

**REPORT OF PROCEEDINGS OF
TYNWALD COURT**

**Douglas, Wednesday, 18th March 1998
at 10.30 a.m.**

Present:

The President of Tynwald (the Hon Sir Charles Kerruish OBE LLD (hc) CP). In the Council: The Lord Bishop (the Rt Rev Noël Debroy Jones), the Attorney-General (Mr W J H Corlett), Hon C M Christian, Messrs J R Kniveton and E G Lowey, Hon E J Mann, Messrs J N Radcliffe and G H Waft, with Mr T A Bawden, Clerk of the Council.

In the Keys: 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); Hon D North (Middle); Mr P Karran and Hon R K Corkill (Onchan); Mr 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, Clerk of Tynwald.

The Lord Bishop took the prayers.

Papers Laid Before The Court

The President: This morning, hon. members, we turn to order paper no. 1 and I call upon the learned Clerk to lay papers.

The Clerk: I lay before the Court:

Harbours (Isle of Man) Act 1961 -

Harbour Dues (Pleasure Vessels and House Boats) Regulations 1998 [*SD No 64/98*]

Partnership Act 1909 -

Partnership (Amendment) Rules 1998 [*SD No 49/98*]

Food Act 1996 -

Specified Risk Material Regulations 1998 [*SD No 67/98*]

Highways Act 1986 -

Highway Extinguishment (Victoria Pier Approach Road, Douglas) Order 1998 [*SD No 39/98*]

Highway Extinguishment (King Edward VIII Pier, Douglas) Order 1998 [*SD No 40/98*]

Investment Business Acts 1991 to 1993 -

Investment Business (Exemption) (Miscellaneous) Regulations 1998 [*SD No 22/98*]

Financial Supervision Act 1988 -

Financial Supervision (Recognised Schemes) (United Kingdom) Order 1998 [*SD No 51/98*]

Customs and Excise Act 1993 -

Dual-Use and Related Goods (Export Control) (Amendment No. 4) Regulations 1997 (Application) Order 1998 *[SD No 15/98]*

Export of Goods (Control) (Amendment No. 3) Order 1997 (Application) Order 1998 *[SD No 16/98]*

Export of Goods (United Nations Sanctions) (Sierra Leone) (Amendment) Order 1997 (Application) Order 1998 *[SD No 65/98]*

Value Added Tax Act 1996 -

Value Added Tax (Drugs, Medicines and Aids for the Handicapped) Order 1998 *[SD No 17/98]*

Betting Act 1970 -

Betting Duty Regulations 1998 *[SD No 62/98]*

Social Security Act 1982 -

Social Security Legislation (Application) Order 1998 *[SD No 81/98]*

Family Income Supplements Act 1985 -

Family Income Supplements (Computation) Regulations 1998 *[SD No 82/98]*

Supplementary Benefits Act 1976 -

Supplementary Benefit (Requirements and Resources) (Amendment) Regulations 1998 *[SD No 83/98]*

Social Security Act 1986: Social Security Contributions and Benefits Act 1992 -

Social Fund Maternity and Funeral Expenses (General) (Isle of Man) Amendment Regulations 1998 *[SD No 84/98]*

Contributions and Benefits Act 1992 -

Pensioners' Lump Sum Payments Order 1998 *[SD No 85/98]*

Shops Act 1985 -

Shops Act (Temporary Exemption) Order 1998 *[SD No 52/98]*

High Court Act 1991 -

High Court of Justice (Audio Recording) Rules 1998 *[SD No 89/98]*

Reports -

Report of the Council of Ministers on the Implementation of the Recommendations of the Select Committee on Law and Order

Report of the Council of Ministers on the Method of Appointment, Powers, Duties and Remuneration of Coroners

Burials Act 1986 -

Burial Grounds (Maximum Rate) Order 1998 *(SD No 86/98)*

Copyright Act 1991 -

Copyright (Certification of Licensing Scheme) (Educational Recording Agency Limited) (Amendment) Order 1998 *(SD No 66/98)*

Appointed Day Order -

High Court Act 1991 (Appointed Day) (No. 2) Order 1998 *(SD No 110/98)*

Report -

Isle of Man Government Financial Information and Miscellaneous Accounts for the year ended 31st March 1997 additional to the published Government Accounts and the Report of the Public Auditors on the Accounts of Local Authorities for the year ended 31st March 1997.

European Communities -

European Communities Instruments circulated during December 1997 (GC No 5/98)

**Council Of Ministers And Departments - Ministerial Changes -
Question By Mrs Cannell**

The President: We move to the question paper, hon. members, and I call upon the hon. member for Douglas East, Mrs Cannell, to ask the question standing in her name.

Mrs Cannell: Thank you, Mr President. I beg leave to ask the Chief Minister:

Is it your intention -

- (a) to advise changes in the present membership of the Council of Ministers; and*
- (b) alter the departments to which ministers are presently assigned?*

The President: The Chief Minister to reply.

Mr Gelling: Mr President, I have made it clear that I want to consult with members individually on their present membership of departments, their workloads, and on general aspects of the present administration. I am also conscious that there will be changes in the membership of both the Legislative Council and the House of Keys as the result of the recent Legislative Council elections and an election still to come.

I will be reviewing ministerial appointments and also departmental memberships once the programme of consultations and the elections is complete. I am not therefore of course in a position at this stage to say whether I will propose any changes.

Mr Cannan: A supplementary. Has the Chief Minister taken proper notice of the fact that just two weeks ago the Members of the House of Keys, in a secret ballot, expressed a view that perhaps they were less than satisfied with the Department of Health and Social Security?

Mr Gelling: Mr President, I have taken note that the hon. member was elected, with the 13 votes required, to the Legislative Council.

Members: Hear, hear.

Mr Singer: Mr President, does the Chief Minister accept that criticism received by the Treasury minister from members of this Court during yesterday's budget indicated that the Court felt that a reshuffle should include, definitely include, the political members of the Treasury so that new ideas can be incorporated into government fiscal policy?

The President: Hon. member, if you have a question, ask it, please.

Mr Singer: I said does the Chief Minister accept, Mr President, that the criticism -

The President: It is a supplementary to question number 1.

Mr Singer: I was linking it with that.

The President: Proceed.

Mr Singer: And, secondly, does the Chief Minister accept that a reshuffle may be necessary because ministers tend to dismiss questions with what they consider clever or curt answers and are not doing neither him nor the Council of Ministers' reputation any good?

The President: That is not a related question to question number 1. The hon. member, a supplementary?

Mrs Cannell: Thank you, Mr President. Would the hon. Chief Minister not regard that there are capable members available within the House of Keys to fulfil the role of new ministerial positions?

Mr Gelling: Mr President, there are many capable members of this Court and obviously those capable members are in positions within this government to work for the Isle of Man and its people and therefore I would suggest that, being just over 12 months into this administration, members should be a little more patient to perhaps allow this administration to settle in before going in the hunting season for ministers.

Mr Gilbey: Hear, hear.

Year 2000 - Computer-Related Problems - Question By Mr Waft

The President: Question number 2.

Mr Waft: Mr President, I beg to ask the Minister for the Treasury:

What progress has been made by the information systems division in addressing the computer-related problems associated with the year 2000?

The President: The Minister for the Treasury to reply.

Mr Corkill: Thank you, Mr President. I am grateful to the hon. member for bringing this topic to the Court's attention and for providing me with an opportunity to advise members and the community at large of the further progress being made.

The year 2000 project team within the information systems division of the Treasury is addressing this issue on two fronts: firstly, the government's own internal systems, and secondly, the effect on the Island's business community.

In respect of the government's own internal systems I am able to advise that the objective has been set to ensure that government computer systems are compliant by the end of this year, December 1998, and that the automated control, also known as embedded chip equipment, is compliant before the end of 1999. This includes items such as fax machines and even traffic-lights.

I advised members last April that initiatives had already commenced to ensure that all hardware purchased thereafter was year 2000-compliant and that all packaged software procurements included a year 2000 compliancy statement in the requirement specification issued to potential suppliers.

The replacement mainframe, the purchase of which was approved by this Court last November, has been delivered and installed. Development and testing of software can therefore commence on schedule at the beginning of April.

In order to assess the extent of the problem facing us an awareness campaign was mounted throughout government during the summer of 1997. This was followed in the autumn by a request to departments to identify all systems and equipment and to determine and advise how critical each is for the continuity of their business. This information is being collated centrally by ISD to create an inventory so that an overall view across government of the size of the problem and the relative priorities can be reached. This is a considerable exercise which has not progressed as quickly as was originally planned. However, it is expected that all the requested information will be returned by the end of this month.

Many of the government's major systems are already provided by ISD and software remedies will be developed and implemented from next month, utilising the new mainframe as originally planned. Other applications, including the new income tax system, are already being developed as year 2000-compliant.

Any further expenditure on necessary replacement of computer hardware, packaged software, or embedded chip equipment will only be identified on completion of the inventory and it is probable that departments will need to review their contingency plans in respect of some lower priority systems. A year 2000 newsletter is being produced and will be published at intervals to keep departments informed of progress with the project and with more general aspects of the year 2000 issues.

With regard to the implications for the Island's business community, I am able to inform members that ISD mounted a publicity campaign to increase awareness, aimed at the businesses on the Island. A number of successful seminars were held, some in conjunction with the Isle of Man Bank, and a survey was conducted last autumn amongst organisations registered for data protection purposes. The response rate was over 30 per cent.

A significant finding, following an analysis of those responses, was that some 38 per cent of businesses felt that they would need some technical guidance to address the problem. ISD has been discussing with the UK's National Computing Centre how best such a need might be met and are now engaged in introducing the year 2000 business assurance scheme developed by the National Computing Centre and shortly to be implemented widely in the UK by the business link network. Over 20 assessors have been identified within companies in the private sector on the Island and their training has been arranged for later this week.

It is intended that the scheme will have a high-profile launch in mid-April. Whilst the scheme itself will not resolve all the issues, it will provide businesses with a comprehensive report, including an action plan. It will also provide an assessment of the level of risk that applies to the business and the position of that business relative to other businesses in the same sector. Both parts of this project are supported by a government helpline which is available by telephoning 642000 and will shortly be available also via e-mail helpline at y2k.gov.im.

Mr Waft: I thank the minister for his reply.

Capital Schemes - Cost - Question By Mr Duggan

The President: Question 3, the hon. member for Douglas South, Mr Duggan.

Mr Duggan: Mr President, I beg leave to ask the Minister for the Treasury:

What is the current cost of each of the capital schemes -

- (a) *proposed by the government; and*
- (b) *which the government is committed to undertake?*

The President: The Minister for the Treasury to reply.

Mr Corkill: Mr President, I have not prepared a great detail of oral answer for the hon. member's question and I am aware that this question was tabled prior to the budget debate of yesterday where in fact issues of capital expenditure were covered in detail, but I would refer the hon. member to page 59 of the Policy Review, volume 1, and page 23 of the Isle of Man Budget just approved.

The individual schemes are detailed in the respective department estimates in the Pink Book. For example, on page 54, the Department of Health and Social Security, there are 21 schemes in the committed section.

I am certain that if there is any particular scheme the hon. member is wanting information on, Treasury will be able to help him in that respect and in fact it is contained in this year's Pink Book.

Mr Duggan: A supplementary, Mr President. Has the minister taken into account the lack of suitable tradesmen when he is looking at these schemes, which has got to affect the cost, and also planning delays? So when you are looking at these schemes, minister, have you taken into account the costs on those matters?

Mr Corkill: Certainly with regard to the capital programme, Mr President, of course not all the items in there are in relation to the construction industry, there are other issues that are of capital expenditure, but I take on board the hon. member's concern about a potential shortage of skilled tradespeople.

However, the issue to do with planning of course also has a habit of delaying capital programmes, but what I would urge departments to take into account is that I believe they underestimate the length of planning sometimes when they are trying to deliver a capital programme. It always seems to take longer than they anticipate. Thank you.

Mr Kniveton: Mr President, I would like to ask the Treasury minister, what is the actual total amount of funding set aside for capital schemes in this present financial year which has not been used because schemes have not been progressed and what are the main schemes in that connection?

Mr Corkill: I have not got that information readily to hand for this oral answer, Mr President. The capital programme is only some 37 per cent expended this year, but I will furnish the hon. member with the details he asks for.

Mr Karran: Eaghtyrane, does the minister not agree that his original response to the hon. member for South Douglas was not as informative as this Court should get, and secondly, would he not also agree that it is important that we do not plough on with capital schemes just so that it looks good on our books when some of these schemes are not well thought out in the first place?

The President: Hon. members, there is an increasing abuse of Question Time and the questioner is now questioning the reply given by the minister as to whether it is the right reply.

Hon. members, we had better get down to brass tacks on this one and I will permit related questions in the future, but after this, unrelated will strictly be out. Reply, minister.

Mr Corkill: At the risk of sounding arrogant, Mr President, (*Laughter*) which I will struggle not to be in the light of what was said yesterday, I take on board what my hon. colleague from Onchan has just said, that perhaps this question could well have been more detailed in the way I have responded to it, but I find it hard to believe that I can provide any more detail than what was contained in the Pink Book which we spent all day upon debating yesterday.

Now, having spoken to the hon. member for South Douglas, Mr Duggan, prior to Question Time, he actually made the point to me that a lot of the issues were debated yesterday and in fact his question was put down some time in advance of that, and I respect his point being made in that respect prior to Question Time. Therefore my answer was brief as a result of that.

Personal Pensions - Choice - Question By Mr Rodan

The President: Question 4, the hon. member for Garff, Mr Rodan.

Mr Rodan: Mr President, I beg leave to ask the Minister for the Treasury:

Are you satisfied that Island residents have sufficient flexibility when choosing a personal pension?

The President: The Minister for the Treasury to reply.

Mr Corkill: Mr President, if by flexibility the hon. member is meaning choice, then I would respond that, as an Island with its naturally limited market on simple cost-benefit principles, the number of providers prepared to enter the market is bound to be relatively restricted.

Even though for plan approval purposes the assessor would accept the presence of just one full-time representative of the product company as satisfying the resident administrator requirement, it appears that further problems come into play. Much as the marketing arms of various insurance companies are keen to set up business here, their aspirations are usually thwarted by their own head offices which cannot accommodate a split administration system and the further requirement of the United Kingdom revenue for the Manx element of their pensions business to be kept totally separate from the main United Kingdom part.

We nevertheless have on the Island at least seven of some of the better known insurance companies offering their various personal pension plan products to the Manx public. At least two other United Kingdom insurance companies have the question of entry into the Manx market under active consideration. Furthermore, as a result of the recent consultation process, interest also has been expressed by some of the local financial institutions.

Although the scene looks reasonably healthy and sound service is being provided by those already present, I would without question like to see the number expanded and the existence of more choice. However, if the hon. member happens to be considering the possibility of broadening choice simply by allowing the sale on the Island of policies that have been specifically designed for the UK market, then that would not be possible. Not only does the United Kingdom revenue require segregation of Manx and UK funds, they just would not tolerate the sale of United Kingdom-approved policies to Manx individuals. Non-compliance with that requirement would result in the United Kingdom revenue's approval for the product

being withdrawn. In any case, if a Manx resident were to participate in a United Kingdom-based plan, then there certainly be an exposure to a risk of having United Kingdom tax deducted from the pension arising. I am sure the Manx taxpayer would not appreciate that situation.

So although it might look to some that it is the assessor's powers of approval that possibly restrict product choice on the Island, that is not the case. You will now be aware that there are a number of factors which come together to cause the scene to be what it is.

Lastly, the hon. member may be aware of another consideration which it is hoped will increase the breadth of personal pension provision in the Island. The Insurance and Pensions Authority is currently engaged in the promotion of the proposals for an international pensions regime. It is envisaged that this initiative, together with the forward-thinking domestic fiscal and regulatory proposals, will encourage additional providers to consider the Isle of Man as a premier location for pension operations. Consequently this in itself should provide further scope for the local population in the matter of pensions choice.

Mr Rodan: Mr President, I thank the Treasury minister for his very interesting and comprehensive and helpful reply. Is he aware that of those seven insurance companies, approved to sell personal pensions in the Isle of Man, only three are in the top 20 of insurance companies with proven track records of personal pension performance in the UK? Would he agree therefore that this represents a very narrow choice for the public in the Isle of Man contemplating their personal pension provision? Can I ask him what he will do to try to widen that choice, bearing in mind what he has said about the need for a resident administrator, and, lastly, can I ask him, is it not the case that government has encouraged and continues to encourage people to make their own provision as far as possible for retirement in order to save the state resources in the future and therefore will he give very active consideration to the Income Tax Act 1989 to see what can be done to widen that choice for the public in the Isle of Man?

Mr Corkill: In essence, Mr President, I would agree that the consumer in effect should have a greater choice and I hope I made that clear in my initial response, that in fact it would be good to see more companies offering more plans, but in fact the problems, as I tried to outline, lie really at the heart of these larger companies off-island in the UK in as much as the marketing side of these companies wants to do the business on the Island but in fact the administrative burden that head office see it as actually restricts the situation.

I suppose the only thing that I can do in my capacity is that when coming across companies such as this who might wish to provide pension plans to the Island these issues are highlighted to the companies so that they themselves know fully throughout their own organisations the problems that occur.

But there are seven companies operating on the Island, but I take on board the hon. member's comments, but the issue does not particularly lie just with our Income Tax Act and the function of our assessor. It is a broader issue.

Extraction Of Aggregates - Question By Mr Downie

The President: Question 5, the hon. member for Douglas West, Mr Downie.

Mr Downie: Thank you, Mr President. I beg leave to ask the Minister for Trade and Industry:

- (1) *What is the expiry date for the licence to extract sand and gravel (aggregates) from the Ayres?*
- (2) *What other areas of the Island can be licensed by your department for the extraction of aggregates?*

The President: The Minister for Trade and Industry.

Mr North: Thank you, Mr President. The mining lease for the site referred to as the Ayres quarry will expire on 23rd February in the year 2001.

The department took the decision to approve this lease, which allows the operator to extract sand and gravel from below the water table on the expiry of the previous lease in February last year. In March 1995 the department also gave approval to a 20-year lease for an area to the south of the existing quarry, subject to the operator obtaining the necessary planning permission.

Assuming that the reference to aggregates in the second part of the question is to sand and gravel rather than the crushed rock quarried from various sites on the Island, the reply is that the Ayres is the only indigenous source of sand and gravel aggregate suitable for the production of concrete.

Mr Downie: A supplementary, Mr President. Can the minister confirm that the Department of Industry is fully supporting a planning application to extend existing extraction operations in land to the west of the A68 road at the Point of Ayre, and given the length of timescale required to determine a planning approval, would the minister not consider it appropriate for the application to be called in by an inspector at special inquiry in the national interest?

Mr North: Mr President, the answer to the first question is, yes, we are supportive, and the member for West Douglas is well aware of the Council of Ministers' decision not to call in that planning application.

Mr Downie: I would like to ask the minister if he can confirm that from July this year only sand and gravel from below water level will be available for extraction at the Ayres and without mixing it with another suitable medium the aggregate will not meet current British standards, that is BS882, and that Island Aggregates will not be able to produce a product appropriate for major development schemes currently being undertaken in the Isle of Man?

Mr North: Mr President, that is a technical matter. I think this hon. Court should be aware of some of the facts to this particular application in that in September 1995 the Department of Local Government approached my department for official comment on the planning application submitted by Island Aggregates for the extension of its existing sand and gravel workings into the Hankeyland at the Point of Ayre. My department, in March that year, had already approved the granting of a 20-year licence. In October that year, 1995, the planning application was subsequently withdrawn by Island Aggregates and then we had obviously a change and in January this year, on 14th January, Island Aggregates finished extracting sand and gravel from Wright's Pit East and notified the department of the desire to terminate the lease. They then wrote to the department, the Department of Local Government, who wrote to

my department on 21st January this year that it had received a planning application from Island Aggregates for the Hankeyland and again requested official comment, which we had already given in 1995. This time it was from the Department of Local Government, and Wardell Armstrong, who are our consultants, needed to obtain a copy of the planning application, and this of course, as hon. members will know, is not available from the Department of Local Government. So the planning consultants used by Island Aggregates are in the United Kingdom and initially there was a delay in getting a copy of the application from the UK firm. When we got that application, our consultants replied to my department and we immediately said, yes, the information is okay and we have supplied it back and approved that licence, that is, subject to planning approval.

Mr Downie: A further supplementary, Mr President. I would like to ask the minister, how closely do your department and your mineral consultants Wardell Armstrong work with elements of the Island's construction industry, given that your department are responsible for sand and gravel extraction together with the overall responsibility for the wellbeing of the construction industry, and, further, what contingency plans does your department have to provide the construction industry with basic aggregates should there be a need to import materials into the Isle of Man?

The President: The hon. member may answer that question. Again, we are straying away. Proceed.

Mr North: Mr President, I think that a lot of those questions are hypothetical because the hon. member for West Douglas is quite rightly asking about the content of the sand and gravel below the waterline. Now, as far as my department is concerned, our consultants, Wardell Armstrong, are very much in touch with the situation on the Isle of Man and what is available for the construction industry and I repeat that the mining lease referred to for the site at the Ayres quarry was extended last year and will expire on 23rd February in the year 2001.

Mr Singer: Could I ask the minister, if, as we hear, though, practically speaking there will be a lack of material from July, has your department made any arrangements for the supply of gravel from any other areas and do you consider it would have to be imported and at what port would it be imported and where would it be stored?

Mr North: Mr President, to my knowledge the operator, Island Aggregates in the north of the Island, have not actually approached my department and said that they have got nothing after July this year. The licence has been extended, as I have said, till the year 2001.

Mr Karran: Eaghtyrane, could the minister tell this hon. Court, does his department take into consideration further grants for licences being given towards breaking the monopoly that there is at the present time and is that not taken into account to break the monopoly of any future licences being given in the future?

Mr North: Mr President, I accept we are straying again but again we will consider any licences which people apply for.

Mr Downie: Mr President, I would just like to ask the minister, given that he indicates that a licence is available, would he not agree that the licence is useless without planning approval linked to that licence, and given that the Island is about to run out of this national

asset because of a planning issue, would he not agree that this application should be called in by an inspector at a special inquiry in the national interest?

The President: I think you have already answered that but you can repeat your answer, sir.

Mr North: No, I will not repeat my answer, Mr President, Just to repeat that the existing lease for the existing site still exists till the year 2001 and that whichever way it goes, whether it is called in or the Planning Committee, it will take about the same time.

Pulrose Power Station - Emission Reduction - Question By Mr Duggan

The President: Question 6, the hon. member for Douglas South, Mr Duggan.

Mr Duggan: Thank you, Mr President. I beg leave to ask the Minister for Trade and Industry:

Does your department intend to take action to reduce the levels of sulphur dioxide emission from the Pulrose power station?

The President: The Minister for Trade and Industry to reply.

Mr North: Mr President, the level of sulphur emissions from the Pulrose power station is controlled by conditions contained in the planning approval for that station. Those conditions stated that no fuel oil with a sulphur content higher than 3.75 per cent must be used without the Planning Committee being informed and that no fuel oil with a sulphur content of more than 4 per cent must be used without the prior approval of the Planning Committee.

The MEA is very conscious of the need to limit emissions and has always sought to use fuel with as low a sulphur content as practical. To that end I can inform members that during the calendar year 1997 the actual average sulphur content of fuel used was only 1.6 per cent.

I can assure hon. members that my department will continue to encourage the MEA to recognise the need to reduce emissions as far as practical and bearing in mind the need to balance economic, commercial and environmental considerations.

Mr Cretney: Mr President, could I ask the minister would he agree with me that the only way we are going to get to a position where the unacceptable sulphur dioxide emissions are reduced is by taking away the old sets which currently have to be brought into action all too often to meet demand?

Mr North: Mr President, I could not agree more and of course, as the hon. member for South Douglas, Mr Cretney, is aware, that is the plan of the MEA.

Mr Duggan: That was the question I was going to ask also, Mr President, but I have another one for the minister. Has the minister looked at the filtration system in power stations in the United Kingdom because I believe we have got very little in the way of filtration systems in our present power station?

Mr North: Yes, Mr President, if the hon. member for South Douglas is referring to, I think, what are commonly called scrubbers, the process is not appropriate for plants less than 2,000 megawatts and the raw material used in that process is industrial, is limestone and this is obviously a valuable and finite natural resource on the Island and would be required in very large quantities and the resultant product is gypsum which would be extremely difficult to

dispose of when produced in large quantities on the Island. It would either have to be exported or disposed of to landfill, and the best use for gypsum is for the production of plasterboard, and all of the UK's requirements, to my knowledge, are fully satisfied, just by, I think, two large power stations in the whole of the United Kingdom. So that is not a practical solution.

Mr Duggan: Mr President, could I ask the minister is he aware that there are people in my constituency suffering from asthma, quite a lot of people, and also could he confirm exactly what the emissions are each day? Is it still in the region of 3¹/₂ tonnes to 4 tonnes of sulphur dioxide, which is totally unacceptable?

Mr North: Yes, Mr President, I think the hon. member asked a very interesting question some months ago about that and I gave that answer and he has just repeated the figures back to me, and as far as that area is concerned, yes, I think this whole Court would like to see the emissions, particularly from motor vehicles and coal fires, in that area reduced, as well as the old power station.

Mr Cretney: And the houses.

Mr North: And the housing, and the hon. members for South Douglas are well aware the sooner we get on with that programme and it is all down to priorities and the amount of money available.

Mr Lowey: The minister in his original reply said the average emissions were 1.6 tonnes and the recommended is three. An average means some are higher, some are lower. Has he got the figures for the amount of times, the number of days in the year, that the emissions were above the recommended? It is easy to say it is an average. There are many times when it is above the average and that is, I think, the point that the members -

The President: Are you making a statement or asking a question, sir?

Mr Lowey: Not at all. Will he tell us, has he got those numbers?

The President: Well, you concluded with a statement, sir. Perhaps you could repeat your question.

Mr Lowey: Okay. Has the minister got the number of days that the emissions were over the recommended three as opposed to the answer which was 1.6 average?

Mr North: Mr President, no, I have not those figures with me and it may well be that on the odd occasion they do go over. I do not know.

Airborne Pollution - Reduction - Question By Mr Duggan

The President: Question 7, the hon. member for Douglas South, Mr Duggan.

Mr Duggan: Mr President, I beg leave to ask the Minister for Local Government and the Environment:

What action are environmental officers taking to reduce airborne pollution in the Douglas valley?

The President: The Minister for Local Government and the Environment to reply.

Mr Quine: Thank you, Mr President. Since 1970 the Department of Local Government and the Environment have been monitoring levels of smoke and sulphur dioxide at four sites in Douglas and two sites elsewhere on the Island and since 1994 they have also been monitoring

nitrogen dioxide. The results of that monitoring have consistently shown that the mandatory limit values prescribed in the EC directive 80/799 are being complied with. The much more stringent guideline values provided for in that directive also are met, with the exception of a very few occasions. I think it was four occasions in the year.

Rigorous air monitoring carried out by the department at the Quarter Bridge and Richmond Hill as part of the environmental assessment for the proposed incinerator have basically confirmed compliance with the standards set down in the directive I have referred to.

The department has recently adopted air quality standards recommended by the Expert Panel on Air Quality Standards, normally referred to as the EPASQ, and a policy statement in relation to this move will be issued shortly. EPASQ standards embrace sulphur dioxide, nitrogen dioxide, carbon monoxide and PM10. Monitoring will be extended to determine compliance with these standards.

In sum, officers of the department have taken and are taking considerable action to reduce airborne pollution in the Douglas valley and the foundations have been laid for further significant improvements in air quality in this area.

Mr Duggan: A supplementary. I thank the minister for his reply but will the minister consider the introduction of a clean air Act before the possible building of the incinerator which can only add to the pollution in the Douglas Valley?

Mr Quine: The position is as I have indicated, sir. We have adopted standards - and as I will hopefully be able to explain in relation to a subsequent question - and we are putting in place a reinforced monitoring system. That monitoring will be able to determine and able to advise us as to what additional measures may be necessary. But the present position is that the ambient air values meet these quite strict standards that are laid down in the directive.

Mr Cretney: Mr President, could I ask the minister is there any specific monitoring by his officers for benzene emissions? And the second part of the question: is there any specific monitoring of the existing hospital incinerator?

Mr Quine: Well, if I take the last question first, I cannot give you an immediate answer to that but I will of course let you have an answer to it.

Coming to the other first part of your question, sir, as I mentioned there are four what you might call pollutants that are embraced by the present standards, that is, sulphur dioxide, nitrogen dioxide, the particles - the PM10s I referred to - and carbon monoxide. Now, the advice we have got to date is that those pollutants, or those chemicals if you wish, cover our Island concerns. Benzene and butadiene, I think it is, are vehicle-generated pollutants, and since the levels of nitrogen dioxide, which of course is also a vehicle-generated pollutant, have been monitored and we are complying with that it is considered that it would be superfluous to have a dedicated monitoring of the other two elements which are in fact, the quality or the standards there, indicative from the monitoring of the nitrogen dioxide.

Mrs Cannell: Mr President, would the hon. minister not agree that the monitoring of benzene is particularly important, given that it does hang in ambient air, that is to say it hangs in air rising two feet from the ground, and as such affects young children, toddlers in pushchairs et cetera?

Mr Quine: I cannot comment on the statement that the hon. member made. I can but reiterate that the professional advice I have got is that if we are monitoring nitrogen dioxide, then there is no requirement for a dedicated system to monitor benzene and butadiene, for the reasons that I have explained.

I would just mention one thing further and that is, as I think hon. members are aware, there has been an exchange of correspondence recently between certain members of the public who are concerned about the issue of asthma and the acting director of public health, and the acting director of public health has intimated that he is at the moment, although previous studies have been done, doing a further study which I think is going on at this time. So if there are concerns such as the hon. member has mentioned, they will undoubtedly be surfaced as part of that study.

Mr Waft: Mr President, I want to ask the minister does the MEA from time to time seek permission from your department to use less environmentally friendly fuels and is it purely because of access to those fuels or the cost involved? Thank you, Mr President.

Mr Quine: I am not aware of any application made to us by the MEA to use what I would refer to, I think, as substandard fuels but if I am wrong in that respect I will certainly make sure that this hon. Court is advised otherwise, but I am not aware of any such applications made to the department and I would be very disappointed, if they were made, if any such approvals were given.

The President: A further question from the hon. member for Douglas East.

Mrs Cannell: Thank you, Mr President, my final supplementary question. Can the hon. minister confirm that all of this monitoring has been conducted through the government analyst's department and if he agrees and can confirm that, does he also agree that the government analyst does not have all the necessary equipment to hand to be able to do a comprehensive study on environmental pollution within the Douglas valley?

Mr Quine: Well, the short answer to that is that it has not all been done through the government analyst's department. I am aware of at least three different sources involved in past monitoring and indeed I think at the present time and in recent times there have been three different elements involved in the monitoring of these elements.

Smoke Control Areas - Question By Mr Karran

The President: Question 8, the hon. member for Onchan, Mr Karran.

Mr Karran: Eaghtyrane, I beg to ask the Minister for Local Government and the Environment:

When does your department intend to make an order -

- (a) declaring smoke control areas under paragraph 1 of schedule 3 to the Public Health Act 1990; and*
- (b) to appoint a day on which sections 88 to 91 of the 1990 Act shall come into operation?*

The President: The Minister for Local Government and the Environment to reply.

Mr Quine: Thank you, Mr President. Section 87 and schedule 3 of the Public Health Act 1990 empower the Department of Local Government and the Environment, subject to the approval of this hon. Court, to declare an area to be a smoke control zone or a smoke control area. Any such designation would have important implications for the residents of that area and also businesses, quite apart, obviously, from the health implications. I trust the hon. member would therefore agree that there should be strong and valid grounds for contemplating the creation of a smoke control zone.

As stated in answer to the previous question, the department has monitored the levels of relevant pollutants since 1990 and indeed in some instances there was monitoring done prior to that and the results show that the mandatory limit values set down in directive 80/779 are being complied with and to a very large extent that the more stringent directive guidelines I refer to are being attained.

Now, further improvements are envisaged as large-scale redevelopment takes place and there is a move away from fossil fuels. The utilisation of waste heat from the proposed energy from the waste incinerator would also have a beneficial impact in that area. Against this background there are no plans at this time to make an order to create a smoke control zone.

Turning to the second part of the member's question, may I first explain the importance of the sections of the Public Health Act 1990 which he has identified in his question. Section 88 requires the department to prescribe substances the presence of which in the air is prejudicial to health, along with permitted levels and methods of measurement, and to report thereon to Tynwald. Sections 89, 90 and 91 provide regulatory and enforcement powers in relation to emissions of any such prescribed substances. No order has been made and the department holds the view that it would be premature to do so for the following reasons.

The department has recently resolved to adopt air quality standards based on the recommendation of the Expert Panel on Air Quality Standards. The means to monitor the ambient air value for compliance with these higher and more sophisticated standards in relation to these pollutants are now being put in place. The existing monitoring system is being reinforced and upgraded to provide us with that means. This entails the acquisition of additional monitoring equipment at a considerable capital outlay along with operating costs. In some instances this will involve the creation of new monitoring stations which will cost well in excess of £100,000 each.

When there is sufficient data on ambient air quality and a strategy has been adopted, consideration will be given to invoking the provisions of sections 88 to 91 of the Public Health Act in regard to specific areas. Hon. members will recognise of course that section 88 is primarily geared to single-point sources, not in relation to general ambient air values.

I would stress that air quality monitoring undertaken on the Island to date for the various pollutants that I have mentioned show that the ambient air quality on the Island is generally good.

Mr Karran: Eaghtyrane, I thank the hon. minister for his detailed response to my question but would he not agree that he may be saying from his department officials that the air quality on the Island is not bad, but would he not agree that the vast majority outside are deeply alarmed as well over the standard of air quality and that his department needs to place

orders on all - even departments like myself - in order to try and get the air quality in the Douglas area to improve at the present time?

Mr Quine: Well, I cannot agree with the general statement that people outside are alarmed. I do not think that is true at all. I am aware of course that there are areas where there is an issue in regard to air quality. There are concerns, should we say, in regard to air quality -

Mr Duggan: In Douglas South.

Mr Quine: - and that is a matter of knowledge, where those particular pockets, those particular areas are, and I have explained in some detail that we are already doing a great deal in order to put in place a sophisticated system of monitoring, we are putting in place air quality standards of internationally recognised standards and the other measures which I have mentioned in terms of developments et cetera, all of which will contribute to those improvements.

Now, the hon. member is suggesting that I should set that aside, I think, and simply go ahead and say, 'We are going to make this area a clean air zone.' I would think that that is transparently premature at this time, for the reasons that I have given. But also I do not think it would be in the best interests of people living in that area because there are clearly very substantial costs involved with the imposition of that sort of blanket approach, costs which from government's point of view could involve substantial subsidies in terms of changes to properties, costs which could fall upon residents in relation to the higher quality of fuels that they may need, against a backdrop where we are going to do a major redevelopment in that area which is really going to address in a very large part this particular problem.

So I believe we are taking the right approach. We have adopted standards, internationally recognised standards. We are putting in place an extended and more sophisticated monitoring structure and we will, on the basis of that data, give consideration at that point in time to any need for a zoning system such as the hon. member is suggesting.

But I do believe that what we are doing is correct, what we are doing represents a structured approach to dealing with these concerns and that we would be wrong to jump in and consider an order at this point in time, having regard to all the other considerations that I have mentioned.

Mr Karran: Eaghtyrane, would the minister not agree that it would be a matter of when you actually take these air samples? Can he assure this hon. Court that these samples are being taken at the relevant times when they need to be taken and there is no truth in the belief that they are taken at the likes of at Quarter Bridge at 3 o'clock in the morning when there are no cars to be doing any polluting?

Would he not also agree, as far as this is concerned, that the issue of air quality has a major effect for other departments of government? My department is spending something in the region of £900,000 a year on drugs to do with respiratory disorders, and would he not agree that this issue needs to be pushed up the priority list as far as this is concerned?

Could I also ask the hon. minister does he not agree that members in this hon. Court are deeply concerned that he is using the sop that he is going to provide a district heating system from his ill-thought-out incinerator as an excuse for not doing something about this pressing problem of air quality within South Douglas and the lower Douglas area of this Island?

Mr Quine: The monitoring system which is being carried out is monitoring in accordance with the methodology that is attached by the professionals to the standards with which we are seeking to ensure compliance. If the hon. member wishes to have particular details of that methodology, indeed I would welcome him to come and meet the people that are doing this and have a look at the data. I am not concealing anything. It is there if he wishes to come along and see our experts and see that data. It is there for him. So there is no question and I find it somewhat unfortunate to suggest that either the politicians who have a responsibility for this matter or officers would seek to deceive anybody in producing the monitoring of these pollutants which is quite clearly a matter of great importance to the population.

Yes, going on to the second point he raised, I recognise the relevance of what is being done to other departments and I know that what is being done is not being done in isolation from other departments. They are aware of this and they will take on board elements and actions that may be required in those departments to contribute to the end objective that we are trying to achieve by enhancing air quality standards.

The hon. member suggests that I am throwing in the prospect of a district heating system as a sop. I am doing no such thing. I am simply putting before this hon. Court and before the hon. member all the facts which could be relevant to this situation. There is no question again of me trying to delude people or create a false impression. But I think I am obligated, I feel I am obligated in answering a question of this nature, to put before this hon. Court all the facts that have a relevance to this particular issue and that is what I am trying to do.

Mr Waft: Mr President, minister, would you agree with me that when Professor Porteous visited the Island on your behalf, he put forward the view that there was more pollution from domestic premises, for example coal fires not using smokeless fuel, than the pollution perhaps from an incinerator? And perhaps could your department not think about, and taking into consideration the development that is going ahead in Pulrose in the future, a phased programme of smokeless zones being incorporated in their budgetary programmes over a number of years, to provide for that better quality? Thank you.

Mr Quine: I am not aware of what Professor Porteous said. I think there is a general perception that fossil fuel fires do create pollution. I do not think that can be denied and I could reel off several other elements from vehicles et cetera which all create pollution, and that is the real world. We are living in that situation, that there are problems attached to that and we are seeking to address those problems. But as I have tried to explain, I think we have to approach this in a structured fashion. We have adopted air quality standards. We are putting in place an upgraded, a more modern upgraded and extended system of monitoring, and when I have got that data I will certainly consider if there is a case made for to move in any direction, such as these particular sections that have been raised by the hon. member, I will give it due consideration.

But I do believe that it makes good sense for us to approach this in a structured fashion and to take decisions based on sound facts and not perceptions. I think hon. members will recognise there is a difference between standards relative to public health and perhaps even higher standards which may not impact on public health but which are relative to amenity values. There is a difference to be drawn there and if we are going to move into the latter area, then it has to be done consciously with regard to all the considerations, including the very high

additional costs. What I am saying is let us see what we have got, let us get this detail and we will take decisions in an objective fashion and move forward from there.

Rateable Valuation Of Properties - Review - Question By Mr Karran

The President: Question 9, the hon. member for Onchan, Mr Karran.

Mr Karran: Eaghtyrane, I beg to ask the Minister for the Treasury:

What steps, if any, are being taken by your department to review the rateable valuation of properties throughout the Island?

The President: The Minister for the Treasury to reply.

Mr Corkill: Thank you, Mr President. The rateable values of properties throughout the Island are reviewed on a constant basis by the government valuer and his staff as extensions are built, conservatories added, properties demolished et cetera. But what I think the hon. member means by his question is, is my department taking steps to instigate a general revaluation of the Island? The Council of Ministers in 1994 was satisfied that a general revaluation should not be progressed until reform of local government took place and that is where things have lain until the latest report entitled 'Securing a Future for Local Government'. That document was issued by the Department of Local Government and the Environment.

At paragraph 5 in that report the department considered that a general revaluation would be costly and would not increase the income to local authorities to any significant extent. The department believes that the reform of local government being proposed does not in itself support a case for such a general revaluation. Nevertheless the Treasury has agreed to appoint consultants to investigate the subject and report to it, with the aim of ultimately redressing the anomalies that exist in the current system but without undertaking a full general revolution.

Treasury has also noted from the seminars that took place in November and December last for local authority representatives that local authorities themselves would be content with a selective revaluation. A consultative document will therefore be prepared prior to any decisions being taken with regard to the draft Rating and Valuation Bill which is in the 1999-year 2000 legislative programme.

Mr Karran: Eaghtyrane, would the minister not agree that it is a disgrace that we have a system of rateable values in this Island where you can have your mansion house or pseudo-mansion house out in the sticks and it has a rateable value of less than a Pulrose semi and does he not agree that this issue should be addressed as a priority as far as rates are concerned throughout the Island? And would he not agree that the reason why we are not doing anything on this is because the people who have do not want to part with the money that they have got in order to pay their reasonable amount for their properties which are grossly under rateable valued at the present time?

Mr Corkill: Mr President, I think I should clear up some of the confusion and I suspected the hon. member's supplementary may well have been the one it is because of comments in this week's *Examiner* newspaper. So having done some research, a four-bedroom semi-detached house at Pulrose has a rateable value of £124, a three-bedroom semi a rateable value of £116 and a two-bedroom semi a rateable value of £104. Regarding mansion houses,

I can confirm that Lezayre Mansion House has a rateable value of £816 and Billown Mansion House £948.

Maybe the hon. member is referring to agricultural properties. They are about 50 per cent of the normal country-sited property. Properties in parish districts are valued slightly lower than town properties to reflect the lower rentals of the last revaluation in 1971. But I think the hon. member is incorrect in what he says.

Mr Karran: Eaghtyrane, does the minister not agree that it belittles this Court, when anybody who gets into this Court and says what is going on in the real world, that he tries to make out to belittle them?

Would he not also agree that when he comments on the likes of Lezayre Mansion House, this is a recently built property and what we are talking about is the vast number of properties that have been turned into private dwellings, that still are on agricultural subsidised rateable values, and the reason he is not doing any review on this is once again vested interest by the rich and if it was dealing with the poor he would have sorted this out long ago?

The President: An interesting statement from the hon. member: no question.

Internet - Publishing Cost - Question By Mr Waft

The President: We move on to question 10 and I call upon the hon. member of the Council, Mr Waft.

Mr Waft: Mr President, I beg to ask the Chairman of the Tynwald Management Committee:

What is the cost of publishing the progress of Bills and the Official Report of the Debates of Tynwald and the branches on the Internet?

The President: The hon. Mr Speaker to reply.

The Speaker: Mr President, the Tynwald Web site on the Internet is ww.Tynwald.isle-of-man.org.im a new modern language which catches up on me sometime. The Web site contains text and graphics which provide information on the history of Tynwald, the present role and functions of Tynwald Court and its branches, Tynwald Day at St John's and the names of the members of Tynwald. It also contains the order papers and the question papers for sittings of Tynwald Court and the agendas for the sittings of the House of Keys and the Legislative Council.

The Web site also has the *Hansard* verbatim record of Tynwald Court and its branches from October 1997 Tynwald sitting. The cost of publishing *Hansard* on the Internet is £2.57 pence per page, although this rises to £3.22 pence per page if the charge for the extra memory to maintain existing *Hansard* records on the Internet is included.

Now, the Web site also includes a schedule of the progress of Bills, which is updated periodically and the cost of each update is £25 plus VAT.

I am sure that the members will be pleased to hear that since the Tynwald Web site was inaugurated on Tynwald Day last year with a message of welcome from yourself there have been over 41,000 visits to the Web site. This includes 848 visits to official parliamentary papers since they came on the Web site on 6th February this year.

Mr Waft: Thank you, Mr President, I am delighted with that reply, sir. Would the Chairman of the Tynwald Management Committee please look at the Intranet as well as the Internet and look at the situation with regard to the areas of government who need access to services such as Juta's Statutes et cetera which are available on CD-ROM so that those areas of government do get access to the facilities that are available to them? I appreciate that the ISD and the year 2000 is very busy at the moment, but if he could perhaps look at that situation. Thank you, Mr President.

The Speaker: Yes, certainly, sir, it will be looked at, I think, without any question, and I am grateful to the hon. member. There is considerable success behind those 41,000 visits and we will look at the Intranet and the Internet.

Mr North: A supplementary, Mr President. Would Mr Speaker not agree with me that it is very important to maintain the hits on that site, that it is very important that the information is up to date on a weekly basis?

The Speaker: I think the information actually which is on your Web site brings you very well up to date quite quickly and when that is done the hits come automatically. It will be a continual on-rolling programme. I understand what the hon. member is saying, that we must not now, having got it well under way, allow it to slip backwards by keeping old work on it.

The President: Hon. members, that concludes our examination of the question paper this morning.

BSE Headage Support Arrangements - Statement By The Minister For Agriculture, Fisheries And Forestry

The President: We now turn to the order paper and I call upon the Minister for Agriculture, Fisheries and Forestry to make a statement.

Mrs Hannan: Thank you, Eaghtyrane. In reporting on events following the BSE crisis in March 1996 and at subsequent sittings of this hon. Court I kept members informed as to the steps my department was taking to alleviate the severe pressures inflicted on the fatstock sector of the agricultural industry as a result of these traumatic events. In so reporting to Tynwald I advised hon. members that my department would, for the current financial year, operate a system of headage payments at a declining rate, with the intention that such payments should terminate at the end of March 1998. It was always anticipated that some form of support would continue after March 1998, but it was felt necessary to thoroughly review the state of the industry before proceeding to consider how such support should be provided.

To this end I appointed a working group of farmers' representatives to consider the issues involved and report with recommendations. This they have now done and my department is in the process of giving consideration to their findings and will report in due course.

My department is appreciative of the commitment and energy of the members of the working party and I would like to place on record my thanks to them.

In the meantime my department intends to roll over the current headage payment of £50 per animal passing through the meat plant into the months of April and May 1998, by which

time it is anticipated that I will be in a position to bring forward longer-term measures for this hon. Court's approval. Thank you, Eaghtyrane.

The President: Thank you, hon. member.

Harbour Dues (Pleasure Vessels And House Boats) Regulations 1998 - Approved

The President: Item 4, the Minister for Transport.

Mr Brown: Mr President, I beg to move:

That the Harbour Dues (Pleasure Vessels and House Boats) Regulations 1998 be approved.

This motion is relative to the Harbour Dues Regulations applying to pleasure vessels and houseboats. The harbour dues on these vessels were last increased from April 1997 and it is proposed to increase them by 3 per cent with effect from 1st April 1998. This is to reflect inflation over the past year.

The department consulted the chairman of the Manx Yachting Association who advised the department that his members have no objection to the proposed increase of 3 per cent. It is anticipated that the new level of dues proposed will result in an additional income in the order of £1,700.

I would just like to apologise to hon. members for the lateness of them receiving the explanatory memorandum on this item, which only landed on their desks yesterday and I will check as to why that was the case. Mr President, I beg to move the resolution standing in my name.

Mr Singer: I beg to second and reserve my right to speak, Mr President.

Mr Downie: Mr President, I would just like to ask the mover. When this matter was brought before this Court last year a substantial increase was applied because it was felt that people were abusing the system and there were actually people in permanent residence in the harbour and on the harbour side and living in boats. I would like to ask the minister if the increase has made any effect down there or do we still have people living in the centre of Douglas on the tongue and in the harbour side in these boats? Thank you.

Sir Miles Walker: Mr President, I rise to support this resolution and to ask the minister whether or not any of the extra resources that his department gets because of this increase in fees will be used for to further the feasibility study for the Port St Mary yacht harbour, as has been suggested is the next step towards the provision of a proper marina or yacht haven facility in the Island. We have received a report of the Council of Ministers on the provision of leisure craft facilities, which I found quite constructive, and I just wondered if the minister could indicate the next steps to be taken in the progress of this report.

The President: Reply, sir.

Mr Brown: Thank you, Mr President. With regard to the hon. member for West Douglas, Mr Downie, I think the best answer I can give is it is not the intention of the department to stop people living on boats within the harbours of the Isle of Man, and a decision was made a number of years ago, when making the decision as to how to deal with what we call houseboats, to increase those to a due that is in relationship to somebody renting a local authority house and therefore, as can be seen, the new dues for a houseboat will be £28.49

pence per week, and, yes, there are, as I understand it, still people residing on what we would call boats, using them as houseboats in the Isle of Man and it is not our intention to chase them off the Isle of Man.

As far as the point the hon. member for Rushen raised, Sir Miles Walker, about using the dues for the report, I suspect that if we only used the amount of dues that we receive to progress the marina it could take another 20 or 30 years. I think my view would be to be a little bit more active than that and certainly now that that report has been approved by the Council of Ministers and has been released, my department will look at how to progress development in that area if at all possible and also how and if possible we can encourage private investment as well.

The President: Hon. members, I will put the resolution as set out on the order paper at item 4. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Partnership (Amendment) Rules 1998 - Approved

The President: Item 5, the learned Attorney-General.

The Attorney-General: Thank you, Mr President. I beg to move:

That the Partnership (Amendment) Rules 1998 be approved.

The Partnership (Amendment) Rules 1998 are made by the deemsters after consultation with the Treasury.

The registration fees for limited partnerships were prescribed by the Partnership Rules made in 1913. While the duty payable by each partner was increased by means of the Limited Liability Companies and Limited Partnership (Fees and Duties) Order 1996, the remaining fees have not been increased. This order increases the fees to a level comparable to the fees which are payable under the Companies Acts when a company is formed.

To the registration fee of £10 proposed under item 1 for the registration of a limited partnership has to be added a fee of £150 per limited partner. This would make a minimum fee payable of £160, the same as the incorporation fee payable under the Companies Acts.

Item 2 brings the fee to a more realistic level.

Item 3 is a new fee and is comparable to the annual fee chargeable under the Companies Acts for the annual return.

Mr President, I beg to move.

Messrs Gelling and Waft: I beg to second, Mr President.

The President: The resolution, hon. members, is set out at item 5 on the order paper. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Douglas Harbour - Elevated Passenger Walkway - Construction - Motion Carried

The President: Item 6, the Minister for Transport.

Mr Brown: Mr President, I beg to move:

That Tynwald authorises the Department of Transport to undertake works for the construction of an elevated passenger walkway between King Edward VIII Pier and Queen Victoria Pier for a sum not exceeding £1,890,000.

My department seeks today the approval of Tynwald for it to incur an expenditure not exceeding £1,890,000 for the construction of an elevated passenger walkway between King Edward VIII Pier and the Queen Victoria Pier. The elevated passenger walkway will be for passengers arriving at or departing from a vessel berthed at King Edward VIII Pier. The passengers will be able to walk in a weatherproof concourse, in a safe and secure environment above the outer harbour basin. Access to the walkway will be from near the baggage carousel in the security area of the Sea Terminal building.

The announcement last year by the Isle of Man Steam Packet Company Limited that the *Ben my Chree*, a new RoPax vessel, will be coming into service in July 1998, means that the government-owned linkspan adjacent to the King Edward VIII Pier will be used for passenger sailings on a regular basis. The company have indicated that this berth will be the preferred berth for the *Ben my Chree* to achieve the necessary turn around times.

Studies undertaken by the department indicated that an elevated walkway would be the most practical and effective way of transferring passengers between the Sea Terminal and King Edward VIII Pier without compromising security or safety. Other methods investigated were an underground walkway, a walkway at surface level across the marshalling area, and busing. However, those are impractical and in the latter option the ongoing cost implications to government would be considerable and open to outside influences which government would not be able to effectively influence.

The Isle of Man Steam Packet Company were fully consulted at all stages and fully support the walkway concept as being the most appropriate facility to achieve the objective of transferring passenger traffic between number 5 berth and the Sea Terminal. It will also be used to transfer cruise liner passengers landing from tenders berthing at low water steps on the King Edward VIII Pier between there and the Sea Terminal.

The design of the walkway consists of two access towers, one at the Victoria Pier end of the Sea Terminal and the other on the King Edward VIII Pier. Those access towers will be linked by an elevated walkway, supported by three reinforced pile supports across the harbour, a little to seaward of the marshalling area. Access from the towers to the walkway will be by stairs and a 13-person passenger lift, one at each end for the disabled and elderly. The walkway will have a 2.7 metre width and be approximately 150 metres long. It will be of concrete construction with an aluminium framed glass cover. A covered ground level walkway of similar design to the elevated walkway will link the tower on King Edward VIII Pier to the vessel's gangway. The installation will comply with all the safety and security regulations pertinent to harbour operations.

I would like to make it clear to hon. members that the passengers will only have to carry hand luggage to and from the ship. The Steam Packet will transport all large luggage to the carousel provided at the Sea Terminal and of course luggage is collected when passengers book in for their sailings.

In accordance with the Treasury procedures tenders were sought from five construction companies and after evaluating the lowest tender, that from Charles Brand Limited, it was

recommended that that be accepted and, subject to Tynwald approval, work will commence by May 1998 with completion planned for October 1998. It will be necessary during the period from when the ship comes into operation until the walkway is completed to provide an interim solution of busing passengers to and from the Sea Terminal.

Mr President, I have pleasure in moving the motion standing in my name.

Mr Singer: Mr President, I beg to second and reserve my right to speak.

Mr Shimmin: Mr President, reluctantly I will be supporting this motion this morning, but it is reluctantly. Like a number of colleagues I took the opportunity of going and seeing the scheme in the Millennium Room and I thought when it comes to governmental issues and priorities this is way down on my list and I was absolutely staggered to find that whilst debating with some of the members and officers there, there is no real alternative to this. From my side I could not understand why, because a private company decided to purchase a new vessel and that would be convenient to berth for their turnaround times on the government berthing area, we should then stump up nearly £2 million of taxpayer's money in order to facilitate that private company, but from what I could gather, this was something which was already fully understood by members when voting on the original berthing platform, that it was known that this was going to have to happen at some stage in the future. I do not consider it acceptable for people arriving for the first time on the Isle of Man to be bused around on a long-term basis.

I have trust in the officers who have worked the scheme up that this is the most cost-effective mechanism of doing it, but it raises a much larger issue of concern to me which is when we as a House move and support government expenditure, where are the hidden costs? It is particularly obvious within the hospital development where the figures that we are relating for the purchase and build of all the hospital facilities, I have yet to see the figures, they may be available, but for the extra maintenance of work processes going on on the road systems. We have the potential for so many areas, particularly with the highways, of changes and development which are then going to have a consequential knock-on effect of many millions of pounds if we sign up for the first part. We could use the airport as another recent example. Once we have started a programme it is very, very difficult to turn around halfway through and say, 'Well, we can't afford that now.' In the airport it would be ludicrous to stop, having got half the facilities of an excellent standard, to remain with the remainder of the airport to be old-fashioned and inappropriate. Likewise with this berthing position for the boat. I have to support it, but I would urge all hon. members to let us make it perfectly clear when we vote for things whether there are hidden costs and let us have all members fully aware that when you voted in the past for that berthing platform, according to my information from the officers available from the department, it was always understood in the future we would require some sort of passenger footway. If that is not the case, then that is something which the minister will have to explain to this Court and I will certainly reserve the right for which way I will vote on this. If that is not the case, then I will possibly vote against this until we find out a bit more clarity about the original position. But I expect to go to briefings where officers of the department and the structural people involved, the experts, if they give information I expect that to be factual information. If that is not the case now, or I have in some way misunderstood, I will be interested to hear the minister's response.

It is low on my priorities. However, one of the arguments was that should there be an industrial action it was a necessity for the government to retain the ownership of the harbour area and all aspects on the harbour area. I understand that argument. I understand that it would be a poor advert for the Isle of Man if foot passengers arrived and were then waiting for 45 minutes for the fourteenth bus trip to take them to the Sea Terminal. I cannot accept that, but I would be interested in the minister's comments regarding whether this has always been accepted as being part of the scheme some years ago. Thank you, Mr President.

Mrs Crowe: Mr President, would the minister agree that the £1.9 million requested by his department for this obtrusive walkway, with one lift, might be better spent on the provision of our marina at Port St. Mary, which would bring in sufficient income into the Island for a much more progressive scheme to be realised? Because I just do not feel that a one-lift walkway will provide a realistic amenity for passengers offloading from the new vessel.

The Speaker: Mr President, it appears as if there is concern relative to this elevated passenger walkway, but it is being provided on the basis that our ships have altered. The actual craft itself landing is altering, which leads me to think that as ships are altering on a fairly frequent basis, it appears these days, comparatively only lasting a few short years, can the minister tell us what borrowing period he is actually spreading this out over?

Mr Karran: Eaghtyrane, I think that as far as I am concerned over this issue I will not be supporting it. The hon. member is not right from West Douglas as far as this was part of a package. If the package had come out as far as the linkspan was concerned and this would have been added to it, more people would have seen through the linkspan whole affair for what it was which was a political sop at the time and that was the truth of the matter. We had to be seen to be doing something. We would not address the issue that needed to be addressed and that is why we have the situation now where we are quite impotent as far as the main passenger-carrying and freight-carrying service to the Island is concerned. All right, I admit that the airports have taken off in a big way in recent times because we have broken the monopoly with Manx airlines, but until recent times that was not the case and we got competition in and that is the only reason we are seeing any sort of reasonable prices on those fares.

But what concerns me about this is we have heard that he also said about the 14 buses, having to wait for 14 buses to be transported to the Sea Terminal. Well, the first thing is they will more likely wait a damn site longer, if it is a geriatric outing, waiting for a lift to get them up there and then rupture themselves trying to get along there, because there is no walking walkway from one side to the other, and most geriatrics will be absolutely crippled by the time they get to the other side of that.

So the fact of the matter is it is all to do with the hidden agenda, hon. member for West Douglas. The fact of the matter is there will not be many foot passengers in future vessels as far as the Steam Packet is concerned because they are going to get away from that. They are interested in freight and that is where they are going, and because this hon. Court was not prepared to bite the bullet over the Steam Packet issue we ended up with a user agreement that was added to the linkspan which was a political sop.

Now, he says that the Steam Packet are happy to see this happening. Well, I am sure I would be happy to see it happening too if I was not paying for it as well, if it adds to the

amenities. I would be very happy to see them decide that they want to put flower-beds outside my house or enhance the area in some way, so that is no argument at all.

The fact of the matter is it is ill thought out and it is yet another political sop. We have got to be seen to do something so we are going to put a lift up and how many will be able to go in the lift? Is it 14 maximum?

Mrs Crowe: Thirteen.

Mr Karran: Thirteen maximum. So if you have got a boat with a Saga outing that is coming as foot passengers, you will more likely spend the first day waiting for the lift (*Laughter*) and then it will be a matter of having first aid on call for the first one to take a stroke trying to walk the length of the infill from the King Edward Pier to the Sea Terminal.

So the fact of the matter is I personally think that the hon. member, in his initial intentions of voting against this, was right, because the fact of the matter is it is a waste of public money. They have not come up with a suitable scheme. It is not going to serve the purpose that it is being built for in my opinion. As well meaning as the minister is as far as this is concerned, the fact of the matter is it is not going to do it. So, hon. members, if you are interested in another political sop to add to the linkspan, to add to the user agreement, then by all means waste the taxpayer's money on this proposal.

I think the other thing that I was interested in in the debate from the hon. member is he says that we seem to end up being sold a pig in a poke with many things that are ill thought out. Now, the point is the hon. member for West Douglas is quite right that there is far too often far too much blind enthusiasm at trying to address one issue without addressing the several issues that need to be addressed in the first place. I personally think that the £1.8 million that are being spent on this would be far better being spent on addressing the issue of getting us some sort of shipping service that is going to be effective and efficient in the future, because I see our port becoming into a very sad demise, and I think the reason why this has been planned, how it has been planned, because there are only 13 people going on the lift, is because the Steam Packet is going to walk away from passengers and we will end up with a situation where you will only be talking about a couple of hundred people being able to come by boat in the first place, and I think this whole thing needs reassessment and I think, hon. members, that you will be proven to have wasted the taxpayer's money, and many of the concerns of the hon. member for West Douglas when he talks about the hospital, as now I am the member responsible for the hospital, were raised by this hon. member, so if you want to waste £1.8 million and just be seen to be doing something, then vote with the proposal. If you want to do something that is going to be practical, refer it back and let them come up with something that is going to work.

Mr Downie: Mr President, I would like to put my marker down on this. I attended the presentation, very good it was too, and I think it is the first time I have ever been to a presentation where there has been a representative from the Steam Packet there, so I found his input to be useful.

But let us get back and actually see what has happened here. We built this linkspan or a linkbridge. We have come up with a user agreement. As far as I am concerned any vessel that the Steam Packet provided in my opinion should have been designed and constructed in such a way that it could be brought alongside our passenger terminal and then everybody would

have understood that that is where the passenger vessel sails from. The fact that they have chosen to link the passenger services with cargo and operate a dual-purpose vessel I think is a problem for them. Now, given the way ships are constructed these days I do not think it would have been an insurmountable problem to amalgamate the two services and actually have the permanent link to our terminal, using the existing linkspan.

Now, setting that aside it does appear to me that the Department of Transport are really, I do not like to use the pun but I will use it, we are setting policy, as it were, on the hoof all the time. There has already been another element brought into this argument only a fortnight ago which will throw this whole scheme into doubt and that is the fact that we have heard that Tesco's may or may not be opening up an operation in the Isle of Man, and I can assure you now, if you see the amount of goods that come into Marks and Spencer's and then you apply that same sort of criteria to a Tesco operation, I can assure hon. members that this Island and this vessel will not be able to cope with the additional requirements that that sort of marketing will bring to a place like the Isle of Man.

Quite a lot of the building and construction materials come in through Ramsey and Mezeron are operating on I think it is either three or four vessels at the moment, they do exceptionally well down there, and if anything ever happened to that little operation I just do not think that the Steam Packet could possibly cope.

I am on record already as saying that I do not think we are going to cope as far as our passenger requirements go. When you look at the 160, 170 cars, plus the lorries as well, there is very, very limited space for foot passengers and only this last week I phoned the Steam Packet's booking office and I asked if I could book as a foot passenger either the second or third week in September or the first week in October for a passage on this new vessel and I was told, no, that there were not any booking arrangements available. Now, I do not know what is happening down there. I have asked the tourism minister the same question and he has informed me that he has already heard that complaint. He has actually written to them and expressed his concern about this.

Now, I would question the way that we have gone about this because if we go to any major international airport a jumbo jet comes in there are 450, 460 foot passengers on a jumbo jet. At the most on this new vessel we will be talking about 50 to 60 passengers, at the most.

A Member: No, you won't.

Mr Downie: Yes, we will.

Mr Kniveton: Five hundred.

Mr Downie: That is if nobody comes in a car. You are talking about a vessel which will carry 160 vehicles, average two people to a vehicle, and of course the way their marketing criterion is at the Steam Packet there are four people to a vehicle because it is cheaper to do that. So everybody that comes on and off that vessel will be either on four wheels, either in a bus or driving a lorry. So the situation with regard to foot passengers I think is a white elephant. We are building this monstrosity down here at the cost of £1.8 million and I can honestly tell members now I feel that it will be very, very little used.

I think we should be waiting, we should be giving the vessel time to bed in and if it is not suitable for the route, or the traffic to the Isle of Man grows to such an extent that it has to be replaced, what are we going to do with it then? We have got a gantry there and a walkway there that will receive very little use at all.

Now, I still feel that there has not been enough discussion with the Steam Packet about this. We roll over every time they appear to ask for something and it gives me a great deal of concern.

I think that we should have given it 12 months, we should have had a bus in operation, we should have linked that system to the Sea Terminal and really made sure that what we were building down there was exactly what fitted the criteria. (**A Member:** Hear, hear.) We are going to finish up with a legacy, I feel, down there that is going to spoil the whole front of the harbour. It is a massive construction, it will be an expensive structure to keep clean and tidy, it will require maintenance and I think the job that the staff will have will be tremendous.

The other aspect that gives me cause for concern is the Steam Packet say that there is flexibility and if things get busy they will be able to operate additional routes or additional sailing times. Who wants to get into Heysham at two o'clock in the morning, hon. members? Who wants to be getting into the Isle of Man at all sorts of weird and wonderful times when we have not got the transport structure here or anything else to deal with it?

I think at the moment we are doing exactly what the Steam Packet Company want us to do and I think that there should be a lot more dialogue about the long-term future of our sea requirements. It has all been put together, I think, in a piecemeal sort of fashion and we need a proper strategy for operating whatever vessels are coming to the Isle of Man together with a proper operating structure for the main harbour itself and all the facilities that we have got.

I am going to hear what other members have got to say before I vote, but I have some strong reservations about this particular expenditure. Thank you, Mr President.

Mr North: Mr President, first of all I rise to my feet because really I think the record needs putting straight, certainly as far as the hon. member for West Douglas, Mr Shimmin, is concerned and he certainly has me confused as to what he has been told -

Mr Downie: That would not take much!

Mr North: - and really I think what we are counting on here is let us look at the overall picture. First of all the Steam Packet brought fast craft into the Island and I can tell hon. members that certainly up until two years ago the volume market from Stranraer to Larne were met in Stranraer, the SeaCat, by buses and they were bussed from the ship to the terminal, and probably that is still going on. This terminal at Douglas is going to be the competition for the airlines, sea and air are the competition now to the Isle of Man, and I think this is, I accept, a luxury, but this should be provided if the Steam Packet is providing competition for the airlines. But let us get one thing absolutely straight for the record because I was the minister at the time, so I know exactly what happened, and we actually came to the Steam Packet, to the managing director, and specifically asked them did they want a walkway to that linkspan, and the reply was no, N.O., no, not required, and at that time we felt, fine, that is their specific answer, they are not going to use it because the amount of times they were going to use it, a couple of times, bussing it would be quite sufficient. So there was not a requirement at that

time and that is why we did not proceed at that time with this walkway. Now, things have changed and one can see why.

Now, all right, you could probably continue to bus them. The hon. Minister for Local Government has assured me, Mr Quine, that he also has four pseudo-sedan chairs in his garage which could be used on emergencies.

But if we could just really look at this, hon. members, I know the management has changed and the ship that they are providing now will provide a good new service to the Island, but let us just look at it as it is now. This is going to be the gateway to the Island, the same as the airport is, and we should be providing, unlike other ports, good up-to-date facilities. I accept that it is a luxury. It is. But we should be providing the right facilities for the people coming to the Isle of Man.

Sir Miles Walker: Mr President, I will not repeat anything that has been said by the previous speaker. He made one or two of the points that I wished to. I would just say that I believe the future of the Isle of Man lies in us providing quality business and quality service and I have to say, as far as I am convinced, that tourism, in its wider sense, is a part of that quality business and quality service, the business that we ought to be in.

I would argue with the hon. member who has just resumed his seat, though, that he says this is a luxury. I would suggest to him that it is a basic facility. Do we really want our tourists, and there may not be a lot of them but they are increasing in number, those foot passengers to come and have to trudge across that reclaimed area to the bus? I can recall the time and it is not too long ago where we had to be bused from the aircraft when it landed at Heathrow to the terminal and I can remember the sense of relief that all the passengers had, including, I believe, members of this hon. Court, when it was arranged for that aircraft to go alongside pier 12 or whatever it is, which enabled the passengers to walk in reasonable conditions. I think that busing is unacceptable. I really think that it is a thing of the past and ought to be avoided.

As far as the linkspan in Douglas harbour is concerned, the Isle of Man needed a linkspan in deeper water than it had before. I am absolutely convinced we were right in constructing that linkspan ourselves and not allowing the ownership of it to continue in the hands of the Steam Packet Company. I have no doubt about that at all. I also happen to believe that the user agreement is in the overall interests of the Isle of Man.

Mr Cannan: No! No!

Mr North: Yes! Yes!

Sir Miles Walker: I believe the user agreement is in the interests of the Isle of Man and that there has been no constructive or practical proposal that would match it. But because of the user agreement the Steam Packet Company cannot walk away from its commitments to passengers even if it so desired, as was suggested by the hon. member for Middle. They are tied into providing a service, a good service, by that agreement. I think that that is in the interests of the Isle of Man, the tourist industry, and our future.

This does seem an expensive project, nearly £2 million, but the facts of the matter are because of the situation in Douglas harbour that walkway needs to be elevated because it has to, of course, pass over the entrance to the other linkspan.

I agree with the hon. member for West Douglas when he suggests that it is impractical to provide services at inopportune times, as he suggested, but that would be the situation if we were relying on the linkspan alongside the sea terminal because it would be tide-dependent and there would only be certain times it could be used and half of those times, I would suggest, would be unacceptable to our tourists, those people that want to come to the Isle of Man.

I think that we should go ahead with this. It was not part of the original proposals, the hon. member Middle has made that clear, but I certainly expected a proposal such as this to appear on our agenda paper at some time and that was dependent on the time that the Steam Packet Company reorganised its affairs and went for, if you like, new shipping. It has gone for new shipping. It would not have done without the user agreement, of that I am convinced. I also have to say I think that is in the interests of the Isle of Man. I think the thought of a new ship, a big ship, more comfort, going into that particular berth are all in the interests of the tourist industry on this Island.

I think we should be supporting this resolution today and if the hon. member for West Douglas is right and the boats are reaching capacity, isn't that wonderful? For years and years there has been a reduction in the number of passengers, there has been a reduction in the amount of cargo. That has changed now and we are talking about increases in passenger-carrying capacity being required, both on the airlines and by sea. I think that is very positive and I think we should be encouraging it and if to encourage it we have got to invest £2 million in Douglas harbour for the benefit of the travelling public - and they do not all come from over there: there are many of our own people who use the boat as foot passengers going away - it is in their interests as well.

I think we should vote for this one, get on with the job and look forward to it being completed.

Mr Duggan: Mr President, I am going to vote against the resolution, hon. members, because I think, as Mr Downie says, it will get very little use. I think it will be a complete white elephant, and why should the taxpayers fork out £2 million for this because after all the Steam Packet should have designed a proper ship, as some other members have said? I think it is completely wrong and I think it would be irresponsible to vote this money through.

As for Sir Miles Walker, you have got to remember, hon. members, he was the author of Litt's, so take no notice of him. *(Laughter)*

Sir Miles Walker: Supported by my colleague on the Local Government Board. *(Mr Duggan interjecting)*

Mr Singer: I will be brief, Mr President, but of course it is expensive and it has been discussed for many months within the costs within the department. I think on balance it came down to the fact this is something we need and therefore we should go ahead with it.

We are actually in 1998, not 1928, and the people who are coming to the Island have great expectations as to the first things they see when they arrive here. It may have been all right at one time to get off the bus and walk with your cases and, as the hon. member said, bring more business on repairing ruptures to the DHSS and having to find the money for that. *(Mr Downie interjecting)* But people have expectations nowadays. They go to other ports, they

go to other airports and they expect a certain kind of service, and the first impressions count. If you want the people to come back, then they have got to have a good impression of the first thing they see.

Now, as far as Mr Downie's comment was concerned about Tesco's and overloading the boats, it is my urgent wish that for every lorry that Tesco put on that boat, another lorry does not get on that boat, because if you are going to get everybody else's lorries on that boat and Tesco's you are going to see the devastation of the retail trade in this Island. For every Tesco's one that comes on I hope a Marks and Spencer's one, or one of the others come off, otherwise there will be no retail trade left on this Island.

So I think on balance we should support this. I think it will be to the advantage of the Island, to the advantage of the government, to the advantage of the people.

Mr Crowe: Mr President, after what seemed a very long and arduous day yesterday and a very serious debate it is very nice now to get a more lighthearted debate, but it is a very serious issue, and I often think Mr Karran has missed his vocation in life: he would have made a better comedian possibly. *(Laughter and interjections)*

But the message that I would like to make or the point I would like to bring over is that Douglas is the gateway to the Island, it is the shipping gateway to the Island. The people who are getting off the boat are local people as well as tourists. I would hate to get off as a passenger in the middle of winter in a gale and have to walk along the harbour and so on. So what we are providing is a facility to the travelling public, and as Mr North says, the sea routes are competing with the air routes, the SeaCat competes against the airlines, you have got competition with Manx Airlines and Emerald and with others, Jersey European, and your sea passageway or your sea route is purely one of the many competitions.

So I will be supporting this resolution because I believe it is right for the travelling public that we present a good face to the travelling public and that we are providing a first-rate facility. It is the gateway to the Isle of Man.

Now, the problem I had when I went to visit the exhibition - it was a very good exhibition, it was not that well publicised, I did not think, and I think other members may not have been able to go and see it - was this log-jam on the lifts, but I think from talking to the people there, the luggage will not be carted along by the passengers, it will be taken on trailers to a carousel, as with the airlines, so that log-jam may not exist but it is something you may like to comment on.

The other thing that you might wish to comment on, and it was raised there, is the security of the harbour, that the busing would take people out of the environs of the harbour, and under EC law a port has to be secure for the travelling public, and that is a point I do not think you have mentioned. You may wish to comment upon it.

As for the general comment about the priorities of the Island, we had the Pink Book yesterday and we looked at the capital projects which are planned and I think Treasury do prioritise on the basis of the needs of each department and look at them, so it is all very well saying that priorities are not looked at, but I believe they are looked at seriously. So I will be supporting it.

Mr Braidwood: Mr President, I too have reservations. I can see both sides of the argument. You know, the Steam Packet have invested £28 million to £30 million on a RoPax vessel. To maximise the size of the vessel they had to go onto the King Edward Pier, to use the link bridge. They had to have the depth of the harbour by the scouring of the harbour which was involved when the link bridge was constructed. So I have no arguments about that.

I also see Mr Downie's point about the number of people coming in their own vehicles and the number of foot passengers who are going to use this walkway. I would probably like to have seen that if we look at this, the construction is May to October, so it is not going to be used for any of the passengers, we are going to have to bus at the present time, and I would probably like to have seen the vessel come into operation, look at the number of foot passengers coming off the vessel for six months and if then at that time the number of people coming off the walkway had to be used, that was fine, then one could be constructed. But I would like to have had this wait-and-see attitude, to wait to see how many foot passengers were coming off the new RoPax vessel and if there were only 50, then I think an expenditure of £1.8 million or £1.9 million is too much. If we are having sufficient foot passengers coming, then right, I will agree to a walkway being constructed because people in this day and age expect the best facilities. But for 50 passengers?

Mr Brown: It won't be 50.

Mr Duggan: That is all you will get in the winter.

Mr Braidwood: I would like a wait-and-see attitude to see how many foot passengers are coming off this new vessel.

Mr Kniveton: Mr President, I am, of course, the member responsible for harbours. (Members: Hear, hear.)

A Member: It's all your fault!

Mr Downie: You've got to support a floundering minister!

Mr Kniveton: I have to say, sir, that I do agree with Sir Miles Walker in what he has said and also my colleague from Ramsey, very much so. We do live in a very changing travel world. There is no doubt about that. I have been in travel a lot of my working life and everything is changing day to day.

Competition with the air - I believe the sea carriers, and I am not going to name the shipping company because we are not talking about a shipping company, we are talking about people, passengers who come to the Isle of Man, our business that comes to the Isle of Man and our locals that travel to and from the Island. So I believe we are getting carried away by talking about the Steam Packet too much and not considering the passengers themselves.

We also have to remember that this vessel is going to arrive at 6 o'clock every morning or thereabouts and again at 6 o'clock every evening and that is twice a day, 364 or 365 days a year. We are talking about weather conditions and we are talking about this walkway which is connected directly to the ship, whereby no passenger really has to put his foot on the Edward Pier, he will walk straight into the walkway and straight across, and that is caring for our passengers, not having to get out in all sorts of weather and get wet and so on.

We are talking about two sets of carriage here: we are talking about passengers and we are talking about cargo. We must keep the two separate. We cannot mix our passengers with our cargo because there is a real safety element to be considered.

Finally, I would remind hon. members our passenger figures are rising. Last year they went up. I think the figure is about 11.6 per cent. So there is no use people in this hon. Court saying we are talking about 5, or 10 or 15 passengers per vessel. That is stupid nonsense. Our passengers are rising, the boat can carry 500 people, and let us not forget that they do not all come by car: we have many special events, festivals and so on and that bridge will be used. I, of course, will be supporting.

Mr Downie: Passengers are down here.

The President: Reply, sir.

Mr Brown: Thank you, Mr President. Whilst I can understand certain hesitations that may be expressed by members, I hope I can put their fears to rest and I think my starting point has to be that we should be delighted. We have for the first time for many, many years a shipping company now investing £24 million into a brand-new ship for the Isle of Man service to meet the modern demands of our customers, not old ships that have been sailing down elsewhere for 20 years, but a brand-new ship for the Isle of Man, and we are being asked - and when I say we are being asked, I am asking you, Tynwald Court, not the Steam Packet asking you, I am asking you - to invest less than 10 per cent of that cost: £1.8 million.

Now, members have expressed a number of concerns and I will answer them because I think it is important to try and overcome the concerns.

Mr Shimmin started off that he was reluctant and then he got to a stage where he might not support because of what was said, and I hope that I can clarify that for him. The hon. member said that it was way down his list of priorities. Well, it depends where you come from because when I mean that, it depends what your view is on different aspects. One thing we have to recognise is we have a diverse economy. By nature government, and especially in the Isle of Man where we affect so much, have to look at all these things - airports, harbours, highways, houses, refuse incinerators, hospitals, whatever it is - because we are here to provide services for people who either live here or are going to come here to the Isle of Man. So naturally we will come forward at times, whoever it is, with proposals where members can sit back and say, 'But I don't see that as important because in fact this is far more important.' All I can say is, as far as I am concerned, we started from a view that the Isle of Man Steam Packet Company said, 'We're getting a new vessel, it's £24 million: to be as effective as possible we wish to use it off this linkspan, although we can use it off the other, but we wish to use it off this one for the majority of our sailings for our passengers and so on', and we as a department - and I hope I do not have to apologise - took an initiative and we said, 'That's going to be a problem for our passengers, our customers, whether they be locals or whether they be people visiting the Isle of Man because we have to get them from A to B.'

Now, we can do that by bus and coach, and I mentioned in my introduction that the problem with that is that we have very little influence over those costs over a period of time and I did some examples, and let me just say to you we have already gone out to tender for some costs for the interim period and I am not going to give the exact cost yet because they are being examined, those tenders, but what we know now is the likely cost. It is likely that if

we had to bus people around for a year at today's costs that are put in it will cost us in excess of £80,000 for the year, for one year. If we continue that for 10 years at an increased price rate of plus-5 per cent each year we would be paying £124,000-plus in 10 years' time.

Mr Downie: Private sector or government?

Mr Brown: I said that that is a cost based on the tenders we have received. Those tenders we have received are both from government and private. I am not giving the exact price because those tenders are still being examined but it is in the region, for three months, of £20,000-plus, and I have been concerned and I kept the figure to £20,000 because I know it is more than that, so I am not trying to exaggerate. I am just keeping it to a level that gives an example of what it could cost us. And the problem is that whilst we can get a service of busing people around - and I would take the point the hon. member for Rushen, Sir Miles, has made and others have made, that that is not really a satisfactory way forward in terms of the expectations of our customers - we are talking about somewhere in the region of £80,000 per year. We are also talking of inconvenience because of how you have to do it, getting people onto buses and anybody who has been to an airport where you are bused from A to B knows the hassle of people all rushing to get onto the buses, and we are talking about ATPs or the jet in the Isle of Man. You talk about potentially higher numbers - and I will come back to the numbers after - of the passengers who could be foot passengers and you are talking of considerable numbers.

Now, we can bus people around. We are going to have to in the interim, but it is not an answer to the problem, and I would say that in the last number of years we should congratulate the department for actually improving our facilities at our harbour ports, as they have at the airports, to lift up the standard of reception, if I use that term, for our customers because we all know how the Sea Terminal used to look internally. It was very basic, it was very practical, but it was not very easy for our customers, and I am someone who has actually been a foot passenger, a number of years ago, not that long ago, with my wife, two children and two suitcases and walking down to the boat on the Victoria Pier and struggling with two suitcases. We are taking that away with the Steam Packet's help, so now it is all being bused round. So they are only talking about hand luggage.

I have to make it clear as far as I am concerned harbour facilities should be owned by the Isle of Man Government. If we have learnt nothing in a number of years the one thing is - and the hon. member who has asked a lot of questions and I thought had an interest in this I hope is listening to part of what I say - that what we have is we have a facility here where when we did not own a harbour facility we had problems in dealing with our shipping. We should not make that mistake again. We should own our harbour facilities. The linkspan is paid for in terms of there is a charge for the linkspan paid by the Steam Packet Company and quite a substantial charge.

Mr Downie: They are going to pay for this then?

Mr Brown: They do not pay for the Sea Terminal. The airport and the airlines do not pay for the airport. The same principle applies. The linkspan was part of the user agreement and there was a special arrangement for that because of what we were doing.

Another point that was made was that the hon. member for West Douglas, Mr Shimmin, said that he understood that this was known this was going to happen. Well, I cannot answer

for what was exactly said to the hon. member but I know one thing I am absolutely sure the officers in my department would not mislead any member and they may well have said, and I do not know what they said but they may well have said, 'Well, it was always envisaged we may need something like this', but we did not know because when it was all built it was not the Isle of Man Steam Packet Company we have got today, it was the old, to use a term, Isle of Man Steam Packet Company. So all I can say is my understanding when we voted for the linkspan was that it was not going to be for the passengers but it could be if it was needed. We have moved on a step, things have changed. We are lucky we can do what we are proposing we do because we can actually link it up.

So I think that that is something I would make to the hon. member. It is not a hidden cost. We are not hiding anything here. Things have actually moved from however many years ago now, five years ago, and we now have a fortunate position where we are getting a new vessel for the Isle of Man and we need to improve the facilities and ensure they are quality facilities.

Now, Mrs Crowe - I am going to have to say to the hon. members for Rushen because they both got up, the two members, excluding Mr Speaker, and have been a little bit excited about the marina report in terms of its potential for Port St Mary, I would just say to the hon. members, you will have to be a bit patient. We are at least identifying a way forward and hopefully we will be able to, with the support of this Court at some stage, see a development in that area. But I have to say it is not an either/or: either this or the Port St Mary marina. Clearly we believe this is required because of the change in the service we are going to have from July.

The hon. member made the point about the lift. There are two lifts, albeit one at each end, so clearly there are two lifts available, and I have to say that we also have to take into account that anybody with a serious disability may well be met off the boat by an ambulance or there will be wheelchair facilities available, as there are at the airport, and if they have to be accompanied, then I am sure provision will be made to accompany them, and the point was raised about the lift on a number of occasions, and may I say anyone who goes to Manchester Airport, and I think the hon. member for Onchan has been a long time since he has been off the Island where he has had to use such facilities, if you go there I think they have got something like a 20-person lift if it is that size and they have one lift -

Mrs Crowe: And you queue for ever.

Several Members: Hear, hear.

Mr Karran: A bit of common sense.

Mr Brown: - and you use that facility and every time I have used that facility I have to say I have not had to queue and I go to Manchester quite regularly on business.

Mr Downie: What about Liverpool?

Mr Brown: So all I am saying is that what we have done is not gone mad. We have looked at this logically. We have looked at the potential passengers and we have made a judgement and, yes, we could put two lifts in and, yes, we could put all sorts of other things in, but it would not be £1.8 million, it would be £2.5 million, and we have already got criticism from some members that we are already building something that is too big for the number of foot passengers we are going to have. So what we have had to do, which is our responsibility, is

clearly identify the potential, after discussing it with the Steam Packet Company, the potential we see and try to say, 'Right, what do we require in terms of facility?', and we believe - and if we are wrong we will have to do something about it - one lift at each end, a 13-passenger lift, plus the stairwells is adequate to meet the requirements of foot passengers coming off the boat.

Now, Mr Speaker made the point about the changing of ships and so on and so on and I suspect that the Steam Packet have built this new ship, which will last and I am not a great nautical man, but I presume is going to last 20 to 30 years, maybe 40 years, I do not know, but the ships we have had have usually been over 20 years old. This is a brand-new ship. The hon. member asked about the period of borrowing. The period of borrowing is 30 years and that is the requirement that we would normally use. So again we do not know what is round the corner. All we can do is say, 'Here we have a new service, a new ship: should we meet and take the initiative to meet the requirements of our customers?' My view is yes we should. It is our harbour, it is our Island, it is our responsibility. That is my view. I do not have any qualms about that.

Now, the hon. member for Onchan, Mr Karran, said that he would not be supporting this, and that is clearly a matter for himself, but what I would say is there are no hidden agendas. Clearly the point that we are supporting the Steam Packet is right. It is our harbour: we own it. It is not a matter that they have just asked for something, 'Can we have it?' There is a new ship, it is a new way of dealing with our passengers and we should meet it. Can you imagine the number of questions I would have in this hon. Court and in another place if we waited two years to see how the customers go and, by the way, Mrs Jones from somewhere got soaking wet with her three kids because there was no cover-way and she was walking round the harbour or waiting for a bus. The members who have criticised us for taking the initiative are the very ones who would be asking questions every week and saying, 'What on earth are you going to do about it?', and then it would take us maybe a year or two years to get planning permission and get the thing sorted. So clearly we have a facility.

Now, the hon. member for Onchan also said it was ill thought out. Well, I think the only point I would say, just in passing as somebody who has no direct input into his area of responsibility, is I do not know what is going on in the Water Authority, and that is the only point I will say.

Mr Karran: Come down and I will learn you, son! (*Laughter*) You might learn more commonsense and not stupid schemes.

Mr Brown: Well maybe, Mr President, as the hon. member has taken a bit of bait, the best way to say it is it would be helpful if the public and members of this Court knew what was being suggested because I have not got a clue, but I do know the rates are going up.

Mr Karran: Talk to your Treasury minister then.

Mr Brown: I do know the rates are going up.

Mr Karran: It's no excuse for stupid schemes.

Mr Brown: The linkspan is not, in my view, a waste of taxpayer's money. There is very good reason why we should invest in it and I believe that we should make the decision today to support this.

I thank Mr Downie for his initial comments, I suppose is the best way to say it, where he naturally paid thanks to the department for the presentation, and I am pleased that we were able to put that on and that the Steam Packet joined us because we did think that was important. They are the people who are going to be using it at the forefront for our customers.

I can assure you it is not setting policy on the hoof. We, a short time ago, were all advised the Steam Packet Company were going to invest £24 million in a brand-new ship. I think us taking the initiative to say 'Right, if it is going there we have to improve the facilities' is not on the hoof, it is actually taking the initiative to deal with this issue in a very short time. So we have development policies in terms of the airport, it has been there for a number of years, which answers a number of the other questions that members have raised, and we are looking at the harbour the same. But we have a small harbour to the Isle of Man as the main harbour which has to deal with the vast majority of freight and a substantial number of customers as in foot passengers. It is a small place to get them on and off from and we have to make it work and because of the location of this linkspan, which I understand was put in the best place based on the nature of the harbour, we have to provide a walkway.

Now, the hon. member made the point that there will only be, he said, 50 or 60 people walking on it. Well, the figures do not show that. The total figures for 1997 - these are arrivals at the harbour - for passengers showed 492,663 passengers. That, by the way, was a 7.5 per cent increase over 1996. Then we have the figures that the total figures of vehicles was 91,405, which, by the way, was a 10.3 per cent increase. Now, if we are being very conservative and saying that there are two passengers with every vehicle, then we have still got 309,853 passengers who are going to walk, but let us go further, let us say there are on average three passengers to a vehicle. We will still end up with over 200,000 passengers a year who are going to walk. So it is not 50. We are talking potentially of about 200 people walking across there every sailing when the sailings are busy and when they are not so busy it might be less and some sailings will be predominantly foot passengers because of sporting events we have. We see boats coming in and nearly everybody who gets off is a foot passenger at certain times. So are we saying they do not matter? Of course they matter, and therefore the 50 to 60 I am afraid is one of Mr Downie's dreams in terms of trying to -

Mr Downie: A point of order, Mr President.

The President: Yes, sir, put your point of order.

Mr Downie: The minister referred to me as dreaming. Yesterday we discussed our Isle of Man Government budget and on page 95, 'Harbours Division', year 1996-97, passenger arrivals and departures, harbours division: passengers, 452,750; 77,337 cars; 32,927 motorcycles. There is actually a reduction of over 10,000 arrivals in the passenger figures from the previous year.

The President: And what is your point of order?

Mr Downie: Well, the point of order is that the figures -

Mr Karran: You must be dreaming. You have been misled as usual.

Mr Downie: - that the hon. minister has just circulated appear to have no substance at all in this debate. They are erroneous. *(Mr Karran interjecting)*

The President: That is not a point of order. Proceed, sir.

Mr Brown: Yes, thank you, Mr President. Just to clarify that, as an hon. member to my right is muttering about being misled again, the information that was provided in a Department of Transport press release which went out and was issued recently to the figures, clearly those figures are the figures that are put on there -

Mr Downie: Not in the Pink Book.

Mr Brown: The figures I have quoted, Mr President, and how I respond is a matter for me. I am not misleading anyone. They are the figures that are quoted there. As far as I am concerned, we have a substantial number of foot passengers still coming to the Isle of Man. Now, from our point of view the department is trying to respond to what we believe quite clearly is a supportive role of the Steam Packet Company and of course trying to make sure that our passengers are well looked after.

A number of other members spoke and I thank those who spoke in support, and I would just say to the hon. member for Middle, Mr North, when he said that he felt it was a luxury, I have to say I do not think it is a luxury. I think leaving our people to walk across open land and/or be bused is not the way to do it. This is an essential part of our harbour facilities. We already have criticism at our airports where people have to walk outside and this is a way of trying to make sure that from the sea service, that does not happen. What we do have to do is to meet what I believe are the requirements.

The hon. member for South Douglas said he is voting against and he said 'Well, I'm voting against because it is a waste of money.' And, well, that is fine. I am sure he would be the first asking me a question if his taxi-drivers were picking people up from the sea terminal who were complaining because they had to walk in the open air and were moaning about it. But that is just a point. I would have thought he would have understood the industry better.

I thank Mr Crowe, the hon. member for North Douglas, for his realistic view because I do think what he said was a realistic view. He balanced up the pros and cons and then said, 'Well, yes, we have to deal with this issue.'

Again, the log-jam in the lifts - we will have to assess how they work. We do not believe, based on the numbers we have, that that would be a major problem. Again, it depends on the use of the lifts because if it is swamped with a lot of young people going on the lifts, for example, or people like ourselves as against old people, then there might be queues. But most of our age group should be able to walk up and down the stairs and I hope will be encouraged to do that.

Security is important. It is a matter for ports, whether it be the airport or the harbours where there are passengers involved, and we do take it seriously and, yes, that is taken into consideration in terms of busing round and all sorts. So again that is important.

I would just say to the hon. member for East Douglas, Mr Braidwood, I hope that you will consider the points I have made. The point of waiting is an option but I am not sure it is in our best interests. I am not sure that busing people round longer term, i.e. a year or maybe 18 months - (*Interjection*) Yes, but if you assess it for six months - that is from August when it is in operation - then you decide, yes, we are going to do it, you have then got to move to build it. That is another eight months to build it and therefore time is moving back all the time. We

have actually said, 'Let's get it in place as quickly as possible' because we believe and genuinely believe we need to provide the best facilities available.

I thank the hon. members, those who have supported. I hope members will support this important initiative. I thank the members of my department for their contributions who have also, I think, answered a number of the points that were raised by members. I beg to move.

The President: Hon. members, I will put the resolution standing at item 6 on the order paper. Will those in favour please say aye; against, no.

A division was called for and voting resulted as follows:

In the Keys -

For: Messrs Cannan, Quine, North, Sir Miles Walker, Messrs Brown, Crowe, Cretney, Downie, Mrs Hannan, Messrs Singer, Bell, Corkill, Gelling and the Speaker - 14

Against: Mrs Crowe, Messrs Duggan, Braidwood, Mrs Cannell, Messrs Shimmin and Karran - 6

The Speaker: Mr President, the motion carries in the House, 14 votes being cast for and 6 against.

In the Council -

For: The Lord Bishop, Messrs Lowey, Waft, Dr Mann, Messrs Kniveton, Radcliffe and Mrs Christian - 7

Against: None

The President: In the Council, hon. members, 7 votes have been cast in favour of the resolution and no votes against. The resolution carries.

Specified Risk Material Regulations 1998 - Approved

The President: We move on now to item 7 and I call upon the Minister for Local Government and the Environment.

Mr Quine: Thank you, Mr President. I beg to move:

That the Specified Risk Material Regulations 1998 be approved.

These regulations provide a definition of 'specified risk material' which includes specified sheep and goat material and specified bovine material and lays down a procedure to control this material and prevent it from entering into the human food chain.

These regulations have been consolidated and adapted to suit the situation on the Island and to bring the Isle of Man into line with the United Kingdom and to help retain confidence in the meat industry.

Hon. members have been circulated previously with details and I therefore beg to move.

Mr Braidwood: I beg to second, Mr President.

The President: I will put the resolution set out at item 7 on your order paper. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Highway Extinguishment (Victoria Pier Approach Road, Douglas) Order 1998 - Approved

The President: Item 8, the hon. Minister for Transport.

Mr Brown: Thank you, Mr President. I beg to move:

That the Highway Extinguishment (Victoria Pier Approach Road, Douglas) Order 1998 be approved.

The purpose of the Highway Extinguishment (Victoria Pier Approach Road, Douglas) Order 1998 is to extinguish a section of the highway which is situated to the south side of the Victoria Pier approach road from a point central to the northern sea terminal exit doors after the security check point and for a distance of 3.5 metres in an easterly and westerly direction, forming a rectangle to eight metres from the base of the Sea Terminal building. A copy of the order map is attached to the order hon. members have and clearly identifies the area concerned.

The Department of Transport proposes to extinguish this part of the highway in order to accommodate the building of a tower to serve the proposed elevated walkway, and to enable the building work to proceed it is necessary for the highway to be extinguished.

Statutory notices have been placed in local newspapers and no objections have been received.

There are no resource implications related to the order for the department.

The order has been drafted in consultation with the Attorney-General's Chambers and any comments received have been considered and, where appropriate, incorporated into the final draft.

Subject to Tynwald approval, the order will come into effect on the publication of a notice of making of the order in accordance with schedule 3 of the Highways Act of 1986.

I beg to move the motion standing in my name.

Mr Singer: Mr President, I beg to second.

Mr Karran: Mr President, I shall not support this order. I cannot support an order to close a public highway for such a crazy, ill-thought-out scheme, and no matter how much the minister or his would-be ministers from North Douglas can try and belittle my contribution, the situation is it does not make economic sense. It is not justified. You have a situation where you are going to expect walking passengers. If we allow this highway to be extinguished you are going to have a situation where you have got a lift for 13 people, you have got somewhere in the region of 300 yards for people to have to walk when you are walking up stairs and that. I think it is ill thought out, it is stupid, and I think that when we look at the situation, if I support this extinction order all I am doing is once again supporting the policy of big plaques on walls when there is a more sensible and a more economic way of dealing with the problem by busing, when members in this hon. Court just want to go with the flow. I think it is wrong and I will not support the order, simply because I will then be associated with this crazy scheme.

Mr Shimmin: Mr President, I shall be supporting this. I know when I am defeated. It is only going to take more time. I and others have registered our disapproval of this scheme. However, this Court has already made its decision. I think somebody said yesterday you have to move on, and therefore I will be supporting.

Mr Downie: I will be supporting this also, provided that the Minister for Transport gives me a firm commitment that in extinguishing this highway the rights that the people of Douglas have enjoyed for hundreds of years to go down to this location and fish and walk when there are not vessels in will not be removed in any way and the status quo remains with regard to access to the pier.

The President: Reply, minister.

Mr Brown: Thank you, Mr President. I thank the members for West Douglas for their support on this and accepting the reality of the situation.

Can I just say to the hon. member for West Douglas, Mr Downie, this order has no effect at all, as far as I am aware, on fishing rights for people who presently enjoy using the pier.

I would just say as far as the comments from the hon. member for Onchan are concerned, Mr Karran, I will just note those. I beg to move.

The President: Hon. members, I will put the resolution standing at item 8 on the order paper. Will those in favour please say aye; against, no. The ayes have it.

A division was called for and voting resulted as follows:

In the Keys -

For: Messrs Gilbey, Cannan, Quine, North, Sir Miles Walker, Mrs Crowe, Messrs Brown, Crowe, Cretney, Braidwood, Mrs Cannell, Messrs Shimmin, Downie, Mrs Hannan, Singer, Corkill, Gelling and the Speaker - 18

Against: Mr Karran - 1

The Speaker: Mr President, the motion carries in the House with 18 votes being cast for, 1 against.

In the Council -

For: The Lord Bishop, Messrs Lowey, Waft, Dr Mann, Messrs Kniveton, Radcliffe and Mrs Christian - 7

Against: None

The President: In the Council, hon. members, 7 votes have been cast in favour of the resolution, no votes against. The resolution carries.

Highway Extinguishment (King Edward VIII Pier, Douglas) Order 1998 - Approved

The President: Item 9, the Minister for Transport.

Mr Brown: Thank you, Mr President. I beg to move:

That the Highway Extinguishment (King Edward VIII Pier, Douglas) Order 1998 be approved.

The Highway Extinguishment (King Edward VIII Pier, Douglas) Order 1998 is being moved for the same reason, except on another pier, to enable the elevated walkway to be built. I therefore beg to move the motion standing in my name.

Mr Singer: Mr President, I beg to second.

Mr Karran: Eaghtyrane, again as far as this is concerned I will not support this. I think it is a sad situation when you end up in a lone position, but at the end of the day this is wrong and I will be proven right that this is wrong, and I believe that closing this highway for this scheme does not make sense. It will not serve the purpose that it is made for and it does not make economic sense or make sense on any front. Once again we are seeing these things bludgeoned through because this House is not doing its job, in my opinion, and I am disappointed that I should be on my own as far as this extinguishing order because I believe it should not be supported because it is an ill-thought-out thing and it is just ending up with more costs on the people of the Isle of Man.

Mr Downie: I do not think we should have any trouble with this one, Mr President. As King Edward VIII never existed, we should have no problem in eradicating a pier that was named after him. That is just a historical point. *(Laughter)*

Mr North: Marown Bridge.

Mrs Hannan: He did exist.

Mr Downie: The only other point I would like to raise is that I hope that the same conditions will apply, that the people of Douglas, when the highway is extinguished, will still have the right of access to fish and do other things on the pier, and that is the condition that I will be voting for the issue on.

Mr Lowey: I am really on my feet because I do want the minister to clarify for me. If you are extinguishing rights for people to walk on it and then the minister says it should not affect the fishermen on the pier, but to get to the pier you have to walk over something that you have got a right to walk over and you are not going to allow them, you are taking away that right, you are impinging on them. And so I did not think that his answer to the last closure was correct and I want it clarified that we are actually preventing people from actually walking along this particular bit of pier.

As for the historical fact, Edward did exist, he just was not crowned.

Mrs Hannan: That is right.

The President: Reply, minister.

Mr Brown: Thank you, Mr President. I would like to cover the fishing bit in relation to these orders. Nothing will change with regard to fishing or anybody walking down this road. Now, if they are able to walk through a building we have built on a section of highway that we are extinguishing so we can build this pier on, then so be it. Not being funny now, we are talking of extinguishing a portion of this highway to build on, not extinguishing the whole of the highway through that pier, just a portion of it, and, hon. members, if you want to turn to the map on the back of the orders it is actually coloured in grey, what area will cease to be a highway, not all that area of the pier, just that bit, so we can build on it because we cannot. We are not allowed to, by law, build on a highway. We have to extinguish it. So I hope that answers the point for the hon. members.

Can I just say in just a slight response different to the hon. member for Onchan, Mr Karran, I would say that this House and this Court did their job very well on the debate with regard to the elevated walkway. Members debated properly, which is what they are here for, whether or not they wished to support it. Some decided they did not and some decided they did. The majority decided they did and I think it is a little bit of an insult if you are saying the

House is not doing their job just because you do not agree with the decision of the House. I beg to move.

The President: I will put the resolution, hon. members, set out at item 9 on the order paper. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

I think it an appropriate time to adjourn, hon. members, and the adjournment will be until 2.30. Thank you very much.

The Court adjourned at 1.04 p.m.

Investment Business (Exemption) (Miscellaneous) Regulations 1998 - Approved

The President: Hon. members, we resume our consideration of the agenda paper at item 10 and I call upon the Minister for the Treasury.

Mr Corkill: Thank you, Mr President. I beg to move:

That the Investment Business (Exemption) (Miscellaneous) Regulations 1998 be approved.

These regulations are designed to exempt certain persons from requiring an investment business licence on the basis that such persons are regulated by an alternative route; for example, a nominee's activity is regulated through its licence holder parent. These regulations which came into operation on 20th January 1998, replace earlier exemption (miscellaneous) regulations. There is only one amendment to these regulations and that is the definition of a nominee company as an exempt person. I beg to move item 10, Mr President.

Mr Gilbey: I beg to second and reserve my remarks, Mr President.

The President: Hon. members, I will put the resolution standing at item 10 on the order paper. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Financial Supervision (Recognised Schemes) (United Kingdom) Order 1998 - Approved

The President: Item 11, the Minister for the Treasury.

Mr Corkill: Mr President, I beg to move:

That the Financial Supervision (Recognised Schemes) (United Kingdom) Order 1998 be approved.

This order is designed to extend the range of United Kingdom collective investment schemes which are eligible to apply for recognition in the Isle of Man on the basis that by virtue of reciprocal arrangements United Kingdom schemes which are authorised in the United Kingdom may be eligible for recognition on the Island, and Isle of Man schemes authorised under the Isle of Man's Financial Supervision Act 1988 are similarly eligible to be recognised in the United Kingdom. I beg to move item 11, Mr President.

Mr Gilbey: I beg to second and reserve my remarks, Mr President.

The President: I will put the resolution, hon. members, set out at item 11 on the order paper. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Dual-Use And Related Goods (Export Control) (Amendment No. 4) Regulations 1997 (Application) Order 1998 - Approved

The President: Item 12, the Minister for the Treasury.

Mr Corkill: Mr President, I beg to move:

That the Dual-Use and Related Goods (Export Control) (Amendment No. 4) Regulations 1997 (Application) Order 1998 be approved.

The purpose of this order is to apply in Island law regulations which amend the principal regulations, the Dual-Use and Related Goods (Export Control) Regulations of 1996. The principal regulations give effect to a requirement under EC Council Regulation 3381/94 for such export controls to cover goods which have both a civil and military function. I beg to move, Mr President.

Mr Radcliffe: I beg to second, sir.

The President: I will put the resolution, hon. members, set out at item 12 on the order paper. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Value Added Tax (Drugs, Medicines And Aids For The Handicapped) Order 1998 - Approved

The President: Item 13, the Minister for the Treasury.

Mr Corkill: Mr President, I beg to move:

That the Value Added Tax (Drugs, Medicines and Aids for the Handicapped) Order 1998 be approved.

The purpose of this order is to combat VAT avoidance schemes that have been developed by tax advisers in the United Kingdom that enable both private and public sector bodies to undermine the original intention of the legislation effected. It is and was the intention of the law that neither public nor private sector institutions making VAT-exempt supplies of care should be entitled to recover VAT on related purchases. The results of two High Court cases in the United Kingdom have revealed that the law is apparently not as clear on this subject as Parliament and Tynwald intended it to be. The order makes various amendments to group 12 of schedule 9 to the Value Added Tax 1996 modifying item 1, note 3, of group 12 and inserting new notes, 4(a) to 4(i), to it. I beg to move the item in my name, number 13, Mr President.

Mr Radcliffe: I beg to second, sir.

The President: I will put the resolution, hon. members, set out at item 13 on the order paper. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Export Of Goods (Control) (Amendment No. 3) Order 1997 (Application) Order 1998 - Approved

The President: Item 14, the Minister for the Treasury.

Mr Corkill: Mr President, I beg to move:

That the Export of Goods (Control) (Amendment No. 3) Order 1997 (Application) Order 1998 be approved.

The purpose of this order is to apply in Island law an order which makes amendments to the Export of Goods (Control) Order of 1994. The order to be applied makes numerous detailed changes to the principal order, which extends the scope of the order to cover

categories of goods not previously covered or redefine the extent of existing coverage and others that correct minor errors discovered in the 1994 order. In addition, entries referring to Bosnia-Herzegovina and Zaire are updated to reflect changes in the names of these countries. There are no revenue or resource implications and I beg to move.

Mr Radcliffe: I beg to second.

The President: Hon. members, I will put the resolution set out at item 14 on the order paper. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Betting Duty Regulations 1998 - Approved

The President: Item 15, the Minister for the Treasury

Mr Corkill: Mr President, I beg to move:

That the Betting Duty Regulations 1998 be approved.

The purpose of these regulations is to amend the Betting Duty Regulations 1984 and allow for the use of monthly returns by bookmakers in the Island. Amendments are made to the 1984 regulations and a new form of return is prescribed in the schedule. The move will have no effect on the amount of general betting duty that is collected. I beg to move.

Mr Radcliffe: I beg to second.

The President: I will put the resolution, hon. members, set out at item 15 on the order paper. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Export Of Goods (United Nations Sanctions) (Sierra Leone) (Amendment) Order 1997 (Application) Order 1998 - Approved

The President: Item 16, the Minister for the Treasury.

Mr Corkill: Mr President, I beg to move:

That the Export of Goods (United Nations Sanctions) (Sierra Leone)(Amendment) Order 1997 (Application) Order 1998 be approved.

This order applies in Island law an United Kingdom export control order which amends a previous export control order. In October of 1997 the United Nations imposed sanctions upon Sierra Leone as a result of unrest and human rights abuses there and the perceived threat to the security of that region of West Africa. An interim export control order brought in an export prohibition on petroleum and petroleum products and added Sierra Leone to the list of countries to which arms in transit may not be exported without a licence. That order came into operation on 15th October 1997. On 1st November 1997 an order in council came into operation applying full United Nations sanctions controls in place for Sierra Leone. This rendered the original export control order partly redundant and it is the redundant part which is being revoked by this order. Article 2 of the original order, which prohibits the export of arms in transit to Sierra Leone without a valid export licence, remains extant, however. This order may be seen as a tidying-up measure which also ensures Island law on export controls is kept closely in line with that of the United Kingdom, and the measure has no resource implication. I beg to move, Mr President.

Mr Radcliffe: I beg to second.

The President: Hon. members, I will put the resolution set out at item 16 on the order paper. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Social Security Legislation (Application) Order 1998 - Approved

The President: Item 17, the Minister for Health and Social Security.

Mrs Christian: Mr President, I beg to move:

That the Social Security Legislation (Application) Order 1998 be approved.

Hon. members have been given some broad details about the proposed social security benefit changes for 1998-99. The order paper contains a series of items which comprise part of this year's package of benefit uprating proposals. This particular order is concerned with the uprating of disability working allowance. DWA is a benefit to assist disabled persons to take up or return to work. It operates in the Isle of Man in a manner similar to family income supplement but with higher rates of benefit and an appropriate rate for single people. Entitlement to DWA arises subject to certain conditions where weekly income falls below a specified limit or prescribed amount. DWA is calculated at 70 per cent of the shortfall. The order increases the prescribed amounts by 2.7 per cent, which is the Isle of Man Retail Prices Index for the relevant period. I beg to move.

Mr Lowey: I beg to second.

The President: I will put the resolution, hon. members, set out at item 17 on the order paper. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Family Income Supplements (Computation) Regulations 1998 - Approved

The President: Item 18, the Minister for Health and Social Security.

Mrs Christian: Mr President, I beg to move:

That the Family Income Supplements (Computation) Regulations 1998 be approved.

These regulations, which are intended to come into force on 6th April, provide for the annual uprating of family income supplement. FIS is a benefit available for families where an adult in the family is working but where the reckonable income of the family falls short of a specified limit known as the prescribed amount. The level of the prescribed amount depends upon family size. These regulations uprate the prescribed amounts by 2.7 per cent, being the annual increase in the Island's retail price index, and the position has been explained in more detail in a memorandum which has been circulated to hon. members. I did comment yesterday in respect of the budget debate that in October this year we will be increasing the family income supplement scheme but until that time, Mr President, we wish to apply the regular uprating figure. I beg to move.

Mr Lowey: I beg to second, sir and reserve my remarks.

The President: I will put the resolution, hon. members, set out at item 18 on the order paper. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Supplementary Benefit (Requirements And Resources) (Amendment) Regulations 1998 - Approved

The President: Item 19, the Minister for Health and Social Security.

Mrs Christian: Mr President, I beg to move:

That the Supplementary Benefit (Requirements and Resources) (Amendment) Regulations 1998 be approved.

These regulations, which again come into force on 6th April, provide for the uprating of supplementary benefit and for certain other changes. Apart from the provisions for housing costs, the main elements of supplementary benefit are to be increased by 2.7 per cent - again, as I referred to earlier, the retail price index for the Isle of Man to September last. Supplementary benefit housing requirements are to be increased by five per cent, that being the percentage increase in local authority rents proposed for 1998-99. For local authority tenants housing costs are met in full. For people in the private sector accommodation housing costs are subject to limits. It should be noted that these regulations do not provide for an increase in housing requirements. The department has authority to increase housing requirements by an internal directive. Members will note, from the examples given in the memorandum which has been circulated, the sort of advantage which supplementary pensioners in the Island enjoy as compared with their UK counterparts.

Hon. members may be interested to know how expenditure has increased over the years. Ten years ago the cost was about £5.6 million; five years ago it rose to £10.3 million; this coming year it will be about £13.7 million. I think these growing figures illustrate the considerable commitment to those people in the Island who find themselves in financial need. I beg to move.

Mr Lowey: I beg to second, sir.

The President: I will put the resolution, hon. members, standing at item 19 on the order paper. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Social Fund Maternity And Funeral Expenses (General) (Isle Of Man) Amendment Regulations 1998 - Approved

The President: Item 20, the Minister for Health and Social Security.

Mrs Christian: Mr President, I beg to move:

That the Social Fund Maternity and Funeral Expenses (General) (Isle of Man) Amendment Regulations 1998 be approved.

The Social Fund Maternity and Funeral Expenses (General) (Isle of Man) Regulations 1997 provide under certain circumstances help for people who cannot afford to pay for a funeral and help for people who cannot afford to buy things for a new baby. These amendment regulations provide for increases in maternity payment for the first-born child and in the amounts paid for funeral expenses. Further details of the provisions are set out in the memorandum which has been circulated. I beg to move.

Mr Lowey: I beg to second, sir.

The President: I will put the resolution, hon. members, set out at item 20 on the order paper. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Pensioners' Lump Sum Payments Order 1998 - Approved

The President: Item 21, the Minister for Health and Social Security.

Mrs Christian: Mr President, I beg to move:

That the Pensioners' Lump Sum Payments Order 1998 be approved.

The purpose of this order is to fix the rate for the Christmas bonus for 1998. Hon. members will be aware that the existing legislation provides that the rate of the lump sum payment will be £10 each year unless an order is approved by Tynwald specifying the larger sum. This order provides for the rate of lump sum for 1998 to be £65 for all qualified persons. That is double in the case of couples - that is to say, £130. The cost of the lump sum payments, which is a charge on the national insurance fund, is about £1,270,000 per annum, or about £1,076,000 more than the United Kingdom rates. Compared with the £10 lump sum in the United Kingdom the Isle of Man rates represent a very meaningful sum which our pensioners and others may look forward to receiving next December. I beg to move.

Mr Lowey: I beg to second, sir.

The President: I will put the resolution, hon. members, standing at item 21 on the order paper. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Shops Act (Temporary Exemption) Order 1998 - Approved

The President: Item 22, the Chairman of the Board of Consumer Affairs.

Mrs Crowe: Thank you, Mr President. I beg to move:

That the Shops Act (Temporary Exemption) Order 1998 be approved.

The temporary order will allow shops whose principal trade or business is the retail sale of footwear, clothing or sports goods to open on a Sunday at any time. This exemption is from Easter Sunday to the last Sunday in October and maintains the status quo. This order goes some way to provide an equitable trading arena for this small category of traders and would allow them to compete with the shops whose principal trade or business is the sale of newspapers, books, fancy goods, food, refreshments, medicines and petrol stations, all who can quite legally open all day on a Sunday. Also exempted at present from any restrictions in Sunday trading are travel agents, estate agents, banks and building societies, and I can see no valid reason why this hon. Court should not allow our Island's responsible retailers, mainly small Manx businesses, the same parity of esteem.

Mr Waft: I beg to second and reserve my remarks.

The President: I will put the resolution, hon. members, set out -

The Lord Bishop: May I. . . ?

The President: The Lord Bishop.

Members: Oh! (*Interjections*)

The Lord Bishop: Mr President, I must not disappoint those members (*Laughter*) who refer to this as the annual charade, but I hope that they will recall that we have had assurances from what I believe is called the Walker administration that this charade would end some time because a Shops Act would be presented to this Court. How long do we have to wait to forgo this annual event with some definite legislation which I certainly was promised from this floor some years ago? That is the reason I am on my feet. I do understand the

anomalies of the current situation, but I really believe that one ought to make some sort of stab at making a protest about the whole chaotic situation in which we find ourselves.

I know that some members wait every year for the Bishop to produce yet another bizarre reason why something might happen if we do pass this thing, and I would not want to do that this year. Apart from that, I would remind viewers that there is an asteroid about two miles long on collision course with the earth, due to hit the earth in 2048. Now, I could bring that much closer if we do not do this properly. No, I do not want to be bizarre or dramatic; I just feel that I want to talk about erosion, and those people who live in the Ballaugh area will know that our landscape is eroded by natural means so gradually that very often we do not care much and think much about it because it happens almost without notice. I believe that the same erosion occurs with our religion, our spiritual values and our faith and morals if we do nothing about it.

I will give you an example of how cleverly erosion can happen. I know that the Treasury minister was accused of being clever in yesterday's debate, and on page 6 of his report he talked about the quality of life and in a very innocuous sort of statement he said this: 'The Island offers employees of businesses which might locate here an excellent quality of life in terms of recreation, travel to work, housing and environment, lack of serious crime, social problems, education and, increasingly, shopping' and I thought, 'Well, that has slipped in there very nicely; that has all the hallmarks of saying, 'Let us have free shopping at all times in all places' and I did actually, working back on that statement, want to question the quality of life.

If we are not careful the erosion happens. (**A Member:** Hear, hear.) If you travel to work these days and you live where I live you cannot get out of your house for two hours with the volume of traffic spouting and spuming its fumes past your house. (*Interjections*) If you want to think of the environment we had questions in this Court this morning about the environment. I am not happily acknowledging that all is sweetness and light here. There is not, perhaps, serious crime but there is enough crime to make us concerned, and there is enough alcohol and drugs and young people in trouble to make us quite concerned about social problems, and our education people will tell you that they have lots of children who are of concern to them who are out of control, and we seem to imply in this and increasingly shopping. Are we really seriously thinking that people come haring across in this new ferry to shop in the Isle of Man, bypassing Harrods and Fortnum's and all those other places? I really feel that if we are not careful we will get the whole thing out of all perspective.

I just want to ask the Chairman of the Board of Consumer Affairs if we could really get to grips with this Shops Act or Bill that you said you were going to produce, because I think that the situation is getting quite untenable and it gives me a great concern and a lot of people like me. And the thing that I want to just say, which again is of concern to us, is that there is this attitude of mind abroad that those who have a thought about Sunday or who are churchgoers are put into the sidelines because 'Well, they are a small group anyway and they are not of much concern.' Now, I really feel that that must be taken up and challenged. I would remind people here that the word 'politician' or 'politics' comes from the word 'polis' which means city and 'polites' or 'politics' means the care of citizens, and the care of citizens inevitably means and must mean the care of the minority, and so in your concern for your clients and your citizens you cannot sideline the minority if that is what you think. I would disagree, of course, but if you think that churchgoers and Sunday observers are a minority group they still have to

be part of your concern just as much as anybody else, because you are politicians and your concern is for citizens, not just your little hobbyhorse.

So I do ask this Court to think very seriously about this whole concern. I am not asking about voting today. This subject is bigger than a vote and this Shops Act. I am saying that we really ought to talk and think seriously about the whole idea of where Sunday came from, what it is there for, and are we really tottering towards a seven-day week where people have no respite at all?

If we were in any other jurisdiction - I mean by that a religious one, and the Jews have their Sabbath and the Muslims have their Friday - I suspect we might treat this rather differently and let me leave you with a joke. I went last year to listen to George Melly, the rather famous jazz musician, in the Port Erin Arts Centre and his act is very good, very professional if a little blue in parts, which is a bit upsetting to one or two, but he tells a joke in between the music and he told this amazingly religious joke. They always get into religious jokes, of course, and he really slated everybody in his very good joke about the Sikhs and the Hindus and the Christians and Roman Catholics and so on, and at the end of it all he had a huge round of applause for this very well told and very good joke. He said, when the applause died down, 'The discerning of you will note I did not mention the Muslims. I am not stupid.'
(Laughter)

The Speaker: Mr President, it strikes me that when we got to this position originally we got to this position in a form of a compromise. That is effectively what it was. There was a compromise reached as to when shops should be open on a Sunday in the Isle of Man as a result of many deliberations in this Court, many deliberations at committee stage, and a compromise was reached. If you read the explanatory note that the hon. mover has in front of us for today it says, 'At present all shops may open for business on a Sunday between 2.00 p.m. and 5.30 p.m. Frankly, that is sufficient. (**Mr Gilbey:** Hear, hear.) I will vote against the order, Mr President.

The President: Reply, Madam Chairman.

Mrs Crowe: Thank you, Mr President. I thank the Lord Bishop for sparing me, or maybe I should thank the Lord for the asteroid! However, I do apologise that we do not have the legislation in your hands at this present time but its introduction to the branches is imminent. It is at present with the Attorney-General and should be with us at any time. I do apologise for that and it is a matter of regret that I have to stand here again today and ask - I think this is the thirteenth year that this exemption order has been requested.

Lord Bishop, you mentioned that we should respect each other, and I mentioned at the end of my little speech parity of esteem, and I do think that is the case. We must respect your views, views of other religious societies and also the views of some of the struggling traders on the Island who are trying to compete with multinational firms that have come from the adjacent isle. We have yet another multinational company about to come to the Isle of Man that will be allowed to be open all day because its principal trade is the sale of foodstuffs. Now, the shops that sell foodstuffs like our major high-street retailer at the moment is allowed to be open all day on a Sunday to sell toys, to sell clothes, to sell all the other items that small Manx traders are struggling to sell at the moment and compete with. So I do take the point about respect, My Lord Bishop, and parity of esteem means just that - that we will respect the wishes of all

people who want to go to church and we see no reason why shopping on a Sunday should preclude that.

Mr Speaker, you mentioned compromise. I would say also that we should say that there must be fairness in this compromise. We cannot all the time be disadvantaging our small Manx traders. We have at the present time on the main street of our capital five prime retail sites either closed or about to close. We do not wish that trend to continue. There has to be fairness for all traders. We cannot give advantages to major multinational companies that come from across.

I just quote from an excellent piece in the *Church Leader* written by My Lord Bishop: 'A marketing survey recently carried out in Britain has concluded that Sunday trading has become part of the family's weekend. Expenditure on Sunday shopping has risen by 60 per cent over the last two years, and it would appear from this survey that it is not food shopping that is carried out but it is the purchase of major items,' and I think this is the problem that our Manx traders are faced with. Thank you, Mr President. I beg to move.

The President: Hon. members, I will put the resolution set out at item 22 on the order paper. Will those in favour of that resolution please say aye; against, no. The ayes have it.

A division was called for and voting resulted as follows:

In the Keys -

For: Messrs Rodan, North, Sir Miles Walker, Mrs Crowe, Messrs Brown, Crowe, Cretney, Duggan, Braidwood, Shimmin, Downie, Mrs Hannan, Messrs Bell, Corkill and Gelling - 15

Against: Messrs Gilbey, Cannan, Quine, Mrs Cannell, Mr Singer and the Speaker - 6

The Speaker: Mr President, the motion carries in the House, with 15 votes being cast for and 6 against, sir.

In the Council -

For: Messrs Lowey, Waft, Dr Mann and Mr Kniveton - 4

Against: The Lord Bishop, Mr Radcliffe and Mrs Christian - 3

The President: In the Council, 4 votes have been cast in favour of the resolution, 3 votes against, the resolution carries.

High Court Of Justice (Audio Recording) Rules 1998 - Approved

The President: Item 23. I call on the learned Attorney-General.

The Attorney-General: Mr President, I beg to move:

That the High Court of Justice (Audio Recording) Rules 1998 be approved.

The High Court of Justice (Audio Recording) Rules 1998 are made by the deemsters in exercise of the powers conferred on them by sections 25 and 27 of the High Court Act 1991. Section 25(1) provides that rules of court may be made by the deemsters for the purpose of regulating and prescribing the practice and procedure in the High Court. Section 27(4) provides that audio recordings shall be made of the substantive hearings of all actions and matters in the High Court in accordance with the rules of court. In accordance with section 27(5) any such recording shall be kept for such period as rules of court may specify.

The rules apply to civil proceedings in the High Court and will give formal effect to the requirements of the Act. All High Court proceedings are already recorded. The recordings shall be kept by the Chief Registrar for a period of not less than three years after the matter in question has been concluded and the normal time for appeal has ended. Ordinarily the time limit for appealing is six weeks from the date of judgment. The rules restrict access to recordings of proceedings which are held in private or where only one party to an action is involved in the proceedings in the absence of the other party to those proceedings. In relation to matters heard in private it is only the parties to the proceedings who are entitled to a copy of the recording, and in relation to those matters where only one party is involved, *ex parte* proceedings, the party who is involved must be present at the hearing. The court may, however, in its discretion overrule these restrictions as to access to the recording of a hearing. I beg to move that the High Court of Justice (Audio Recording) Rules 1998 be approved.

Mr Lowey: I beg to second, sir.

The Speaker: Mr President, can I ask in relation to the retention, where it says in 2(1) 'a recording shall be kept by the Chief Registrar for a period of not less than three years following the conclusion of the action or a matter to which the hearing relates', is it possible that a future action could be taken at a later date than three years? It seems to me to be, particularly in relation to a civil matter or a High Court matter, that three years seems to be rather a short period of time and that a court case may have some bearing maybe even five or six years down the road. I do not know. It just appears to me that just to have to keep it for three years is too short a period, and I wonder what is the reasoning behind that.

The President: Reply, sir.

The Attorney-General: Mr President, the rules of course relate only to audio recording. As Mr Speaker has mentioned, the audio recording will be kept for three years. That certainly will exhaust any possibility of appeals arising out of the hearing. What should, of course, be remembered is that there will always be a note in writing, there will be a file relating to a particular matter and if anybody wanted to have a look to see what had happened, to see what the judgment was, there will always be a record in writing. The purpose of these rules, however, is to introduce an audio recording of the procedures for the benefit of the parties.

The President: I will put the resolution, hon. members, standing at item 23 on the order paper. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Law And Order - Implementation Of Select Committee Recommendations - Council Of Ministers Report - Motion Carried

The President: Item 24, the Minister for Education.

Dr Mann: Thank you, Mr President. I beg to move:

That the Report of the Council of Ministers on the Implementation of the Recommendations of the Select Committee on Law and Order be received and the recommendations of the sub-committee of Council set out therein be approved.

In June 1996 - that is, before the last election - Tynwald adopted the recommendations contained in the Report of the Select Committee on Law and Order. There were over 30 recommendations made by that committee. They represented ideas from a variety of sources, some tried and tested, some fairly experimental from around the United Kingdom in particular.

It fell to the Council of Ministers to consider how the recommendations should be dealt with. Plainly they were, in the main, matters for individual departments to pick up, but the Council of Ministers decided to establish a sub-committee to progress consideration of those recommendations with a view to reporting back to Tynwald in due course on what had been done with those recommendations. The sub-committee, of course, was then reconstructed after the election.

The sub-committee's consideration was rapidly suspended and priority given to the consideration of the January 1997 resolution on juvenile offending, which was the subject of a separate report, and the matters contained in that report are being progressed, and of course part of the resources to allow that to happen were granted in the budget agreed yesterday. Once the sub-committee had reported to Tynwald on that matter they were able to return to the consideration of the original brief.

The sub-committee included the ministers of the principle departments involved and it has consulted the departments of other agencies of government which it identified as having areas of responsibility relating to the recommendations. The sub-committee analysed those responses and the progress that had been made in partly or fully implementing the recommendations.

It is pleasing to see that the majority of the recommendations are being implemented within the constraints of available funding. Where recommendations have not been adopted, this is because either they remain unproven or are considered unsuitable for the present for the application in the Island or because resources are not available within existing priorities.

The original recommendations from the select committee are set out in total in appendix 1 of the report and are set out individually with a short statement of progress against each one within the body of the report in chapter 2. I do not propose to comment on all of them as I believe our comments are self-explanatory. There is, in addition to our comments, the full reports provided by the individual departments which are set out in the appendices, and I think it is worth consideration that of course these reports were made shortly after the select committee report, and things have moved on since some of those reports. It is in part on these reports that our comments are based.

These departmental reports repay study as they show clearly the serious view taken by all those involved of the importance of law and order and the need to identify effective measures to improve the situation. It would, I think, be quite wrong on the basis of what we have learned during this exercise for anyone to suggest that law and order is not being given sufficient priority. The individual ministers who served on the sub-committee can answer any points or elaborate on the recommendations which relate specifically to their areas of responsibility, and I would not, as I said, propose to review all the recommendations and all the comments that have been made. However, there are one or two of the recommendations to which I would draw attention.

In particular, I think recommendation 1 refers to a comprehensive statistical database. That is not in place. However, it is a priority task for the Department of Home Affairs and a database will be put in place in due course. In the meantime, the absence of the database should not be used as an excuse for inaction, and we need to continue to press ahead with the present broad range of initiatives to combat crime and disorder.

Recommendation 2 also I draw to your attention. It calls for the establishment of a standing committee on crime policy. This seems to us to be a role for the police committee which is suitably placed to fulfil the remit of the recommendation to evaluate and promote strategies for the reduction in crime. A further committee which would have a parallel remit would, it is felt, be a duplication.

The issue of parenting and providing training for parenting is a subject which appears in more than one recommendation from the select committee, and here I think it is worth reading the reports from the various departments and in particular from the schools themselves. It is not recommended that children at school be given education in parenting as such. They of course receive considerable education on sexual matters and on factual human and animal biology. However, the value of providing support and assistance and guidance to young parents has been shown to have a value in a pilot scheme at Jurby in which the Department of Health and Social Security is very much involved, and this is dealing with very young parents at a stage when they are actually pregnant and expecting their child, and at this point, of course, the young person, or the young parent, is most likely to accept such advice and training and actually derive most benefit from it.

This pilot scheme will be progressively expanded by the department and certainly the Department of Education is very keen on working with the Department of Health and Social Security on this issue. It is also to be noted that the Isle of Man College has available and could make available to any number young adult courses in parenting if that is required.

Throughout the report there are references to resources. In the case of a number of recommendations lack of resources is reported as the reason why a recommendation has not been fully implemented and of course is one of the main reasons why the speed with which recommendations can be implemented of course depends on the budgetary policies. That does not mean a lack of commitment or belief. Generally resources are being put into those areas additional to what there was when the select committee originally reported. It is just that increases in spending must be phased and they must be balanced against additional spending in other equally important areas. Where lack of resources has prevented a fully positive response, improvement will become possible in the future with additional resources provided the Island's economy continues to grow. The fight for law and order is a continuing one. Any report must inevitably be in a sense interim as we never get to the end of this issue. The problem ultimately is never actually solved.

Our recommendations are constructed with that thought in mind. We needed to report to Tynwald on what has been done in relation to the report of the Select Committee on Law and Order. We cannot wait until all the recommendations have been fully dealt with. The select committee report is already nearly two years old and it will be several more years before a final answer can be given on all recommendations, but we have to recognise that the select committee report was itself only a stepping stone and that new proposals and new initiatives are being given consideration all the time. We need, therefore, to draw a line under this select committee's report and move on, and I understand that our committee will remain in being to continue to pursue the proposals that have been set down.

Our recommendations are designed to acknowledge the value of the select committee's report and to recognise the ongoing nature of the problem. Our recommendations are that the various departments of government identified as being involved in each recommendation of

the select committee of Tynwald should first take note and responsibility for the relevant recommendations appropriate to their department and secondly implement, when funding and resources are available, those recommendations which they have identified as being of benefit to the reduction of crime; thirdly, we would recommend that they should monitor, evaluate and refine their responses to the recommendations as needed to ensure that they remain current to the needs of the community as a whole in the maintenance of law and order. We have said before, and it remains true, that the forces of law and order and government departments cannot on their own defeat crime and anti-social behaviour. It requires sustained effort and commitment from the whole of the community. Nevertheless, we are satisfied that the departments are making progress and are properly motivated. The recommendations of the select committee have helped and will continue to help, and we believe that the various departments have responded reasonably and responsibly to those recommendations.

All I can say is that as I have had the experience of working through these recommendations with the various departments it becomes obvious that this committee, which represents the ministers in charge of the major departments involved, is a good forum for inter-departmental information and, when agreed, inter-departmental action, and I think one of the main and important results of looking at these recommendations is that three of the major departments have been brought together and made to resolve the problems together. I think that has been an immense benefit and will continue to be so. I beg to move.

Mr Bell: I beg to second and reserve my remarks.

The Speaker: Mr President, I have no problem with the sub-committee's report on the law and order committee report, the Tynwald committee report, and I can understand exactly where the hon. mover is coming from in his comments, but I am a little concerned when he says that it is a changing scene and there is a need to draw a line under the law and order committee report, because having read through the document which is in front of us at the present time, most of the recommendations which are referred to out of the law and order committee report are not dead. This report certainly does not draw a line under them, it does not draw them to conclusion, and when the hon. minister in charge of submitting this to this hon. Court says that it is time to draw a line under the law and order committee report, I am concerned, because as one of the authors of that report, it was, I think, well received at its particular stage, albeit some two years ago. There was a lot of good work behind that committee report. That committee report came out of a select committee when there was major concern about law and order on the Isle of Man. It was timely in its recommendations and it is still timely in a lot of those recommendations, and I am pleased that the minister acknowledges that the grouping of ministers are operating according to the original report and they are continuing with the work.

Now, that I felt was fine. My concern is today to make sure that the good recommendations made in that report - we do not draw a firm line under them until we have finished the full evaluation, and if that means that in the future year or whatever the Minister for Education, Minister for Home Affairs, Minister for Social Security have to consider these recommendations and still work at them, that is all I am asking the minister to make sure happens. Your comment, sir, was that it is time to draw a line under it. My view of that was, well, if you are going to draw a line you are going to say 'Well, we can now put that report to one side and say "No further work."' I think that would be a great shame and a mistake, and

my plea to the minister is do not let that happen, follow your own book which says that work will continue.

Mrs Cannell: Mr President, I welcome the assurances given by the hon. mover of the report today and I also welcome the initiative of three government departments getting together and deciding to work together, and that is definitely a step forward and a step in the right direction.

On the whole, recommendations are all very good, the report is very laudable but I do have a little disappointment in it, just a little, and that is in relation to victim support. There is very little mention in here of any kind of scheme for victim support although there is mention of a victim information handbook. That is a recommendation which the Department of Home Affairs apparently has got in hand, but I do not feel that goes far enough. I feel that we need something more than a handbook to dish out to victims of crime, particularly those victims of violent crime and sexual crime. I think they need more than a handbook. I think they need a proper recognised back-up system, something that is going to get them through that trauma and prepare them for the road ahead and to continue on with their lives, albeit damaged to some extent, because nobody ever gets over that kind of crime.

On the same line, I am also a little bit disappointed that it does not identify the problem we have with sexual offences in the Isle of Man, given that we have a high proportion of sexual offenders within the prison. For the size of our population and for the size of the Island sexual offences are really quite high, and that worries me. And what I find disappointing is that that has not seemingly been recognised by the committee, or certainly they have not recommended any form of target in order to reduce the numbers to look into the problem and try and put in place some kind of mechanism to reduce that sort of offending and offensive behaviour.

Still with that particular crime in mind, I am also disappointed, looking through the recommendations and also the reactions to those recommendations by the various departments, in that again - and it follows on from a request that I have made fairly recently in another place in terms of counselling, and that is people with specialist skills, particular skills, able to counsel children who are often victims of some kind of abuse, whether it be physical, whether it be sexual - we do not have within the NHS service such expertise as a child psychologist or psychiatrist, although I am assured that a bid was made - whether or not it was successful I am still yet to hear - with regard to providing that service; and I appreciate that from time to time that particular department will on occasion buy in that expertise from the private sector.

But there is growing dissatisfaction out in the community with this particular problem, and I have to say that the last six months I have at least one phone call every week from someone who is concerned about a child who has been sexually abused. It has either come about through the identification of behavioural problems in the school or something else. The idea has been mooted that the reason that child is behaving so badly or has got into trouble with the police et cetera is that what has happened or has been recently identified as what has happened in that young person's life has affected them. And the reason they have gone into the behavioural problems is because it has not been picked up, it has not been addressed, it has not been rectified and therefore that child is expected to carry on as though nothing has ever happened. It is not just a problem here in the Isle of Man; it is a problem that is renowned

worldwide. It is a problem that they have in England also, and there was a very sad story which is relevant to some of our cases here, although I would say perhaps not quite as tragic, but that does not mean to say that we will not experience something equally tragic in the future if we do not address this issue. That is a situation where a family, a husband and wife, have marital difficulties and they split, and the wife left the home and left her husband in charge of a young boy and his young sister; he could not cope and he committed suicide and the young boy found his father hanging. At that time nobody picked it up. He was put into social services, separated from his sister. Nobody ever counselled him for that trauma that he had had to endure of waking up in the middle of the night to find his father hanging in a hallway. Not only was that not picked up but the youngster some eight, nine, ten weeks later was able to return to the family home because the mother had decided to come back, only to come home from school the following day to find that his mother had also committed suicide by cutting her wrists. Again that was not picked up and that child was not counselled. The upshot was that that young man at the age of 17 was serving quite a long period of time in Stoke Heath Prison. And I am aware of all of this because, as a former member of the Department of Home Affairs, I was privileged - in some respects privileged - to be able to go to meetings that were held in Stoke Heath Prison last year.

All of these sorts of issues in relation to young people in crime, sexual offenders, were the subject of a great deal of discussion at that time and even the United Kingdom did not have all of the answers. All I am suggesting here today is let us not forget these aspects, let us not forget that there are problems out there in relation to what I have just described, and let us go one step further and also consider putting in place a mechanism for addressing those problems. If we cannot try and look towards preventative measures for the increase in sexual offenders, the increase in behavioural problems for children, by not picking up at an early stage that it is the result of something traumatic, but perhaps not as traumatic as I have just described, at least let us also, in recognising that, put into place some kind of scheme. Whether it be part-funded by government and part-funded by a voluntary organisation, whatever it is, let us consider putting in place a victim support scheme because I can assure hon. members it is needed. There are a lot of people out there who do not know which way to turn, who to go and see, who they can be referred to, where they can get back-up. I can remember just two years ago, if my memory serves me correct, the hon. member for South Douglas, Mr Cretney, raising a similar concern with regard to a young constituent of his, a young boy, who I understand has still not received any counselling following such an incident. Now that, I find, hon. members, is quite unacceptable and I feel that if we do not recognise this and at least try and seek to address it, then all of these fine recommendations in here really just fall by the wayside because we are not getting to grips with some of the very real issues that affect families in this Island. That is all I have to say. Thank you.

Mr Crowe: Mr President, I rise to my feet principally to talk about the new prison, which is mainly a constituency issue, but on recommendation number 24 it does talk about the inadequacy of the present prison facilities in the Isle of Man, which should be addressed by the Department of Home Affairs. I would just like to raise the issue that there are a lot of concerned people in the Victoria Road, Victoria Avenue area who are concerned about the future possible redevelopment of the prison in that area. And although the report talks about the redevelopment of the prison and that proposals for the redevelopment of the prison are under consideration, I think there is a bigger issue in that at some stage in the future a new

prison will require to be built and I would like to see this on a greenfield site. So whilst supporting the report in generality I would just like to reserve my position on the future situation regarding the prison. Thank you.

Mr Karran: Eaghtyrane, I have no problems with this report. I think there are some very good points in this report. I am just a little bit concerned about some of the inputs that have been here. I think when we talk about sexual abuse there is a great danger in our society today that you can actually split up families too easily on this sexual abuse issue, and I am just a little bit concerned that we must not follow this mania that we have seen in the adjacent isle as far as this is concerned. At the end of the day Ballamona was full of sexual abuse victims, namely girls who got fixed by their fathers and then were thrown up into the lunatic asylum, so this issue is not something that is new, and that might amuse members but that is the truth. It might seem like the hon. member for North Douglas talks about comedians, but that is what the truth is as regards what used to happen in the old days, just as he will more likely now find out who is joking over whether there has been any sincere commitment to looking for a greenfield site for a prison.

This hon. Court had the opportunity to try and make sure that vested interest and self-interest was not to address the issue of the prison. Now we are going to see the prison redeveloped in North Douglas. There will be no looking at anything. There will be no looking at greenfield sites. We will have had the token gesturism as far as that is concerned, but at the end of the day that is where it is and I think that the hon. member for North Douglas can do all his good words and sentiment but he missed the opportunity when he decided to go with the flow. Maybe if he had not gone with the flow, he might have had more chance of having the issue addressed of a prison on a greenfield site.

But what concerns me about this more than anything is the fundamental issue when we talk about law and order. These things are very good, very good indeed, but the fundamental issue that has to be addressed - and I am glad there is no press here - is the fact that you have got a chief constable that is not accountable. You should have a chief constable that is on a contract. You should have a proper police body, whatever you want to call it, that has an input from different sections of our community in order that it does not come under political control but it needs to be accountable. The problem you have got is until you address that issue we will still see the situation where we are not getting them where they should be. I had a classic the other day. A friend of mine and a widow woman who crashes her car into a bollard. Admittedly she damaged a Department of Transport bollard. A driver comes behind her, pulls up behind her, pulls the car into a sideway and the car is driven out of the way so it is causing no nuisance, no obstruction to the general public. She gets into the car, drives to work. Going to work there are two police vehicles flying down the road from Castletown police station with one or two officers in each of the cars - say, three officers in the two vehicles. So, flying past, never thought anything more of it, drives to work, rings up the police station and says, 'I had a little bit of a prang' - because she is as honest as the day is long - and they say, 'Will you come over to the police station? We have already sent somebody down there.' So we have the situation where we have got two vehicles involved with this prang, which more likely has taken up another three hours of police time driving there, looking around the scene, coming back. You have the officer for an hour at least taking. . . She said, 'It took me an hour to do my statement and it seemed awful strange, you know, I know it sounds crazy but I felt

like they were trying to trip me up.' So what happens? She is there for over an hour, then that will go for another hour to the sergeant who will go to the inspector, then it will go to the prosecutions department. And before we have ended, we have got the officers' time, of various ranks from inspector down to bobby on his beat, we have spent more likely a day, two days' resources on this little old widow woman that has pranged against the bollard of the Department of Transport. Now, if there is no accountability - not control, but there needs to be accountability - that is where your resources go and that is the biggest problem you have got with law and order on this Island. It is far better terrorising some little old dear - well, not that old, to be perfectly honest with you - than have the resources at trying to catch burglars, trying to catch drug-pushers, because at the end of the day that is the one issue I feel that we have missed. I have to be honest as far as law and order is concerned. And if we could solve that problem, we have gone a long way.

I know there is a problem, I know there is a danger. We never want a situation where politicians or MHKs are controlling the police, but there has to be a device where there is more accountability. I have to be fair, things have improved in the last year or so within the Isle of Man Constabulary and I am not denying that, but that is the only thing that I am concerned about with this law and order. That is one of the kingpins. But as far as the report is concerned, I am happy enough with it.

Mr Singer: Mr President, I think that the report is an excellent report. It is very thorough, but I think there are a few items which I think need to be emphasised. The first one is recommendation number 8, where I believe that crime victims should at least be asked if they wish to know the date of the release of the criminal, so that they can be aware and take precautions to protect themselves and, if necessary, to go to the local police to seek their advice. It is especially important when it is a woman who has been subjected to threat or violence.

On item number 10, I think a lot can be learned by referring to the successful Ramsey young people's project or 'Beryl's Bus' as it was named in tribute to the late Miss Beryl Quine, whose efforts before her untimely death brought about this project. The project of which I am pleased to be a committee member has been open now for 12 months and a lot can be learned on how to provide such a service from the experience that has been gained. The bus is not a place identified as a youth club where structural social activity would occur but is more of a general meeting place where a young person can come and go at will, enjoy a chat and not be organised, and the success is because of the trust that has developed between the youth workers and the young people. They feel that the bus is their own and that their views count, and we were very pleased that the Minister for Education took time to come to the bus recently to celebrate its first birthday. Of course, it does not keep all the young people off the street corner but what it seems to have done is that the participants have developed a strong relationship with the Department of Education via the youth service, with the local commissioners who have been very supportive of the bus, and particularly pleasing is the relationship that has developed with the local police, for whom I have every praise. They have been taking part in football and ten-pin bowling matches et cetera. So I do believe there is a lot to be learned from this project.

If I could turn then to item 16, which talks about the restricted education programme, I do not believe enough effort appears to have been made to provide teachers to cover all ages of

children who are not in mainstream education. Many of these children are there because of inadequacy or truancy or crime, but I would state the case of a 14-year-old in my constituency of above average intelligence who was fobbed off with the offer of a teacher who offered lessons suitable to a nine-year-old. Now, how can this be acceptable by the education division? And again, it was only with the minister's direct intervention that that was sorted out. Now, it should not have been necessary to have had to go to the minister. The education service should have been able to cope with the scenario, and whilst they are said to be reviewing their programme, a new initiative is needed to ensure that this certain section of young people are actually offered a helping hand to get back onto the rails.

On item 24 I would strongly support the recommendation (ii), that urgent attention should be paid to improving educational and occupational facilities for prisoners, particularly those who request it, and we should speedily respond to each of these personal requests, to aid their rehabilitation. And I know there have been difficulties in these matters, but hopefully the increase in prison staff and the reduction in the pressure on them will help this to happen.

Finally, if I might turn to item 28, I would strongly support that information under the Data Protection Act 1986 can be obtained by or from the Isle of Man Constabulary for the work permits section. But also it is necessary, I believe, as I have said before in this chamber, that it is available on behalf of employers who wish to employ people in jobs where they deal with children and young people, possibly on a one-to-one basis, and I believe that we must press for this information to be made available for the protection of those young people. Thank you, Mr President.

Mr Rodan: Mr President, in any debate on law and order of course there are short-term and long-term issues, and one of the pleasing things about the original select committee's report was that it very much focused on the long term and not just short-term fixes, and to a happy degree that thinking has been progressed through in this Council of Ministers' sub-committee report. There are long-term issues that it behoves us to consider, really, because when we talk about law-breaking we have to consider that the roots of a lot of law-breaking are in early life, they are in the home and in the home indeed before they go into the schools. What we can do now, setting aside what we can do purely with offences and crimes, is to try to put into place the changes in society as far as we can today, to try and head off the next generation of law-breaking. The delinquency of the next generation has been referred to in this report with references to breaking the cycle of crime, starting in the home, and I would just like to refer to three of the recommendations and the way they have been addressed in this report.

Number 9 is to do with there being private and public sector schemes to provide young parents with enhanced parenting skills and the departments concerned are co-operating on this and there has been reference to the scheme at Jurby. Isle of Man College were in no doubt: they expressed strongly the opinion that an impoverished childhood upbringing is at the root of many of society's problems, including much of the crime, and they put forward the suggestion that they would offer free of charge, at no cost to the young parents, courses at the college. Of course - and I think this is very commendable and I do hope the department will pursue this particular suggestion - the difficulty will be getting people actually to make the effort to go to the college, and perhaps this sort of approach should be carried forward into the community. There are community centres around the place and that is where it should all be happening, not just perhaps in the more formalised building setting of the college. The

Ramsey Grammar School considered that it was a crucial recommendation and it was they that said that improved parenting skills are a must if this cycle of neglect, emotional disturbance, is to be broken and the number of disturbed people reduced. So I do not want to misinterpret what the sub-committee has said on this recommendation 9, but I think there is a lot of support and feeling out there that this is one of the crucial aspects to breaking the cycle of crime, doing something today to head off the law-breaking of tomorrow and give a fighting chance to the next generation.

Another recommendation was number 10 and this was to do with the provision of local centres for unstructured social activity for young persons. The hon. member for Ramsey has quite correctly referred to the initiative in Ramsey and, when you look at it, we as an Island have an awful lot on the plate potentially to offer in the sense that there are sporting activities, there are musical activities, there are cultural activities galore, formally offered, and youth organisations and youth clubs as well. And what we have to ask ourselves, why is it that the uptake is perhaps not what it should be? Why is there such a thing as juvenile delinquency when there are things to do in the Isle of Man? There are things to do but perhaps there are not the places to go. We have a couple of cinemas, we have excellent sporting facilities now with the new swimming pool and so on but we do have very much a pub culture in the Isle of Man, and I think that the real problem for things to do as far as teenagers are concerned is those between the ages of 15 and 18. Fifteen and 16-year-olds do not want to go to the Cave disco to be with the 13 and 14-year-olds, nor are they allowed to go to the pubs, legally anyway, until the age of 18. It is this 15 to 18 age group where I think there is a real deficiency in the Island of unstructured social activities so teenagers are not getting up to things they should not be getting involved in. And as the father of a 16-year-old, it has been brought home to me that there is a deficiency there. It is one that each generation passes out of and before we know what has happened, the children have grown up and they can legally enter pubs, though as far as I am concerned, there should be more to life for them to do than just wait to that magic date of 18.

There are things to do and here are very good activities organised on a structural basis and you find it particularly in small communities. One of the most successful organisations in this Island, Mr President, as you are well aware, is the Maughold social club, and it is so successful because it is rooted in a small community and it has a vast youth membership and regularly provides youth activities to its members. This is the sort of thing that should be encouraged and it can often more easily be run possibly in the small communities where there is a greater sense of community. So when we say in recommendation 10 that we have to wait for funding in due course, alarm bells ring to some extent that it is the old problem of funding, but I would like that not to be lost sight of and to be progressed as far as possible.

Recommendation 12. The select committee said that they thought it was regrettable that more was not being done to promote education in parenthood within our secondary schools and this would be something corrected by the Department of Education, and the sub-committee concluded that there was little support from the schools or from the Department of Health and Social Security. Well, one school certainly was quite strongly against the idea that the Department of Education should be passed the ball and correct the state of affairs for the deficiencies in society, but another school was very positive about the idea, and it seems overall in reading the responses that there is perhaps a resources issue here which again

should not just be merely discarded because there is apparent little support from the schools. And as for the Department of Health and Social Security, I am afraid I could not see in the appendix any comment by them on recommendation 12. I do not think they were specifically invited to comment, so where the lack of support from them comes from I am not sure.

But, as I say, the cycle of breaking the next generation's crime must start in the home. Society must take some action now to instil values of social responsibility into children at the appropriate stage in the circumstances that some parents cannot or will not instil those values of social responsibility. So I am delighted that we seem to be making a start with this and giving emphasis to that aspect of matters when we talk about law and order.

Mrs Christian: Mr President, I think the hon. member for Garff and perhaps one or two other members have touched on the fundamental issue, and that is to break the circle in relation to many of these areas. And I think it is recognised in this report and the report that this reflects that that is the major task for us in our community in terms of not only dealing with the problems as they currently exist but managing somehow at the same time to find the resource to tackle the underlying problems to make sure that another generation does not come through with the same problems. I do not want to go into a lot of detail about the specific recommendations but perhaps to comment on a couple of issues that have been raised with respect to the DHSS, in particular the recommendations in relation to parenting skills.

I think that there were two recommendations here, both in items 9 and 12. One related to the enhancement of parenting skills for young parents, those who already have children, and the other was with regard to education in secondary schools, and I think that there were distinctly different views on those two issues. We do recognise, along with the Department of Education, that there is a considerable scope for enhancing the provision we make with regard to enhancing the skills of young parents, and that is happening at Jurby. It is happening also at Ramsey because we have the additional funding which will allow our family centre at Ramsey to continue and also the Isle of Man Children's Centre provide support and education and help for young parents. That is something which we would like to drive forward through other parts of the Island as and when we have the resources to do it. But so far, those areas where it has been provided are benefiting, the young parents are benefiting from that, and I feel quite sure that that, in line with other initiatives in terms of first family visits which our health service will provide, will encourage young parents, perhaps whose own role models have not been good, to know where they should be going to change what has happened to them in their own circumstances. So I think there that whilst there is an element of criticism that we are not pursuing the matter of education and parenthood in schools, perhaps the important more priority area is to tackle the help and assistance to parents themselves. As the hon. member Dr Mann indicated, there is some education in schools but not in the detail of actual parenting skills.

I would also like to comment too on the element of support for victims of abuse. We have at the end of this current year been pursuing the issue of getting further psychologists on board to assist the department with the counselling and treatment of damaged and disturbed young people, and there is no doubt that we have some very damaged and disturbed young people in the Island. We have also, I would confirm to the hon. member for East Douglas, in the budget received finance and resources in terms of manpower for our psychiatrist for children and we will endeavour to have that appointment made in the coming year. Whether or

not it will be easy to find such a person, given the current shortage of psychiatrists generally, remains to be seen. The victims of abuse we know quite often go on to be abusers, and it is an important part of what we seek to provide through social services to break that link.

I have to say and remind people once again that the social services element of the DHSS is in its infancy and we have not kept up with the changes in society which now mean that people are far more willing and ready to come forward and say that they have been abused. It was something which was covered up in the past and it is difficult for the service to keep up with that change in approach. There are more people coming forward and it has been difficult for that service, which is not fully developed in terms of its manpower, to deal with it. However, I would say that in terms of prioritising care for those most seriously damaged there has been psychological input. Although we have not been able to have a psychologist on our own staff, we have been buying in that service. Now, there are obviously areas where one might say we could improve it and that is what we will seek to do, but certainly at the moment we would say that there is some psychological input for those whose need is the greatest, and I am afraid to say that still in social security that is the way we have to prioritise things. Those whose need is the greatest are getting the input. There are those who we would like to help and as and when our numbers increase - and I am pleased to say again that within the scope of this year's budget we will be able to take on some extra staffing in that area - we will endeavour to tackle this circle of offence, offended against becoming offender, for the benefit of the community in the future, Mr President.

Mr Waft: Mr President, I am a little bit concerned, as Mr Speaker was, with the comments about the introduction of this report, as to whether this was the end of the story. In my view it is just the beginning, it is just the start of trying to itemise the problems that society finds itself in through one reason or another.

I am a bit concerned about the soundbites that have been recommended from the different schools. One senior administrative officer says he does not know the answer to this one. I think he was being very genuine in that comment. I am a bit concerned, too, that when the teachers do find themselves with disruptive pupils or indeed children that they feel may have been victims of sexual abuse, there does not seem to be a definitive way in which to operate in this situation. I hope that a way has been found and they are not worried about how they are going to cope with it, because in this legal climate that society finds itself in these days, everybody is wanting to sue everybody for the least thing.

The behaviour in the poor parenting skills or the lack of parenting skills that has been outlined has been mentioned throughout the report but apart from the situation in Jurby, which I think is definitely a way forward, there is no sort of speeding up of that situation. We seem in some cases to be perhaps trying to lock the door after the horse has bolted. The pre-education school programmes, the community programmes are all very well and good, but we need to involve all sectors of the community in that.

With regard to the prison, it has been commented on time and time again about the problems of the prison, and we are all fully aware of something has to happen up there and the minister has given us his thoughts on the matter; I am sure they have got it under consideration. But we really do need to give concern to the future of the people that are on their way out of the prison and what they have actually learned in there, apart from their colleagues and from an educational point of view. I saw one comment, which was that they

should be looked after with regards to development, physical skills rather than educational ones, higher education, and they do not think that was the way forward. I do not see where the problem would be there if they were to have distance learning. That could be provided and a tutor involved in that.

With regard to the Ballamona situation, there are a lot more clients now within the community and they will need help, especially when they find themselves getting into trouble, and I would think that that way forward should be provided to them and, where there is a possibility of somebody with psychiatric difficulties that do enter within the service of the police, then they should be made aware that they have to contact the GP to find out exactly what the situation is and provide some help within the court for what would probably be only minor misdemeanours anyway.

I think that is all I have to say, but I would recommend that the different ministers do get together and find a more constructive way in which to progress this situation. At the moment they seem to be rather standing back from it, making comments on it, but I would like to see a more positive effort by the ministers involved and their departments to try and find some of the answers to the problems that have been outlined in this report.

Mr Bell: Mr President, there were two or three points raised which relate to my own department's activities in this which I would like to comment on, but first of all, just to perhaps clarify the situation, I would remind hon. members that this resolution before them is to consider the report of the sub-committee of the Council of Ministers on the select committee of Tynwald's recommendations on law and order; it is not the total list of activities taking place within government in relation to law and order. There are a lot of other initiatives taking place outside of what we are seeing here. Our report is simply to give you an update, I suppose really, on the implementation of the original recommendations of Tynwald's select committee which reported some two years ago. So as I say, this is not a definitive check list of all our activities. Neither, in answer to the comments by Mr Speaker and the hon. member of the Council, Mr Waft, is this an end to it. The sub-committee is staying in being and will no doubt be around for a long time yet. It is the first real time, I think, that the three main ministers dealing with law and order problems have been brought together in a single committee, so I think this should help to co-ordinate activity across government far more effectively than perhaps it has been in the past, and I am sure it is our intention to continue a monitoring process of these recommendations, the ones which perhaps have not been implemented yet, the ones which are still in various stages of consideration. They will be under the spotlight by the committee and I am sure we will be driving them forward to a conclusion. So this certainly is not the end of the exercise. It is certainly in our minds, I think, to continue the work we have been doing over the last 12 months or so.

As far as my department is concerned, there are just two or three points I would like to comment on. The hon. member for East Douglas, once again, Mrs Cannell, raises the absence of any comment about victim support. Well, as I say, our remit is to report on the original report itself, not to introduce new measures at this stage, and I would remind the hon. member and Tynwald Court that I have already given an answer to the hon. member stating that we in the Department of Home Affairs are actively considering establishing a scheme of victim support. We have someone coming over representing the United Kingdom voluntary scheme at the beginning of May and we will be in negotiations and discussions with that

person at that time with the intention of improving and establishing a voluntary scheme, probably with departmental support at a later stage. But it is not an easy thing to set up. You cannot just pull people in off the street and say that we are going to set up a voluntary scheme. They have to be the right sort of individuals to run with such a scheme, and therefore it will take a little bit of time before it is actually implemented. But we are actively considering this at the moment and I hope before very long that support scheme will be in place.

The only other three points, I think, which have been raised relate obviously to the prison, and I can only reassure members that a considerable amount of thought is going into the future location and content of the prison. A tremendous amount of work, 12 months, 18 months or more of work, have already gone into it and I would hope to be in a position to make a decision by early summer as to where the location will be, the size, shape, content et cetera. And I hope also by next month, if all goes well, to be back before this hon. Court for the first stage of development there which is the new segregation unit; that is well advanced now, we have planning approval for it and we will be coming back to ask for your support for it in the next month. At the same time I will be circulating to you our up-to-date thoughts on what the content of the new prison will be in terms of regime, rehabilitation et cetera. So that will give you, perhaps in advance of the final scheme, some idea of the work that has been done so far and the direction that we are currently moving in.

As to whether it is going to be an extension of the prison or a greenfield site, as I say, that still has to be decided. I can give no assurances at all to the hon. member for North Douglas at the moment what that outcome will be. It will depend on a number of issues which, as I say, are still under consideration.

The hon. member for Onchan, Mr Karran, has once again raised his point that the Chief Constable is not accountable. That issue is being considered at the moment. The position from everybody's point of view, I think, is unsatisfactory at the moment, and I think the situation for the future needs to be clarified and discussion is going on on that particular matter at present. But I would just again like to ask hon. members, reflecting on the point that Mr Karran made about his constituent, that if members have specific complaints about the police, police activity, police behaviour, police attitudes, there is an official complaints procedure to go through. It is well established, there is an independent arm to it and if you are not satisfied with the thought of going to see the chief constable first of all with this complaint, then come to me and I will make sure that these complaints are carried out. It does no one any good and it certainly does not do the morale of the police any good to have constant sniping by politicians in either this chamber or another place when the problems 99 per cent of the time can be resolved by established means. I am not criticising anyone for this; I am just asking in future, if members do have problems with their constituents, please come and see me or please use the official procedures first before you attack the police in public. I do not think it helps anyone, frankly, and it certainly does not bring a conclusion to the problem any closer. As far as the hon. member is concerned, I would just point out that I did invite the chief constable to this building to meet with members to enable him to discuss with the various members any problems they might have, and very few members turned up. In fact, there were only three other members apart from myself there. So the opportunity was there to meet the Chief Constable. I appreciate there were other meetings on, but the opportunity was there and is there every month for members to come along and meet the Chief Constable face to face and

indeed as I say, if you have problems with him that is a more acceptable forum, I think, to try and clarify the situation in the first instance.

Those were the main points I wished to raise. I do not think there were any other matters relating to my department but I would urge hon. members to support the report.

Mr Shimmin: Mr President, I was spurred into speaking. I was not going to speak on this but at the request of one of my hon. colleagues I have done, but I do not wish to be specific about the recommendations. We have got three ministers here representing three key departments, and of those I work out that at least six of those are new members to departments since the last general election. I find it encouraging. All the signs are that there is a greater co-operation and realism that those departments can work together, and everything that I hear gives me confidence that they will work together.

On a more general point, it is for that very reason that I find it absolutely unforgivable for those members who are pushing hard now for a change and reorganisation in the government departments when something as complex as the issues involved in social behaviour, individual problems . . . All of us within those three departments are now beginning to get on top of this issue, are beginning to work together in a forward direction to benefit the young people and the community we have generally, and I personally would like to see a period now over the next 12 months where all the good work that has been done by this committee, and others before it, can cement together in actually moving forward to make improvements. All too often we can get good ideas from committees and then we change the personnel. I believe that the three ministers have got the genuine belief and desire that they can make strides forward in this area. We all know it takes time; let us give those three ministers the opportunity of individually and, more importantly, collectively carrying forward many of these proposals. I take very much to heart what the Speaker has said: it does not end, it never will end. The social fabric of the Island is evolving all the time and I am afraid we are going to have many more serious changes ahead. But these have the basic starts, embryonic idea of how three departments, when putting their minds together, can collectively move forward, and I would urge hon. members to afford those ministers the time it takes to get personnel in place, to get funding in place, but the desire is there. Let us give them the support wherever we can to try and move this issue forward - not soundbites; we need time. But the progress is already being made. Let us build upon it. Thank you.

The President: Reply, minister.

Dr Mann: Thank you, Mr President. I would like to thank those members who have contributed this afternoon, and first of all I would like to apologise for a very unfortunate expression - 'draw the line'. It was not intended and I hope the remarks that followed did not support the view that that was an end to the matter. I think, following that, I said over and over again it never was going to be finally resolved and we constantly had to work in that direction. Certainly the Council of Ministers has determined that this committee should continue to function. I think the impression possibly we wish to give is that there are a large number of recommendations here, some of which were not at odds with each other but were quite diffuse in their recommendation, and I think what we need to do is to move on from there now. We have got obvious areas where progress is going to be made and we work along those and, I am sure, will report in due course on what progress we have made since we have finally just answered each individual one from the various departments.

Now, I realise that under no circumstances would that satisfy the aspirations of this Court. The aspirations of this Court are only going to be satisfied when there is proof, and working proof, that we are actually making some progress. It was also remiss of me to miss out the fourth but very important component of this committee, and that is the Treasury minister. And as a result of the Treasury minister being linked in with the three other ministers whose direct responsibility it was, we have seen, as a result of the recommendations of yesterday's budget, funding, for instance, in my department so that we can set up a pupil referral unit during the next financial year, in the Department of Health and Social Security who are able to extend their social services provision for very young people, and of course in the Department of Home Affairs. So I think we have got the linking of the various departments and I think this has been a perfect example of how those departments can get together, talk over their problems and go away and work together.

The more I have looked at these problems - and I must speak also for my fellow ministers - there is a need for a multi-disciplinary approach to almost every one of these problems. If ever the solution lies not actually in the recommendations of this report - those recommendations are guidelines, guides to progress - the only real way of making progress is to actually listen to the people who are doing the work on the ground. Sometimes the views of the people doing the work on the ground are quite painful to those who think we know the answer.

I think, just before I refer to some of the individual comments, the most important single factor is the breakdown of relationships, the breakdown of marriage, the breakdown of what is a substitute for marriage - that is, the relationship. Almost every one of the problems starts at that point, and when we are talking about parenting, the young parent may herself or himself not actually have been the first component of the first relationship. By the time that child has actually reached school, some of those children are not living with either of the original parents. This is the problem we are dealing with.

When we are talking about parenting, we are talking first and foremost about even having a structure to life. These children have no structure to their day, nor have their parents. There are no fixed meal times, there are no getting-up times, there are no going-to-bed times, there are no family meals. This is what we are talking about: there is no structure to those children's lives, and it seems that in these particular problem groups we have actually got to get the children at the very youngest age and start creating just a structure to the day. I know the pilot scheme at Jurby is often referred to, but it is extremely good and has focused on these various difficulties.

The social services - first of all you have your nursing service, your midwifery service, your health visiting services right at the very beginning, but that has got to almost immediately be followed by some form of grouping and continuous care, and so you not only have to have pre-school groups, you have got to have them even earlier than that. But it is quite obvious that if you can achieve that situation you will solve a lot of these problems, but it does need a considerable number of personnel who have to be trained and have to have a commitment to their work and certainly if you get that combination, as you have in teaching, if you get the right people in the right place you will get the answer.

Now, we are talking about putting resources and, as the minister has said, those resources are now going into the Ramsey area. I can tell you very quickly where the other

areas in the Isle of Man are that require those services, and I think we will have to move as swiftly as possible into those areas. But also - and we have not achieved the finance as yet for this but it will have to come - in those particular areas, to compliment what is being done by social services, we need also to provide a free pre-school accommodation in certain of the schools. Now, that is something that we have got to work on and see how we can build this into the system. All we know from the department's point of view - that is, my department's point of view - is that by continuously testing the abilities and the results of care of these young children, they arrive in the entry forms at the primary schools, and in these deprived areas quite obviously the children are at a disadvantage, with the teaching that is going on in these first classes, the success rate in achieving the average entry ability and skill comes about within the first year and it shows that, with the right conditions and the right people working in the right area, those children can be brought on, certainly within the average ability and training of any child from any other area. So all the signs would suggest that if we do get all of these things in place, we will achieve what we are setting out to achieve.

Now, there were one or two points that individual members have referred to. The member for East Douglas referred to the increasing number of sexual offences. I was not quite sure of the type of sexual offences she was referring to but, as she developed her intervention, I think it is a sexual abuse of young children. Now, these figures certainly appear to be rising, but whether that is due to an actual increase or a more obvious acceptance of the situation, I think the latter is likely to be the case. As other members have suggested, they have always been there; a large number of these offences have always been there but now, of course, with the immense publicity - and there is immense publicity - about the sexual abuse of children in family life, in all the magazines, in television and so on, the number of these offences is now becoming much more reported and it is true, yes, they do need attention and in particular they need attention because there is also a fair number of these so-called offences which actually are not offences and there is, as I think the hon. member for Onchan said, the very great danger that if these offences are not correct or not accurate, in fact it can lead to even more marital break-up or relationship break-up. It is a problem that we are not dealing with adequately at the moment, and certainly I think we have got to put some additional resources in there.

The hon. member for Ramsey referred to the reporting of the date of release, which I do not think the minister actually referred to, but I know we have gone into this matter, between the three or four of us, as to whether this is possible or not. There are all kinds of technical reasons why the exact release date is not known anyway and, secondly, there seems to be a division amongst those people who were victims as to whether they wanted to know or not. Some definitely did not want to know. Others do want to know and it is one of those problem areas that we have not found the answer to yet. But certainly it is something that has been and will be considered. Certainly Beryl's bus, which you referred to and which is a great success story, shows the necessity to get some unstructured youth work organised.

Now, this particular project is very successful because it has actually brought in to the youth centre, which it is, although it is an informal one, those groups who would not ordinarily go into a structured youth centre, and because the police themselves have become involved, there is becoming a reconciliation, as you might say, between the police and the young troublemakers, and in fact it has been very successful. The thing is, we do not know whether it

would be equally successful everywhere else. You have got to, once again, have the right people as well as the right structure in which it is held. Now, I believe there was a similar drop-in centre at the bus station in Douglas which also was highly successful, except that the passengers waiting for the buses seemed to object to either the noise or the disturbance of so many young people there. I would very much appreciate, and I am trying to find, a possible other location in the centre of Douglas because undoubtedly that also proved to attract the right groups. Now, if you look at the number of people attending youth centres, the number of children attending youth centres, the number of very young children attending the structured youth centres is rising rapidly. There is a very much larger number of very young children attending the official youth centres and in fact, once again, we have been able to increase the funding in that direction. Unfortunately there is a worry that when they reach about 14 it drops off and they go elsewhere, to clubs and so on, and it is at that point that we are losing those youngsters to environments that possibly are not the most desirable, so somehow we have got to find an answer to the older age group.

There was reference also to the teachers allocated to children who are excluded from school and only on a certain number of hours of tuition each day. This has always been an extremely difficult area, once again, finding the right kind of teacher to the right child at the right level and to build up a one-to-one relationship that is meaningful and productive, and I think, as in this particular case you referred to, some of the retired teachers possibly are a more stable influence when it comes to dealing with some of these children than some of the younger ones. In this case it was a retired teacher who managed to get this particular child on the way to actually doing some positive learning. So that is certainly an area we are looking at.

I think somebody referred to the attitude of teachers and how they can cope when they meet with juvenile delinquency in their classroom. We have, and I know previous departments started it, certainly given considerable priority to training teachers both individually and in groups to be able to cope with difficult children and to cut down some of the stress that is involved. Most of that stress is actually verbal rather than physical; in fact the amount of physical abuse of teachers is very small, but the amount of verbal abuse from certain groups can be quite high, and it is coping with this situation that is so important. Certainly we are increasing, very rapidly, the percentage of teachers who have attended these courses.

I think and hope I have dealt with most of the problems. All I can say is that I personally very much welcome the future appointment of a consultant child psychiatrist. I think that one appointment will do more good in the long run than almost any other that I can immediately think of, and I only hope we achieve that end result. I hope you have gained the impression that there is a lot to be done. It is being done and the departments are working well together. I thank members for their intervention and I beg to move.

The President: Hon. members, I will put the resolution set out at item 24 on the order paper. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Coroners - Method Of Appointment, Powers, Duties And Remuneration - Report Of The Council Of Ministers - Motion Carried

The President: Item 25, the Minister for the Treasury.

Mr Corkill: Thank you, Mr President. I beg to move:

That the Report of the Council of Ministers on the Method of Appointment, Powers, Duties and Remuneration of Coroners be received and that the recommendations in the Ministers' report set out therein be approved.

Hon. members will recall that at the June 1997 sitting of this Court the Council of Ministers was requested to consider the method of appointment, powers, duties and remuneration of the coroners. My hon. colleague, the Minister for Home Affairs, and I were invited by the Council of Ministers to establish a small working party to consider the matter in detail. Having reviewed and considered a number of written and oral submissions from a good cross-section of interested parties, including the coroners on two occasions, it was evident that the consensus view was that, though carrying out their duties with integrity and diligence, the coroners' working practices do not fully meet the needs of a modern and vibrant economy. It was also evident that the coroners' responses to requests for progress reports on the execution of judgments was less than plaintiffs could reasonably expect and, if anyone wished to pursue a grievance against a coroner, there was no obvious path to follow to have their complaint heard.

The working party was aware that references to the work of the coroners had been made in an internal Treasury report regarding insolvency law produced in 1994. A complete list of those recommendations of that report is at paragraph 24 in today's report that is before hon. members but, for the matter at hand, the last of those recommendations referring to the functions of an official receiver is most relevant. It is, and I quote, 'to act as a conduit between the public and the coroners regarding complaints and requests for information relating to the coroners and their functions'. We believe the establishment of an official receiver's office, with line management responsibilities over the coroners, would lead to improvements in the coroners' service which would go a long way to meeting the aspirations of some of the people who submitted evidence to us and, most importantly, to the public at large.

We have in our deliberations been very mindful of the traditional aspects of the coroners' duties which have endured for many centuries and have endeavoured not to recommend any major disruption to such duties that we considered were held important to our heritage.

Hon. members, I would ask you to endorse the report before you and to approve the adoption of its recommendations. Mr President, I beg to move.

Mr Bell: I beg to second and reserve my remarks.

The President: Hon. members, I will put the resolution set out at item 25 on the order paper. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Communications Commission - Members Appointed

The President: Item 26, the Chief Minister.

Mr Gelling: Mr President, I beg to move:

That Tynwald approves the appointment of the following persons as members of the Communications Commission for a period of three years, commencing on 1st April 1998:

Brigadier N A Butler CBE

Mr P H Sayer

Mr R Leonard

Mr B S Pover.

By virtue of the Communications Commission Order 1989, the membership of the Communications Commission is appointed by the Governor-in-Council subject to the approval of Tynwald. It is the requirement of the order that the Governor-in-Council shall have regard to the need for the commission to include the Minister for Home Affairs, who shall be chairman of the commission.

In appointing members of the commission, which under the order should consist of not less than three and not more than five other members, the Governor-in-Council shall also have regard to the need for the commission to include members who are appropriately qualified, by experience or otherwise, to participate in the exercise of the commission's functions.

Two of the current members, namely Mr John Sayle, JP, and Mr Ray Cannan, have indicated that they do not wish to be reappointed and to find replacements. The Communications Commission placed advertisements in the local media, and the present term of appointment for members of the commission is due for renewal on 1st April 1998, and it is recommended that Brigadier Norman Butler, Mr P H Sayer, Mr R Leonard and Mr B S Pover be appointed for a term of three years. The CVs of those nominated have been circulated to all members so I do not propose to repeat the information. However, I would like to take the opportunity to place on record our appreciation to both Mr John Sayle and Mr Ray Cannan, the retiring members, for their invaluable service to the commission over the years. (**Several Members:** Hear, hear.)

I therefore recommend that those persons nominated by the Governor-in-Council be appointed as members of the Communications Commission and, Mr President, I beg to move the motion standing at item number 26 on our agenda paper today.

Mr Bell: I beg to second and reserve my remarks.

The President: Hon. members, I will put the resolution standing at item 26 on the order paper to the Court. Will those in favour of that resolution please say aye; against, no. The ayes have it. The ayes have it.

And that, hon. members, concludes the business before the Court this day. The Council will now withdraw and leave the House of Keys to transact such business as Mr Speaker may place before them. Thank you.

The Council withdrew.

House Of Keys

The Speaker: Hon. members, I would remind you that we will require nominations for the one vacancy to the Legislative Council by 5 p.m. on Friday of this week. The House will now stand adjourned until Tuesday next, 24th March, at 10 a.m. in our own chamber.

The House adjourned at 4.41 p.m.