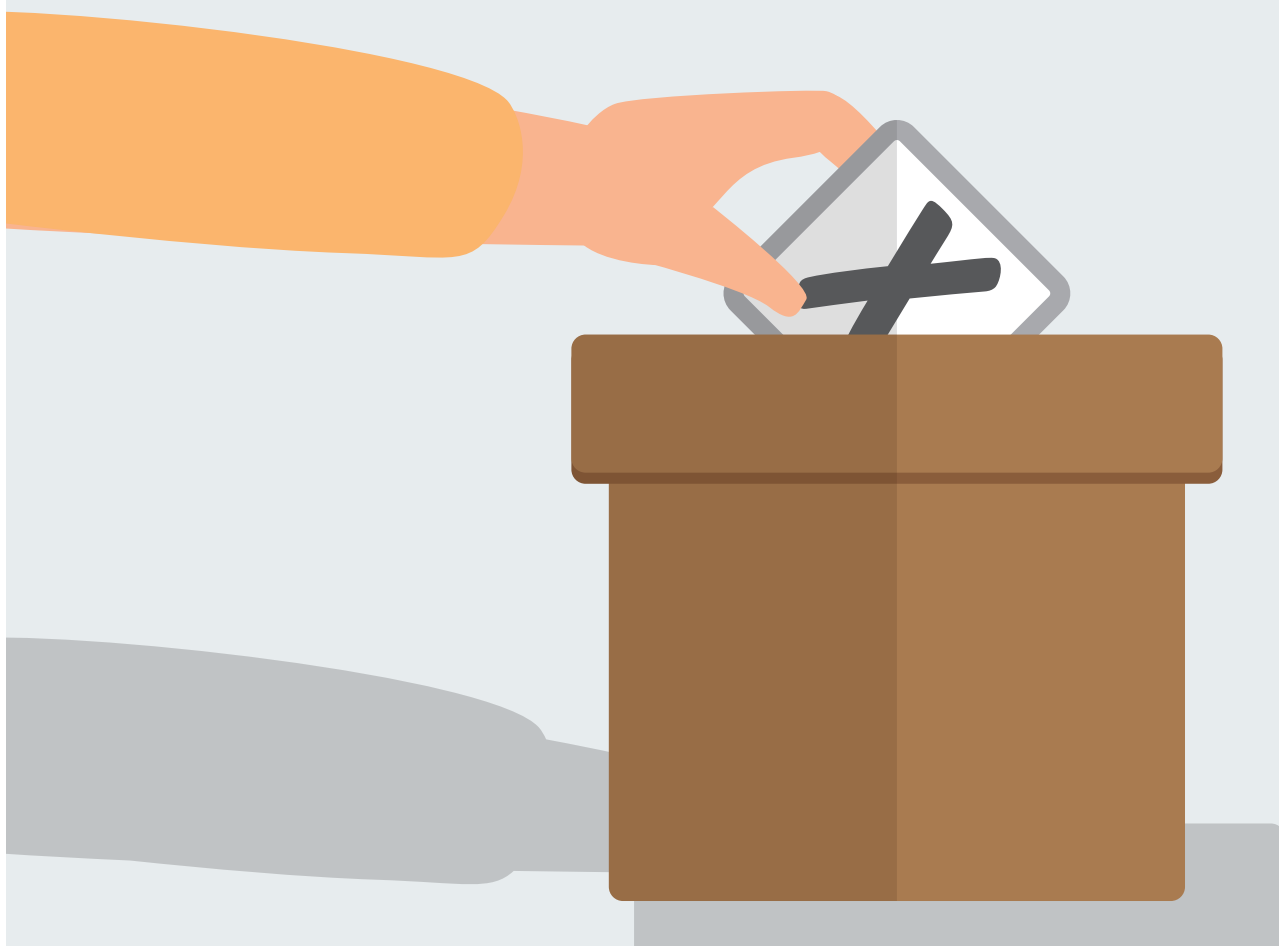


Information for Officers



Isle of Man
Government

Reiltys Ellan Vannin

House of Keys General Election 2021



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Information for public servants

Cabinet Office, June 2021

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1. Background Information

The House of Keys is the popularly elected branch of Tynwald, the Island's parliament.

Every five years the people of the Isle of Man have an opportunity to vote in a General Election to choose who will represent them in the House of Keys. The next House of Keys General Election takes place on **Thursday 23 September 2021**.

Each Member of the House of Keys (MHK) represents a constituency. There are 12 constituencies, with two MHKs for each:

Constituency	Number of seats
Arbory, Castletown & Malew	2
Ayre & Michael	2
Douglas Central	2
Douglas East	2
Douglas North	2
Douglas South	2
Garff	2
Glenfaba & Peel	2
Middle	2
Onchan	2
Ramsey	2
Rushen	2

While the Crown & Elections team in the Cabinet Office is responsible for the administration of elections to the House of Keys, there are a number of election-related issues that are relevant to all public servants.

To assist officers, this document provides a timetable of key events associated with the election. It also seeks to highlight relevant issues, provide brief guidance and make reference to the appropriate legislation and Standing Orders of the House of Keys.

Important dates

The House of Keys will be dissolved on 12 August 2021. Current Members will cease to be MHKs from that date.

If any candidates are returned unopposed in a particular constituency – i.e. there are insufficient candidates for the election to be contested – those individuals will be elected immediately after Nomination Day on 25 August 2021.

The first sitting of the House of Keys for the parliamentary session 2021-2022 is scheduled to take place on Tuesday 28 September 2021. At this sitting, the successful election candidates will be sworn in and the new Speaker of the House of Keys will be elected.

A further sitting of the House of Keys will be held on Tuesday 12 October 2021. At this sitting, the next Chief Minister of the Isle of Man will be elected.

2. Timetable of events associated with 2021 General Election

This timetable has been prepared in accordance with the Elections (Keys and Local Authorities) Act 2020 and the Elections (Keys) Regulations 2021.

Date	Activity/deadline
Thursday 12 August	Dissolution of the House of Keys Issue of writ to constituency Returning Officers
Tuesday 17 August	Publication of Notice of Election
Wednesday 18 August	First day for receipt of nomination papers (from 10am)
Wednesday 25 August	Last day for receipt of nomination papers 'Nomination Day' (until 1pm). Objection period 1pm-2pm
Tuesday 31 August	Publication of Notice of Poll Last day for receipt of postal voting applications from overseas electors
Thursday 2 September	Last opportunity to register to vote
Thursday 9 September	Last day for receipt of postal voting applications from electors within the British Isles (but outside the IoM)
Wednesday 15 September	Last day for receipt of postal voting applications from electors within the Isle of Man
Friday 17 September	Last day for receipt of proxy applications/revocations
Monday 20 September	Last day for notification of appointment of polling/counting agents
Thursday 23 September	Polling day, 8am to 8pm
Tuesday 28 September	First sitting of House of Keys Swearing in of new Members Election of Speaker
Tuesday 12 October	Sitting of the House of Keys Chief Minister to be elected

3. Addressing Tynwald Members following dissolution of Keys

Between the dissolution of the House of Keys on 12 August 2021 and the General Election on 23 September 2021, Members of the House of Keys are no longer entitled to use MHK or SHK after their name.

As a result, the Chief Minister will continue to be addressed in terms of his Chief Ministerial title, but will not have MHK after his name (i.e. Hon. Howard Quayle MHK, Chief Minister, will instead be addressed as Hon. Howard Quayle, Chief Minister).

Ministers will continue to be addressed in terms of their Ministerial titles, but will not have MHK after their name (for example, Hon. Alfred Cannan MHK, Minister for the Treasury, will instead be addressed as Hon. Alfred Cannan, Minister for the Treasury).

Non-Ministerial Members will continue to be addressed as before, but will not have MHK after their name (for example, Mrs Clare Barber MHK becomes Mrs Clare Barber).

Members of the Legislative Council will continue to be addressed as before (for example, Mrs Jane Poole-Wilson MLC) as their positions remain unaffected by the General Election.

3.1 President of Tynwald

The President of Tynwald will continue to be addressed as Mr President until July 2021. His full title is The Hon. Steve Rodan MLC, President of Tynwald. This position remains unaffected by the House of Keys General Election.

Mr Rodan has announced his impending retirement and Tynwald Members will vote to elect the new President of Tynwald at the July 2021 sitting.

4. Services provided to Tynwald Members

4.1 Following the dissolution of the House of Keys

Following the dissolution of the House of Keys on 12 August, there will be no elected representatives to conduct constituency business.

As a result, former MHKs will not be able to avail themselves of office space or the support services provided exclusively to Tynwald Members by the Clerk of Tynwald's Office. They can, however, use the Tynwald Library in the same way as any member of the public.

Although it is never appropriate for executive government to provide a service to Ministers or Members where they are acting on behalf of their constituency or constituents, additional vigilance

on this point may be needed following the dissolution of Keys, particularly if a Minister or Member is standing for election.

If there were any breaches of this position, it would be open to other candidates to object that an unfair advantage was being afforded to former Members at public expense.

4.2 Restrictions in place during 'purdah'

During an election period (the six weeks leading up to Election Day) there are expectations around what the Government should and should not do in respect of initiating policy, and in the use of official resources.

This is to avoid any 'inappropriate use of government resources' and to maintain the impartiality of the Civil Service. In the UK and in other countries, this period is often referred to as 'purdah'.

During the time between the dissolution of Keys on 12 August 2021 and the day of the election on 23 September 2021, the work of the Isle of Man Government will continue and Ministers will remain in post.

However, Departments and Ministers are encouraged to observe discretion in initiating new policy or taking actions with possible long-term consequences. Such decisions should be delayed until after the election, unless they are unavoidable, or delaying them would be detrimental to the Island's interests or would waste public funds. Departments and Ministers should continue to follow the policy priorities identified in the Programme for Government.

Similarly, Government communications and announcements should also be restricted during the election period in line with best practice. For example, routine 'business as usual' notices and statistical news releases should continue, but other ad hoc releases should only be issued in exceptional circumstances.

Any releases that could be construed as supporting a particular candidate should not be issued.

4.3 Parliamentary questions during election period

There will be no written parliamentary questions following the July sitting of Tynwald.

5. Continuation of office between dissolution of Keys and General Election

5.1 Chief Minister

By virtue of Section 2 of the Council of Ministers Act 1990 the Chief Minister shall hold office until the General Election of the House of Keys following his or her appointment.

By virtue of Section 4 of the Council of Ministers Act 1990, where the Chief Minister goes out of

office after a General Election, he or she shall nevertheless remain in office until his or her successor is appointed.

As a result, the Chief Minister will continue to hold office as a non-Tynwald Member, with the title Hon. Howard Quayle, Chief Minister, until a new Chief Minister is appointed.

5.2 Departmental Ministers

There are eight Departments as set out in the Government Departments Act 1987.

- Cabinet Office
- Education, Sport and Culture
- Enterprise
- Environment, Food and Agriculture
- Health and Social Care
- Home Affairs
- Infrastructure
- Treasury

By virtue of Section 4 of the Council of Ministers Act 1990, where a Minister ceases to be a Member of Tynwald, he or she will remain in office until his or her successor is appointed.

Following the dissolution of the House of Keys, the Chief Minister and Ministers will continue in office until their successors are appointed.

5.3 Members of Departments

Members of the Legislative Council continue as Department Members and remain unaffected by the House of Keys General Election.

By virtue of Section 6A of the Payment of Members' Expenses Act 1987, where a Member of a Department ceases to be a Member of Tynwald then he or she shall continue to hold that office until the next appointment to that office is made; or in the case of a Department consisting of more than one Member (other than the Minister), the Council of Ministers decides not to fill that office.

Consequently, following the dissolution of Keys, Members (i.e. former MHKs) who hold Departmental responsibilities (for example, Mrs Caine, Member for Enterprise) will continue to carry out their Departmental roles until their successors are appointed by the Council of Ministers.

A Minister is also able, by virtue of Section 3(2) of the Government Departments Act 1987, to delegate functions to any Member or officer of the Department or any other person to exercise any functions of the Department in his or her place, either alone or jointly with him or her or with any other such person or persons.

5.4 *Members of Statutory Boards*

There are eight Statutory Boards as set out at Schedule 1 of the Statutory Boards Act 1987:

- Isle of Man Office of Fair Trading
- Isle of Man Financial Services Authority
- Isle of Man Post Office
- Manx Utilities Authority
- Communications and Utilities Regulatory Authority
- Isle of Man Gambling Supervision Commission
- Public Sector Pensions Authority
- Manx Care

Members of Statutory Boards, who were Members of the House of Keys at the time of dissolution, continue in office until their successors are appointed by virtue of Section 3 (6) of the Statutory Boards Act 1987.

However, as the Isle of Man Financial Services Authority, the Isle of Man Gambling Supervision Authority and Manx Care are prohibited from having political Members, this applies only to the remaining five Statutory Boards (i.e. Members of the Isle of Man Office of Fair Trading; Isle of Man Post Office; Manx Utilities Authority; Communications and Utilities Regulatory Authority, and the Public Sector Pensions Authority).

6. Nomination of Chief Minister

A sitting of the Keys for the purpose of nominating a Chief Minister is held not less than 17 and not more than 21 days after a General Election.

Nominations for the position of Chief Minister must be delivered to the Secretary of the House of Keys not less than seven days before the sitting is due to take place. Following that, no less than five days before the sitting, Members nominated must deliver a written statement specifying the policies which, if appointed, they intend to pursue.

These statements are circulated to all Members of the House of Keys and are laid before the sitting.

If the vote on the nomination of the Chief Minister is not backed by a majority of Members present and permitted to vote, the Speaker of the House of Keys will adjourn the sitting to later the same day, and the process will start again with candidates being nominated to the Secretary of the House of Keys for that time.

This will continue until a Member obtains the necessary majority.

7. Guidance for public servants participating in political activities or standing for election

The Office of Human Resources has published guidance for public servants i) Participating in Political Activities and ii) Standing for Election.

The document is available to view and download on [the Office of Human Resources website](#).

8. Further information

Further information regarding the 2021 House of Key General Election is available via the Elections & Voting website at www.gov.im/elections

This includes:

[Guidance for Candidates](#)

[Guidance for Voters](#)

[Voting – things to consider](#)

[Assessing your candidate](#)

Annex 1
Links to legislation

Legislation	Link
Elections (Keys and Local Authorities) Act 2020	https://www.gov.im/media/1372237/elections-keys-and-local-authorities-act-2020.pdf
Elections (Keys) Regulations 2021	https://www.gov.im/media/1372238/elections-keys-regulations-2021.pdf
Council of Ministers Act 1990	www.legislation.gov.im/cms/images/LEGISLATION/PRINCIPAL/1990/1990-0003/CouncilofMinistersAct1990_2.pdf
Government Departments Act 1987	www.legislation.gov.im/cms/images/LEGISLATION/PRINCIPAL/1987/1987-0013/GovernmentDepartmentsAct1987_5.pdf
Payment of Members Expenses Act 1989	www.legislation.gov.im/cms/images/LEGISLATION/PRINCIPAL/1989/1989-0004/PaymentofMembersExpensesAct1989_4.pdf
Statutory Boards Act 1987	www.legislation.gov.im/cms/images/LEGISLATION/PRINCIPAL/1987/1987-0014/StatutoryBoardsAct1987_3.pdf
Standing Orders of the House of Keys	https://www.tynwald.org.im/business/sto/Documents/20181121_PP2018-0162_KSO.pdf
Guidance for Public Servants: (i) Participating in Political Activities (ii) Standing for Election	www.gov.im/media/625133/policitalandelectionguidance.pdf
Cabinet Office Elections website	https://www.gov.im/categories/home-and-neighbourhood/elections-and-voting/



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