

**REPORT OF PROCEEDINGS OF  
HOUSE OF KEYS**

**Douglas, Tuesday, 27th January 1998  
at 10.00 a.m.**

Present:

The Speaker (the Hon N Q Cringle) (Rushen); Mr L I Singer and Hon A R Bell (Ramsey); Hon R E Quine OBE (Ayre); Mr J D Q Cannan (Michael); Hon H Hannan (Peel); Mr W A Gilbey (Glenfaba); Mr S C Rodan (Garff); Mr P Karran, Hon R K Corkill and Mr J R Kniveton (Onchan); Messrs J R Houghton and E A Crowe (Douglas North); Hon D C Cretney and Mr A C Duggan (Douglas South); Mr R P Braidwood and Mrs B J Cannell (Douglas East); Messrs J P Shimmin and A F Downie (Douglas West); Hon J A Brown (Castletown); Hon D J Gelling (Malew and Santon); Sir Miles Walker CBE LLD (hc), and Mrs P M Crowe (Rushen); with Prof T StJ N Bates, Secretary of the House.

*The Chaplain took the prayers.*

**Apologies For Absence**

**The Speaker:** Hon. members, the hon. member for Middle, Mr North, has my permission to be absent from the House this morning.

**Brewers (Amendment) Bill - Impetus For Drafting - Question By Mr Cannan**

**The Speaker:** I will move straight on to our order paper dealing with Question Time. Question number 1 on the paper, I call upon the hon. member for Michael, Mr Cannan.

**Mr Cannan:** Mr Speaker, I ask the Chief Minister:

*Was the Brewers (Amendment) Bill 1997 drafted at the specific request of:*

- (a) a member of the legislature;*
- (b) a civil servant;*
- (c) a department of government;*
- (d) a representative of the brewing industry; or*
- (e) some other entity?*

**The Speaker:** The Chief Minister to reply.

**Mr Gelling:** Mr Speaker, the development of an amendment to the Brewers Act 1874 was initiated by the receipt in the Treasury's customs and excise division of an inquiry from a representative of the brewing industry. The question related to the possible development of the product range. After consultation and consideration, including advice from various government departments, the Treasury agreed that in order for such a new product or products to be developed, whilst still safeguarding the reputation of traditional Manx ale, an amendment to the original Act was required. The Brewers (Amendment) Bill 1997 is that amendment. Consultation has now taken place between the three breweries involving the customs and excise division and the member in charge of the Bill. It is my understanding that none of those involved oppose the contents of the Bill, in fact it is recognised that the proposed Bill strengthens the industry, the law, and the reputation of our traditional ales.

**Mrs Cannell:** Mr Speaker, a supplementary to the Chief Minister. Why was there not full consultation with the other two brewers on the Isle of Man prior to the first reading of this amendment in this hon. House?

**Mr Gelling:** Mr Speaker, I am not aware as to why there was or was not consultation with other brewers on the Island. What I have explained to hon. members is in answer to the question as to how this came about, and it is fair to say that in other sectors of our industries ideas do come from certain sectors or certain quarters and they are therefore looked at by the department responsible and then, as I have said, when the Bill comes forward it goes out for consultation.

### **New Hospital - Date Of Start And Completion - Question By Mrs Cannell**

**The Speaker:** Question 2, hon. members, and again I call upon the hon. member for Douglas East, Mrs Cannell.

**Mrs Cannell:** Mr Speaker, I beg to ask the member for Health and Social Security:

*When will your department be in a position to establish a start and completion date for the construction of the new general hospital at Ballamona?*

**The Speaker:** I call upon the member for Onchan, Mr Karran.

**Mr Karran:** Vainstyr Loayreyder, hon. members will be aware that the enabling works in relation to the new hospital have already begun and, in a sense, the practical start date for the scheme was 22nd September 1997. The practical completion date will be 1st July 2002.

**Mrs Cannell:** Mr Speaker, can the hon. member for health please indicate to us here today when he expects the main construction to start - that is to say, the main building itself of the general hospital, and can he also indicate to us whether or not he expects any increase in the overall cost of this hospital, given that due to planning there has been a delay of some six to seven months?

**Mr Karran:** Vainstyr Loayreyder, the current proposed starting date for the ground floor slabs and drains of zone one will be May 1998 and, as far as the brickwork and blockwork is concerned on zone one of the hospital, it will be, they believe, 4th January 1999. There has been something like nearly £7 million, £6,906,355, that has been additional cost due to the delays that have happened, which is a great shame.

**Mrs Cannell:** Mr Speaker, given that the hon. member for health has indicated that there is quite a substantial increase in the building costs of this new hospital, can he indicate how his department proposes to finance such an increase - that is to say, where will the money come from?

**Mr Karran:** Vainstyr Loayreyder, I find it somewhat amusing that we have this question. This is something that we should not be proud of or something that people should be gloating over because at the end of the day the taxpayer is having to foot the bill. The position I have had to take over this is that we have had to have more constraints over the hospital and what we have tried to do is keep within budget and see whether there are ways of getting the most efficient and effective cuts in order to make sure that we stay within budget. There is no guarantee that we will and I could not give that sort of guarantee to the hon. member. Obviously that is what the hon. member is wanting. What I want is a first-class hospital for the people of this Island to have, a first-class health care that our forefathers fought for and we

have managed to maintain; whilst the United Kingdom's National Health Service has gone down, we have managed to keep standards up.

**Mrs Cannell:** Mr Speaker, given the answer that the hon. member has indicated here, is his department proposing to make the cuts, to which he refers, in health service provision in order to find the money for the extra costs for the building of a hospital?

**The Speaker:** I do not want to widen the debate. The hon. member Mr Karran to reply.

**Mr Karran:** Vainstyr Loayreyder, if I had had my way and I had been in from the start, it would have been done through a different system. I have picked up this problem when no-one else in this House would do it (**Mr Cretney:** Hear, hear.), when the fact of the matter is many of the ones are like lemmings following blindly and arguing against the very points that I brought up when I was not a member of the department. I have tried and I would rather it be assured to members outside that we have tried to make sure that we have got efficiencies. There are problem we have got, like some of these crazy proposals that have come as far as traditional Manx walls that are six foot high, more likely one foot 11 inches higher than the average Manxman was 200 years ago, but what we have tried to do is make sure that there are . . . If there is a problem as far as the hospital is concerned this House will be fully informed because I have no intentions of being associated with something that will be third rate.

#### **DHSS - Benefits Review - Question By Mr Singer**

**The Speaker:** Question 3, hon. members, and I call upon the hon. member for Ramsey, Mr Singer.

**Mr Singer:** Thank you, Mr Speaker. I beg leave to ask the member for Health and Social Security:

*Can you confirm that your department does to intend to carry out a benefits review similar to that being undertake by the UK Government?*

**The Speaker:** Again I call upon the member for Health and Social Security, the member for Onchan, Mr Karran.

**Mr Karran:** Vainstyr Loayreyder, the policy report confirms that one of the key objects in relation to social security is to provide a comprehensive programme of benefits which, having regard to wider social and economic policies, is efficient and is up to date and effective in meeting the general need and encourages independence and provides for incentive to work. The department keeps its benefit programme under continuous review. Having regard to this statement of policy, we do not intend to embark upon any sort of review now being undertaken by the United Kingdom. Nevertheless, we will follow the review with interest.

**Mr Singer:** Mr Speaker, in view of the fact that the United Kingdom Labour Party proposals will affect the disabled, and women in particular will bear the brunt of other proposals, if your department considers that any of these changes which come under the reciprocal agreement were unfair and disadvantaged those in need, will you still seek to introduce these measures?

**Mr Karran:** Vainstyr Loayreyder, I am but the monkey, not the organ-grinder of my department (*Laughter*) and at the end of the day the minister has complete power, but at the end of the day I have a choice in the policies of the minister. What I will assure the hon. member is the fact that we will do our best to make sure that it is the elected members of the

department that are controlling policy and not the civil servants, as we have seen far too often in government and which has been highlighted recently. But also I would hate this hon. House to get the impression - and outside - that there is some sort of axe. We have a proud record as far as protecting the weak in our society. We have done an awful lot in the last 10 years from the days when we had a situation when this hon. House was full of farmers and geriatrics where, if you had four legs and a woolly coat you were pampered and if you had two legs and no coat you got nothing in social provision. Those days are over and I would hate anybody that is disabled out there to have the impression that we have got any intentions to attack their quality of life.

**Mr Downie:** Mr Speaker, given that the United Kingdom Department of Health and Social Security have indicated that they are now about to abandon their scheme for care in the community, can the member indicate if a similar review is to be undertaken within his department on the Isle of Man?

**Mr Karran:** Vainstyr Loayreyder, I think the important thing is that there is a great deal of ignorance within this House without outside when people talk about social security and social services, but there is even greater misunderstanding and ignorance when we talk about the mentally ill and the mentally handicapped. They are two distinct, different sections of our community. As far as the mentally ill are concerned, obviously we will look at what is happening in the UK with interest but this has nothing to do, and I would hate this hon. House to get mixed up, that mentally handicapped are not mentally ill and this has no bearing on mentally handicapped people in the United Kingdom or in the Isle of Man, but as far as the health department is concerned, we have made no appraisal of the statements in the adjacent isle simply because we never followed them in the first place and most of our mentally ill people are actually still in medical units on the periphery of the new hospital site at the present time. So we have not kicked our mentally ill out in the first place, so we did not follow, which was delightful to be able to say. We did not have that problem of trying to follow the UK where we have been proven right not to follow the UK once again.

**Mr Singer:** Mr Speaker, as the hon. member seems particularly sensitive about the reciprocal agreement, does he not think that perhaps this highlights a need for an urgent review of the reciprocal agreement with the UK and does he not think that his department should undertake such a review as soon as possible?

**Mr Karran:** Vainstyr Loayreyder, the reciprocal agreement has changed somewhat in many years. When we were first elected in this hon. House the left fought for reciprocal agreements with the United Kingdom and the right fought against them. Now you have the right wing of this hon. House fighting for reciprocal agreements with the United Kingdom and the left wing trying to break away from the reciprocal agreements from many years of Thatcherism in the adjacent isle. If we break our reciprocal agreement on many issues it would cause a great deal of hardship. I believe that this House has got to develop a backbone to develop our own policies. We are not a pseudo-county council like Surrey, we are a government, a national government, and the sooner we realise that the better, but I equally, think we must not get involved with dogma as far as the reciprocal agreement is concerned. We must investigate what needs to be broken and what does not need to be broken, but this hon. House can be assured that we will review anything that is needing to be reviewed for the efficient use of taxpayers' money of the Isle of Man.

## **Persons With Learning Difficulties - Finance For Transfer Into The Community - Question By Mr Kniveton**

**The Speaker:** Question 4, hon. members, and I call upon the hon. member for Onchan, Mr Kniveton.

**Mr Kniveton:** Thank you, Mr Speaker. I beg leave to ask the member for the Department of Health and Social Security:

*What was the sum appropriated in the current financial year with the approval of Tynwald for transferring persons with learning difficulties from institutions into the community and how much of this sum remains unused?*

**The Speaker:** I call upon the hon. member for Douglas North, Mr Houghton.

**Mr Houghton:** Thank you, Mr Speaker. At the July 1997 sitting of Tynwald, Tynwald approved my department incurring expenditure not exceeding £2,252,600 for the purchase of community homes. In the presentation of the department's position to the July Tynwald my minister, Mrs Christian, made it clear that the department intended to purchase 12 appropriate houses in the community over a three-year period. This was to enable the resettlement of people with learning difficulties currently living in Ballamona Hospital and also those presently living inappropriately with carers in the community. The proposed spending over the three year period is as follows: in 1997-98, £715,500; 1998-99, the same, £715,500; and in 1999-2000, £821,600. In this financial year the department have purchased three houses which are currently being refurbished and, it is hoped, will be operational before the end of March 1998. Negotiations are currently taking place to purchase a fourth property. It is estimated that the department will incur capital expenditure of some £567,000 in the current financial year subject to contractual arrangements with regard to the purchase and refurbishment of those properties. It is likely that a sum of £100,000 will be spent from 1997-98 capital allocation transferred to next year's capital figure. Therefore the proposed spend from the 1998-99 allocation is £715,500. That is all the information I wish to give at this stage, Mr Speaker. Thank you.

**Mr Kniveton:** Mr Speaker, I thank my colleague for that informative answer regarding hard cash approved to be spent over a three-year period. However, regarding the human side of this subject, a side but nevertheless the real crux of the matter, I would like to ask the hon. member, is the assertion by many persons who have an interest in this subject correct insofar as they regard the move to place these people in various unconnected houses around the community and in different towns to a large extent a matter of convenience so as to clear the Ballamona site for other purposes, and would the hon. member agree that this same policy of putting these people into the community in this manner is now regarded as virtually a complete failure in the United Kingdom, and in fact authorities over there are returning to the policy of safe communal village communities?

**Mr Houghton:** Mr Speaker, I am not in receipt of full information about the rumoured change in policy in the United Kingdom at this time and therefore am not able to comment thereon. It is quite true to say that the Ballamona site is under reorganisation, of course, and in preparation for the new hospital. However, if, as the hon. member says, there is a return to communal environments, then I would have to say that my department would be failing in its duty if it did not revisit that particular issue as and when the need arises, sir.

**Mr Downie:** Mr Speaker, given that the Department of Health and Social Security on the Isle of Man, and particularly the nursing services, are extremely stretched at the moment, as indeed they are in the adjacent isle, the United Kingdom, is the member absolutely convinced that the staffing requirements for this present policy can be fully met, and can he possibly give this House an indication: when this policy is fully implemented, how many additional members of staff will be required to run this care in the community organisation?

**Mr Houghton:** Mr Speaker, I do agree with the hon. member for Douglas West, Mr Downie, that we face an ever-increasing problem with our staff cap situation and I really cannot comment any further at this stage on the staffing levels until each year we apply for and receive the appropriate increase in that staff cap, sir.

**Mr Braidwood:** Mr Speaker, a supplementary to the hon. member for Douglas North, the member for the DHSS. Rather than committing all this money, the £2,250,000, as approved by Tynwald - and, as the member has just mentioned, £715,000 is going to be committed in this financial year - would his department now consider further consideration to policy in the coming year and would he think that his department might look at the alleged mistakes over this policy and learn from them?

**Mr Houghton:** Mr Speaker, it would be folly at this time to cut a path through a jungle without referring occasionally to the use of a compass. We can only work out the strategy overall as we go along. My department will watch closely the developments in the UK and we will set an appropriate course.

**Mr Kniveton:** Mr Speaker, a final supplementary. Several months ago the hon. member advised this hon. House that meetings were taking place between Clinch and Mencap and his department. Can I ask him, how many meetings have been held and when was the last one, and has his department agreed any programme in conjunction with these two groups? Also have any letters been sent out to parents, guardians, or trustees - and I understand that there are something like 270 - have these persons been invited to express how they wish to see future care programmes evolve?

**Mr Houghton:** Mr Speaker, I welcome that question. It is a rather important question but I only have a short answer because obviously the situation, again, is ongoing and developing as we work our way through. Meetings are ongoing and regular between the representative bodies of the interested parties, that being, of course, Clinch and Mencap. The next meeting is scheduled to take place on 2nd February this year and from that point onwards the developments will be made. Thank you, sir.

### **Manx Electric Railway - Economic Residual Life - Question By Mr Singer**

**The Speaker:** Question 5, hon. members, and I call upon the hon. member for Ramsey, Mr Singer.

**Mr Singer:** Thank you, Mr Speaker. I beg leave to ask the Minister for Tourism and Leisure:

- (1) *What do you consider is the economic residual life of the Manx Electric Railway; and*
- (2) *what plans does your department have for extending the life of the Manx Electric Railway, and at what cost?*

**The Speaker:** The Minister for Tourism and Leisure to reply.

**Mr Cretney:** Thank you, Mr Speaker. I would like to advise the hon. member that it is my department's policy to continue to improve and develop the Manx Electric Railway as one of the Island's major visitor facilities. Members may already be aware that the Manx Electric Railway recently celebrated its centenary. I expect the Manx Electric Railway will celebrate its second centenary in 2093. Members may also like to know that the Manx Electric Railway and Isle of Man Steam Railway were recently awarded highly acclaimed status in the Ian Allan 1997 Independent Railway of the Year awards, which my department was delighted to receive.

Before advising the hon. member of my department's plans for future investment on the Manx Electric Railway, it may be helpful for members to know of some recent investment undertaken. This includes the following schemes: refurbishment of lower sheds at Derby Castle depot during 1993 at a total cost of approximately £200,000; new depot, Snaefell Mountain Railway, Laxey, during 1995 at a total cost of approximately £250,000; refurbishment of Snaefell Mountain Railway Summit Hotel during 1995 at a total cost of approximately £110,000; new upper shed at Derby Castle depot during 1997 at a total cost of approximately £600,000.

Turning to the future, requests have been made to the Treasury for moneys to be provided in the capital programme over the next five years for the following projects: railway permanent way upgrade at an estimated cost of £500,000; Bungalow sub-station, toilets and booking office at an estimated cost of £100,000; Ramsey car shed renovation at an estimated cost of £200,000; Laxey car shed renovation, estimated cost £200,000; Snaefell Summit Hotel, exterior upgrade at an estimated cost of £200,000; and Laxey Station cafe and souvenir shop at an estimated cost of £150,000. Furthermore, additional expenditure of £110,000 has been proposed within the department's 1998-1999 revenue budget for investment in the Manx Electric Railway. The Manx Electric Railway is unique in the world and hon. members can rest assured that the department will do all in its power to safeguard it for the future.

**Mr Singer:** Mr Speaker, I thank the hon. minister for his reply. Most of the money that has been spent or is to be spent appears to be on the buildings - on a list of buildings, Derby sheds and the Summit Hotel, et cetera. How much money are you intending to spend on the rolling stock and the poles and the wires, et cetera, and the track, to make sure that they are in good condition? We have not really heard much about that and I understand that the re-laying of the track could well be up to £100,000 per mile. So how far ahead are you continuing to plan ahead for repair of the rolling stock when necessary? And can you tell me, do you have a resident chartered engineer to inspect the vehicles?

**Mr Cretney:** In relation to the resident chartered engineer, I do not think that that position is one which is within the establishment of the Manx Electric Railway but I can find out and let the hon. member know about that.

In relation to the ongoing work to maintain the track, members will be aware that we have been fortunate, over the past several years, to have been able to allocate some money via the alleviation of unemployment scheme to assist in that area and that has provided, in my view, meaningful employment for a number of people to assist during the time of the year when it is most helpful. In terms of the upgrade of the permanent way, as I indicated in my initial response, the railway permanent way upgrade over the next five years - we have the sum of

£500,000 in for that work. In terms of the rolling stock itself, then that is an ongoing requirement but it is most important that we have buildings in place which do not leak like sieves in order to maintain the rolling stock which we all treasure and which currently is housed in buildings which are unsuitable and past their sell-by date.

**Mr Rodan:** Mr Speaker, can I ask the hon. minister in relation to his last comment about winter maintenance schemes on the railways? Could he tell us whether it is his department's intention to make proper budgetary provision for this winter maintenance work rather than, in the future, rely on moneys from the alleviation of unemployment schemes which, as we have found out, are currently suspended, in effect?

**Mr Cretney:** Yes, Mr Speaker, as I indicated in another place, the works which have been carried out under the alleviation of unemployment schemes have been deemed to be desirable rather than essential works. However, I take the point the hon. member makes, and it may be that we can make some budget provision to carry on the employment of people, as we did this year within our own budget. However, I do believe that there is a matter of public policy, as I also indicated in another place, where, in my view, it would be helpful and obviously it would be dependent on others for a scheme for people who are currently unemployed and who may wish to take up an option of an enhanced unemployment benefit. I am sure that that is something which is worthwhile looking at at least.

**Mr Houghton:** Mr Speaker, would the hon. minister advise how much liaison his department has with the Manx Electric Railway Society and, if there is no such structured liaison, would he carefully consider the setting up of an operational sub-committee with this organisation and perhaps other organisations likewise who are not only real and caring enthusiasts but who have enormous knowledge of the railway and would, I am certain, be of great assistance to the future wellbeing of this most valuable public asset, sir? Would the minister not agree?

**Mr Cretney:** Mr Speaker, there are a number of groups throughout the railway world who are very keen on the Manx Electric Railway, the Steam Railway, the Groudle Glen Railway, and they all have their supporters. The difficulty which has been in relation to the Manx Electric Railway Society - and it has not just been encountered by me but it has been encountered by other ministers - is that they seem to disagree consistently with the way forward as outlined by the chief executive and the department, so much so that they seem to use their magazine as some kind of semi-political sounding box against the actions of the department. This has gone on for a number of years and I very much regret that, because at the end of the day we all should be interested in the railways and we all should be able to work together.

Now, I met with the Manx Electric Railway Society officers shortly after I was appointed as minister. We had a very fruitful meeting but sadly shortly after that there was another falling out, there was another public argument and disagreement over policy and sadly since then nothing has happened. There are difficulties surrounding this and so at the present time, until we can have some constructive dialogue rather than the damaging dialogue which I am afraid in my opinion goes on all too often, I cannot see that we will be able to sit down with them. However, if they would like to take an initiative to discuss things my door is always open, as it is to anyone.

**Procedural**

**The Speaker:** Hon. members, the time allotted under standing orders for questions has elapsed and I call upon the hon. member for Garff, Mr Rodan.

**Mr Rodan:** Thank you, Mr Speaker. I rise to move:

*That standing order 43(2) be suspended to enable the remaining questions tabled for oral answer at this sitting to be put.*

**Messrs Downie and Braidwood:** I rise to second.

**The Speaker:** Are we agreed, hon. members?

**Members:** Agreed.

### **Roads - Expenditure In Douglas - Question By Mr Downie**

**The Speaker:** In that case, hon. members, we turn to question 6 on our order paper. The hon. member for Douglas West, Mr Downie.

**Mr Downie:** Mr Speaker, I beg leave to ask the Minister for Transport:

*In the financial year 1996/97 how much money has been spent on maintaining and improving roads in Douglas as compared with the roads elsewhere on the Island?*

**The Speaker:** Now, do I have a member of the transport who is responsible to answer at the moment? Sorry. The hon. member for Castletown, Mr Brown.

**Mr Brown:** Thank you, Mr Speaker. I thought maybe I had gone invisible!

**The Speaker:** Temporarily. *(Laughter and interjections)*

**Mr Brown:** I know I have been on a diet since Christmas, Mr Speaker, but I did not think it was that good! *(Laughter and interjections)*

I am not able to give the hon. member a direct comparison for the total expenditure for highways between Douglas and the rest of the Island. However, in an endeavour to be helpful we have identified that for our main heads of expenditure for the financial year of 1996-97 £1,504,454 was spent in Douglas on the maintenance and improvement out of a total budget for these heads of an expenditure of £5,969,008. Whilst this approximates to 25 per cent of the highway budget for the maintenance and improvement of roads, I would just make the point that the Douglas area relates to 1.4 per cent of the Island's total area and contains only 9 per cent of total road network. I can assure the hon. member that the department, when determining the allocation of funds for highway works, endeavours to meet all its all-Island responsibilities as fairly as possible, taking into account the differing nature of the requirements and demands placed on the department.

**Mr Karran:** Vainstyr Loayreyder, could the hon. minister tell us what time is taken to inspect these roads and to do checks as far as the bridges and other important installations under the responsibility of his department go, and can he assure this hon. House that bridges et cetera are regularly inspected, and culverts as well?

**The Speaker:** Now, hon. minister, I think we are straying away from Douglas but nevertheless, sir, the response is entirely up to you.

**Mr Brown:** Yes, I thank the Chairman of the Water Authority for his question about bridges, Mr Speaker. *(Laughter)* As he is well aware, there is a problem with one of our main

bridges potentially due to a water problem, so I am sure he will assist us in dealing with that issue.

As far as bridges and culverts go, my department has ongoing inspections of such structures and also we have four inspectors who cover the Isle of Man and regularly inspect highways, footpaths, ditches and all the things that we require to have inspected. Our problem is not identifying the problems throughout the Island; our problem is actually not only funding it but physically carrying them out and what we endeavour to do, like every department of government, is to identify a programme and then work our way through that programme with priorities, of course trying to deal with emergencies such as a bridge having to be closed and possibly rebuilt because of another problem.

**Mr Karran:** Vainstyr Loayreyder, on the breakdown of the costs between Douglas and outside the Island, would the minister not agree with the fact that the roads in Douglas are more heavily congested? Does his department give more priority to inspection of the likes of these roads on a more regular basis in order to safeguard the general public? And does he also think that the time has come for us to spend a little bit more money on these priorities than on other elaborate, highly expensive capital schemes such as refurbishing the airport terminal when there are a number of roads that are suspect, like one arterial road into my constituency on Summerhill that looks as if it could be suffering from subsidence as well?

**Mr Brown:** Yes, Mr Speaker, one could be forgiven for thinking the hon. member again was not aware of how we try to balance up the work of any department. It would be very easy for my department to say, 'right, for the whole of 1996-97 we are just going to concentrate on roads and we will spend all our money there and do nothing else.' The problem is we could not physically do it, it would be absolutely impossible, so that is not an option open to us. Again, there are other requirements which we have from people in terms of the responsibilities of my department, and I find it quite amazing that there is criticism of upgrading our facilities in the Isle of Man such as the airport and, as members will see, as we are doing at the sea terminal. I would have thought people would welcome that because we are ensuring that we have standards that are acceptable to the travelling public.

As far as the condition of our roads is concerned, I think it is fair to say that my department has over the years expended considerable amounts of money in the town of Douglas in improving its roads. Certainly there are always going to be areas where the roads continue to remain or have problems which occur where there is damage or renewal. They do have a finite life, but my department will endeavour to undertake to keep them in a reasonable standard of repair and of course will maintain them to a high standard, but again that will not be at the expense of the rest of the Island. We will always endeavour to put a fair balance across the Island as best we can and we will try and assess the needs that come from all members of this House with regard to problems in their constituencies and of course all the problems that are identified by the public. We do endeavour to do the best we can to keep the roads to a reasonable standard. Sometimes the winter conditions beat us to it because they actually damage the road and we then have to try and respond to that as quickly as possible.

**Mr Downie:** Mr Speaker, some interesting answers there. I would like to ask the minister if he can confirm that the calculations for the Douglas roads include the areas of Farnhill, Saddlestone, Vicarage Park and Cronk-y-Berry, and can the minister also confirm that of the figure quoted by him, which exceeded £1.5 million of money actually to be spent, over

£700,000 of this is to be spent on the Douglas promenade walkway and that is to be directly taken from the money allocated for highway maintenance in the Island? And could he also confirm that when Douglas Corporation had responsibility for the roads his department placed a ceiling of £900,000 per year on their expenditure and, when you take the £700,000 away for the Douglas promenade, we are not really spending much more on the roads in Douglas than the corporation did some seven or eight years ago?

**Mr Brown:** Mr President, first I would say the hon. member has got himself in the wrong year. The works that were undertaken on the promenade are for the financial year 1997-98 and not 1996-97, as asked in the question. As for the £1.5 million if we then take that into account, which I would say equates to the equivalent of an 80 pence in the pound rate to the town of Douglas - and there was a ceiling of £900,000, as the hon. member has already indicated, a few years ago which was put on by the department - I would suggest the hon. member should be reasonably happy that the town of Douglas is actually getting a better deal now than it was when they were responsible on the agency basis. And clearly I would hope the hon. member would support my department in endeavouring to do the best we can to assist the town of Douglas in its highways.

**Mr Houghton:** Mr Speaker, notwithstanding the fact that the department has run into further burdens with the problems with the bridge at Union Mills, can I ask the hon. minister for an assurance that his scheme for replacing unadopted roads in the Douglas area will not be compromised due to this, sir? Thank you.

**Mr Brown:** Mr Speaker, I did respond to a question regarding unadopted roads a few months ago and I have to say I cannot recall all the detail, but clearly we gave an undertaking that the department will endeavour to continue a programme of unadopted roads. However, we would not do that at the expense of the roads we are responsible for. And of course, when we are talking about unadopted roads, it is very important that those people who reside in an area where there is an unadopted road have to co-operate with us and that sometimes creates a problem, but my department is not opposed to rectifying some of these long unadopted road - when I say long in terms of they have been there a long time - to try and improve the situation, but it is not a priority; it is something that we will try and accommodate within our existing budget as and when we can.

**Mr Downie:** Would the minister not agree that there is, due to heavy traffic and other reasons, significant deterioration in the standards of roads and footpaths in Douglas, and would he not accept that if he came to Tynwald with a programme of enhancement for the highways in Douglas he would undoubtedly receive support from all the Douglas members who are continually receiving complaints about the lack of maintenance, unsafe footpaths and the holes in the road in the Island's capital?

**Mr Brown:** Yes, Mr Speaker, I think it is worth making the point that I understand, and I think it is reasonable to say, that if you look back to the 1980s when the highways were under the responsibility of the Douglas Corporation, since that time we have made major improvements to many of the roads in Douglas. Yes, there are still ongoing problems. I can assure the hon. member there are ongoing problems in Castletown, Peel, Ramsey, everywhere. We will take those all into account. We will endeavour to do the best we can for Douglas. I think it is fair to say, based on the information that I have been advised of, that there has been a lean towards providing funds to Douglas to endeavour to catch up on some

of the problems that they did have. So I do not think there is any problem from our side of not trying to do it.

**Mr Downie:** Weed-spraying!

**Mr Brown:** As far as weeding is concerned my department's officers met with the Douglas Corporation Works Committee, and the problem they had - and this is a recent meeting - was really relating to the strength of the weed killer. I think that is a problem that is always there because of the balance between the strength of the weedkiller and the environmental issues as to the damage it may cause if you used the wrong type of weedkiller. Now, clearly weed spraying, getting rid of weeds, is a problem generally throughout the Island at a specific time of year and it is labour-intensive. You spray the weeds but you have then got to go round afterwards and, to use a term, dig up the weeds and that can be quite a problem. That is all-Island and certainly we endeavour to deal with that. I would just say to the hon. member as far as the payments go that if there are dangerous payments or dangerous roads, then my department would look at those as a priority and certainly the most important thing is that they are reported to my department so we can actually identify them and see what action is needed to be taken but certainly where there are dangers we deal with it quickly.

**The Speaker:** Hon. members, we seem to have strayed a long way from the question which says, how much money has been spent on maintaining and improving the roads in Douglas? It has widened out quite appreciably even to cover part of the next question, which I call upon the hon. member for Douglas West to ask.

#### **Douglas Promenade - Finance For Reinstatement Of Walkway -Question By Mr Downie**

**Mr Downie:** Mr Speaker, I beg leave to ask the Minister for Transport:

*Why is the re-instatement of the Douglas promenade walkway being financed from your department's highways revenue appropriation rather than from the appropriation for IRIS contracts 2 and 3, from which the damage to the walkway resulted?*

**The Speaker:** The minister to reply.

**Mr Brown:** Thank you, Mr Speaker. The situation with regard to the IRIS work is precisely the same as works undertaken by the Water Authority, Manx Electricity Authority, Manx Telecom and the gas companies, local authorities and other government departments and private developers - that is, that where they excavate trenches in the highway they have to reinstate the highway to an acceptable level to match the existing highway. They are not required when undertaking such works to reinstate or reconstruct the full width of the highway. I should also advise that the standard practice on all drainage projects is for the reinstatement to be confined to the width of the excavation undertaken. Furthermore, the reinstatement to be undertaken would be on a like-for-like basis - for example concrete, bitmac or asphalt where that was the original construction.

The hon. member for Douglas West will be aware that the construction of the Douglas promenade walkway from the war memorial through to Summerland was in coloured concrete, unlike the area along Loch Promenade and in the vicinity of the war memorial, which was in coloured asphalt. My department determined that, given the poor condition of the Douglas promenade walkway from the war memorial through to Summerland and having regard to the importance of this amenity area to tourists and locals alike, upon completion of the IRIS works in Douglas it would be of considerable benefit if the final appearance of the whole length of the

promenade walkway along Loch Promenade, Queen's Promenade and the area from the war memorial to Summerland could be to a consistent finish and appearance. The alternative would have been a patchwork quilt comprising new coloured asphalt on Loch Promenade and a combination of old and new coloured concrete and old coloured asphalt on the remainder. The department felt that this would be totally unacceptable and that we should take the opportunity to provide a good finished job. The department therefore determined that the provision of a new promenade walkway in this area should be funded from within its normal highway revenue vote, as would normally be the case, and provision was therefore made to enable this to happen.

No damage to the walkway has been as a result of the IRIS works, as the promenade was in an extremely poor condition before any works commenced, which is evidenced by the way of video and photograph records taken before works commenced. This is a standard procedure adopted on all drainage projects undertaken by my department. Thank you.

**Mr Downie:** Would the minister not accept that approximately over half the walkway on the Douglas promenade was dug up, even all of it in some areas, when laying the IRIS pipeline and also the pumping station opposite the Queen's Hotel? Therefore one would accept that there would be an argument that IRIS should pay for this reinstatement at an estimated cost of some £690,000 and for that to come out of the IRIS contracts 2 and 3, which have resulted in the damage to the walkway? Why is the minister not seeking extra support for what we in Douglas feel is an excellent scheme, to have it funded through IRIS instead of biting in to precious resources in his department, which are now going to deprive his highways contingent of valuable money to do some of the major problems with the roads?

**Mr Brown:** Mr Speaker, I think I should make it clear first that the capital project for this scheme was done in the normal way, which was of course to make provision within the capital budget for this stage of the IRIS programme to enable us to re-instate the damaged walkway, as I have explained in my initial answer, which was originally cut up for the works to go ahead. The department then made provision which would allow works to be undertaken about two years from now or thereabouts, just under two years, to enable the works to be put back properly and the whole walkway to be done properly out of our normal revenue works, which would be the normal practice. An opportunity arose because of slippage in our programme this year because of many different things such as planning problems on some of our schemes, land purchase on some of our schemes and in-house problems on some of our schemes so that we were able to identify reasonably early on there was the possibility of an opportunity to redirect moneys from works that we knew we would not be able to undertake to other areas. In our considerations it was seen desirable, if at all possible, to identify the money and transfer it to undertake the works on the Douglas promenade walkway so that we could complete the whole of the promenade in basically one fell swoop. In considering that, I have to say I also took into account the other responsibilities we have throughout the rest of the Island and quite clearly could have directed that money elsewhere within the Island. I felt, however, as did my department, that the situation of the Douglas promenade and the importance of it to our tourist season and to the locals there, and taking into account the disruption that many of the hoteliers had had to suffer for a period of time, why not invest that money, bring forward our scheme and enhance the promenade once and for all and get the job completed instead of making people wait until maybe another 18 months or so and then have to start digging the

promenade up again to do these works? And it was just a pure decision made, I believe and I am quite satisfied, in what I believe is the best interests of the people of Douglas and the Isle of Man, and I can say to the hon. member this money was not all ear-marked for Douglas; this is money where there were general slippages within the department's overall highway vote and we felt Douglas could benefit from it, as could the Isle of Man, by undertaking these works earlier than anticipated.

**Mr Karran:** Vainstyr Loayreyder, would the minister not agree that he is misleading this hon. House when he talks about IRIS? IRIS was a project for the central valley and was one plant for the whole of the Isle of Man. What we have now is a project that is not IRIS because it is neither in the central valley nor a single plant. In view of that fact that that much of the policy has been changed, would his ministry consider having a review of pumping excrement uphill to Meary Veg and could he possibly look at a further amendment to the new IRIS by investigating if the Co-op site, the old Quiggin's yard, is not to be purchased by -

**The Speaker:** Hon. member, if you would, please? With the best will in the world I have been highly lenient this morning but I am not prepared to allow a question relating to the policy of IRIS in relation to a Douglas promenade walkway. Hon. member for Douglas East, Mrs Cannell.

**Mrs Cannell:** Mr Speaker, thank you. A supplementary. I thank the hon. minister for his reply and I also thank him for his keenness to ensure that there is no further disruption to the hoteliers along the promenade, but with him indicating that such money has been taken from his department's revenue is this not disguising the true cost of IRIS? Can the hon. minister give a categorical assurance to members in this House today that this will not be done in future with other such works - that is to say, taking something from revenue when it should have come out along with the IRIS?

**The Speaker:** Hon. member, if you would, please? Again in this particular incidence I am not going to permit that question because again we are straying and I call upon the hon. member for Douglas West to ask the final supplementary on this question.

**Mr Downie:** Yes I would like to ask the minister if his actions in moving this money had the full sanction of the Treasury and Treasury gave concurrence to this, and will these reinstatement works which have been carried out by another contractor now invalidate any defects period which may apply to the works carried out beneath the promenade by previous contractors?

**Mr Brown:** Mr Speaker, can I say that as far as I am aware, when we transfer money like this I understand we have to seek the Treasury's concurrence. It depends which head it comes from, if it is a main head or a sub-head, and without that detail I do not know, but what I can say to the hon. member is I certainly would do nothing which was contrary to financial regulations and certainly anything I do is always open to scrutiny by the Public Accounts Committee. So I have no problem on that.

If I can say in answer to Mr Karran, the only answer I would give him is I never mislead this House or Tynwald Court. As for disguising the amounts or the defects, I would just say that the point is quite clear. I answered the way we deal with the finances in my initial answer. As for defects, those defect periods still run. I am not aware of any change in that and have to say that if there was a concern over that, then I would have certainly questioned that very hard

and would have considered very seriously whether to do anything. So I am not aware of any problem in terms of our defects. The contract is still here. We have a legal agreement between ourselves and the contractors and normal defects periods, as I understand it, will continue.

All I would finally say is that my department has endeavoured to improve a situation by using our initiative. I do not apologise for that whatsoever and certainly if it is a concern of members that they do not like to see my department transferring money from one area to another which may well benefit their own constituents, then if they let me know I will be pleased to take that on board.

### **Braddan School Road - Proposal To Widen - Question By Mrs Cannell**

**The Speaker:** Question 8, hon. members, and I call upon the hon. member for Douglas East, Mrs Cannell.

**Mrs Cannell:** Mr Speaker, I beg leave to ask the Minister for Transport:

*Have you decided that the most acceptable access to the new proposed hospital at Ballamona will require the widening of Braddan School Road with consequential loss of a significant number of mature trees?*

**The Speaker:** Again I call upon the Minister for Transport to reply. The hon. member for Castletown, Mr Brown.

**Mr Brown:** Thank you, Mr Speaker. As hon. members will recall I gave a detailed response to a similar question from the hon. member for West Douglas, Mr Downie, in Tynwald Court at its November 1997 sitting. Again I see I must correct the inference being given in the question that the works being considered for Braddan School Road are only being considered due to the proposal to build the Island's new hospital at Ballamona. *Such statements are not correct.* The need to improve the section of Braddan School Road between the junction at the Jubilee oak tree to the cemetery entrance has been under consideration by the Department of Transport since the late 1980s and, as I advised in Tynwald Court in November 1997, my department received planning approval in 1989 for a limited scheme to improve this section of highway. This was years before any proposals were put forward to build the Island's new hospital on the Ballamona site. Therefore let me again make it clear to hon. members that the need to rectify the deteriorating condition of this section of highway and the high stone wall abutting the road has to be undertaken in the near future regardless of any decision to build the Island's new hospital in the area.

My department has had a series of meetings to assess this whole matter and to identify what options are open to us. We have been very conscious of the sensitive nature and the potential effect of undertaking works in this area and we have carefully considered all the options open to us. As I stated in Tynwald, I can again confirm that we are satisfied that one option which is not open to us is the option of doing nothing.

In Tynwald Court in November 1997 I indicated that our assessment at that time of the number of grade A mature trees likely to be affected would be 23. Due to our ongoing considerations and adjustments in design of the proposals it now means that we have been able to reduce the number of grade A mature trees affected. I can advise hon. members that, based on our assessment, our latest proposals to rectify the highway problems in this area will result in the immediate loss of 13 grade A mature trees.

I can confirm that my department has agreed to progress with our latest proposals for the realignment and reconstruction of the road and abutting high stone wall. Hon. members should realise that if reconstruction is not undertaken, then the only alternative will be to direct all heavy goods traffic travelling to and from the north of the Island through residential areas in the town of Douglas.

Finally, I can advise that it is our intention to propose to undertake an extensive landscaping scheme which will incorporate extensive tree-planting proposals to enhance the area for future generations. Thank you.

**Mrs Cannell:** Mr Speaker, a supplementary. Has the hon. minister given full consideration to all of the alternatives - that is to say, all of the options as mentioned in the environmental assessment report such as the viaduct or, as more commonly known by the people, the flyover across the Braddan Valley? Has he given that his full consideration?

**Mr Brown:** Mr Speaker, when we went through this myself and my colleagues, being very conscious of the nature of the proposal to rectify this problem on this route, were very conscious of the potential public concern; I think there is a genuine concern that will be raised and we are coming from that point. We considered many options for this road. One was diverting all heavy goods traffic through the town of Douglas; making it one-way; going across a viaduct as another option - should that be done? And we considered at the end of the day that realistically, even if we were to make it one-way, we would still have to reconstruct the road. We would have to have done something to safeguard the wall which, if members go up and down the road, they will see leans over quite some way and we would have ended up with a road which would not have met the needs of the Island. I think we have a good demonstration presently where, because of the problems at Union Mills where we have had to close off the main road from Douglas to Peel, this road now is becoming one of the important feeders temporarily for people travelling to and from the west of the Island, and I think what is important for my department and all of us - whether we like it or not we have clear statutory responsibilities, and what is paramount in my mind and the mind of my colleagues and my officers is public safety, the safety of the pedestrian and the safety of those travelling by car or by wagon or by van; we have taken all this into account and have come to a final conclusion and we will be progressing that and making our case at the appropriate stage.

**Mrs Cannell:** Mr Speaker, given that the hon. member indicated that his department received planning consent for the improvements to this particular section of road in 1989, some nine years ago, why has it taken so long for his department to do the works - I mean, we are coming up to 10 years - and will he also be seeking for planning approval? And if I could just tack on one final supplementary on to that, given that the land where the proposed felling of trees will take place is in private ownership as I understand it - and the minister can correct me if I am mistaken there - would he be considering a compulsory purchase order here in order to acquire the land in order to fell the trees?

**Mr Brown:** Mr Speaker, with regard to the 1989 scheme and what has happened up to December 1996 when I was appointed minister, I have to say I have to say I have extremely limited knowledge as to why the scheme was not progressed or any other scheme. What I would say is that the 1989 scheme was a very limited scheme which endeavoured to overcome having to widen the road. It did have other problems associated with it. One of the advantages if we progress the new scheme that we have at the moment is that we will actually

be able to pull the road, if I use that term, away from the residential properties and therefore will environmentally enhance their way of life in terms of their standards of life from noise and therefore we think that is also quite important.

The other thing is that my department, whilst looking at the 1989 scheme, did undertake some tree planting, I think at that time or not long after, in anticipation that at some stage they would have to do works in this area, so there has already been a limited tree planting scheme there.

As far as the question of the hon. member, 'Will I be seeking planning approval?', as the hon. member knows, I have no choice. Government is not exempt from planning. We require planning approval for anything like this and we will be applying for it.

As far as the land ownership is concerned, my department will endeavour to negotiate with the landowner to try and purchase the land we require to enable us to carry out the works that we wish to do. Whether or not we go further than that will be a matter for consideration at the time if we are unsuccessful in getting an arrangement where we in the department are able to carry out our works.

### **Schools - Term Times - Question By Mr Rodan**

**The Speaker:** Question 9, hon. members, and I call upon the hon. member for Garff, Mr Rodan.

**Mr Rodan:** Mr Speaker, I beg leave to ask the member for the Department of Education:

*(1) On what dates did the schools summer term end and autumn term begin in 1997; and*

*(2) what are the equivalent dates for 1998 and 1999?*

**The Speaker:** I call upon the member for the Department of Education, the hon. member for Michael, Mr Cannan.

**Mr Cannan:** Mr Speaker, on what dates did the schools summer term and autumn term begin in 1997? That was on Friday, 18th July 1997 and the autumn term began after the summer break on Tuesday, 2nd September 1997 for the pupils, with the staff starting with a training day on Monday, 1st September 1997.

The second part of the question, 'What are the equivalent dates for 1998 and 1999?' - the equivalent dates for this year, 1998, are Friday, 17th July 1998, when the summer term ends, and the autumn term begins on Tuesday, 8th September for the pupils, with the staff training day on Monday, 7th September, and for 1999 the summer term ends on Friday, 23rd July and the autumn term begins on Monday, 6th September for pupils, with a staff training day on Friday, 3rd September 1999.

**Mr Rodan:** Mr Speaker, I thank the hon. member for the department for his reply. Can he confirm that this year the summer holiday will then be somewhat more than in excess of seven weeks and will be one week longer than it was last year and it will be one week longer than it is to be next year and what the reason for that might be?

**Mr Cannan:** Mr Speaker, the reason for the later return to school in September this year is due to the date of the Manx Grand Prix motorcycle races. Schools cannot return until after these races, which also form traditional Manx family holidays. The hon. member will

appreciate that there are many schools on the TT course. The reason for holidays being maybe slightly longer is that they will fall into the dates which I have given, but the school academic year between September and September requires by statute that there are 190 days of education. So while the summer term might be slightly longer for the reasons I have given, other school holidays will be slightly shorter, because every year we are required to have by law 190 days of children actually attending school.

**Mr Shimmin:** Mr Speaker, could the member for education confirm whether these dates are absolutely finalised or whether they are still to be subject of a meeting between the minister and the professional associations to be held in February?

**Mr Cannan:** The dates have now been fixed by the department. The minister has reviewed the dates. We have to bear in mind the Manx Grand Prix motorcycle races and the statutory requirement for 190 days of education.

**Mr Rodan:** Mr Speaker, could the hon. member tell us when schools and parents will be officially informed about the holiday dates this year?

**Mr Cannan:** The plan for holiday dates has been distributed to all schools and is available on all school notice boards. School holiday dates for the years right up to the year 2000-2001 now have been agreed by the department and will be issued to all schools.

### **Financial Legislation And Regulation In Crown Dependencies - Review - Statement By The Chief Minister**

**The Speaker:** Now, hon. members, I have received a request from the Chief Minister, who wishes to make a statement to the House. It is for purposes of keeping the House informed and I would ask that the House resolve to permit under standing order 37 the statement to be made by the Chief Minister? Are you agreed, hon. members?

**Members:** Agreed.

**The Speaker:** Therefore I call upon the Chief Minister.

**Mr Gelling:** I am pleased, with your permission, Mr Speaker, to have this opportunity of providing an update to members of the House on the recently announced review of the financial regulations in the Crown dependencies. There were some relevant questions answered in the House of Commons yesterday and there was some correspondence at the end of last week which has moved things on, and members should be aware of these developments.

There are three matters to which I would wish to refer: the handling of the announcement of the review by the Home Office; our formal response to the invitation to assist with the review; and thirdly, the initial contact with Mr Edwards, who is to conduct the review.

First the handling, Mr Speaker, of the announcement. I did write to members at the end of last week, but just to recap briefly it became clear to the Council of Ministers last Thursday, following a comment made by Lord Williams in an interview on Manx Radio, that there had been some provision of information to the Isle of Man, Jersey and Guernsey, in advance of the formal notification, which was brought to my attention on Monday 19th January. What was subsequently established was that on the preceding Thursday the Lieutenant-Governor was given advance notice of the announcement, but His Excellency was not at liberty to pass that

information to ministers here. (**Several Members.** Disgraceful!) This early informal notification was one of the matters dealt with in the questions answered in the House of Commons yesterday. The Home Office response to one of the questions states, and I quote: 'Shortly before this, Home Office officials had informed the Lieutenant Governors of Guernsey and the Isle of Man and the Bailiff of Jersey informally and in confidence about the review so that they could brief themselves in advance of the official notification.'

Mr Speaker, I have little doubt that in providing this early information to the Lieutenant-Governor, the Home Office was endeavouring to be helpful. However, the action has served to rub salt into the wound of the lack of consultation which we felt about the announcement of the review in any case. The implication that ministers here and members and especially the Chief Minister should not be seen as worthy of being included within the fold of those who should be privy to the early and informal notification, is a cause for concern. (**Members:** Hear, hear.)

I have, Mr Speaker, as my letter to members makes clear, made representations to the Governor in this matter. I have also written to Lord Williams and will be making a point of including this matter within the discussions I shall be having with Lord Williams when I meet him at the Home Office on 4th February.

This incident does suggest that there is a need to redefine some aspects of the communications between the Isle of Man Government and the Home Office. It is a matter on which the Council of Ministers takes a most serious view.

Mr Speaker, on Friday we sent our formal response to the Home Office's invitation to participate in the review. Within that response we registered our great dissatisfaction with the way in which the establishment and notification of the review had been handled by the United Kingdom Government, but we did confirm that the Isle of Man Government will co-operate with Mr Edwards and the constitutional unit of the Home Office in the review in the clear belief that a full and impartial review will validate the Island's existing legislation and regulatory systems.

There were a number of points on which we have sought clarification, in particular: the issues to be examined, the documents to be produced, the persons to be involved, the outcome of a similar review which is said to have taken place in respect of the dependent territories, and lastly, Mr Speaker, the handling of the report once the review has been completed. Without in any way wishing to delay the review we are keen to ensure that the ground rules for the review are properly established and understood. We understand that Jersey and Guernsey will be responding this week to the Home Office letter of invitation and that they are likely to respond in broadly similar fashion.

Incidentally, one of the other questions answered yesterday in the House of Commons confirmed that it is *not*, Mr Speaker, part of the terms of reference for the reviewer to recommend changes in our Island law. The review is said to be basically a mapping exercise to establish clearly with the islands how the islands' current laws and regulatory systems operate in practice.

Also on Friday of last week we had our first contact with Mr Andrew Edwards, who is to conduct the review. We received an initial letter in which he suggested some possible dates for his visit to our Island. We have responded to Mr Edwards, but have had to say that we are not in a position to agree a timetable with him until we have confirmed what we have described as ground rules with the Home Office. (**Mr Houghton:** Well done.) Nevertheless, we hope to

be able to agree a programme with him, as we would certainly wish him to complete his review within the six months' timescale proposed by the Home Secretary.

I think, Mr Speaker, that brings members up to date. We remain unhappy with the way the announcement of this review has been handled by the Home Office, although we have no problem with co-operating with the review. I think our response has been a responsible one and I have been pleased with the endorsement of our stance by a number of members of our Island's business community who share our view that we have nothing to hide and that there may well be considerable benefit for the Island from the review if, as we expect, Mr Speaker, it confirms the quality of our legislation and regulatory arrangements. May I thank you, Mr Speaker, for this opportunity.

**Members:** Hear, hear.

**The Speaker:** Thank you, Chief Minister. Can we then, hon. members, turn to item 10. . . The hon. member for Onchan, Mr Karran.

**Mr Karran:** Vainstyr Loayreyder, are we going to have the opportunity to ask any questions about this public statement?

**The Speaker:** If you wish to ask a question, sir, certainly no member had caught my eye. Hon. member.

**Mr Karran:** Would the Chief Minister be asking the adjacent isle that, if we are having a review of our finance sector, I hope that we will be seeing a review of the City of London as far as their financial sector is concerned and over the small fact that more likely what goes through here in a decade or two decades goes through in a day in the City of London as far as dirty money is concerned? Can the Chief Minister tell this hon. House, are these actions of the adjacent isle anything really to do with the financial sector or is it to do with the fact that they want to start interfering with the internal affairs of this country?

**Mr Gelling:** Personally the last question, Mr Speaker - I do not believe it is the first step of interference within the internal government of this Island. In fact, I think we have seen an apology already from Lord Williams as he has expressed his regret at the way in which this was handled. I believe that it was something that was put upon us by another part of the United Kingdom Government, and of course the Home Office are the people that we deal with and they were carrying through the instructions given to them, but I would hope certainly that this is, as was described, a blip rather than a campaign to interfere with our internal government here in the Isle of Man.

An interesting point brought up with the first question, Mr Speaker, that being the City of London. Of course, I would hope that after the review of our legislation it will be very easy then to compare our regulations and our codes of conduct, but it will certainly be also extremely interesting to see how, in fact, those regulations and legislation are operated in the City of London, because certainly I would suggest that the way it is done in the Isle of Man is second to none.

**Mr Rodan:** Mr Speaker, in thanking the Chief Minister for his extremely fulsome and helpful statement to this House, can I ask him if the consideration he indicated was going to take place by the Council of Ministers on the handling by the Home Office and the channels of communication with the Island will include defining exactly what is meant by formal and

informal channels of communications with the Isle of Man and indeed normal channels of communications? Would he agree that an informal notification via the Lieutenant-Governor, which was then followed by certain formal instructions as to how that informal communication was to be treated, requires examination and can he assure us that there will also be examination of whether the position of a senior civil servant may have been compromised in terms of the Civil Service Act, particularly in relation to actions as an officer of the Crown and actions as a public servant, and whether in turn those actions might have put the Chief Minister in the intolerable position in which he found himself?

**Mr Gelling:** Mr Speaker, I think in the answers to the questions in the House of Commons it was made quite clear that the formal invitation to the islands was in fact dated Monday 19th, and it was Monday 19th when the formal invitation was actually sent to the islands. That is why I said in the statement that I felt that the Home Office were trying to be helpful inasmuch as then there was an informal communication from them through the proper channels to His Excellency to, I suppose you could say, tip him off that this was going to happen on the Monday, to enable some preparation to be made so that it would not come as quite a shock to us on the Monday. If there is any consolation I would say that with our system in the Isle of Man being different to that of the Channel Islands, I was the first political person of the three islands to know for the simple reason that I understand that Jersey were not aware until late on Monday and Guernsey in fact were not aware until the Tuesday morning, so that is the way it actually works. The system that the hon. member has questioned is a system that works exceedingly well inasmuch as the Isle of Man is always informed prior to the other two islands because the information comes directly into the Chief Secretary, who of course took the place of the Government Secretary. So the system has worked well to date.

However, this having happened, I think it is something that the Council of Ministers already have discussed. Inquiries have been made. We know now exactly what, how and why this has happened and certainly it is something that we will be considering, because the one thing that I felt was unacceptable was the position that our Chief Secretary found himself in; that is something that I regret because he was under confidential cover, and he was not allowed to inform anyone until the Monday morning. I find that unacceptable. (**Members:** Hear, hear.) He was in a very, very difficult position, but that is the position that he is in, because he took the position of Government Secretary and it was the way in which our evolution of the system, I have to say again, Mr Speaker, is far ahead of our Channel Islands people.

**Mr Cretney:** Mr Speaker, would the Chief Minister agree with me that it would be useful for the United Kingdom Home Office to acquaint itself with the differing constitutional positions of the Isle of Man and Jersey and Guernsey regarding the development which has occurred here over the past 10 years in particular?

**Mr Gelling:** Yes, indeed, and I think that is something that we should at least give a little bit of credit to ourselves for - that we have advanced. This particular case - again it could very well be with a new administration that the instruction was given by another committee other than the Home Office - they were the messengers - that they were not to actually inform the political government of any of the islands until the Monday, and that is why I firmly believe that the Home Office, the people that we deal with, were actually trying to be helpful in giving us that prior information. When I say 'giving us', not me, but giving His Excellency and the Chief

Secretary that earlier indication so that he was able to start to prepare some of the information that we would require then on the Monday morning.

**Mr Karran:** Vainstyr Loayreyder, with this statement that has come from the Chief Minister, would he not agree, with his statement and the actions that have happened over the Chief Secretary, that firstly it highlights that the Civil Service has had a disproportionate control and involvement as far as his Council of Ministers are concerned in his administration and in the previous administration, and would he also tell this hon. House with his statement, what actions is his government going to take over the fact that the adjacent island's government is more interested in other things in the finance industry, and what is his government going to do to protect the constitutional armour of this Island and stop making you with fancy titles into a laughing stock as far as calling yourselves ministers when you allow the Royal Assent to be on the advice of a government where the Manx people have no control or no mandate over the people in the adjacent island? What is your Council of Ministers going to do as far as protecting this Island's constitutional armour and get away from the image of some sort of pseudo-County Council of Surrey or Sussex or wherever else, but not as a national government?

**Mr Gelling:** Yes, the hon. member for Onchan does not change, Mr Speaker! I would hate for something to come out of this without due and serious consideration of the whole issue, which involves a meeting at the Home Office in London, because I would hate for us to go into reverse; that is what could happen for the simple reason that we have steadily progressed along a way of developing the Island more independent, and with more independence for us with the Governor no longer presiding over our government here we are streets ahead of the adjacent isles to which we speak. This is something that I have been considering and I have met with the Chief Secretary and I have a look at the leaflet that was sent round this morning by the hon. member, Mr Cannan, which defines quite clearly the office of the Chief Secretary. That is the situation we have, that is the situation we have operated under and, as I have said, it has done us proud; it has worked extremely well. I would hate this blip now to cause us a problem, because we want to steadily go forward, not have, as the hon. member again is fond of, a knee-jerk reaction. That is something I would not wish, Mr Speaker.

**The Speaker:** Hon. members, I think that we should say thank you to the Chief Minister (**Members:** Hear, hear.) for the open manner in which he has brought the information to this hon. House, and I am sure that due attention will be paid to the questions which you have asked in relation to the information which he brought in his statement.

### **Bills For First Reading**

**The Speaker:** We then continue with our order paper and I call upon the learned Secretary for items 10 and 11 on the order paper.

**The Secretary:** The Police Powers and Procedures Bill, Mr Bell; the Estate Agents Bill, Mr Quine.

### **Mental Health Bill - Council Amendment Approved**

**The Speaker:** Turning then, hon. members, to item 12 on your order paper, the Mental Health Bill, we have for consideration a Council amendment and I call upon the hon. member in charge, the hon. member for Garff, Mr Rodan.

**Mr Rodan:** Thank you, Mr Speaker. The Council amendment which is before us this morning relates to clause 27 and I hope the text of the amendment has been circulated with the agenda paper. Clause 27, as amended by the Keys - when it appeared at the Legislative Council it was brought to the Council's attention that there had been a small omission in the drafting of the amendment to clause 27, which had been moved in this House by the hon. member for Onchan, Mr Karran. Sub-clause (4) requires a copy of the responsible medical officer's report to be supplied to the nearest relative who needs it so that he can apply to the tribunal. However, in clause 27, as amended, it is expressed to apply only in the case of a patient who is liable to be detained in pursuance of an application for treatment and that wording, while it is consistent with clause 27, sub-clause (2), the intent had been that it ought also to apply in the case of a patient under guardianship. It is for that reason, Mr Speaker, that I would move that the amendment made by the Council, that in sub-clause (4) after the word 'treatment' there be inserted 'or is subject to guardianship', be accepted by this House as a technical correction to what had been a drafting omission. Thank you, Mr Speaker.

**Mr Cretney:** I beg to second, sir.

**The Speaker:** Hon. members, the motion is that the House should agree with the amendment to clause 27 as proposed by the Legislative Council. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

### **Brewers (Amendment) Bill - Second Reading Approved**

**The Speaker:** We then turn to item 13 on our order paper and I call upon the hon. member for Rushen, Mrs Crowe.

**Mrs Crowe:** Mr Speaker, in formally moving the second reading of the Brewers (Amendment) Bill 1997, I would like to explain the reasons for the Bill, what it permits, and what it prohibits.

The Bill is promoted by Treasury. The Bill amends the 1874 Act to allow the industry to react to changes in technology and developing market trends in the brewing world, whilst safeguarding and indeed strengthening our own world-recognised beer purity standards. The Bill will clearly define Manx beer, making it consistent with the definition in the Alcoholic Liquor Duties Act 1996. It will remove unnecessary references to some prohibited ingredients. Provision will also be made to enable Treasury, by order of Tynwald, to grant exemptions from restrictions found in the 1874 Act.

In summary, this amendment Bill is introduced to protect the fine reputation of the Isle of Man's brewing industry whilst giving it flexibility to compete. It is unfortunate that the consultative process was not as wide-ranging as I would have liked; however, this has now been rectified and I have the support of the brewing industry. It is also unfortunate that the Press misunderstood aspects of this Bill and that the reporting of them was not only potentially damaging to our brewing industry but also to the Island's unique image as an ale drinkers' paradise.

This Bill is worthy of the support of the House and I beg to move the second reading of the Brewers (Amendment) Bill 1997.

**Mr Corkill:** I beg to second and reserve my remarks, Mr Speaker.

**Mrs Cannell:** Mr Speaker, I have to say I am a little bit disappointed that the full consultation did not take place prior to the first reading of this particular Bill, but I appreciate

that now some consultation has been taken by the mover of the amendment. What I would like to ask is that, given the parts that are to be taken out in (5) on page 2 here, the words that are to be deleted, hon. members fully appreciate that the terminology that is used here and the words are old and they originate from the 1874 Act, but nevertheless they were put there for a very good reason. Some of these definitions mean things like arsenic -

**Mrs Crowe:** Arsenic?

**Mrs Cannell:** Yes. Some of these definitions have certain meanings, and today we can say, well, we would hope that any brewer in the Isle of Man or elsewhere certainly would not be putting any of these ingredients in their beer. I think we can safely say that they are not, but nevertheless in the old 1874 Act it is specified that nobody brewing beer would use any of these ingredients. In fact, they are prohibited.

Now, the amendment to the Brewers (Amendment) Bill 1997 seeks to remove what is regarded as unnecessary provisions. I do not see a case being made here for the removal of these particular provisions. If we do remove these provisions, are we then saying to brewers that it is quite alright, you can go ahead and put Guinea pepper, grains of paradise, opium et cetera in your beer when brewing it because we have removed them from the law? That is the first point. I see no explanation as to why they are unnecessary for removal from the 1874 Act, and I would like the mover of the Bill to fully explain why they need to be removed.

I would also ask that members consider that the terminology used in the 1874 Act is a very valuable marketing tool for beer that is brewed in the Isle of Man, and a lot of beer which is brewed in the Isle of Man is actually exported all around the world. One of the three Island brewers actually incorporates with his dispatch to countries around the world a copy of the old 1874 Act as a marketing tool and the people purchasing our Manx beer brewed here under the old Act like a copy of that old Act and it is exhibited all over the countries around the world. What seems to me to be happening here is that certain flexibilities are being sought, possibly for Treasury to be able to placate one of our three Island brewers, but again there has been no explanation as to why these changes are necessary.

Now, if I can just look onto page 3 and draw members' attention to page 3 under the schedule in 2, and this is where sugar appears. It says, ' "Sugar" shall include syrup of sugar and any saccharine matter.' Now, that wording does appear in the old 1874 Act and I would have thought that if any move was made to amend and bring up to date, then it is this very point that ought to have been looked at, and that is to say that the definition of 'sugar' was to include syrup of sugar and any saccharine matter when it was originally introduced in the 1874 Act. It was therefore intended, at that time, to be a natural sweetener, since saccharine number 'E' was unknown at that time. The use of the term saccharine is somewhat confusing nowadays since people will automatically think of saccharin, which is a distinct chemical entity. If artificial sweeteners are to be permitted this would need to be extended to other such matters as aspartame and sorbitol. The latter is commonly used in diabetic sweets et cetera and also acts as a laxative, not that I would care to think that brewers would want to include that particular ingredient in their beer. I do not think it would do well for the sales! Nevertheless, the definition of sugar, I would have thought by today's standards, does need to be clarified, and I would suggest that the mover of the Bill considers removing the saccharine matter aspect to the definition of sugar because that really is an unnecessary provision in this day. If that were to be left in, then it ought to go a little bit further and include some of these

other matters which I have mentioned to hon. members today. There are naturally occurring sugars such as honey, sucrose, glucose, fructose, lactose. They are all examples of natural sugars and the definition should include those and perhaps discount this artificial sweetener concept of today's standards.

I would just like to clarify that with regard to brewing beer we, as I understand it, are renowned along with Germany in the world for producing pure beer - that is to say, pure beer under the old 1874 Act. Will our status in relation to that change if this amendment Bill were to be approved here today? As I understand it, in Germany they are allowed to brew using only water, malt, yeast and hops and there is no inclusion of sugar or saccharine matter. So I want to ask, how will we stand up against our German competitors in the production of natural beer?

If I could just finally mention - I hope it will be helpful; I am not a beer drinker myself but I would have thought those in this hon. House would be interested, those who drink beer - for the mover, the chemical definition of sugar is  $C_{12}H_{22}O_{11}$ , and that is the point I am asking for her to clarify. But also finally, just to wrap up, to make a case for us today of removing these other ingredients which include opium, and also if she could answer that in removing these, are we then sending a message out to the brewing industry to say that these are no longer exempted ingredients and that if you are going to produce beer on the Isle of Man you can include these ingredients - opium and everything else?

Finally, if the hon. mover is not prepared to take this back and look at it again, with Treasury, then I am afraid I would have to go against this particular Bill. I have not heard a case being made to date. I realise that the next stage will be the clauses stage; there is very little by way of clauses or amendments that one could expect to make it more acceptable to me. I feel that this Brewers (Amendment) Bill, if approved, will not do our brewing industry any good whatsoever on the Isle of Man, it will be a detrimental move and therefore I cannot and will not support it unless large changes are made.

**Mr Corkill:** Mr Speaker, firstly with regard to the previous speaker's comments, which was a criticism of the consultative processes if this Bill is progressed, if that has been the case, then as Treasury minister I obviously apologise to this hon. House for that and to the brewing industry. I have to say that in this hon. House we tend to inherit previous situations wherever we move to, whichever department we end up with, and certainly I was quite surprised to find that the Brewers (Amendment) Bill was part of the Treasury responsibility. In fact, when I looked at the legislation and I saw that it dated back over a hundred years then I have to say that I started to look at it with some trepidation, because obviously legislation that is that old tends to be full of ingredients, literally, that date back to a previous time, in fact to the Victorian era. I can fully understand the enthusiasts who protect the real ale situation on the Island and I think that that is a good thing.

The motivation for the whole of this Bill is to enhance and to protect the brewing industry on this Island, and I want to make that point quite clear: this will, I believe, reduce the importation of beers to this Island, it will encourage brewing locally and I think that has to be a good thing. Treasury has a structure of duty which also encourages beer to be produced locally. So I think Treasury's conscience is quite clear in what we are trying to achieve. If the consultation has been cut short I apologise for that, but as this Bill did develop through Treasury it seemed to the members of Treasury that obviously the consumer was an issue in

this consideration, and I was very pleased that the hon. member for Rushen, Mrs Crowe, the Chairman of the Board of Consumer Affairs, agreed to take this Bill, because that is a dimension that this hon. House will have to consider as the legislation is progressed.

I would urge members to support the second reading because, as the previous speaker, the member for East Douglas, mentioned the word competition with German beer producers, we are not just in competition with that brewing industry, we are in competition with brewing in the United Kingdom which is much closer, much more of a threat to our brewing industry and the jobs locally. Therefore I would urge members to support the second reading.

With regard to the detail on ingredients - these out-of-date terms such as Guinea pepper and grains of paradise et cetera - they can be fully explored, fully debated as we go through the clauses stage which, obviously as the structure of legislation is done in this hon. House, will aid the understanding of the Bill as it progresses. But certainly at this stage, I see no reason to vote against the second reading of the Bill.

**Mr Singer:** Mr Speaker, very briefly, large volumes of Manx beer obviously are imbibed every year and whilst the hon. member for Treasury says we have to protect the manufacturer, we also have to protect the consumer. If we look carefully at the offences which are mentioned under the Act here, they would be, in my view, deliberate and not accidental and therefore extremely serious. The maximum penalties, in my opinion, therefore are not adequate for the modern times, and I believe they should be at least five times the amount specified in the Act to ensure that we do protect the consumer and I would ask the hon. mover to look at this matter.

**Mr Rodan:** Mr Speaker, just one or two comments, really. I would just put on record that firstly the lack of consultation, I think, is regrettable but it has been fully dealt with and I am quite prepared to accept the explanations that have been given.

Now, it has been put to us that this amendment Bill is designed to strengthen the original 1874 Act which, it is said, has not kept pace with developments in the brewing industry. I can certainly see that the fuller definition of beer, on page 1 of the Bill, is a good deal better than the original definition of beer in the 1874 Act, which simply says 'Beer shall include ale and porter'. This new definition matches up with the Alcoholic Liquor Duties Act of 1986 and clearly it is helpful to have the same definitions in both Acts but, as has already been referred to, we are proposing to amend section 18 of the 1874 Act by taking out. . . well, we are not taking out, but we are saying that certain terms shall cease to have effect, but in one instance in section 18 we are taking out, we are deleting words 'copperas, coculus Indicus' et cetera, 'opium', and replacing that with reference just to other ingredients. I just wonder why the need is seen to do this. Unnecessary references to certain prohibited ingredients are removed - why are they unnecessary? What is the harm in leaving those references in place? All we are saying is that these substances are not to be allowed as substitutes for malt, sugar and hops in beer, neither are they or any other substitute. I cannot see the advantage in taking out or watering down the references because, admittedly they are archaic terms, they are very old fashioned words, but they actually do have specific meanings, albeit Victorian meanings, but they are references to actual substances that still exist, admittedly for a long, long time never, if ever, actually being used in beer making, but they still exist and they have chemical equivalents.

Now, I can assure the House that there was never any question of arsenic being present in beer (**Mrs Crowe:** Thank you.); however, it is possible the hon. member for Douglas East was thinking of nux vomica - that is, the dry seeds of strychnos nux vomica which contain not less than 1.2 per cent strychnine, which is a stimulant, as you can imagine, of the central nervous system. Similarly there are definitions, I do not propose to bore the House, but there are definitions for grains of paradise, which comes from a West African plant, coculus Indicus, which is a Malayan shrub, and there are certain respiratory stimulants of known quantities in the extracts and they were used at one time as artificial strengtheners in fermented liquor. So we accept that no brewer in his right mind is going to, if he can obtain these ingredients, seek to use them, but I see no harm in them being left in the original wording of the Act, and I see no need either to remove them or to state that they shall cease to have effect because leaving them in does nothing to, I would suggest, lessen the enforcement of the Act.

Now, in clause 1, we are being asked, after section 18 of the 1874 Act, insert a new section 18(A) by which the Treasury, by order of Tynwald, after Tynwald approval, 'exempt from the prohibition contained in section 18', i.e. no ingredients apart from malt, sugar and hops, 'the use or possession of any article, ingredient or preparation specified in the order;'. Now, can the mover just make absolutely clear what that means? Does that mean that by application to the Treasury a brewer can apply to have, in addition to malt, hops and sugar, other ingredients added - in other words, the restrictions of section 18 can be relaxed a little to permit other ingredients? Is that what that actually means? If so, then arguably the original Act is not being strengthened it is being amended to allow additional ingredients and has the potential, I would suggest, to remove the aims of the purity aspects which certainly the 1874 Act had in mind and which this amendment Bill, I think, has the intention to preserve and certainly in the case of the industry is used, as has been mentioned, as a very valuable marketing tool. So I wonder if the mover could just clarify one or two of those matters. Thank you.

**The Speaker:** I call upon the hon. member for Rushen, Mrs Crowe, to reply to the debate.

**Mrs Crowe:** Thank you, Mr Speaker. I thank Mr Corkill for his support and I would like also to reiterate to the member for East Douglas, Mrs Cannell, that arsenic never has and never will be added to 'Manx beer'. Now by clearly defining Manx beer and removing the items and ingredients listed such as nux vomica, what the Act says is that only hops, malt, sugar and water can produce Manx beer. No other substances will be allowed.

Now, the reason for the amendment, which, I might add, does have the full support of the brewing industry, was to clarify this position and, as the hon. member for Garff has already mentioned these ingredients again, the reason for legislation is to stand up in a court of law, and things like nux vomica, grains of paradise particularly, Guinea pepper are not clearly defining what we allow in beer. So we have said, 'no other substances.' It is going to be pure Manx beer.

The other point raised by Mrs Cannell was the point about saccharine. Now I fear, surrounded by chemists, you are going to have to listen to a little bit of a chemistry lesson, because the whole of the brewing industry uses the term 'saccharine' instead of sugar, and indeed I know from my dealings in the Board of Consumer Affairs, where we use a hydrometer to measure volume, in the brewing industry this instrument is called a saccharometer- exactly

the same instrument but the use of saccharine is a brewing term. I refer to the 1898 Laboratory Text Book for Brewers, which defines starch saccharines as consisting of maltose, dextrose, which is glucose, and a certain proportion of dextrin, which are naturally occurring sugars. The particular stage of the brewing process where malt starch is turned into sugar is called the saccharification stand. This is nothing to do with saccharin, without the 'e', which is an artificial sweetener also known as 2,3-Dihydro-3-oxobenzisulfanzole . . . I could have actually asked the chemist for a little help on this! However, it goes on. So 'saccharin' in no way should be confused with 'saccharine', which is a brewing term for sugar.

I might also add that there was mention of the German purity laws and the Manx purity laws. Now, in fact German purity laws only apply to top fermented beers and no other beers. So there is the distinction there, and indeed I would suggest that these laws that we are bringing in would be stronger purity laws than at present in Germany. I might also add that some continental beers do at present add artificial sweeteners such as saccharin to their beers.

Mr Rodan made mention of the exemption orders. By application to Treasury for an order to be placed before Tynwald, it will allow our local brewers to compete in, for instance, brewing speciality beers. We have all seen the supermarket shelves packed with beers with the most extraordinary names, like 'Frog Leap' or whatever it might be; now, if our local brewers wanted to brew a Manx honey beer, at present they could not do so under the legislation, but by applying for an order we could have Manx gorse beer, Manx honey beer, Manx oyster beer, whatever. So it would allow our brewers to compete. There could also be an exemption for brewers to be allowed to brew beers under licence. These would not be called Manx ales or beers but would be brewed under licence. So, for instance, instead of importing a beer from the UK, there is no reason whatsoever why our fine breweries over here could not reproduce that beer to save the importation of a product and increase the brewing industry.

I think I have covered all the questions that were asked of me and I do hope that the House will support this Bill on behalf of the brewing industry. I beg to move.

**The Speaker:** Hon. members, the motion is that the Brewers (Amendment) Bill be now read for a second time. Those in favour please say aye; against, no. The ayes have it.

*A division was called for and voting resulted as follows:*

*For: Messrs Gilbey, Cannan, Quine, Rodan, Sir Miles Walker, Mrs Crowe, Messrs Brown, Houghton, Crowe, Cretney, Braidwood, Shimmin, Downie, Mrs Hannan, Messrs Singer, Bell, Corkill, Kniveton, Gelling and the Speaker - 20*

*Against: Mr Duggan and Mrs Cannell - 2*

**The Speaker:** Hon. members, the motion carries with 20 votes being cast for and 2 against.

Hon. members, that brings to a conclusion our order paper for this morning. The House will now stand adjourned until Tuesday next at 10.00 a.m.

*The House adjourned at 12.03 p.m.*