

# **REPORT OF PROCEEDINGS OF THE HOUSE OF KEYS (LEGISLATION AND OTHER MATTERS)**

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**Douglas, Tuesday, 20th May 2003  
at 9.30 a.m.**

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**Present:**

The Speaker (the Hon. J A Brown) (Castletown); Mr D M Anderson (Glenfaba); Hon. A R Bell and Mrs A V Craine (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); Mr J R Houghton and Mr 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); Capt. A C Douglas (Malew and Santon); Hon. J Rimington, Mr Q B Gill and Mr P A Gawne (Rushen); with Mr M Cornwell-Kelly, Secretary of the House.

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### **Items Considered**

Swearing In of the New Member for Ramsey, Mrs A V Craine and the New Member for Rushen, Mr P A Gawne	K596
Election to the Legislative Council of Mr J R Kniveton	K598

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**Swearing In of  
the New Member for Ramsey,  
Mrs A V Craine and  
the New Member for Rushen,  
Mr P A Gawne**

**The Speaker:** Hon. members, the first business before the House on our order paper this morning is the swearing in of the new members of the House of Keys. I call on the Secretary of the House to bring forward, Their Honours, the First and Second Deemsters and the Chief Registrar.

*The Secretary conducted the First and Second Deemsters and the Chief Registrar into the chamber.*

**The Speaker:** I now call upon the Secretary of the House to accompany the sponsors, the hon. member for Ramsey, Mr Bell and the hon. member for Middle, Mr Quayle to bring forward the new Member of the House of Keys for Ramsey.

*Mrs Craine was conducted to the Chief Registrar's desk.*

**The First Deemster (His Honour J M Kerruish):** Mr Speaker, Mrs Craine, I have examined the writ and certificate of election and confirmed that the same is in order and it certified that Anne Valerie Craine has been elected a member of the House of Keys for the constituency of Ramsey. Are you content to take the oath?

**Mrs Craine:** I am.

**The First Deemster:** Do you wish to say the words of allegiance yourself?

**Mrs Craine:** Yes, please.

**The First Deemster:** Right you are.

**Mrs Craine:** Ta mish, Anne Valerie Craine, loo liorish Jee Ooilley-niartal dy bee'm firrinagh as dy feer ammysagh da e Hooashley Reeoil y Nah Ven-rein Elizabeth.

As ayns shoh dy gooin Jee lhiam.

**The First Deemster:** Thank you. I am satisfied that the Oath of Allegiance has been taken by Anne Valerie Craine. I will now administer to her the Oath administered to elected Members of the House of Keys. Mrs Craine has requested that I do so in Manx:

Coyrle y Ven-rein, coyrlle nyn Go-olteynyn, as nyn goyrle hene cha jean shiu y hoiishaghey; gys rere ny booar nee shiu cummal seose Shenn Leighyn as Cliaghtaghyn yn Ellan shoh.

Nee shiy dy cairagh as dy firrinagh nyn mriwnys y livrey as cairys y yannoo ayns dy chooilley nhee hed er soiaghey kiongoirt riu, gyn foayr ny kenjallys, gyn

cleunys ny moonjerys, gyn graih ny aggle, gyn leagh ny cosney ny jerkal erbee rish lheid y red shen, agh ayns dy chooilley nhee nee shiu dellal dy ynrick as dy cairagh, gyn aggair y yannoo da fer erbee.

Ayns shoh dy gooin Jee lhiu as ny ta scruit ayns y Lioar shoh.

That is the Oath administered to elected Members of the House of Keys. I will now ask Mr Speaker that Mrs Anne Valerie Craine do sign the Liber Juramentorum.

**Mr Bell:** Mr Speaker, I have the honour to present Mrs Anne Valerie Craine, the new member for Ramsey.

**The Speaker:** Thank you, hon. member. Hon. member for Ramsey, Mrs Craine, may I welcome you to the House of Keys and congratulate you on your election to the House. I am confident that you will carry out your duties and responsibilities to the House and to your constituents to a high standard, with integrity and in a forthright manner, open and in an honest manner. The people of the constituency of Ramsey have placed considerable trust in you to represent their and the Island's best interests and to serve our Island fairly and honourably. I am confident that that trust is well placed.

One of your most fundamental tasks will be to legislate for the people of the Island and the importance of this rôle cannot be and should not be underestimated, there will be much for you to learn as a member of the House, although I am sure that your experience as a member of the Board of Education, along with your many and varied involvements in our community and the knowledge of the people and life in general of the Island will be of great and considerable benefit to you and your constituents in your rôle. There will be times of joy, excitement, frustration and disappointment when undertaking your new rôle in life and there will be occasions when being an elected representative of the people brings pressures unlike any other. There will also be times when brave decisions are needed. However, I am sure that you will take all of these matters in your stride and you will do what you believe to be right and in our Island's best interests and no-one can ask for more.

I wish you well in your future as an hon. Member of the House of Keys. Therefore, Mrs Craine, on behalf of all hon. members of the House I have great pleasure in welcoming you to this ancient institution, the House of Keys. Welcome.

Hon. member may I have your certificate, please? The certificate is in order and I have pleasure in presenting you with a copy of the standing orders of the House and would ask you to sign the record of standing orders on the Secretary's desk. Thank you hon. member; congratulations.

**Mrs Craine:** Thank you.

**The Speaker:** I call on the sponsors to escort the new hon. member for Ramsey to her seat within the House. (*Mrs Craine was conducted to her seat.*)

I now call upon the Secretary of the House to accompany the sponsors, the hon. member for Rushen, Mr Rimington and the hon. member for Rushen, Mr Gill, to bring forward the new Member of the House of Keys for Rushen.

*Mr Gawne was conducted to the Chief Registrar's desk.*

**The First Deemster:** Mr Speaker, Mr Gawne, the writ duly certified has been returned to me and so far as I am concerned, the same is in order and certifies that Philip Anderson Gawne was duly elected as a Member of the House of Keys for the constituency of Rushen.

Mr Gawne there are two oaths to be administered: the Of Allegiance and the Oath administered to a Member of the House of Keys. Are you content to take the oaths?

**Mr Gawne:** Yes.

**The First Deemster:** Could you take the Testament, please. Do you wish to say the Oath of Allegiance yourself?

**Mr Gawne:** Indeed.

Ta mish, Philip Anderson Gawne, loo liorish Jee Ooilley-niartal dy bee'm firrinagh as dy feer ammyssagh da e Hooashley Reeoil y nah Ven-rein Elizabeth Chiarn Vannin.

As dy gooin Jee lhiam.

**The First Deemster:** I am satisfied that that is an Oath of Allegiance. Now I will administer to you the Oath for Elected Members of the House of Keys.

Coyrle y Ven-rein, coyrlle nyn Go-olteynyn, as nyn goyrle hene cha jean shiu y hoilshaghey; gys rere ny booar nee shiu cummal seose Shenn Leighyn as Cliaghtaghyn yn Ellan shoh.

Nee shiu dy cairagh as dy firrinagh nyn mriwnys y livrey, as cairys y yannoo ayns dy chooilley nhee hed er soiaaghey kiongoyrt riu, gyn foayr ny kenjallys, gyn cleunys ny mooinjerys, gyn graih ny aggle, gyn leagh ny cosney ny jerkal erbee rish lheid y red shen, agh ayns dy chooilley nhee nee shiu dellal dy ynrack as dy cairagh, gyn aggair y yannoo da fer erbee.

Ayns shoh dy gooin Jee lhiu as ny ta scruiit ayns y Lioar shoh.

Mr Gawne, would you sign, please, the Liber Juramentorum. If you would kindly sign there, then I will witness it.

**Mr Rimington:** Mr Speaker, I have the honour to present Mr Philip Anderson Gawne, the new member for Rushen.

**The Speaker:** Thank you hon. member. Hon. member Mr Gawne, may I welcome you to the House of Keys and congratulate you on your election to the House. I am confident that you will carry out your duties and responsibilities to the House and to your constituents to a high standard, with integrity and in a forthright, open and honest manner. The people of the constituency of Rushen have placed considerable trust in you to represent their and the Island's best interests and to serve our Island fairly and honourably. I am confident that that trust is well placed.

One of your most fundamental tasks will be to legislate for the people of the Island and the importance of this rôle cannot be and should not be underestimated, there will be much for you to learn as a member of the House, although I am sure that your experience as a member of the Rushen Parish Commissioners, your considerable knowledge and involvement in our community in relation to our cultural way of life and our native language, and your knowledge of the people in general will be of considerable benefit to you, your constituents, and the Island in this, your new role.

There will be times of joy, excitement, frustration and disappointment when undertaking your new rôle in life and there will be occasions when being an elected representative of the people brings pressures unlike any other.

There will also be times when brave decisions are needed. I am sure that you will take all matters in your stride and will do what you believe to be right and no-one can ask for more.

I wish you well in your future as a hon. member of the House of Keys. Mr Gawne, on behalf of all hon. members of the House I have great pleasure in welcoming you to this ancient institution, the House of Keys. Welcome.

Hon. member, may I have your certificate of election, please? The certificate is in order and I have pleasure in presenting you with a copy of standing orders of the House and would ask you to sign the record of standing orders on the Secretary's desk. Congratulations.

**Mr Gawne:** Thank you.

**The Speaker:** I now call on the sponsors to escort the new hon. member for Rushen to his seat within the House. (*Mr Gawne was conducted to his seat.*)

I thank Their Honours, the First and Second Deemsters and the Chief Registrar for their attendance this morning. I now call upon the Secretary of the House to escort their Honours and the Chief Registrar from the House. Thank you.

*The Secretary conducted the First Deemster, the Second Deemster and the Chief Registrar from the chamber.*

**The Speaker:** Please be seated. Hon. members, before we proceed to the next business on the order paper, there will be a short adjournment and the House

will now stand adjourned until ten to ten by the clock in the House. Thank you, hon. members.

*The House adjourned and resumed its sitting at 9.50 a.m.*

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### **Election to the Legislative Council of Mr J R Kniveton**

**The Speaker:** Hon. members, item 2 on our order paper today is to elect one person to the Legislative Council to serve as a member for a period expiring on the 28th February 2005. In accordance with the statutory requirements in section 2 of the Isle of Man Constitution Elections to Council Act 1971, I called for nominations on the 6th May 2003, to be made by 5.00 p.m. on the 9th May and the nomination on your order paper resulted. The nomination was accompanied by the required statement of qualifications and reasons in support and was circulated to hon. members by the Secretary, as also required by the Act. I confirm that the sitting of the House today takes place no sooner than ten days after the close of nominations.

Before we proceed, I would remind hon. members of the advice I gave in the House on the 4th March 2003, in relation to the text of standing order 209, which applies to this election, and I confirm that the same procedure is to apply today, except that, of course, there is only one nomination to be put. I have therefore asked the Secretary of the House to prepare ballot papers showing simply the name of the only candidate upon whom the House may now vote.

As hon. members are aware, the House is required under the Act to elect a person to the Legislative Council when there is a vacancy, and a successful candidate requires not less than 13 votes in his favour.

If it happens that the candidate obtains a majority of the votes of members present and voting but the total is not at least 13 votes, then standing order 209(1)(l) allows a second round of voting. However, if the candidate receives less than a majority of the votes of members present and voting, then the candidate will fail to be elected and I will call for new nominations.

However, if there is a second round, then in the second round a total of 13 votes is still needed for the candidate to be elected, just as in the first round. Failing the candidate obtaining 13 votes in the second round of voting, then I will call for fresh nominations to be made by 5.00 p.m. on Friday, 23rd May. There will then be a further ballot at a special sitting of the House to be held at 10.00 a.m. on Tuesday, 3rd June 2003.

Finally and for the avoidance of doubt, I would advise that the standing order 209(a) provides that only the proposer and the seconder shall speak to the nomination.

Hon. members, I now call upon the hon. member for Douglas West, Mr Shimmin to speak to his nomination of Mr John Raymond Kniveton. Hon. member.

**Mr Shimmin:** Thank you, Mr Speaker. It is with great pleasure I rise once again to put formally my proposal that Mr John Raymond Kniveton become a member of the Legislative Council for the duration of the remaining term.

I am convinced, since his first election to Laxey Commissioners and his subsequent election in Onchan as an MHK in 1994, repeated in 1997, that Mr Kniveton is known by this House and the public to have been fully capable of fulfilling the rôles which we have just heard witnessed this morning. He is a fair, honourable, and hard working person who has served this Island well and wishes nothing more than to continue that service for the people of the Isle of Man. I believe he still has much to contribute and it is with great pride I put forward his nomination, sir.

**The Speaker:** Hon. member for Middle, Mr Quayle.

**Mr Quayle:** Thank you, Mr Speaker. It is a very great privilege and honour for me to second the nomination of Mr John Raymond Kniveton for election to the Legislative Council. Members have already had circulated the curriculum vitae of Mr Kniveton and have had the opportunity of looking at the statement from the hon. Minister for Transport, Mr Shimmin MHK, member for West Douglas and his supporting statement. I do not wish to repeat much of what has already been said or stated; suffice it to say that Mr Kniveton has enjoyed a powerful continuous mandate from the people of Onchan, both as a commissioner when he was twice elected and as a member of the House of Keys in two elections, until then his elevation to the Legislative Council in 1998.

During his time in the Keys, Tynwald and Legislative Council, Mr Kniveton has served the Island in a conscientious and dedicated manner with a logical and pragmatic approach. The Legislative Council would indeed be strengthened by Mr Kniveton's re-election, considering that there have been so many changes in the Council over the last few months. Ray will provide a good deal of continuity and experience if elected.

I am well aware that Mr Kniveton would be honoured and proud if this hon. House should elect him for the short period remaining of the term that we are here to elect one member for.

Mr Speaker, I beg to formally second the nomination of Mr John Raymond Kniveton.

**The Speaker:** Thank you, hon. member. I now call on the Secretary of the House to have ballot papers distributed.

Hon. members, the only name before you this morning is that on your ballot paper of John Raymond Kniveton.

I call upon the hon. member for Douglas East, Mrs Cannell, and the hon. member for Rushen, Mr Gawne, to act as tellers, please.

*A ballot took place.*

**The Speaker:** Hon. members, the result of the ballot is as follows: Mr Kniveton received 19 votes and there were 5 spoilt papers. Hon. members, I therefore declare that John Raymond Kniveton is duly elected to serve as a member of the Legislative Council until 28th February 2005.

Hon. members, that concludes the business of the House. The House will now stand adjourned until 10.30 a.m. this morning in Tynwald Court. Thank you, hon. members.

*The House adjourned at 9.50 a.m.*

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