

**REPORT OF PROCEEDINGS OF
TYNWALD COURT**

**St John's, Friday, 5th July 2002
at 11.00 a.m.**

Present:

The President of Tynwald (the Hon N Q Cringle). In the Council: The Lord Bishop (the Rt Rev Noël Debroy Jones), the Attorney-General (Mr W J H Corlett QC), Hon Mrs C M Christian, Messrs E A Crowe, D F K Delaney, J R Kniveton, E G Lowey, Dr E J Mann, Messrs J N Radcliffe and G H Waft, with Mrs M Cullen, Clerk of the Council.

In the Keys: The Speaker (the Hon J A Brown) (Castletown); 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); Hon R P Braidwood and Mrs B J Cannell (Douglas East); Hon A F Downie and Hon J P Shimmin (Douglas West); Mr D J Gelling (Malew and Santon); Hon J Rimington, Mr Q B Gill and Hon Mrs P M Crowe (Rushen); with Mr M Cornwell-Kelly, Clerk of Tynwald.

**Inspection of the Guard of Honour by H M the King of Norway
and H E the Lieutenant-Governor**

Prior to a service in St John's Church, His Majesty King Harald V of Norway and His Excellency the Lieutenant-Governor Air Marshal I Macfadyen CB OBE FRAeS inspected a Guard of Honour drawn from Queen's Colour Squadron Royal Air Force, assembled on the fairfield with the band of the Royal Air Force College.

His Majesty and His Excellency then placed a wreath on the National War Memorial.

Church Service

The service, held in the Royal Chapel, was conducted by Rev G Breffitt, who also read the prayers in Manx in the absence of the Chaplain of the House of Keys. Mr D J Gelling MHK read the lesson and the Lord Bishop gave the blessing.

Also present as Guests of Honour were: Their Majesties King Harald V and Queen Sonja of Norway, accompanied by Mr Tarald Brautaset, Sir Richard Dales and Captain Frank Bondø; Mr Seamus Pattison (Éire); Mr Edmund Joensen (Faroe Islands); Mr Árni Steinar Johannesson and Mr Karl Kristjánsson (Iceland); The Lord Alderdice (Northern Ireland); Mr Jørgen Kosmo and Mr Hans Brattestå (Norway); Mr Thomas Christian (Pitcairn Island); The Rt Hon Sir David Steel (Scotland); Dr Alan Milner and Lord Shutt of Greetland (United Kingdom); and Mr John Griffiths (Wales).

Tynwald Court Procession

After the service, the first procession to Tynwald took place in the following order: two sergeants of the Isle of Man Constabulary; the Coroners; the Senior Salvation Army Officer; the Ministers of the Free Churches; the Chairman of the Isle of Man District of the Methodist Church; the Roman Catholic Dean; the Beneficed Clergy; the Tynwald Minister; the Vicar-General; the Archdeacon; the Chairmen of the Castletown, Peel and Ramsey Town Commissioners; the Chairmen of the Laxey, Onchan, Port Erin and Port St Mary Village Commissioners; the Mayor of Douglas; the Chief Registrar; a Representative of the Commission of the Peace; the Captains of the Parishes; yn Lhaidher; the Chief Constable; and the High Bailiff.

The Tynwald Court procession followed immediately on the first procession in the following order: two Messengers of the House of Keys; the Clerk of Tynwald, Secretary of the House of Keys and Counsel to the Speaker; the Members of the House of Keys; the Chief Minister; the Speaker of the House of Keys; a Messenger of the House of Keys; the Clerk of the Legislative Council; the elected Members of the Legislative Council; the Attorney-General; the First Deemster and Clerk of the Rolls; the Second Deemster; the Lord Bishop; the President of Tynwald; two Messengers of the Legislative Council; the Sword of State; His Excellency the Lieutenant-Governor; the Officers in personal attendance on His Excellency; the Surgeon to the Household; a detachment of the Isle of Man Constabulary.

The Manx National Standard entered the procession at the west door immediately after the Surgeon to the Household and preceded the President of Tynwald to the foot of the Hill.

Before reaching the War Memorial the processions halted and aligned themselves on each side of the processional way to enable His Excellency to pass through and lead the processions, now re-formed in reverse order, to Tynwald Hill. When the procession had reached the Hill and those in it had taken up their positions, the church choir and the Manx Festival Chorus, accompanied by the band, sang the British national anthem.

Fencing the Court

The Lieutenant-Governor: Learned Deemster, direct the Court to be fenced.

The First Deemster (His Honour T W Cain): Coroner of Glenfaba Sheading and yn Lhaihder, fence the Court.

The Coroner of Glenfaba (Mr G H R Havercroft): I fence this Court of Tynwald in the name of our most gracious Sovereign Lady The Queen. I charge that no person do quarrel, brawl or make any disturbance and that all persons do answer to their names when called.

I charge this audience to witness this Court is fenced. I charge this audience to witness this Court is fenced. I charge this whole audience to bear witness this Court is now fenced.

Yn Lhaihder (Dr B Stowell): Ta mish cur yn Whaiyl shoh fo harey ayns ennym Chiarn Vannin, nagh jean peiagh erbee troiddey, baggyrt ny jannoo boiranys erbee, as dy jean dy chooilley pheigh freggyrt tra vees eh er ny eam.

Ta mee cur recortys er yn eanish shoh dy vel yn Whaiyl shoh fo harey. Ta mee cur recortys er yn eanish shoh dy vel yn Whaiyl shoh fo harey. Ta mee cur recortys er yn clane eanish shoh dy vel yn Whaiyl shoh nishtagh fo harey.

Swearing in of Coroners

The First Deemster: Incoming Coroners, take the Oath in ancient form to execute your offices for the ensuing year, and receive your staves of office from the hands of His Excellency.

The Coroners of Middle, Glenfaba and Michael, Mr G V H Havercroft, of Ayre and Garff, Mr J R Quilleash, and of Rushen, Mr M A Wrigley, then proceeded up the Hill and took the Oath on bended knee.

The First Deemster: By that Book and by the holy contents thereof and by the wonderful works that God hath miraculously wrought in heaven above and in the earth beneath in six days and seven nights, you shall without respect of favour of friendship, love or gain, consanguinity or affinity, envy or malice, well and truly execute the office of Coroner for each sheading to which you have been appointed for the ensuing year. So help you God.

Having received their staves of office from His Excellency, the Coroners resumed their places.

Promulgation of Acts

The Lieutenant-Governor: Learned Deemsters, I exhort you to proclaim to the people in ancient form such laws as have been exacted during the past year and which have received Her Gracious Majesty's assent.

Abstracts of the Acts passed were then read alternately by Deemster Cain in English and by Deemster Kerruish in Manx, as follows:

1. **Licensing (Amendment) Act** which amends the Licensing Act 1995.
1. **Slattys Stowal Kied (Lhiasaghey)** ta lhiasaghey Slattys Stowal Kied nuy cheead jeig, kiare feed as queig-jeig.
2. **Trustee Act** which amends the law relating to trustees and persons having the investment powers of trustees.
2. **Slattys Fir-hreisht** ta lhiasaghey yn leigh ta bentyn rish fir-hreisht as roosyn ta pooar fir-hreisht oc dy vaih argid.
3. **Airports and Civil Aviation (Amendment) Act** which provides for the application to the Isle of Man of European Community instruments relating to civil aviation.
3. **Slattys Magheryn-etlee as Etlagh Sheeoil (Lhiasaghey)** ta kiarail son cur-lesh greme etlagh sheeoil y Voodeeys Oarpagh stiagh ayns Ellan Vannin.
4. **Children and Young Persons Act** which re-enacts Parts I and II of the Family Law Act 1991 and reforms the law relating to children and makes new provision for human fertilisation and embryology and surrogacy.
4. **Slattys Cloan as Sleih Aegey** ta cheet harrish y chieed as y nah ayns jeh Slattys y Lught-thie nuy cheead jeig, kiare feed as nane-jeig, as ta lhiasaghey yn leigh bentyn rish cloan, as kiarail ass-y-noa son jannoo torragh jeh ben, mwaneyn as far-vayraghyn.
5. **Electricity (Amendment) Act** which authorises the Manx Electricity Authority to carry out works for the purpose of supplying gas to any of its generating stations.
5. **Slattys Lectraghys (Lhiasaghey)** ta cur pooar da Fir-reill Lectraghys Vannin dy chur rish obbraghyn ry-hoi gass y livrey gys dy chooilley ynnyd-gientyn oc.
6. **Gaming, Betting and Lotteries (Amendment) Act** which amends the Gaming, Betting and Lotteries Act 1988 and the Gaming (Amendment) Act 1984.
6. **Slattys Kiarrooghys, Bettal, as Cronghyryn (Lhiasaghey)** ta lhiasaghey Slattys Kiarrooghys, Bettal, as Cronghyryn (Lhiasaghey) nuy cheead jeig, kiare feed as hoght as Slattys Kiarrooghys (Lhiasaghey) nuy cheead jeig, kiare feed as kiare.
7. **Interception of Communications Act** which amends the Interception of Communications Act 1988.
7. **Slattys Brishey-stiagh er Fyssyree** ta lhiasaghey Slattys Brishey-stiagh er Fyssyree nuy cheead jeig, kiare feed as hoght.
8. **Mental Health (Amendment) Act** which amends the Mental Health Act 1998.
8. **Slattys Slaynt Inchynagh (Lhiasaghey)** ta lhiasaghey Slattys Slaynt Inchynagh nuy cheead jeig, kiare feed as hoght-jeig.
9. **Minimum Wage Act** which provides for a minimum wage and amends the Agricultural Wages Act 1952.
9. **Slattys Failll Sloo** ta kiarail son soiaghey failll sloo as ta lhiasaghey Slattys Faillyn Cheerey nuy cheead jeig, daa-yeig as daeed.

10. **Fair Trading (Amendment) Act** which makes provision or further provision with respect to pyramid selling, anti-competitive practices, unfair contract terms, contracts concluded away from business premises, distance selling, the resolution of disputes with respect to the supply of financial services and for the control of prices of goods and services.
10. **Slattys Dellal Cair (Lhiasaghey)** ta kiarail ny sodjey son lhiettaal creck pyramidoil, jannoo aggairagh, conaantyn neu-chiart, conaantyn jeant cheumooie jeh'n oik, creck cooid gyn shillee, as son reaghey arganeyn bentyn rish livrey shirveishyn argidoil, as son gurneil priceyn cooid as shirveishyn.
11. **Road Transport Act** which makes new provision for regulating the transport of passengers and goods by road.
11. **Slattys Arraghey er Raad** ta kiarail ass-y-noa son gurneil arraghey troailtee as cooid er raad.
12. **Civil Jurisdiction Act** which makes further provision about the civil jurisdiction of courts and the recognition and enforcement of judgments given in the Island or elsewhere and about the civil law and legal practitioners.
12. **Slattys Briwnys Neu-chimmagh** ta kiarail ny sodjey son briwnys neu-chimmagh ny quaiylyn, as tastey y chur as cooilleeney briwnyssyn livreit ayns yn Ellan ny raad erbee elley, as neesht son y leigh neu-chimmagh as leighderyn.
13. **Statutory Boards (Amendment) Act** which alters the term of office of members of Statutory Boards and makes further provision for the membership of the Gaelic Broadcasting Committee and the Isle of Man Water Authority.
13. **Slattys Buird Hlattyssagh (Lhiasaghey)** ta caghlaa cre choud nee olteynyn Buird Hlattyssagh shirveish, as ta kiarail ny sodjey son olteynyn jeh Bing Scaalheanee 'sy Ghailck as jeh Fir-reill Ushtey Ellan Vannin.
14. **The Royal Bank of Scotland International Limited Act** which carries into effect the acquisition of certain of the businesses of NatWest Offshore Limited and the banking business of Coutts (Isle of Man) Limited by The Royal Bank of Scotland International Limited.
14. **Slattys yn Royal Bank of Scotland International Limited** ta cur mullagh er cosney shiartanse dy ghellalyn NatWest Offshore Limited as dellal bancagh Coutts (Isle of Man) Limited liorish yn Royal Bank of Scotland International Limited.
15. **Customs and Excise etc. (Amendment) Act** which extends the definition of Òassigned matterÓ in the Customs and Excise Management Act 1986 and makes new provision for the release and exchange of information and enables the application to the Isle of Man of United Kingdom and European Community legislation relating to the provision of certain services and the transfer of technology.
15. **Slattys y Cheesh-varrey as y Cheesh-sthie as y Lheid (Lhiasaghey)** ta sheeyney magh meanal Òassigned matterÓ ayns Slattys Stiuree Keeshyn Mooie as Sthie nuy cheead jeig, kiare feed as shey, as ta kiarail ass-y-noa son lhiggey as caghlaa fyssyree, as ta lowal da leighaghyn y Reeriaght Unnaneit as y Voodeeys Oarpagh, ta bentyn rish livrey shiartanse dy hirveishyn as chaghnoaylleaght, greme y ghoail ayns Ellan Vannin.
16. **Road Traffic (Amendment) Act** which amends various Acts concerned with road traffic regulation, the licensing and registration of vehicles and highways.

16. Slattys Troailtys-raaidey (Lhiasaghey) ta lhiasaghey paart dy lattyssyn bentyn rish reillyn troailtys-raaidey, as stowal kied as recortyssey carbid as raaidyn.

17. Education Act which makes new provision for education.

17. Slattys Ynsagh ta kiarail ass-y-noa son ynsagh.

Note: In citing the foregoing Acts, the year 2001 requires to be added.

Gow Tастey: Tra hig fer er ny Slattyssyn shoh heose, shegin cur huc earroo ny bleeaney feed cheead as 'nane.

Petitions for Redress of Grievance

The First Deemster: Has Your Excellency any further commands?

The Lieutenant-Governor: If any person wishes to present a petition let him now come forward.

The following petitions for redress of grievance were presented to the Clerk of Tynwald at the foot of the Hill:

The petition of John Barton concerning a refused planning permission appeal.

The petition of Peter Henry Beaumont concerning the Manx pension supplement.

The petition of John S Bradshaw concerning discrimination against individuals.

The petition of Leslie Cook and Winifred Cook concerning allegations in relation to certain business activities.

The petition of Andrew Charles Richard Jessopp concerning the planned building of an incinerator.

The petition of Andrew Charles Richard Jessopp concerning the implementation of Tynwald select committee recommendations.

The petition of Martin Charles Lockwood concerning the Wildlife Act 1990.

The petition of George Corkish Magee and Rachel Magee concerning residents' parking permits.

The petition of Joan Mann concerning the slaughter of poultry.

The petition of Wendy Elizabeth Megson and David Andrew Megson concerning the abuse of the legal aid fund.

The petition of Wendy Elizabeth Megson and David Andrew Megson concerning negligence by advocates.

The petition of Wendy Elizabeth Megson and David Andrew Megson concerning the functions of the Small Claims Court.

The petition of Wendy Elizabeth Megson and David Andrew Megson concerning access to justice in the law courts.

The petition of Wendy Elizabeth Megson and David Andrew Megson concerning allegations of government maladministration.

The petition of Major General Sir Laurence New and Dr John Bethell concerning the installation of the Wurlitzer organ in the Villa Marina, Douglas.

The petition of David Newton concerning the Animal Health Slaughter and Compensation Scheme 1997.

The petition of David Newton concerning the Foot and Mouth Disease Restrictions Recovery Scheme 2002.

The Lieutenant-Governor: In accordance with Standing Order 6.8, I shall refer these petitions to the Standing Orders Committee of Tynwald, who will report thereon at their earliest convenience.

A fanfare was then sounded and the troops were called to attention, after which the Church Choir and the Manx Festival Chorus, accompanied by the band, sang the Manx national anthem.

The Lieutenant-Governor: Tynwald will adjourn to the church and complete such business as remains to be transacted.

The procession left the Hill in the same order and following the same procedure as previously on its way to the Hill. Tynwald then adjourned to St John's Church.

Captioning of Acts

The Lieutenant-Governor: Mr President and Members of the Council, Mr Speaker and Members of the House of Keys, we shall now caption the Acts just promulgated on Tynwald Hill.

The Acts were then captioned by His Excellency, the President of the Council and the Speaker using the traditional quill pens.

The Council adjourned.

HOUSE OF KEYS

The House sat immediately at the conclusion of Tynwald Court.

The Speaker: Hon. members, I call upon the hon. member for Onchan, Mr Corkill.

Mr Corkill: Mr Speaker, I beg to move:

That all Bills and other business before the House remaining unfinished at this date be suspended and continued at the same stage at the first sitting of the House in the next legislative year.

Mr Duggan: I beg to second, Mr Speaker.

The Speaker: I will put the motion to the House. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Hon members, that concludes the business before the House. The House will now stand adjourned to Tynwald on Tuesday, 9th July at 10.30 a.m. in Douglas.

The House adjourned.