

**REPORT OF PROCEEDINGS OF  
HOUSE OF KEYS**

**Douglas, Tuesday, 16th November 1999  
at 12.38 p.m.**

Present:

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

*The Chaplain took the prayers.*

**Legislative Council – Introduction of Legislation for Popular Election –  
President’s Ruling in Tynwald – Debate Commenced**

**The Speaker:** Hon. members, you will be aware of Mr President’s ruling this morning in relation to Tynwald standing orders. I was aware that the hon. member who correctly placed the motion on the floor was concerned that the debate might not ensue. Mr Cannell first moved his motion - and it is moved, hon. members - in October 1998 and it was adjourned subsequently, probably awaiting the House of Keys committee report. It is now on the Tynwald agenda paper for the continuation of the debate; it says on the order paper ‘for the resumption of the debate.’

The meeting of the Legislative Council this morning does place a Bill before that branch, and therefore the ruling under standing order 3.11(3) by Mr President could be seen to be guided by that sitting of the Legislative Council this morning. It could, hon. members, be seen as a deliberate manoeuvre (**Members:** Hear, hear.) to avoid the debate in Tynwald Court. The plus factor is that it could bring the possibility of this House discussing legislation dealing with the constitution of the Legislative Council before this House more speedily than had previously been thought. However, it has had the effect of us not being able to debate in Tynwald Court whether or not the Legislative Council should be elected by popular franchise. We are aware, hon. members, that this committee has, of course, reported, and we are aware of that particular committee’s report in the name of the hon. member of Ayre, Mr Quine, as well.

It appears to me that the situation is that if we do not debate the motion on the order paper in Tynwald Court, this House fails to have that opportunity to discuss the election by popular franchise of the Legislative Council in that Court. The very least, hon. members, we could this morning continue with the debate in our own chamber relative to the motion which Mr Cannell has in front of Tynwald Court, or we could take the line that this particular measure, this ruling under standing orders by Mr President under the other standing order of Tynwald Court, should be referred to the Standing Orders Committee of Tynwald. I think - the learned Clerk will correct me on this - I am not quite sure - that it is standing order 9.1(3) and (4). That is why this morning, the disquiet of the hon. member for Onchan having been

expressed to me that this opportunity was being lost, I felt it incumbent that I should at least give hon. members the opportunity to debate it here in our own House. The hon. member for Michael.

**Mr Cannan:** First of all, Mr Speaker, I congratulate you in inviting hon. members to come to this House to discuss the matter. As I see it, Mr Speaker, there is an alternative. Had any member put forward that Tynwald standing orders be suspended, while I believe the majority of this House would have supported it, it would have failed because the Legislative Council would not have supported it. I feel, therefore, that perhaps a message might be conveyed to the President of Tynwald, to the Legislative Council, that it might be in the parliamentary and public interest if they, the Legislative Council, agree to support this hon. House in Tynwald sitting, that that particular standing order be suspended to allow the debate to go forward. Otherwise, Mr Speaker, I support whatever action you consider best, but I do believe in the public interest, in parliamentary interest and in order that the debate go forward, a message be conveyed that the Legislative Council should concur with the wishes of the Keys to suspend the Tynwald standing order.

**Mrs Crowe:** Hear, hear.

**Sir Miles Walker:** Mr Speaker, I support the suggestion made by the hon. member for Michael. I think that if this matter could be discussed in Tynwald that would be the correct procedure. I think we have to accept that there was a tactical manoeuvre this morning in line with standing orders, which prevented the hon. member moving his resolution. It seems to me unfortunate that resolution has been prevented on a couple of occasions when it has been on the agenda paper for being moved entirely within standing orders, and I understand that, but I just go back to that word - I think there was a 'tactical manoeuvre' this morning which avoided the subject again being discussed. I have to say I think that is wrong. (**A Member:** Hear, hear.) Setting aside the subject of the hon. member's motion - because I have my own views on that - I do think that we should endeavour to have this matter debated in Tynwald and, if the way forward is, as the hon. member for Michael suggests, then I would certainly support it, sir.

**Mr Brown:** Mr Speaker, I would also add my support to the comments of the hon. member for Michael and the hon. member for Rushen, Sir Miles. Whatever the tactics are I think it is most unfortunate that the Legislative Council have, by using their own system, endeavoured to block a debate on a matter of considerable public importance (**A Member:** Hear, hear.) and I do believe that we should in some way endeavour to get this matter debated in Tynwald Court, which is the appropriate place now to have the debate, and I would make the point that whilst the adjournment on this matter has been on a couple of occasions that was somewhat different in terms that there was a committee of this House set up prior to the member putting down his original motion. Now we have a situation where the Legislative Council have put forward a Bill knowing this motion had been adjourned on a number of occasions, and I think that that is most unfortunate for all parties involved, and the sooner we can resolve this in the best interests of the Isle of Man, whatever the outcome of the debate, then the better it is for all of us.

**Mr Cannell:** Mr Speaker, I am grateful for the opportunity to thank members for their support so far in this attempt to perhaps take away a ploy which was used by the Legislative Council to try to knock out a democratically tabled Tynwald resolution, but I would remind hon. members respectfully that one of the adjournments which previously came was not because

we were awaiting the report of the select committee but one of them was rather to accommodate an item regarding the incinerator which subsequently failed to get sufficient support and the sitting was brought to an end and there was no way back for the resolution which I had put to one side in the national interest.

Notwithstanding that, we do have now, of course, the properly submitted Report of the Select Committee on the Legislative Council in this chamber and with a number of recommendations which appear to be adoptable by this hon. House, but although I do accede to the ruling by the President that it is, on standing order 2.5, up to him to decide, I would submit, sir, that on item 2.7 any member may speak on a point of order or upon a matter of privilege which indeed is what we are doing here, as I see it, and it comes down to whether you go with the standing order 3.11(3), 'No debate shall be permitted at any time on a matter tabled for consideration by a branch', and great emphasis should be put on the word 'tabled' and whether that actually covers the production of a Bill as well, but when it does, what we have had this morning was that the only item on the Legislative Council's agenda where they passed their first reading in the name of Mr Lowey, I would respectfully submit to all concerned, was a deliberate ploy to try to resist a Tynwald motion, which indeed was not being put down to be launched today but was already in being.

So on that basis I am quite happy to go along with the possibility that the debate will continue to run in Tynwald and I do again thank members for their apparent support.

**Mr Cretney:** Mr Speaker, I just wish to say that it may be described as a ploy which took place this morning; it was a parliamentary mechanism which was used by the member of the Legislative Council. But members should not be surprised at that. Despite what has been said publicly now, this was always going to be the case. If it did not happen now it would happen when the legislation, either theirs or ours, got to a later stage, so members should not be surprised at that and, whilst I will support us going to Tynwald and hoping a message will secure the Legislative Council's agreement to suspend standing orders, I would not be over-optimistic.

**Mrs Hannan:** I would propose, Vainstyr Loayreyder, that a conference with Council may help to sort out this what I would call an impasse, really. We have been told that we cannot discuss what is on the agenda because of standing orders and that has only happened because of what has happened this morning in the Legislative Council, so I would have thought that our feelings should be made known in the strongest possible terms to the Legislative Council and I would propose that a conference of three or five members of this House approach Council to put forward our position. I so move.

**Mr Quine:** Mr Speaker, I agree with the hon. member for South Douglas, Mr Cretney. I am not surprised by this at all; I was only waiting for it to happen. I mean, this is a ploy, in the sense that it is a tactical manoeuvre and at best they are hoping the issue will be run out of time. Others have used that device, I might add, to run a Bill out of time in the not-too-distant past, some of whom are sitting with us this morning. So it is not a surprise in that sense at all; it is a device which they have resorted to, it is a legitimate one, and whether that legitimacy should stay in place in relation to a motion that has been up and running is another matter. But as far as I can see the situation, sir, yes, unquestionably we should make an approach to have the standing orders suspended, but I would suggest that we should give notice, coupled with that, of our intention to have this order referred to the Standing Orders Committee of Tynwald

because the issue, particularly in regard to Mr Cannell's motion, is not the normal situation which I fear was envisaged when this order was put in place. This motion was up and running and they intervened by bringing in the Bill. That is not, I feel, what was envisaged when this order was brought into being.

I do not see the alternative which you were good enough to mention, sir, of getting the Bill before us more speedily as being a plus. That Bill I am sure those of us who have read it will see does not provide a vehicle which would lend itself to any substantial amendment by the very nature of the way the Bill is drafted. It is clearly at best a Bill which would cause it to be referred to another committee and consequently time will run out on us.

One final point, sir - and you might feel that I am a little out of court in saying this, but we are discussing constitutional matters and therefore it is appropriate that I make mention of it at this time. I believe what we have seen here today, sir, focuses attention on the fact that Mr President, as the President of Tynwald and as the Chairman of the Legislative Council - those two tasks cannot go together! (**Members:** Hear, hear.) Today he is wearing the hat as Chairman of the Legislative Council and is partisan in that approach.

**Mr Gelling:** Yes, I can go along with the suspension of standing orders. There is just one point, Mr Speaker, I would like possible clarification on, and that is in having suspended standing orders so that the motion can be continued because it has already been moved, does that actually prevent any reference whatsoever to the item that is and has been moved in the Legislative Council this morning or does it give a free rein for members to discuss the whole issue, sir?

**The Speaker:** The House rules as far as our own standing orders are concerned: standing order 102 will actually debar us from debating the Bill which the Legislative Council took its first reading of this morning. So there is no question, I cannot permit a debate on that Bill within this House. I think, in relation to the Tynwald standing orders, when we discuss the motion, if we were to discuss the motion, in the name of the hon. member for Onchan, Mr Cannell, reference directly to the Bill - if we were directly referring to the Bill itself in detail - may very well be ruled out of order, but inevitably it will have to be touched on in any hon. member's discussion, I would have thought, of that motion.

**Mr Cannan:** May I speak again, sir?

**The Speaker:** The hon. member for Michael.

**Mr Cannan:** Mr Speaker, time is moving on and it appears to me, sir, that the consensus of opinion of this hon. House is that the business of Tynwald should carry on as quickly as possible and that an emissary of three members go upstairs to the Legislative Council, convey the will of the House that they agree to suspend standing orders, sir, so that immediately after lunch Tynwald can proceed in a proper and orderly fashion.

**The Speaker:** I am concerned at that and I am also concerned, hon. members, at the hon. member for Peel's suggestion of a conference. I am not convinced that within our strict facility of standing orders it actually complies. I would be happy, hon. members, if it is the House's wish - and I want to make it quite definitive that I would put it to the House and it would be the wish of the House - to go back and move in Tynwald Court that standing order 3.11.3(1) be suspended to enable the debate on the motion at item 3 on the order paper. . .

for this sitting to be resumed, and secondly that that standing order be referred to the Standing Orders Committee of Tynwald for consideration and report. If that would be the wish of the House I would be happy to carry that forward for the House.

**Mr Brown:** Mr Speaker, I think one thing we need to be absolutely sure of what the House is doing and may I suggest, following your line, that we should put a motion to this House now here to get a decision of the House which can then be transmitted to the Legislative Council advising them of the decision of the House and then, hopefully, if a conference is necessary - and I would endorse the point made by the hon. member for Michael that we should have a conference, because my understanding of standing orders is you can have a conference between the two branches on any subject - if that is the case we then have our delegates who go to the conference advising the Council that the House has passed, hopefully unanimously, this decision and hopefully then the Council will consider its position prior to us going back in Tynwald.

**Mrs Crowe:** Yes.

**Mr Cannell:** Mr Speaker, just on a small point. If it is the will of this hon. House that eventually an approach is made for the suspension of standing order for motions and amendments to motions at 3.11(3), 'No debate shall be permitted at any time on a matter tabled for consideration by a Branch', would that not automatically also wipe out the necessity not to mention the Bill which is before the Legislative Council? Would we not be quite free, then, by that suspension to continue debating any matter connected with it?

**Mr Quine:** Yes, I am just concerned, sir. First of all, let me say that I agree that this hon. House should pass a motion and that should be the record of our decision, so to speak; I am happy with that. I am just concerned that if we go back cold, shall we say, to the Legislative Council and put that position to them, there is a likelihood of it being rejected and then where are we then? The hon. member for Castletown suggests we would be in a position where we would have to come back here again, because my concern is that if the way is paved in the sense that - hopefully we are going to get some lunch - during this recess -

**The Speaker:** Time stands still.

**Mr Quine:** Time stands still, yes, sir! But during this recess there could be a sounding out of the process, perhaps we could then formalise it so as we are not put in a position of further embarrassment.

**Mr Cannan:** I move a suspension.

**Mrs Crowe:** Yes.

**Mr Downie:** Mr Speaker, I fully support the recommendations that have been made this morning, but I think there could be a further problem which may arise. Now, my understanding of the standing orders, which I trust are up to date, is that the Governor will have to preside over any conference which takes place between the two branches and I am wondering if that will present difficulties as the day goes on, so I think during the lunch recess we will really need to get things organised in this regard.

**The Speaker:** My understanding, hon. members, is we were informed that the President of Tynwald has adjourned Council to its own chamber in accordance with standing order 4.6(2) to discuss in private the issues which are raised within the House and they may very well

adjourn back to their chamber thereafter instead of going back to Tynwald Court. So in that case, hon. members, I think at this particular . . . The hon. member for Castletown?

**Mr Brown:** Mr Speaker, maybe to help us along, because we do need to be absolutely sure on this, could I suggest that we adjourn until 2 o'clock and that in the meantime the Secretary to the House formulates a matter for putting to the House reflecting what has been said here today?

**The Speaker:** I appreciate that that gives the Chief Minister certain difficulties. Nevertheless, hon. members, the suggestion is that we adjourn -

**Mr Brown:** Well, I propose that, Mr Speaker.

**Mr Quine:** I am pleased to second that.

**The Speaker:** Hon. members, it has been proposed that we now adjourn until 2 o'clock and come back to sit within our own chamber. Will those in favour please say aye; against, no. The ayes have it. The ayes have it. Thank you, hon. members.

*The House adjourned at 1.00 p.m.*

### **Legislative Council – Introduction of Legislation for Popular Election – President's Ruling in Tynwald – Debate Concluded – Motion Carried**

**The Speaker:** Hon. members, we adjourned at lunchtime when we were debating the procedures which had taken place this morning and at this particular stage I call upon the hon. member for Castletown, Mr Brown.

**Mr Brown:** Thank you, Mr Speaker. Clearly we have got to find a way forward on this and one which hopefully the House can be unanimous on. I therefore have had circulated an amendment standing in my name in two parts and this will, if successful, enable us to have a debate in Tynwald on the resumed matter before Tynwald Court in the name of Mr Cannell, the hon. member for Onchan.

I think it is also important to make the point that the debate itself is somewhat separate from the Bill before the Legislative Council, which is the Constitution Bill, that got its first reading this morning, and therefore in any debate as to the item on the agenda that has been adjourned, on the Tynwald agenda that has been adjourned, it will enable Tynwald Court to express an opinion. I therefore feel that we should proceed with the amendment standing in my name, which will permit you, Mr Speaker, to then put forward a motion or an adjournment for suspension of standing orders in Tynwald and if that is not successful, it is certainly my opinion that we should then resume back in the House for a debate on the issue that the hon. member for Onchan, Mr Cannell, has got before Tynwald Court. Therefore I beg to move the motion standing in my name:

*That the Keys request Mr Speaker to move the following motion at the resumed November 1999 sitting of Tynwald Court -*

*'That -*

- (i) SO 3.11(3) be suspended to enable debate on the motion standing at item 3 on the order paper to be resumed; and*

*(ii) SO 3.11(3) be referred to the Standing Orders Committee for consideration and report.'*

**Mr Cannan:** Mr Speaker, I beg to second this. As you know, it was what I requested originally. But I would ask, Mr Speaker, with the permission of the House, in order that there is no slight hiccup, that you ask the President to take a vote on both parts of the motion. I think that is very, very important in order that the proper procedures of Tynwald can go forward. Part (i) is to get the debate going and then we can carry on with public business. The second part - if there is some disagreement, it is not paramount to today, it can be referred to and dealt with as soon as possible thereafter. But it is in my view most important that we proceed today and speak as one voice.

**Mrs Cannell:** Mr Speaker, I rise in support of the motion that is before hon. members, but I would just like to put two queries to what could result out of this. If of course the motion is split into two parts, and I would endorse the comments made by the hon. member for Michael, that we need to vote on them separately so that we do not lose the first one, but if the first one is not successful, that is to say that it is unanimously supported by the members of the Keys but not by the Members of the Legislative Council, then under normal procedures would that then not stand referred for another month until we come back and then vote together as one? I am just thinking in terms of if we lose that, if the Legislative Council vote against it and we lose it, rather than then have to come and revert back to our own particular chamber to discuss plan B, should we not have a reserve plan in place? If it does stand back for another month, then again we can still achieve the debate that we are seeking in a month's time, could we not, because when the whole parliament votes together as one, if we are still of a unanimous view, which I think we will be, then our motion will succeed and we will be able to have the debate then?

I do not want to see us in a position today, Mr Speaker, where we are having to come back again following the motion, following the conference, coming back again: 'What are we going to do now?' And meanwhile time is ticking on and we have quite a heavy schedule, quite a heavy agenda to get through and I think it might just perpetuate some ill feeling possibly with the President and the Legislative Council which I do not think would be conducive at this moment.

**Mr Rodan:** Mr Speaker, could I just clarify, in a similar vein to the last speaker, with the mover the consequences of this motion not being accepted in the parliamentary chamber? The hon. Mr Brown clearly said that he would expect the debate to take place in the House of Keys on the motion of the hon. member Mr Cannell. In my view that would be a mistake. **(Several Members:** Hear, hear.) The purpose of this motion surely is to ensure that the debate takes place in the parliamentary setting, the meeting of both branches of parliament and not in one particular legislative branch of that parliament.

This legislative branch, the House of Keys, has made a particular decision and already expressed a view on precisely the terms of the hon. member Mr Cannell's motion and it did so last week, or was it the week before, when a majority of this House agreed that the Legislative Council should be directly elected and a majority, a technical majority, further agreed that that be done under the terms of the recommendation of the report of the select committee. So this House's view is absolutely clear. I see no need for further debate, but I do see need for a debate in the parliamentary chamber with the other legislative branch.

**Sir Miles Walker:** Mr Speaker, I get to my feet to make the same point as the hon. member who has just resumed his seat. It seems to me that it would be a bit of a nonsense if this resolution in the name of the hon. member for Castletown is lost, that we withdrew and came back to our own chamber where we had the discussion just a short time ago. So it seems to me that if this is lost, and I hope it is not because I believe that Tynwald chamber is the place for this debate to take place, we should just get on with our business and in due course look at the situation again.

**The Speaker:** I think that is important, hon. members, and we ought to realise that, whilst we require 16 votes of the Keys in Tynwald to suspend standing orders, we will also require six votes in the Council. The hon. member for Glenfaba.

**Mr Gilbey:** The only thing I want to find out, Mr Speaker, and I have been trying to find it out from the learned adviser, is if this first part of the motion fails can we, as the hon. member for East Douglas said, then move a resolution to have it discussed at the next meeting of Tynwald? If we can, that seems to me a sensible way out not to come back here and indeed if we can it seems to me a reason why we should stop sitting here as quickly as we can and get back to the main business. But no-one seems able to give me this answer.

**The Speaker:** I think the President has made a ruling under standing order 3.11(3) in that case if it was to be reintroduced onto the Tynwald agenda paper his ruling would be effectively the same, that it is within a branch.

**Mr Gilbey:** That is not the point, Mr Speaker. I apologise I have not made it clear enough. This says that we suspend standing orders and we expect that we would pass this by a big majority, not necessarily unanimously, as everyone says, but it would be passed in the Keys, but the Council would vote against it and therefore it would fail in Tynwald. Well, our normal procedure for items that fail in that way is that the Keys immediately give notice that the matter be considered at the next meeting of Tynwald. Now, does that work in a case like this or not? That is the simple question to which I am trying to get the answer.

**Mr Cretney:** Yes.

**The Speaker:** I ask the Secretary of the House.

**The Secretary:** Mr Speaker, hon. members, you will appreciate I am not in the easiest position during this exercise. Various members of the House have indicated that they might wish the two paragraphs to be, I think, divided or separately, and if I could just advise the House of the Tynwald standing order on that. The most effective one is standing order 3.12 in which one of the options it gives is that the proposition of the two paragraphs be debated as one but voted upon separately, which is I think what members are indicating that they might wish. Just to advise members, 3.12 says a motion moved in those terms may only be moved immediately after the principal motion, that is, the one by Mr Speaker, has been seconded, so if that were to happen, Mr Speaker would move the motion and it would be seconded and another member would then be required to move in terms of standing order 3.12.

I may now turn to the hon. member for Glenfaba who asks what would be the procedural outcome if, let us say, the first paragraph, I think is the one we are concerned with, were voted on in Tynwald, if the motion were permitted to be moved and voted on and it carried in the Keys and lost in the Council. Well, that is covered by standing order 3.19 which in fact reflects

a statutory provision which is the Isle of Man Constitution Act 1961, section 2(1): 'Where the Council and the Keys have voted separately in Tynwald on any motion and such motion has received an affirmative vote in the Keys but has been defeated in the Council, the Member who moved the motion may at any time during the same or next following sitting give notice of intention to move the same motion at a sitting, which shall be specified in the notice, to be held not later than six months after the sitting at which the motion was put and lost'. Now, you will appreciate that I may be advising a number of people. There are two difficulties I have with that. First the paragraph as drafted - although it was signed by the hon. member, it was drafted elsewhere - may not be totally clear enough for that because it talks about the motion standing at item 3 on the order paper. Well, by next month you make an argument that it is not the same order paper. It would not, in my view, be a very good argument. A more difficult point is whether section 2(1) actually covers this sort of procedural motion, which I think there might be a little doubt about, as you can see from what I read to you.

**The Speaker:** Hon. members, it appears that we have a motion in front of the House at the present time, as moved by the hon. member for Castletown, Mr Brown, and I am not going to put it yet, but I wonder if it is the wish of the House, and the indication clearly is, that it should be put in two parts. I think that has been the indication. In fact we could incorporate that within the motion which I would move, so that the motion would read that (i) and (ii) and that each part be voted upon separately. That would avoid the hassle of it having to be done immediately following seconding.

**Members:** Agreed.

**The Speaker:** Does any other hon. member wish to speak? Hon. member for Onchan.

**Mr Cannell:** Just to make the same point similarly, Mr Speaker, regarding the literal interpretation of an order which may not come forth on the Tynwald paper for the subsequent sitting at the same number, which might be used to knock it out. I wonder really whether we would be better to be more specific on the item rather than the item per the number as on this Tynwald's agenda.

**The Speaker:** Sorry, hon. member, more specific on the item?

**Mr Cannell:** I am worried that it may be ruled out because we have tied to item 3 on this month's Tynwald agenda where it would not automatically appear as item 3 on any subsequent agendas. The principle of the item is fine, but will it be ruled out on a technicality because it no longer would be item 3? It might be item 3, but not necessarily.

**Mrs Crowe:** You're right.

**The Secretary:** I take the hon. member's point. I think it is a narrow point in the sense that the motion is identifiable and therefore it would, I think, be a very narrow ruling to suggest that you were talking about item 3 on the December order paper, to be honest. One way round it would be to actually -

**Mrs Crowe:** Name the motion.

**The Secretary:** - set out the motion as on the order paper.

**Mrs Crowe:** Yes, I think that is appropriate.

**Mr Gilbey:** Hear, hear.

**The Secretary:** I sense, Mr Speaker, a little unease by the uncertainty of my previous answer. We cannot always be certain on these matters. The reason for my uncertainty was the basic motion here was moved some considerable time ago and what we have got on the Tynwald order paper at the moment is a resumed debate on the motion that was moved some considerable time ago, hence my remark about section 2(1) of the 1961 Act talking about a motion is. I just have a little unease there because we are talking about this motion and not the one that was originally moved, if you see what I mean. That is why I am uneasy about that.

**Mr Cretney:** Not a light agenda this month!

**The Speaker:** Yes, hon. members, I think we need to be aware and I think it is right that we be aware that in fact inevitably leaving Tynwald Court was to some extent leaving the House with the difficulty over what it was actually facing in the light of how we could progress the matter. I actually requested that we come to our own chamber because I discerned that there was a mood amongst members that, whether you like the word or not, there had been a manoeuvre by the other chamber, which is perfectly in order and might be in political terms correct, but nevertheless there was a mood, I felt, in the House that we needed to take stock of what had happened and acknowledge and make a point that the House was concerned, rather than just accept the motion and the ruling from the chair.

Now, bearing that in mind, we have the motion, as has been put in front of the House this afternoon by the hon. member for Castletown, Mr Brown, which is in line with what was discussed earlier before we broke up for lunch this morning. I would just simply say to the House that we have to be aware regarding (i) of that motion that it very well be, if that is the case, that we would require 16 votes from our chamber to carry it, the Council would require six votes. If we had the two parts divided we would still be left with (ii), and I think it is just as important in my mind that we try and endeavour to get that particular point carried so that the point is properly and forcibly made that such a manoeuvre is viewed with concern by this House. (**Members:** Hear, hear.) Having said that, hon. members, can I then put the motion to you in the name of Mr Brown that (i) - (*Interjection*) Right. We will just ask the learned Secretary then to put the motion so that we will define in (i) the motion as the exact item, and further, we will make sure encompassed within the motion that each part of the motion be voted upon separately. Do I take it that that is the wish of the House?

**Members:** Agreed.

**The Speaker:** I will ask the learned Secretary to read out a motion in that form and I am quite prepared to give you a minute if you wish. Right, okay. If we ask our learned Secretary then to read out the motion, as has been suggested with the will of the House.

**The Secretary:** Mr Speaker, I am anxious that we do not lose our way procedurally. What I suggest is that I read out the draft and see if the hon. member for Castletown is in agreement with it. The motion would read:

*'That -*

- (i) SO 3.11(3) be suspended to enable debate on the adjourned motion, "That Tynwald requests the Council of Ministers to introduce legislation to provide for the election of the Legislative Council by popular franchise", standing at item 3 on the order paper to be resumed;*

- (ii) SO 3.11(3) be referred to the Standing Orders Committee for consideration and report; and*
- (iii) under SO 3.12 the propositions at paragraphs (i) and (ii) be debated as one but voted upon separately.'*

**Members:** Agreed.

**The Speaker:** Hon. members, bearing in mind that it is not in front of you, and we will make certain that it is actually written before we resume our debate so that you have copies of it in Tynwald Court, can I put to you then the motion as read by the Secretary and accepted by the hon. member for Castletown, Mr Brown. Will those in favour please say aye; against, no. The ayes have it. The ayes have it. Thank you, hon. members.

We will now adjourn and we will alert the President that the Keys are ready to assemble in the Court. Thank you, hon. members.

*The House adjourned at 2.25 p.m.*