
ELECTIONS (KEYS AND LOCAL AUTHORITIES) (AMENDMENT) BILL 2025

Explanatory Memorandum

1. This Bill is promoted by Mr David Ashford MHK, Minister for the Cabinet Office.
2. *Clauses 1 and 2* provide for the short title to the Act and its commencement. The resulting Act will commence on the announcement of Royal Assent.
3. *Clause 3* amends the *Elections (Keys and Local Authorities) Act 2020*.
4. *Clause 3(2)* amends the definition of “election regulations” to clarify that it covers regulations made in connection with both national elections (national election regulations made by the Council of Ministers under section 81); and, in connection with local elections (local election regulations made by the Council of Ministers under section 22).
5. *Clause 3(3)* amends section 22 to make more detailed provision for the Council of Ministers to make election regulations including relating to the publication and content of declarations of relevant interest (as defined in the *Elections (Keys and Local Authorities) Act 2020*) by candidates in local authority elections.
6. *Clause 3(4)* amends section 63 to remove from the Returning Officer the duty to make arrangements in national elections for pre-election constituency meetings. The amendments to the principal act made by the resulting act will empower the Returning Officer, on a discretionary basis, to make arrangements for pre-election meetings in accordance with regulations which may be made.
7. *Clause 3(5)* restates the duty in section 68 of the deputy returning officer to maintain order at an election with the assistance of a constable. This clause removes from the deputy returning officer the powers of arrest, detention, trial and conviction of offending persons.
8. *Clause 3(6)* amends section 81 to make provision for the Council of Ministers to make election regulations, for national elections, relating to, amongst other things, the publication and content of declarations of relevant interests by candidates.
9. *Clause 3(7)* amends section 84 to provide for election regulations to authorise the allotting to voters of more than one polling station for the exercise of their vote.
10. *Clause 3(8)* amends section 85 to provide for the central issuance of postal voting polling documents for national elections.
11. *Clause 3(9)* amends section 88 to provide that declarations of relevant interests are official documents and their publication to be in the public interest.

12. *Clause 3(10)* amends section 106 to add to the list of electoral offences attracting potential criminal liability an offence of failing to disclose any relevant interest on a declaration of relevant interest. The offence carries a sanction of a fine at level 4 on the standard scale (currently £5,000).
13. *Clause 3(11)* amends section 107 to remove Tellers from the list of officials, candidates and election agents on whom a duty of secrecy is imposed. The purpose of Tellers is to relay to the candidate or party they represent information voluntarily provided to Tellers by voters. A duty of secrecy is incompatible with this purpose.
14. *Clauses 3(12) and 3(13)* amend sections 136 and 140 to introduce a third recall condition for Members of the House of Keys. Specifically, this condition is an order by Tynwald, following a report of the Tynwald Standards and Members' Interests Committee.
15. *Clause 3(14)* amends the interpretation provisions contained in section 152 to provide accommodation for future changes to the committee structures and responsibility duly made by Tynwald or the House of Keys.
16. *Clause 3(15)* substitutes revised oaths to be taken by new members of the Keys following the death of the late Queen Elizabeth II and the accession of King Charles III. The oaths are to be administered by the First and Second Deemster who must both attest the making of the oaths in the Liber Juramentorum in accordance with existing practices. The substituted schedule now provides for an oath to be made in Manx Gaelg as an alternative to making the oath in English.
17. *Clause 3(4)* may result in a minor cost saving to Treasury. The resulting Act will be cost neutral.
18. In the opinion of the member moving the Bill its provisions are compatible with the Convention rights within the meaning of the Human Rights Act 2001.



Ellan Vannin

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ELECTIONS (KEYS AND LOCAL AUTHORITIES) (AMENDMENT) BILL 2025

- 1 A **BILL** to amend the Elections (Keys and Local Authorities) Act 2020 to extend
 2 the powers to make regulations; to make provisions in connection with pre-
 3 election constituency meetings, the maintenance of order at elections, venues for
 4 elections, nomination papers, declarations of interest, recall and oaths; and for
 5 connected purposes.

BE IT ENACTED by the King’s Most Excellent Majesty, by and with the advice and consent of the Council and Keys in Tynwald assembled, and by the authority of the same, as follows:—

6 1 Short title

- 7 The short title of this Act is the Elections (Keys and Local Authorities)
 8 (Amendment) Act 2025.

9 2 Commencement

- 10 This Act commences on the announcement of Royal Assent.

11 3 Elections (Keys and Local Authorities) Act 2020 amended

- 12 (1) The *Elections (Keys and Local Authorities) Act 2020* is amended as follows.
 13 (2) In section 3 (interpretation) for the definition of “election regulations”
 14 substitute —
 15 ““**election regulations**” means, in connection with national elections,
 16 regulations made by the Council of Ministers under section 81 and,
 17 in connection with local elections, regulations made by the Council
 18 of Ministers under section 22;”.
 19 (3) In section 22 (conduct of local elections), after subsection (2) insert —
 20 “(2A) Regulations under this section may provide for, amongst other
 21 things, a mechanism for the nomination of candidates; the content
 22 of nomination papers; the publication of nominations and the
 23 content of declarations of relevant interest accompanying

nominations; delivery of nomination papers and declarations of relevant interest; the conditions of their validity and the criteria for objections to nominations.”.

(4) In section 63 (the Returning Officer) —

- (a) in subsection (3), omit paragraphs (a) and (c);
- (b) in subsection (4), for “(3)(d)” substitute “(3)(e)”; and
- (c) after subsection (4), insert —

“(5) The Returning Officer may, in accordance with election regulations made under section 81, hold, for each national election, a maximum of one pre-election meeting for each constituency.

(6) Meetings held under subsection (5) shall be paid out of funds approved by Tynwald.”.

(5) For section 68 (powers of deputy returning officer for maintenance of peace) substitute —

“68 Powers of deputy returning officer for maintenance of peace

[P1983/2/23 and Schedule 1, Rule 33 and drafting]

- (1) A deputy returning officer must maintain order at an election.
- (2) If a person misconducts himself or herself in a polling station, or fails to obey the deputy returning officer’s lawful orders, he or she may immediately, by the deputy returning officer’s order, be removed from the polling station by a constable and the person so removed shall not, without the deputy returning officer’s permission, again enter the polling station during the day.
- (3) Any person so removed may be arrested without a warrant on suspicion of committing an offence in a polling station.
- (4) The powers conferred by this section shall not be exercised so as to prevent a voter who is otherwise entitled to vote at a polling station from having an opportunity of voting in that constituency or district.”.

(6) In section 81 (proceedings), in subsection (4) —

(a) in the text before paragraph (a), for “. Such procedures may relate to, inter alia,” substitute “, including but not limited to”;

(b) for paragraph (d), substitute —

“(d) a mechanism for the nomination of candidates, the content of nomination papers, the publication of nominations and the content of declarations of relevant interest accompanying nominations, delivery of nomination papers and declarations of relevant interest, the conditions of their validity and the criteria for objections to nominations;”;

and

- 1 (c) after paragraph (f) insert —
 2 “(fa) the holding and conduct of a pre-election meeting for each
 3 constituency including the appointment and remuneration
 4 of a chairperson for each meeting;”.
- 5 (7) In section 84 (place and manner of voting), in subsection (1), for paragraph
 6 (a), substitute —
 7 “(a) in person at any polling station allotted to that person to
 8 vote under election regulations;”.
- 9 (8) In section 85 (advance votes) —
 10 (a) for subsection (1), substitute —
 11 “(1) A person who is or will be entitled to vote at an election may, in
 12 order to vote by post in advance of the election (whether in his or
 13 her own capacity or as a proxy on behalf of an eligible elector who
 14 meets the requirements of section 84(2)), apply to do so —
 15 (a) to the Returning Officer (in the case of a national election);
 16 or
 17 (b) to the deputy returning officer of the appropriate district or
 18 ward (in the case of a local election).”; and
 19 (b) in subsection (2), after “the Returning Officer”, insert “(in the case
 20 of a national election) or the relevant deputy returning officer (in
 21 the case of a local election)”.
- 22 (9) In section 88 (public notices), after subsection (3) insert —
 23 “(4) For the purposes of the *Data Protection Act 2018* and Article 86 of
 24 the applied GDPR, contained in the Annex to the *Data Protection*
 25 *(Application of GDPR) Order 2018*¹ —
 26 (a) declarations of relevant interest are official documents; and
 27 (b) the publication of nominations and declarations of relevant
 28 interest is a task carried out in the public interest.”.
- 29 (10) In section 106, (offences in respect of nomination papers etc) —
 30 (a) in subsection (2), after paragraph (f), insert —
 31 “(g) being a prospective candidate in a national election makes a
 32 declaration of relevant interest which fails to disclose any
 33 relevant interest,”,
 34 and consequentially omit the “or” from paragraph (e) and for the
 35 comma at the end of paragraph (f) substitute “; or”;
 36 (b) in subsection (3) for “subsection (2)” substitute “subsections (2)(a)
 37 to (2)(f)”; and
 38 (c) after subsection (3) insert —

¹ SD 2018/0143

“(3A) A prospective candidate in a national election who commits an offence under subsection (2)(g) is liable on summary conviction to a fine at level four on the standard scale.”.

(11) In section 107 (requirement of secrecy) —

- (a) in subsection (3), omit paragraph (b); and
- (b) in subsection (8), for “section 63(3)(c)”, substitute “section 63(3)(d)”.

(12) In section 136 (how a member becomes subject to a recall petition process) —

- (a) in subsection (1)(a) for “the first or second recall condition” substitute “the first, second or third recall condition”;
- (b) after subsection (4) insert —
 - “(4A) The third recall condition is that, following a report from the Tynwald Standards and Members’ Interests Committee in relation to the member, Tynwald orders the suspension of the member from the service of Tynwald for a specified period of the requisite length.”;
- (c) in subsections (5) and (6) for “subsection (4)” substitute “subsections (4) and (4A)”; and
- (d) in subsection (6)(b) after “the Keys” insert “or Tynwald, as the case may be,”.

(13) In section 140 (speaker’s notice that first or second recall condition has been met) —

- (a) for the heading substitute “Speaker’s notice that the first, second or third recall condition has been met”; and
- (b) in subsection (1) for “the first or second recall condition” substitute “the first, second or third recall condition”.

(14) In section 152 (interpretation of part 9), in subsection (1) —

- (a) before the definition of “late applications for registration” insert —
 - “**“House of Keys Management and Members’ Standards Committee”** means the committee of the House of Keys, however known, constituted by resolution of the House of Keys from time to time for the purposes of considering and reporting on the conduct of members;”; and
- (b) after the definition of “the signing period” insert —
 - “**“Tynwald Standards and Members’ Interests Committee”** means the committee of Tynwald, however known, constituted by resolution of Tynwald from time to time for the purposes of considering and reporting on the conduct of members.”,
 - and consequentially amend the full-stop after the definition of “the signing period” to a semi-colon.

(15) For Schedule 5 (oaths to be taken by new members of the Keys),
substitute —

“SCHEDULE 5

OATHS TO BE TAKEN BY NEW MEMBERS OF THE KEYS

[Section 13]

No member of the Keys is permitted to sit and to vote in the Keys until he or she has taken and subscribed the oaths specified in this Schedule. At the first gathering of the new House of Keys following a national election, the First Deemster and Clerk of the Rolls and the Second Deemster must administer oaths to each member.

The oaths are:

I, (full name), do swear by Almighty God that I will be faithful and bear true allegiance to His Majesty King Charles III, his heirs and successors.

So help me God.

His Majesty’s counsel, your fellows, and your own, you shall not reveal; you shall use your best endeavours to maintain the ancient laws and customs of this Isle.

You shall justly and truly deliver your opinion and do right in all matters which shall be put unto you, without favour or affection, affinity or consanguinity, love or fear, reward or gain, or for any hope thereof; but in all things you shall deal uprightly and justly and do wrong to no man.

So help you God, and by the contents of this Book.

The oaths may alternatively be taken in Manx:

Ta mish () loo liorish Jee Ooille-nyartal dy bee’m firrinagh as dy feer ammyssagh da E Ooashley Reeoil Ree Charles y Trass, Chiarn Vannin, da e eiraghyn as dauesyn hig ny yei.

As ayns shoh dy gooin Jee lhiam.

Coyrle y Ree, coyrlle dty cho-olteynyn, as dty choyrle hene cha jean oo y hoilshaghey; gys rere dty phooar nee oo cummal seose shenn leighyn as cliaghtaghyn yn Ellan shoh.

Nee oo dy cairagh as dy firrinagh dty vriwnys y livrey, as cairys y yannoo ayns dy chooilley nhee hed er soiaghey kiongoyrt rhyt, gyn foayr ny kenjallys, gyn cleunys ny mooinjerys, gyn graih ny aggle, gyn leagh ny cosney ny jerkal erbee rish lheid y red shen, agh ayns dy chooilley nhee nee oo dellal dy ynrick as dy cairagh, gyn aggair y yannoo da dooinney erbee.

Ayns shoh dy gooin Jee lhiat as ny ta scruit ayns y Lioar shoh.

The Chief Registrar must attend and bring the Liber Juramentorum, or Book of Oaths, which each member must sign. The Deemsters must also sign to attest that the oaths have been administered and the signatures added.”.

IN THE KEYS

**ELECTIONS (KEYS AND LOCAL AUTHORITIES)
(AMENDMENT) BILL 2025**

A BILL to amend the Elections (Keys and Local Authorities) Act 2020 to extend the powers to make regulations; to make provisions in connection with pre-election constituency meetings, the maintenance of order at elections, venues for elections, nomination papers, declarations of interest, recall and oaths; and for connected purposes.

Approved by the Council of Ministers
for introduction in the House of Keys.

MR ASHFORD

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