



HOUSE OF KEYS OFFICIAL REPORT

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PROCEEDINGS

DAALTYN

(HANSARD)

Douglas, Tuesday, 4th October 2011

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Volume 129, No. 1

ISSN 1742-2264

*Published by the Office of the Clerk of Tynwald, Legislative Buildings,
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The House adjourned at 12.16 p.m. and resumed its sitting at 2.30 p.m.

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The House adjourned at 2.55 p.m.

Present:

The Speaker (Hon. S C Rodan) (Garff);

Hon. D M Anderson (Glenfaba); Hon. A R Bell and Mr L I Singer (Ramsey); Hon. W E Teare (Ayre); Mr A L Cannan (Michael); Mr T M Crookall (Peel); Mr P Karran, Mr Z Hall and Mr D J Quirk (Onchan); Mr R H Quayle (Middle); Mr J R Houghton and Mr R W Henderson (Douglas North); Hon. D C Cretney and Mrs K J Beecroft (Douglas South); Mr C R Robertshaw and Mrs B J Cannell (Douglas East); Hon. J P Shimmin and Mr C G Corkish MBE (Douglas West); Mr R A Ronan (Castletown); Mr G D Cregeen (Malew and Santon); Mr J P Watterson, Mr L D Skelly and Hon. P A Gawne (Rushen);
with Mr R I S Phillips, Secretary of the House.

House of Keys

The House met at 11.30 a.m.

[HIS HON. THE FIRST DEEMSTER *in the Chair*]

Swearing in of Members

The procession into the Chamber consisted of the Seneschal, the Chief Registrar, the Secretary of the House of Keys, His Honour the Second Deemster, and His Honour the First Deemster and Clerk of the Rolls.

The First Deemster: Please do sit down.

Hon. Members of the House of Keys, ladies and gentlemen, we are assembled here this morning for the administration of the requisite oaths or affirmations that need to be dealt with before Members can sit and vote in the House of Keys.

5 I am David Charles Doyle, Her Majesty's First Deemster and Clerk of the Rolls, the Chief Justice of this jurisdiction, and it is my great privilege to be presiding over this ceremony today. I am accompanied by His Honour the Second Deemster, the Island's Deputy Chief Justice, Deemster Andrew Corlett; the Secretary of the House of Keys, Mr Roger Phillips; and the Chief Registrar, Mr Stephen Cregeen.

10 Section 8 of the Representation of the People Act 1995 provides that no Member of the Keys shall be permitted to sit and to vote in the Keys until he or she has taken and subscribed the oaths required by law.

Those oaths are the Oath of Allegiance to Her Majesty the Queen and the Oath of a Member of the House of Keys.

15 The procedure which will be followed is that the Member or Members for each constituency will be called by the Secretary of the House in turn, commencing, by custom, with Glenfaba. That, by happy coincidence, is the constituency in which I and my family live, so it is good to see it listed first in the appendix to the procedural notes issued to Members in advance of this ceremony.

20 When the Secretary of the House of Keys has verified that the Certificate of Election presented by each Member has been checked with the certificate issued by the returning officer, the oaths will be administered. Members may, if they prefer, take an affirmation rather than an oath. Deemster Corlett will assist me in the administration of the oaths and affirmations.

25 Each Member will take the Testament in his or her hand and will hold it until the completion of the administration of the oaths. For those Members who are taking an affirmation, of course, the Testament will not be used.

Each Member, specifying his or her full name, will individually read the Oath or Affirmation of Allegiance to Her Majesty the Queen. After the Member or, in the case of a multi-seat constituency, the Members, have taken the Oath of Allegiance, the second oath, the Oath of a Member of the House of Keys will be administered. That is read to the Member or Members, but will not be read or repeated by each Member. Each Member to whom the oath is administered should keep holding the Testament until the oath has been administered, but no response to the reading of the House of Keys Oath of Office by the Deemster is required by the Member.

30 When both oaths or affirmations have been made, each Member will move to where the Chief Registrar is situated to sign the *Liber Juramentorum*, which is the permanent record of the swearing in. The Chief Registrar will indicate where the Member should sign.

35 When all the Members have signed the *Liber Juramentorum* Deemster Corlett and I will then attest the signatures of the Members. That, then, is the procedure for this morning's ceremony.

I now ask the Secretary of the House of Keys to call forward the Members by constituency.

40 **The Secretary:** Thank you, Your Honour.

I ask the Seneschal to escort the Hon. Member for Glenfaba to be sworn.

The Secretary called the Members of the House of Keys forward by constituency. The First and Second Deemsters administered the oaths to the Members in the following order: Hon. D M Anderson (Glenfaba); Hon. A R Bell and Mr L I Singer (Ramsey); Hon. W E Teare (Ayre); Mr A L Cannan (Michael); Mr T M Crookall (Peel); Mr S C Rodan (Garff); Mr P Karran, Mr Z Hall and Mr D J Quirk (Onchan); Mr R H Quayle (Middle); Mr J R Houghton and Mr R W Henderson (Douglas North); Hon. D C Cretney and Mrs K J Beecroft (Douglas South); Mr C R Robertshaw and Mrs B J Cannell (Douglas East); Hon. J P Shimmin and Mr C G Corkish (Douglas West); Mr R A Ronan (Castletown); Mr G D Cregeen (Malew and Santon); Mr J P Watterson, Mr L D Skelly and Hon. P A Gawne (Rushen).

The text of each oath was as follows:

Oath of Allegiance

I, . . . , do swear by Almighty God that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her heirs and successors.

So help me God.

Oath administered to Members of the House of Keys

Her 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 text of the oaths in Manx, as taken by and administered to Mr Gawne, was as follows:

Oath of Allegiance

Ta mish, . . . , loo liorish Jee Ooilley-niartal dy bee'm firrinagh as dy feer ammysagh da e Hooashley Reeoil y nah Ven-rein Elizabeth, chiarn Vannin.

As ayns shoh dy gooin Jee lhiam.

Oath administered to Members of the House of Keys

Coyrle y Ven-rein, coyrle nyn Go-olteynyn, as nyn goyrle hene cha jean shiu y hoilshaghey; gys rere nyn booar nee shiu cummal seose Shenn Leighyn as Cliaghtaghyn yn Ellan shoh. Nee shiu dy cairagh as dy firrinagh nyn mriwnys y livrey, as cairys y yannoo ayns dy chooilley nhee hed er soiaaghey kiongoyrt riu, 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 shiu dellal dy ynrick as dy cairagh, gyn aggair y yannoo da dooinney erbee. Ayns shoh dy gooin Jee lhiu as ny ta scruiit ayns y Lioar shoh.

45 **The First Deemster:** Hon. Members, the oaths have been taken and administered in front of myself and Deemster Corlett. We are satisfied that each Member has taken the necessary Oath of Allegiance to Her Majesty the Queen, and that the necessary Oath of a Member of the House of Keys has been duly administered. Each Member has signed the *Liber Juramentorum*, and we will now inspect and attest those signatures.

The Deemsters inspected the signatures.

50 Hon. Members, we have now completed the formal parts of the swearing-in ceremony, and thus you are now entitled to sit and vote in the House of Keys, and to embark upon your duties as elected Members of this ancient and noble parliament.

55 During your term of office, you will be required to consider many matters and make decisions upon which the future wellbeing and reputation of our Island and our people will depend. You have all made a solemn promise to use your best endeavours to maintain the ancient laws and customs of the Island and to do right in all matters. In all things, you shall deal uprightly and justly. In all your activities, you will no doubt be conscious of the need to observe the rule of law.

You will have regard to the important constitutional principle of the separation of powers and be conscious of the need to respect the separate functions of the legislature, the executive and the judiciary.

60 As an Island and a separate nation, we are rightly proud of our ability to make and enforce our
own laws. We are also proud of the fact that we are a responsible member of the international
community. Of course, we must take account of our history, our culture, our traditions and our
local needs, but we should also take into account the wider international dimension and the
responsible role we have to play in the international community. The Island has greatly matured in
65 recent years. Once we used to see the issues of the day through somewhat blinkered and insular
eyes; now we must see the issues of the day through the eyes of the world.

Last Thursday, the people of the Island placed their trust in you. It is a heavy responsibility, but
one which each of you have willingly chosen to undertake. May I, on behalf of the people of the
Island, wish you a very successful term of office, and may I, on behalf of the judiciary,
congratulate you all on your election to the House of Keys. Congratulations.

70 The Secretary of the House of Keys will now make an announcement.

The Secretary: Hon. Members, in accordance with the precept issued by His Excellency the
Lieutenant-Governor, the first sitting of the House after the General Election will be this afternoon
at 2.30.

75 The Order Paper for this afternoon's sitting is on your desks.

The First Deemster: Thank you, Hon. Members. That now concludes the proceedings. I thank
you all for your attendance today. The Deemsters and the other officials will now depart.

The House adjourned at 12.16 p.m. and resumed its sitting at 2.30 p.m.

The Secretary: Fastyr mie, Hon. Members. The Chaplain will lead us in prayers.

PRAYERS

The former Chaplain of the House

Acting Speaker of the House Mr Corkish elected

1. Election of the Acting Speaker of the House (SO 9.1.1)

80 **The Secretary:** Hon. Members, this is a sitting convened by a precept of His Excellency. This
is the first sitting of the House since the Election and, in accordance with Standing Orders, the first
business of the House is the appointment of an Acting Speaker to preside over the election of the
Speaker of the House.

85 I should draw Hon. Members' attention to the relevant provisions of the Representation of the
People Act 1995, as amended by the Presiding Officers Act 2008, which are printed at the back of
the Order Paper along with the House's Standing Orders which cover the procedure for electing a
Speaker. Members will note that the appointment as an Acting Speaker automatically takes out of
office any Minister.

90 If more than one Member is nominated and an election is required, it will be by ballot rather
than electronically, following the same procedure as that for the election of Speaker. If only one
nomination is made then, of course, there will be no election and the person nominated would
automatically take the Chair.

I call for nominations.

95 **Mr Shimmin:** Mr Secretary, I would like to propose my colleague for West Douglas, Mr
Corkish, to sit as Acting Speaker.

The Secretary: Is that nomination seconded?

100 **Mr Anderson:** I will second that nomination.

The Secretary: Seconded. Are there any other nominations?
Then Mr Corkish is duly made Acting Speaker.

Mr Corkish took the Chair.

**Speaker of the House
Mr Rodan elected**

2. Election of the Speaker of the House (SO 9.1.1)

105 **The Acting Speaker (Mr Corkish):** Hon. Members, we turn to Item 2 on the Order Paper: the election of the Speaker.

110 Section 9(1) of the Representation of the People Act 1995 requires the House, at its first sitting following a General Election, to elect a Speaker. The election is governed by Standing Order 9, which is appended to the Order Paper. Standing Order 9 provides that if only one Member is proposed and seconded as Speaker, he or she shall be called to the Chair without the question being put, but if there is more than one candidate there must be a ballot of the Members present and the candidate who receives the highest number of votes in that ballot shall be Speaker of the House.

115 I shall proceed as follows. When a Member has been nominated, I shall seek a seconder for that nomination before calling for any further nominations. Hon. Members nominating and seconding a candidate may make a short speech in support of their nominee. If more than one Member is nominated and seconded, we shall proceed by ballot and the Member receiving the highest number of votes will be elected. Therefore, Hon. Members, I call for nominations and seconds.

120 Hon. Member for Rushen, Mr Gawne.

Mr Gawne: Gura mie eu, Loayreyder Shallidagh.

It is my honour this afternoon to propose the Hon. Member for Garff, Steve Rodan, for the position of Speaker.

125 At 57 years of age, Steve Rodan has both the strength and experience to preside fairly and dispassionately over this House over the next five years. He has successfully served the people of Garff for more than 16 years now and has played a full role in the work of this House, in Tynwald and in Government.

130 As our Speaker for the past five years, the Hon. Member for Garff has, I believe, been impartial and even-handed across the House to ensure all points of view are heard, and I know my hon. friend is proud to have represented the Isle of Man internationally, in particular on British-Irish Parliamentary Assembly occasions, where he has represented the Island's stance on Sellafield, the Common Travel Area, external security and the Reciprocal Health Agreement, as well as making friends and allies for us. The Hon. Member for Garff has hosted other presiding officers here from the Commonwealth and elsewhere, and strengthened parliamentary contacts. He has led parliamentary delegations to Westminster and Edinburgh and built personal relationships with presiding officers and others in Scotland, Wales, Northern Ireland and the Republic of Ireland. Clearly, the ambassadorial role of the Speaker is important to the Manx people and it is clearly evident that my hon. friend has carried at this role with aplomb, during the past five years.

140 He has also successfully developed improved technology for the House of Keys, with the voice recognition *Hansard* system and a much improved website. He has served on numerous Tynwald Select and Scrutiny Committees, usually as Chairman, employing his independent role to great effect. He has spoken at schools, to sixth form politics students, etc, and I know my hon. friend is keen to further develop this work, to encourage young people to take a more active interest in politics.

145 Hon. Members, whoever we choose as our new Speaker this afternoon will need to command the respect of this House and, indeed, the respect of the people of the Isle of Man. We need a Speaker who is fair-minded, who acts with integrity and has demonstrated his ability to command authority. It is clear to me, and I believe to all who have seen him in action, that the Hon. Member for Garff is well-suited to taking on this important role. He has also always given his best when representing the Isle of Man, both nationally and internationally, and his evident pride in his adopted country, its people and culture, make him an excellent ambassador for our Island.

155 It has been my privilege to work with the Hon. Member for Garff for the past eight years. At all times, I have found him to be a positive team player, who helps to encourage and control debate in a fair but firm manner. I believe that the Hon. Member for Garff is the best candidate to fulfil the ancient and highly esteemed role of Speaker of the House of Keys, and therefore I have pleasure in proposing Steve Rodan, Hon. Member for Garff to be our next Speaker, and urge this Hon. House to support him.

Gura mie eu, Loayreyder Shallidagh.

160 **The Acting Speaker:** Thank you, Mr Gawne.
Hon. Member for Douglas North, Mr Houghton.

Mr Houghton: Thank you, Mr Acting Speaker.

165 I have great pleasure in seconding the nomination for the Hon. Member for Garff, Mr Rodan, as our Speaker of the House of Keys as I do concur with everything the hon. mover has said about this nomination.

Mr Speaker... His reputation goes before him with all the previous Members. He has also already served five years as Speaker of this House... of high integrity, and I commend the Hon. Member, Mr Rodan, to this House.

170

The Acting Speaker: Are there any further nominations?

Hon. Members, there being no further nominations for Speaker, I invite the Hon. Member for Garff, Mr Rodan, to occupy the Speaker's seat. (**Mrs Cannell:** Hear, hear.) (**A Member:** Hear, hear. Agreed.) (*Applause*)

The Hon. Mr Speaker was led to the Chair by the Acting Speaker.

175 **The Speaker (Mr Rodan):** Hon. Members, I sincerely thank the House for the great honour of making me your Speaker for the second time. I would especially like to thank my good friend the Hon. Member for Rushen, Mr Gawne, my proposer, and my good friend the Hon. Member for Douglas North, Mr Houghton, for their words of support on my nomination. Listening to their generous comments, I felt I could hardly wait to meet this man who was being described!

180 The post of Speaker of this ancient parliamentary institution goes back, as we know, for hundreds of years, and I am conscious that a long line of distinguished persons have gone before me. The role of Speaker is an essential feature of a free and democratic legislature such as ours in which you, the elected representatives of the public, are permitted to air honest differences of opinion in open debate without fear or favour, and I give you my assurance that I will strive to act at all times impartially to ensure that all Members have their say properly and to protect this House and you, its Members, as the dominant element within our great Manx parliamentary tradition.

185

My job is to apply our Standing Orders – the rules of this House – to give you such freedom.

Hon. Members, you have just recently come back from the polls. To returning Members, welcome back; to newly elected Members, I offer an especially warm welcome and best wishes; and to candidates defeated last Thursday, not least those who previously served in this House, I thank them for their public service.

190

Hon. Members, you have been given, as His Honour the First Deemster remarked this morning, a heavy responsibility for the future of this Island and its people. These are challenging times. The eyes of the public are upon us. How we act in this House, what we say and also the way we say it, everything we do, goes beyond these walls to the watching, listening world outside. The prime duty of this House is to consider primary legislation. Let us, therefore, practise our politics diligently and responsibly, and when we do debate fiercely, sometimes red-faced and furious, let us retain at all times respect for each other (**Two Members:** Hear, hear.) and especially respect for this House itself.

195

200

Several Members: Hear, hear.

Book of Standing Orders signed

The Speaker: We move on now to the next Item on our Order Paper, Item 3, which is the signing of the Standing Orders.

I call on the Secretary of the House to produce the Standing Orders for signature.

205 **The Secretary:** Mr Speaker, in accordance with custom, I invite you to be the first to sign the Standing Orders.

The Speaker signed the book of Standing Orders.

The Speaker: Hon. Members, I will now call Hon. Members by constituency and by name to come forward to the Secretary of the House to sign the book of Standing Orders and to receive their copy.

*Members were called forward by the Speaker and signed the book in the following order:
Hon. Member for Glenfaba, Mr Anderson; Hon. Members for Ramsey, Mr Bell and Mr Singer;
Hon. Member for Ayre, Mr Teare; Hon. Member for Michael, Mr Cannan; Hon. Member for Peel, Mr Crookall; Hon. Members for Onchan, Mr Karran, Mr Hall and Mr Quirk; Hon. Member for Middle, Mr Quayle; Hon. Members for Douglas North, Mr Henderson and Mr Houghton; Hon. Members for Douglas South, Mr Cretney and Mrs Beecroft; Hon. Members for Douglas East, Mr Robertshaw and Mrs Cannell; Hon. Members for Douglas West, Mr Shimmin and Mr Corkish; Hon. Member for Castletown, Mr Ronan; Hon. Member for Malew and Santon, Mr Cregeen; Hon. Members for Rushen, Mr Watterson, Mr Skelly and Mr Gawne.*

Standing Orders Committee of the House Five Members elected

4. Election of five Members to form the Standing Orders Committee of the House (SO 6.6).

210 **The Speaker:** Thank you, Hon. Members.

We turn now to Item 5 on the Order Paper, the election of Members to the Standing Orders Committee of the House. This will be done electronically. The red button is for 'no' and the green button is for 'aye'.

215 Under Standing Order 6(6), the House is required, at its first sitting after the General Election, to elect five Members, other than the Speaker, to form the Standing Orders Committee. To ensure an orderly procedure, Hon. Members, as each Member is nominated I will seek a seconder for that nomination, before calling for a further nomination. Should there be more than five nominations, we will then proceed to vote. As you will see on the Order Paper, the former members of the Committee were the Speaker, *ex officio*, Mr Gill, Mr Earnshaw, Mrs Cannell, Mr Karran and Mr
220 Crookall.

Hon. Members, may I have nominations.
Mrs Beecroft.

225 **Mrs Beecroft:** Thank you, Mr Speaker.
I would like to nominate the Hon. Member for Onchan, Mr Karran.

Mr Cretney: I am happy to second that, Mr Speaker.

230 **Mr Watterson:** I would like to propose the Hon. Member for Michael, Mr Cannan.

Mr Houghton: I beg to second, sir.

Mr Cregeen: I would like to propose the Member for Onchan, Mr Quirk.

235 **The Speaker:** I did not catch that. Mr Quirk?

Mr Cregeen: Mr Quirk.

240 **Mr Crookall:** I will second that, Mr Speaker.

Mr Singer: Can I nominate the Hon. Member for Douglas East, Mrs Cannell.

Mr Karran: I will second that.

245 **The Speaker:** Any further nominations?

The Secretary: So far, Mr -

250 **Mr Quirk:** I would like to nominate Mr Anderson.

The Speaker: Mr Anderson. Thank you.

Mr Gawne: More than happy to second.

255 **The Speaker:** Hon. Members, we have five nominations.

The Speaker: There being five nominations, I will ask the Secretary of the House to read out the names of the nominations.

260 **The Secretary:** Mr Speaker, those nominated and seconded are Mr Anderson, Mr Cannan, Mrs Cannell, Mr Karran and Mr Quirk.

265 **The Speaker:** Hon. Members, those five Members having been duly proposed and nominated, I declare that they form the membership of the Standing Orders Committee; (**Several Members:** Hear, hear.) there is no need for an election.

Hon. Members, that concludes the business of the House today. We will now gather in the Keys lobby, immediately after this sitting, for an official photograph to be taken of the new House.

270 The House will now stand adjourned until the next sitting, which will take place on 11th October, in the Tynwald Chamber, for the election of the Chief Minister. May I remind Hon. Members that nominations for the post of Chief Minister close at 5.00 p.m. today. Nominations should be given in writing to the Secretary of the House. Nominated candidates must hand their manifesto to the Secretary of the House by 5.00 p.m. on Thursday.

Thank you, Hon. Members.

The House adjourned at 2.55 p.m.