

PROVISION OF INFORMATION TO MEMBERS OF TYNWALD DIRECTION GIVEN BY THE COUNCIL OF  
MINISTERS

**The Council of Ministers, after consultation with all Departments and Statutory Boards in accordance with Section 6 of the government Departments Act 1987 and paragraph 12 (1) of Schedule 2 to the Statutory Boards Act 1987, gives the following Direction to Departments and Statutory Boards on the subject of the provision of information to Members of Tynwald.**

General Principle

1. The general principle which is to apply to the provision of information by an officer to a Member of Tynwald who is not a Member of the officer's Department shall be: -

Subject to any limitations imposed by the Minister or by the general interest of the Government, officers should provide such information regarding their Department and the discharge of its functions as a Member of Tynwald may reasonably require.

2. This general principle confirms that: -
  - (1) Officers are to be as helpful as possible in providing information to Members; and
  - (2) in the event of any doubt about the release of any information the relevant Minister, who is accountable to Tynwald, must decide.
3. In the general principle, the term 'general interests of Government' is intended to cover instances where no specific Ministerial instruction has been given but where other instructions apply or where the officer considers that Ministerial guidance needs to be sought before information is provided.

Additional Guidance

4. The following points of additional guidance should be taken into account when following the general principle –
  - (1) Any information which is in the public domain or any declared policy should be supplied, but the expression of views and opinions on policy matters, except to provide explanation, should be avoided;
  - (2) Subject to the constraints of the Data Protection Act, factual information on services to the constituent of a Member should normally be given provided there is a reasonable presumption that the constituent would have no objection to the provision of such information; (Where the information is of a personal or confidential nature, particular care is needed, and evidence that the Member has the authority of the person concerned to receive the information may be desirable).
  - (3) Any approach by a Member other than an approach concerning a narrow constituency question should be brought to the attention of the Minister either before or after information has been provided;

- (4) An officer would recognise and understand what is a "political or potentially "political issue" and, except where any information is already in the public domain or is a declared policy, should avoid providing information on such an issued without clearance from the Minister;
- (5) If an officer is in doubt about the response to any enquiry from a Member, the response should be cleared by the Minister or, in his absence, by a Member with delegated responsibility;
- (6) When information is provided in response to an enquiry by a Member, consideration should be given to whether the same information should be provided at the same time to other or all Members of Tynwald;
- (7) A Minister may choose to give particular instructions regarding the provision of information to Members. Such instructions should be followed but, subject to such instructions, all Members should be treated in the same way;
- (8) Where information is provided verbally, particular care needs to be taken to ensure that the interests of Ministers and Government are not damaged by thoughtless comments;
- (9) Departments should decide which officers should have the authority to provide information to Members and the broad categories of information that those officers may provide;
- (10) The need to provide information does not necessarily imply access to original documents.

#### Statutory Boards and Offices

5. Where an officer does not serve within a Department, responsibility will vest with the appropriate Statutory Board or Chief Officer. In those circumstances, references in this direction to the Minister shall read accordingly.

J F Kissack

Chief Secretary  
10 June 1993