

**REPORT OF PROCEEDINGS OF  
HOUSE OF KEYS**

**Douglas, Tuesday, 27th November 2001  
at 10.00 a.m.**

Present:

Mr D M Anderson (Glenfaba); Hon A R Bell and Mr L I Singer (Ramsey); Mr R E Quine OBE (Ayre); Mr J D Q Cannan (Michael); Mrs H Hannan (Peel); Hon S C Rodan (Garff); Mr P Karran, Hon R K Corkill and Mr A J Earnshaw (Onchan); Mr G M Quayle (Middle); 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); Hon A F Downie and Mr J P Shimmin (Douglas West); Hon J A Brown (Castletown); Hon D J Gelling (Malew and Santon); Messrs J Rimington, Q B Gill and Mrs P M Crowe (Rushen); with Mr M Cornwell-Kelly, Secretary of the House.

*Canon D Baggaley took the prayers.*

**Appointment of an Acting Speaker**

**The Secretary:** Hon. members, under standing order 8 the House is required at its first sitting after a general election to elect a Speaker. As a preliminary to that the House appoints an Acting Speaker from its membership to preside over the election of the Speaker. That is the first item on the agenda, the appointment of an Acting Speaker of the House for this purpose. I call for nominations.

**Mr Singer:** I move Mr Bell.

**Mr Shimmin:** I second Mr Bell.

**The Secretary:** Are there any further nominations? Hon. members, the motion is that Mr Alan Bell be called as Acting Speaker of the House. Those in favour say aye; those against, say no. The ayes have it. The ayes have it. May I ask Mr Bell to take the Speaker's chair.

*Mr Bell then took the chair.*

**Election of the Speaker**

**The Acting Speaker:** Hon. members, we turn to item 2 on the order paper, the election of the Speaker. Section 9 sub-clause (1) of the Representation of the People Act 1995 requires the House at its first sitting following a general election to elect a Speaker. The election is governed by standing orders 8, 9 and 10 of the House. Standing order 9 provides that if only one member is proposed and seconded as Speaker, he should be called to the chair without the question being put. Standing order 10 provides that if there is more than one candidate there must be a ballot of the members present. The presiding officer declares the result of the ballot. The candidate who receives the highest number of votes in that ballot shall be Speaker of the House.

Hon. members, I will proceed as follows: when a member has been nominated I will seek a seconder for that nomination before calling for any further nominations. Hon. members nominating and seconding a candidate may make short speeches in support of their nominee. If more than one member is nominated and seconded, in accordance with standing orders 10 and 11, we will proceed by ballot and the member receiving the highest number of votes will be elected. I therefore call for nominations. The hon. member for North Douglas.

**Mr Houghton:** Thank you, Mr Acting Speaker. I wish to propose the hon. member for Michael as Speaker of the House. David Cannan has been the member for Michael since October 1982. He has a wide experience of government, which has overseen the Island's depressed economy of the early 1980s to the present buoyant and highly professional economy with virtually no unemployment and low personal and corporate taxation.

David Cannan has been Minister for the Treasury, Chairman of the then Financial Supervision Committee, Vice-Chairman of the Public Accounts Committee, member of the Department of Education, as well as member of other government departments and boards. Until the dissolution of the House of Keys on 17th October this year he was Speaker of this House, Deputy President of Tynwald, Chairman of the Tynwald Management Committee, Chairman of the Committee on Constitutional Matters and a member of other Tynwald and House of Keys committees. He is also a member of the board of governors of the International Business School.

As the Speaker, David Cannan has always conducted the affairs of this House in an efficient, fair and impartial manner. He is well qualified for reappointment as Mr Speaker and I have much pleasure in proposing his nomination, sir. I beg to move.

**The Acting Speaker:** Is there a seconder?

**Mr Duggan:** Mr Acting Speaker, I am very pleased to second that nomination. As Mr Houghton has pointed out, Mr Cannan has a very good career, he has been an excellent Speaker in the past House and I am very proud to second today, sir.

**The Acting Speaker:** The hon. member for South Douglas.

**Mr Cretney:** Thank you, Mr Acting Speaker. The qualities the holder of the historic office of Speaker of the House of Keys must possess should in my view include impartiality, fairness and a sound knowledge of the standing orders and procedures of both this House and Tynwald, a person who has the interests of the Isle of Man first and foremost in their mind. The Speaker should protect with vigour the rights of hon. members and act at all times with integrity.

I believe the hon. member for Castletown, Tony Brown, best meets my criteria for this position. First elected as a Castletown commissioner in 1976 he was successful in becoming the member of the House of Keys for Castletown in 1981, then aged 31, the youngest member in the House. Now 20 years on, Tony is one of the most experienced and longest-serving members of the House of Keys.

A glance at the many responsibilities taken on willingly by Tony Brown over the years, both on a parliamentary and constituency basis, illustrate a commitment to public service which I suggest is second to none. He has been Deputy Speaker for the House of Keys for some time and I believe he has demonstrated his worth to assume the office of Speaker, given your support.

I have known Tony Brown for many years. I know his strengths and recognise his shortcomings. He can be single-minded and stubborn in pursuit of what he believes in on behalf of those he represents, but his record shows he can deliver. Therefore, I have no hesitation in recommending him in the light of my previous comments. After all, he shares those qualities with Speakers Kerruish, Kneale and Cringle, all of whom have served the Island with distinction. Indeed, it could be that such determination channelled in the direction of the supremacy of the House of Keys and members' interests may be seen by members as a positive strength. History illustrates that this has generally been the case in respect of those I have already mentioned.

I believe Tony, who is well-known on the broader stage via government and Commonwealth Parliamentary Association contacts, has the ability to serve this House, Tynwald and our Island with distinction. He would be a very worthy holder of the historic office of Speaker of the House of Keys, the history of which he is so very proud and which he would take forward the challenges and opportunities ahead.

I beg to move the nomination of Tony Brown, hon. member for Castletown.

**The Acting Speaker:** Thank you, hon. member. Is there a seconder?

**Mr Gelling:** Yes, Mr Acting Speaker, I rise to lend my support and to second the nomination of James Anthony Brown. Tony Brown being in the constituency of Castletown, adjacent to my constituency, obviously I know quite a lot about him and the way in which he represents his people.

I also know about his desire to ultimately be the Speaker of this House, and genuine that desire is. And of course we all know his way in which he can reel off the standing orders, so he is well experienced, well equipped and, as I say, Mr Acting Speaker, I would lend my support to his nomination, sir.

**The Acting Speaker:** Are there any further nominations? Right, in that case, hon. members, I call upon the learned Secretary of the House to distribute ballot papers.

**The Secretary:** Mr Acting Speaker, the hon. members nominated are the hon. member for Castletown, Mr Brown, and the hon. member for Michael, Mr Cannan.

**The Acting Speaker:** Thank you. Hon. members, could I nominate the hon. member for Rushen, Mr Rimington, and the hon. member for Garff, Mr Rodan, as tellers to scrutinise the ballot, please.

*A ballot took place.*

**The Acting Speaker:** Hon. members, the result of the ballot is as follows: Mr Brown, the hon. member for Castletown, 15 votes; Mr Cannan, hon. member for Michael, 9 votes; no spoiled papers. The hon. member for Castletown having received the highest number of votes and in accordance with standing order number 10, I declare the hon. member duly elected as Speaker of the House, and I invite him to take the chair.

*Mr Brown then took the chair.*

**The Speaker:** Hon. members, may I thank you for the great honour that you have bestowed on me today. As my hon. proposer indicated, since becoming a member of this House, one of the areas that I have developed a keen interest for, as well as being an active member within the Government of the Isle of Man for that time, has been the parliamentary procedures of not only this House but also Tynwald Court; I know that on occasions hon. members and, on some occasions, Speakers have found me irritating by my use of standing orders in an endeavour to defeat or promote something, all of course quite a legitimate use of those standing orders.

I promise to carry out my duties as your Speaker without fear or favour, to look after all the members of this House, to work with them as your Speaker, to ensure that the members of this House are provided with the services and the tools they require to undertake their duties on behalf of the people of the Isle of Man, the people you represent, and doing that to provide support to the staff of this hon. House, to the Secretary of the House and of course to our messengers, who look after us so well.

I thank you all very much for the honour you have bestowed on me today and I look forward to a successful five years as your Speaker, representing you as the occasions require. Thank you, hon. members.

### **Signing of Standing Orders**

**The Speaker:** Hon. members, we now turn to item 3 on the agenda, signing of the standing orders. All members are required to sign the book of standing orders and hon. members who have been re-elected will find their books of standing orders still in their desks, but each new member will receive a copy of the standing orders of the House. I will now ask the learned Secretary to invite members to come forward to the Secretary's desk for this purpose.

The learned Secretary will call hon. members by constituency in the customary order.

*Members signed the Book of Standing Orders.*

### **Border Television — Filming of House — Agreed**

**The Speaker:** Thank you, hon. members. Now, before we move on to item 4 on the order paper I have a note which was passed to me from our learned Secretary: Border Television are to provide a short news story tonight and they wish to see whether or not the House would agree to

them filming a short session of the House with no sound, and they wish to do that this morning. Are members agreed with that?

**Members:** Agreed.

### **Chaplain of the House — Canon D Baggaley Elected**

**The Speaker:** We now turn to item 4 on the order paper, the election of the Chaplain of the House. Hon. members will be aware that the previous House elected Canon Dennis Baggaley as Chaplain of the House at its sitting on 20th October 1998. I therefore call for nominations and seconders for the position of Chaplain of the House. Do I have anybody to propose? The hon. member for Garff, Mr Rodan.

**Mr Rodan:** Mr Speaker, as you have rightly reminded us, Canon Dennis Baggaley was elected at a special sitting of the House in 1998 on the recommendations of the Consultative Committee of the House. Canon Baggaley is of course now well-known to the majority of hon. members and indeed is well-known in the Isle of Man generally. He has been, in various positions, a much loved priest and pastor for over a quarter of a century.

He became vicar of Onchan in 1971, where he remained until 1996. He was Rural Dean of Douglas between 1983 and 1988 and a Canon of St Columba since 1980. The clergy of the Island elected him a member of the General Synod between 1985 and 1995. As is also well known, Canon Baggaley has a wide range of interests; notable among them is the steam railway, and he continues to be an active Rotarian. Insofar as hon. members are concerned I know that they will have benefited from Canon Baggaley's particular pastoral gifts.

It gives me great pleasure to propose that Canon Dennis Baggaley be elected to the House to serve as Chaplain. I am sure he will serve the House with great distinction and indeed with his own most individual style and presence and that he will continue to assist hon. members and their families with great care. It is therefore, Mr Speaker, with great honour and pleasure that I beg to move that Canon Dennis Baggaley be re-elected as Chaplain.

**The Speaker:** The hon. member for Rushen, Mrs Crowe.

**Mrs Crowe:** Thank you, Mr Speaker. I am delighted to be able to second the proposal for the good canon, Canon Dennis Baggaley, (**Mr Duggan:** Hear, hear.) who not only for the past five years has been our spiritual adviser but a good friend and supporter to us all.

**The Speaker:** Are there any further nominations? Then I put it before the hon. members; the motion for the House is that Canon Dennis Baggaley of Little Hamlet, Croit e Caley, Colby, be elected as Chaplain of the House. Those in favour say aye; against, no. The ayes have it. The ayes have it. Can I extend my congratulations to Canon Baggaley on his re-election. Thank you, sir.

### **Standing Orders Committee — Members Elected**

**The Speaker:** Hon. members, we now turn to the election of the members of the Standing Orders Committee of the House. Under standing order 41 the House is required, at its first sitting after a general election, to elect five members to form the Standing Orders Committee. To ensure an orderly procedure, as each member is nominated I will seek a seconder for that nomination before calling for a further nomination. Should there be more than five nominations we will proceed by ballot under standing order 111.

I now call for nominations. The hon. member for Ayre, Mr Quine.

**Mr Quine:** Thank you, Mr Speaker. I would like to nominate Mrs Brenda Cannell, Douglas East, sir.

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

**The Speaker:** Okay, the hon. member for West Douglas, Mr Downie.

**Mr Downie:** I nominate the hon. member for Ayre, Mr Quine.

**The Speaker:** Can I have a seconder?

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

**The Speaker:** The hon. member for North Douglas, Mr Houghton.

**Mr Singer:** Mr Cannan.

**The Speaker:** The hon. member for Ramsey has nominated Mr Cannan.

**Mr Shimmin:** I would like to second that, sir.

**The Speaker:** The hon. member for West Douglas, Mr Shimmin.

**Mr Rodan:** I propose the hon. member for Rushen, Mrs Crowe.

**Mrs Hannan:** I second Mrs Crowe.

**The Speaker:** Seconded by Mrs Hannan.

**Mr Downie:** On a point of clarification, Mr Speaker, could I ask if your position is automatic on this Standing Orders Committee?

**The Speaker:** The Speaker is an ex-officio member - is that correct, the Standing Orders Committee?

**The Secretary:** I believe not.

**The Speaker:** Oh, sorry, it is not. It is the Tynwald Management he is.

**Mr Downie:** Therefore I would like to nominate Mr Speaker.

**The Speaker:** The hon. member for West Douglas.

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

**The Speaker:** Seconded. Any further nominations? The hon. member for Ayre, Mr Quine.

**Mr Quine:** I make a further nomination: hon. member for West Douglas, Mr Downie, sir.

**Mr Anderson:** I second.

**The Speaker:** Mr Downie seconded by the hon. member for Glenfaba.

**Mrs Hannan:** I propose Mr Gelling, the member for Santon and Malew.

**Mrs Crowe:** I beg to second.

**The Speaker:** The hon. member for Peel, seconded by the hon. member for Rushen, Mrs Crowe. Any further nominations? Nominations closed, so can we have ballot papers distributed, please? Hon. members, before I ask the learned Clerk to read out the nominations before us I would refer you to standing order 111 and make it clear that, in voting, anybody who does not vote for five candidates - their paper is spoiled and there is then a procedure which I will follow, naturally, in terms of the vote, which is that if a person does not receive a majority of the vote we then move on to a second vote. Could I ask the Secretary to read out the nominations, please?

**The Secretary:** Mr Speaker, the hon. members nominated are, in alphabetical order, Mr Cannan, Mrs Cannell, Mrs Crowe, Mr Downie, Mr Gelling, Mr Quine and Mr Speaker.

**The Speaker:** Can I ask the hon. member for Ramsey, Mr Bell, and the hon. member for Glenfaba, Mr Anderson, to act as tellers, please?

*A ballot took place.*

**The Speaker:** Hon. members, the result of that ballot is as follows: Mrs Crowe, 13 votes; Mrs Cannell, 13 votes; Mr Cannan, 16 votes; Mr Gelling, 18 votes; Mr Quine, 20 votes; Mr Speaker, 20 votes; and Mr Downie, 20 votes. Therefore elected are Mr Cannan, Mr Downie, Mr Gelling, Mr Quine and Mr Speaker. Thank you, hon. members.

## **Manx Museum and National Trust — Member Elected**

**The Speaker:** We now turn to item 6 on the order paper, which is the election of a member to serve as a member of the Manx Museum and National Trust. I propose to adopt the same procedure as under the last item in calling for nominations and seconders. If there is more than one nomination we will again proceed to ballot under standing order 111. I now call for nominations and seconders: the hon. member for Douglas North, Mr Henderson.

**Mr Henderson:** Thank you, Mr Speaker. I propose to nominate the hon. member for West Douglas, Mr Alexander Frank Downie. He has performed this function very well in the past and up to recent times, he has shown a keen interest in all things re heritage of the Isle of Man and especially on the committee he served on and I cannot think of anyone better to continue as a member of this House.

**Mr Singer:** I beg to second.

**The Speaker:** The hon. member for Ramsey, Mr Singer, has seconded. Any other nominations? The hon. member for Peel, Mrs Hannan.

**Mrs Hannan:** Yes, thank you, Mr Speaker. Could I propose the new member for Rushen, Quintin Gill, who does have a great interest in all things Manx and I believe would be a good representative of this House on the Manx Museum and National Trust. That is not taking anything away from the member who has been the representative, but I do not think that we should try to ensure that there is a continuation. I think that new blood in some of the sections should be good, so I have great pleasure in proposing Mr Gill.

**The Speaker:** The hon. member for Rushen, Mrs Crowe.

**Mrs Crowe:** I am delighted to second that proposal.

**The Speaker:** Do we have any further nominations? With no further nominations, hon. members, we will therefore distribute ballot forms and the learned Clerk will advise the House of the nominations before you.

**The Secretary:** Mr Speaker, the hon. members nominated are Mr Downie and Mr Gill.

**The Speaker:** Can I call on the hon. member for South Douglas, Mr Cretney, and the hon. member for Middle, Mr Quayle, to act as scrutineers, please?

*A ballot took place.*

**The Speaker:** Right, hon. members, the result of that ballot is Mr Downie, 11 votes; Mr Gill, 13 votes. Therefore, hon. members, the hon. member for Rushen, Mr Gill, is duly elected to serve.

## **Court of the University of Lancaster — Member Appointed**

**The Speaker:** Hon. members, we now move on to item 7 on the order paper, which is the appointment of a member to serve as a member of the Court of the University of Lancaster. Again I will adopt the previous procedure in calling for nominations and seconders, and again if there is more than one nomination we will proceed to ballot under standing order 111. Therefore, hon. members, I call for nominations. The hon. member for Douglas East, Mr Braidwood.

**Mr Braidwood:** Thank you, Mr Speaker. I would like to propose the hon. member for West Douglas, Mr Shimmin. Mr Shimmin takes a very keen interest in education, being a former teacher, and I know that being a member of the Court of the University of Lancaster would cement the relationship with the Island.

**The Speaker:** The hon. member for Douglas West, Mr Downie.

**Mr Downie:** I have much pleasure in seconding that nomination, and in doing so I would just like to remind the House that Mr Shimmin has only served at Lancaster for a period of one year. He took over from a previous member and I understand he has only attended one meeting thus far.

**The Speaker:** Any further nominations, hon. members? There being no further nominations, I therefore put before you the name of the hon. member for Douglas West, Mr Shimmin. All those in favour say aye; against, no. The ayes have it. The ayes have it.

### **Court of the University of Liverpool — Member Appointed**

**The Speaker:** Hon. members, I now turn to item 8 on the order paper, which is the appointment of a member to serve as a member of the Court of the University of Liverpool. The procedure is the same as I have outlined on the previous item. I now call for nominations and seconders. The hon. member for Douglas West, Mr Shimmin.

**Mr Shimmin:** Thank you, Mr Speaker. In reciprocity I would like to propose the member for East Douglas, Mr Braidwood, who is a graduate of the University of Liverpool. It is a post he has held and has enjoyed holding and I believe he takes the right attributes into the post, sir.

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

**The Speaker:** The hon. member for Douglas South, Mr Duggan. Any further nominations? There being no further nominations, hon. members, the motion before you is that Mr Braidwood be elected to serve as a member of the Court of the University of Liverpool. All those in favour say aye; against, no. The ayes have it. The ayes have it.

### **Tynwald Management Committee — Members Elected**

**The Speaker:** Finally, hon. members, we turn to item 9, which is the election of three members to serve on the Tynwald Management Committee, together with Mr President of the Legislative Council and myself as Speaker. We will again use standing order 111. Members can see the former members of the Tynwald Management Committee. There is a need to elect three members from the House, myself being an ex-officio member. I therefore call for nominations. The hon. member for Rushen, Mr Rimington.

**Mr Rimington:** I would like to nominate the hon. member for Rushen, Mrs Crowe.

**Mr Rodan:** I beg to second Mrs Crowe.

**The Speaker:** The hon. member for Malew and Santon, Mr Gelling.

**Mr Gelling:** I wish to nominate Mr Bill Henderson.

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

**The Speaker:** The hon. member for Douglas East, Mr Braidwood.

**Mr Braidwood:** Thank you. I would like to propose Mr Quine.

**The Speaker:** Do I have a seconder?

**Mr Singer:** I beg to second.

**The Speaker:** Hon. member for Ramsey. Any further nominations? Therefore, hon. members, nominations close.

**The Secretary:** Mr Speaker, the hon. members nominated are Mrs Crowe, Mr Henderson and Mr Quine.

**The Speaker:** Therefore, the three nominations are before you. All those in favour say aye; against, no. The ayes have it. The ayes have it. Thank you, hon. members.

### **Senior Messenger — Recovery after Illness**

**The Speaker:** Now, hon. members, before I move on to closing the sitting of the House I would just say, as I am sure hon. members will be wanting to know the latest on Mr Frank Joughin, who is our senior messenger and who of course took ill at the last sitting of our House after an accident, I am advised by the Chaplain to the House that he is cheerful and fair and I am sure that

we all send our best wishes to Frank and his wife (**Members:** Hear, hear.) and wish him a speedy recovery.

Hon. members, that concludes the business of the House. The House stands adjourned to the sitting in Tynwald Court on Tuesday, 4th December 2001 at 10.30 a.m. Thank you, hon. members.

*The House adjourned at 11.02 a.m.*