



**HOUSE OF KEYS  
OFFICIAL REPORT**

**RECORTYS OIKOIL  
Y CHIARE AS FEED**

**PROCEEDINGS  
DAALTYN  
(HANSARD)**

**Douglas, Tuesday, 27th April 2004**

**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); Mr P Karran 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 (Douglas East); 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, Clerk of Tynwald.

**Business transacted**

	<i>Page</i>
<b>Leave of absence granted</b> .....□	475
<b>Questions for Oral Answer</b>	
1. & 2. Chief Constable and Cheshire Constabulary investigation – Questions withdrawn.....	475
<b>Question for Written Answer</b>	
1. Chief Constable – Salary.....□	475
<b>Orders of the Day</b>	
Housing (Multi-Occupation) Bill – For First Reading .....	475
Representation of the People (Amendment) Bill – Second Reading approved.....	476
Representation of the People (Amendment) Bill – Suspension of Standing Orders – Motion lost.....	478
Constitution Bill – Consideration of clauses – Item deferred.....	480

*The House adjourned at 10.40 a.m.*

---

## House of Keys

*The House met at 10.00 a.m.*

### PRAYERS

*The Chaplain of the House of Keys*

[MR SPEAKER *in the Chair*]

### LEAVE OF ABSENCE GRANTED

**The Speaker:** Hon. Members, I have granted leave of absence to: the Hon. Member for Onchan, Mr Corkill; the Hon. Member for Douglas East, Mrs Cannell; the Hon. Member for Douglas West, Mr Downie; and the Hon. Member for Garff, Mr Rodan.

## Question for Oral Answer

### HOME AFFAIRS

#### Chief Constable and Cheshire Constabulary investigation Questions withdrawn

1. & 2. The Hon. Member for Douglas North (Mr Houghton) to ask the Minister for Home Affairs:

*1. Why have the complaints lodged with your Department into the activities of the Chief Constable not been progressed?*

*2. (1) How much has the investigation by Cheshire Constabulary cost in respect of clearing seven minor complaints; and*

*(2) will you arrange for the exoneration of those officers concerned?*

**The Speaker:** Hon. Members, the Questions for Oral Answer will not be tabled this morning.

We, therefore, have Questions for Written Answer, and they will be circulated, in compliance with Standing Orders, as soon as possible.

## Question for Written Answer

### HOME AFFAIRS

#### Chief Constable Salary

1. The Hon. Member for Douglas North (Mr Houghton) to ask the Minister for Home Affairs:

*(1) What is the Chief Constable's annual salary;*

*(2) does this include any increment in respect of performance related pay; if so*  
*(3) what are the terms of reference and financial award for such initiative(s)?*

**Answer:** Prior to 1999, the Chief Constable of the Isle of Man Constabulary was appointed without a fixed tenure and the salary was based on that of the Deputy Chief Constable plus 20 per cent. The Deputy Chief Constable's salary was the same as a Police Officer of Superintendent rank in the United Kingdom.

In 1999, in anticipation of the appointment of a new Chief Constable, the conditions of service and salary were changed to reflect amendments that had been introduced in the United Kingdom some years earlier.

Essentially, these changes focused on the desirability to appoint a Chief Constable on a fixed term appointment. To reflect this major change, the criteria for remuneration were also changed to mirror the scale of salary applicable to Chief Police Officers in the United Kingdom and to reflect the new arrangements of only being appointed on a fixed term.

Salary levels for Chief Police Officers in the United Kingdom are determined in bands that reflect the size of population their particular Police Force cover. It was agreed and reinforced by Isle of Man Police Regulations that the salary of the Chief Constable shall be such as may be agreed between the Department of Home Affairs and the Chief Constable, but shall not exceed the maximum of the lowest point set for Chief Constables on fixed term appointments in England and Wales.

It was on these terms that the current Chief Constable was appointed in 1999. However, unlike the arrangements that existed in the United Kingdom, annual increments for the Chief Constable, in the Isle of Man, were awarded only upon the basis of achieving certain agreed performance criteria.

Pay levels for Chief Constables in the lowest band currently range from £87,426 to £99,984. The Chief Constable's current salary is £93,044. The salary is subject to a cost of living increase agreed by the Police Negotiating Board in the United Kingdom that is effective annually on 1st September. In recent years this has been 3 per cent.

In addition, the post carries a non-taxable Housing Allowance of £6,243 and a fully expensed car.

The criteria and associated reward that provide for the performance-related element of the pay have been agreed with the Department of Home Affairs on an annual basis and largely focus on achieving the operational goals, as outlined in the Policing Plan and the strategic development of the Force

## Orders of the Day

### Housing (Multi-Occupation) Bill For First Reading

**The Speaker:** We then go over to the third Item on our Order Paper, and I call on the Secretary of the House: Bill for First Reading.

**The Secretary:** Mr Speaker, the Bill for First Reading

---

### Leave of absence granted

Chief Constable and Cheshire Constabulary investigation – Questions withdrawn  
Chief Constable – Salary : Housing (Multi-Occupation) Bill – For First Reading

is the Housing (Multi-Occupation) Bill, introduced by the Hon. Member for Douglas North, Mr Houghton.

**Representation of the People  
(Amendment) Bill  
Second Reading approved**

*[Note: The First Reading was taken in the House of Keys  
after the Tynwald sitting on 20th April 2004.  
See page 1209 T121]*

**The Speaker:** Now, Hon. Members, we have a Bill for Second Reading, the Representation of the People (Amendment) Bill, and I call on the Hon. Member for Michael, Mr Cannan.

**Mr Cannan:** Thank you, Mr Speaker.

Hon. Members will recall that, on 6th April, we debated in this House the Second Report of the Management and Members' Standards Committee, which was approved, and gave authority for me to introduce this Bill, which we are debating this morning, the Representation of the People (Amendment) Bill. As you know, the purpose of this Bill is to allow Members who may wish to resign to give one month's notice to Mr Speaker, and, in turn, if Mr Speaker wishes to resign, then he gives his notice to His Excellency the Lieutenant-Governor.

Now, this Bill, Hon. Members, as you know, has no real effect on the public, except that their current Member has the right to resign, and then the wheels will be set in motion for a by-election. It tidies up what was an omission in the 1995 Representation of the People Act, when this facility was omitted.

I believe that there is no real purpose in me extending my speech. We all know what the purpose of the Bill is. It is – as I have just said – making orderly the affairs of this House.

So, I beg to move.

**The Speaker:** Hon. Member for Douglas North, Mr Houghton.

**Mr Houghton:** I am very happy to second, sir.

**The Speaker:** Thank you. Hon. Member for Onchan, Mr Earnshaw.

**Mr Earnshaw:** Yes, thank you, Mr Speaker.

First of all, I would like to thank the Hon. Member for Michael for giving Members the opportunity to debate this issue.

I think, Mr Speaker, I have got to say I am not comfortable with providing the opportunity to enable a Member to surrender their role, simply by giving one month's notice. I think most Members will agree that, usually, a considerable amount of forward planning is needed, to try and secure a seat in the House of Keys, and a considerable amount of effort is needed to campaign to try to persuade the public to support you in those efforts.

In short, Mr Speaker, you make a promise, and a commitment, to serve the electors you represent, and you make it for the term prescribed, which, in our case, is for five years. I think this amounts to a special relationship, and I am

concerned that to simply end it, by giving one month's notice, devalues the nature of the role that we set out to fulfil.

We have already got a system in place, and information has been circulated by the Hon. Member for Michael regarding this. We have already got a system in place to cover certain eventualities, should they befall a Member during that term. Obviously, if the Member dies, a by-election has to take place, to replace that person, but it also covers the eventuality of serious illness befalling that person, imprisonment of the Member, and certification for certain mental disorders. (**Mr Cretney:** Hear, hear.)

I am not at all convinced these need to be extended. When I committed myself to join the House of Keys and to represent the people of Onchan, I made that commitment, willingly, for five years, which I certainly intend to honour, and I see no good reason why others should not feel able to do the same.

I shall, however, Mr Speaker, listen to the views of others, should a debate unfold on this, and I would also like to listen to the Hon. Member for Michael, when he summarises the debate, and see if he can provide a more convincing reason to change the law.

**The Speaker:** Hon. Member for Douglas South, Mr Duggan.

**Mr Duggan:** Thank you, Mr Speaker.

I support the measure before the House today, because simply, Mr Speaker, if a person took sick, they could be off for six months before the seat is advertised, and there is a by-election. So, I think it is only common sense to have this measure, sir, and I fully support it.

**The Speaker:** Hon. Member for Ramsey, Mrs Craine.

**Mrs Craine:** Thank you, Mr Speaker.

I wonder if the hon. mover could just clarify something for me – and it was something which, actually, the Hon. Member for West Douglas, Mr Downie, raised last time – and that is the question about where Members resign and then could, possibly, re-secure their seat at a further election.

We have, historically, had a situation where a Member who was elected to Legislative Council then resigned their seat in order to be able to contest a seat in the House of Keys, and it does bring into question whether that is a reputable way to behave. I wonder if the Committee had given consideration to that issue, and whether... If somebody does resign in poor health, their health may recover; is there any grey area that has been covered in this nature?

Obviously there is nothing, I suppose, to stop anybody re-securing their seat, but has an area, or a length of time, that would preclude somebody re-securing election been considered? I just wonder if the hon. mover could give us some clarification about that.

**The Speaker:** Hon. Member for Peel, Mrs Hannan.

**Mrs Hannan:** Thank you, Vainstyr Loayreyder.

In a way, I can understand some of the comments that have been made this morning, especially from the Member for Onchan. The period is only five years, and if somebody does suffer from ill health, I would have thought that that is an occasion when somebody can resign, and that would be a reason to.

But there are also... We are elected on a political mandate,

and I would have thought, in certain circumstances, that it is right that we can, in principle, resign, to put ourselves up before the electorate to test out the feelings that we might have on a particular issue. (**Mr Cannan:** Hear, hear.) And I do not really think that that is something that we can legislate for.

I know the Member for Douglas West, when we were talking about the reception of the Report, said that this is something that, maybe, should not happen – that somebody should not stand down, because it was a cost to the public purse – but, in a democratic system, I would have thought, that is something that can happen. Somebody resigns for a political principle, wants to test out their feeling with their electorate – not our electorate, it is their electorate – and, maybe, that is something, then, that can happen and should be allowed to happen.

But, in a way, with all of these issues – even somebody being elected by us to Legislative Council and then standing down to stand for the Keys – really, that is up to the electorate to decide.

It is a bit like somebody standing for a local authority in one area, but they live in another area and pay their rates in another area, and people say, ‘Why should they be allowed?’ They can stand, they can get enough people to sponsor them, but, at the end of the day, it is up to the electorate, whether they actually support that person standing or not, and it could be that somebody takes a gamble: he is in the Keys, he feels very strongly about an issue, he stands down to fight a by-election, putting the issues to the people, and it could be that that person will lose, because they have misjudged or whatever, or the electorate takes offence at them standing down and creating this cost to the public purse.

But I would have thought that this is a small amendment to the Representation of the People Act, and I am happy to give it Second Reading but I do not think it is something that we should go on with, today, to complete today, because I think Members should be allowed, if they wish, to amend it.

Thank you, Vainstyr Loayreyder.

**The Speaker:** Hon. Member for Rushen, Mr Rimington.

**Mr Rimington:** Yes, thank you, Mr Speaker.

Just in the same vein as the previous speaker, I do think it is important that this is in, which is obviously why I initiated the move in the first place, and whilst accepting the sincerity of the comments from the Hon. Member for Onchan, Mr Earnshaw, I would beg to disagree with him, in that there are genuine circumstances, whereby people have to resign or need to resign, because they cannot, for whatever reason, fulfil their duties to the electorate, and, at the time of their original standing, at the general election or whatever – or maybe it is a by-election – they genuinely thought that they were going in for the term that they were standing for election for and that they would be able to fulfil their duties, but circumstances come along, in all walks of life, in any manner, shape or form, that actually curtail that ability to fulfil their duties. So, therefore, there must be a mechanism whereby somebody can resign.

And, likewise, with the previous Member from Peel, there may be – and I think it would be very exceptional – circumstances whereby, for a political reason, that Hon. Member feels that they can no longer continue fulfilling their

duties with the same integrity and sincerity that they would wish to, because of some exceptional issue which they feel very strongly about.

As the Hon. Member says, they may make a misjudgement on that issue, and go back to the people and say, ‘Look, I am resigning on this; I want your support’, and they may not get it, and they will pay that penalty ; but, indeed, they might, and that would be a question of judgement for both the people and for the Member that resigned.

It is a simple process. It is required, and I think we should give it our support.

**The Speaker:** Hon. Member for Glenfaba, Mr Anderson.

**Mr Anderson:** Thank you, Mr Speaker.

I, too, rise in support of the Second Reading of this Bill. Although it is a Private Member’s Bill, the Hon. Member for Michael is bringing it forward on behalf of the Members’ Standards Committee members, who are unanimous in recommending that this Bill should come forward, and I would just like to reflect on one or two of the aspects that the Hon. Member for Onchan touched on.

I think the legislation that was changed in 1996, or 1995, did omit a very important area, and there are many personal circumstances that the present legislation does not allow a Member, for genuine reasons... Nobody knows what is around the corner, and we all take on a commitment to represent our constituents for five years, but there are many circumstances that could arise and, in fact, do arise, where that particular person would be put under personal pressure, for various reasons, and I think this is only right to put back into legislation what was already there in previous times, and has been missed out, for one reason or another .

I do agree, as well, with the last two speakers, in that people might need to resign for political reasons, and that they should have that right, and it is then for the electorate to decide whether they were right to do that or not.

So, I would beg that Hon. Members give this Bill a Second Reading.

**The Speaker:** Hon. Member for Michael, Mr Cannan, to reply to the debate.

**Mr Cannan:** Thank you, Mr Speaker.

This Bill, as Members have said, is basically an internal Bill, which gives Members the right to resign. It also affects their constituents, and, looking at the comments that have been made, I will refer, first, in reverse order to Mr Anderson, who, quite rightly, says that persons do not become Members of this House lightly. They accept the responsibilities of membership of this House, but personal circumstances may change, and it is only right that Members can do it, honourably and properly, by giving a month’s notice.

They can, of course, refuse to turn up for the business of the House for six months. Is that the right and proper way to do it? Of course, it is not. The right and honourable, proper way to do it is to give six months’ notice.

We Members are the servants of the people we represent. We must never forget that. We are the servants of the people we represent, and we must do our duty by them.

And if, through, as I say, personal circumstances, for whatever reason, we feel we have to stand down, then we must be honourable about it, and not use some obscure

method by not turning up to the House for six months.

The Hon. Member for Rushen, Mr Rimington, spoke in the same vein as did Mrs Hannan.

One thing I want to mention, and a Member may, by this Bill, stand down on a great point of issue, and rightly so, if he feels that strongly, and if he wants to convey a message to this House and his constituents want to convey a message to this House, and he stands for re-election after resigning, then, as I say, it is the will of the people. If they return the Member, the message will be clear. If the Member has misjudged the people, so be it. Democracy must at all times prevail and the will of the people is paramount.

Turning, finally, to Mr Earnshaw, it does not devalue membership of this House; it makes it more honourable, in that we have the right to resign, instead of hiding away or walking away.

I cannot believe it is the proper way for a Member who, for whatever reason, wants to resign but finds the only way he can do it, is just walk away, virtually disenfranchise his constituents for six months, and then, because he has not appeared, the seat is declared vacant. That is not the right way to go about business. You would not tolerate it outside, in private business matters, and I cannot see why the House should tolerate it here, in the conduct of its business.

Mr Speaker, I beg to move the Second Reading.

**The Speaker:** Hon. Members, the motion before the House is that the Representation of the People (Amendment) Bill be now read a second time. All those in favour, say aye; against, no. The ayes have it. The ayes have it.

### **Representation of the People (Amendment) Bill Suspension of Standing Orders Motion lost**

**The Speaker:** Now, Hon. Members, the Hon. Member for Michael, Mr Cannan, has given notice to Members and to myself that he seeks to move suspension of Standing Orders, to allow the clauses stage and the Third Reading of the Bill to be taken at this sitting.

As the House will know, 16 votes are needed to enable Standing Orders to be suspended to enable that to be undertaken.

We will proceed first to deal with the suspension of Standing Orders, to allow clauses stages to be taken, and if that is agreed, it will mean, then, that Hon. Members are free to move amendments to the clauses from the floor of the House.

I call on the Hon. Member for Michael to move and seek suspension of Standing Orders.

**Mr Cannan:** Mr Speaker, I move:

*That Standing Orders 153(1) and 154(2)(b) and (3) be suspended to allow the Clauses Stage of the Representation of the People (Amendment) Bill to be taken at this sitting.*

In moving that, I advise – Hon. Members, you will recall – that the Clerk wrote to you on 23rd April, advising you that I would be taking this course of action. And the

reason I am doing it is because I believe it is desirable that, within this legislative session, this Bill should receive Royal Assent.

I cannot see the purpose, and the Members' Standards Committee cannot see the purpose, of delaying this Bill for any known reason. Apart from one Hon. Member, you have all supported the Second Reading. The clauses stage is simple. The Member with the right to resign gives notice to the Speaker and, in turn, the Speaker, if he wishes to resign, gives notice to the Lieutenant-Governor. I cannot believe that they are contentious clauses.

I believe it is in the interests of this House, in the interests of Members, and in the interests of their constituents, that this Bill has its passage through the legislature as quickly as possible. It serves no useful purpose, I believe, in prolonging a matter such as this.

So, Mr Speaker, I beg to move the suspension of the Standing Orders, which I have mentioned in moving this motion, and ask for the support of the House.

**The Speaker:** Hon. Member for Douglas South, Mr Duggan.

**Mr Duggan:** I will second, Mr Speaker, sir.

**The Speaker:** Hon. Member for Onchan, Mr Karran.

**Mr Karran:** Vainstyr Loayreyder, whilst I have no personal problem with the situation, at the present time, of suspending Standing Orders, I do have a concern that the likes of the Hon. Member for West Douglas, Mr Downie, expressed issues – which I totally disagree with, I feel they are not valid, as far as the changing of the law to stop people from being able to resign and then seek re-election. – but I believe that it is important that, whilst I totally disagree with him, and I might not agree with the Hon. Member on the way he handles his Department, I will defend his right to be able to express his concerns. I feel, Vainstyr Loayreyder, that the Hon. Member is not here to be able to push amendments, as far as this legislation is concerned, and I just feel that whilst... When Members have got an input, and did have a clear input at a previous sitting, about this piece of legislation, I feel that it would be wrong of this House not to give the Hon. Member the opportunity to move his amendments, to debate his amendments.

I do not even support his thing, but I will defend his right to be able to say what needs to be said, and I feel that it would be wrong, when we heard such a passionate input into this debate on this issue not so long ago, for the House not to give the Hon. Member the opportunity to move amendments at the clauses stage in order to do so.

So, I am hesitant to support the suspension of Standing Orders, not because I agree with the Member, but democracy and parliament is about defending the right of speech, and because he made such input into this piece of legislation, I just feel it would be wrong not to give the Hon. Member that opportunity in order to do so.

So, I feel, on balance, that I would have to not support the Hon. Member for Michael on this issue, because I think it would be wrong for us to do so, especially when we had such a passionate speech from him, about what he thought. I am not saying I agree with that, and I would not support it, but I think that the House should defend all Hon. Members'

opportunity in this House, and I feel that, as I say, it would be wrong for us to suspend Standing Orders, not to allow the Hon. Member an input when he is back from Government business.

**The Speaker:** I would just clarify for Hon. Members that the Office has no indication, and neither do I, that Mr Downie, the Hon. Member for Douglas West, who has leave of absence, in fact, intends to move any amendments. So, I think it is important Members are clear on that at this stage.

Hon. Member for Peel, Mrs Hannan.

**Mrs Hannan:** Gura mie eu, Vainstyr Loayreyder.

We have Standing Orders because that is the agreed principle of how we work, and so we should not suspend Standing Orders lightly, even though, as the mover suggests, we have had a letter dated 23rd April, which states that the promoter of the Bill would want to get through the clauses stage and Third Reading at today's sitting, simply because there is not very much more business.

However, in the Standing Orders we have a procedure which allows Members to raise amendments, and the amendments are raised after a period of time, and it allows Members to consider what those amendments might be.

I am not, Vainstyr Loayreyder, suggesting that there will be amendments, but I am suggesting that any legislation that we have before us, there is a time limit allowed to us, where we can raise amendments during the clauses stage, and it is a period which allows, if amendment is suggested, it to be placed before Members to allow them to give consideration to it, and to give the full force of their consideration to it, when it is then debated in the clauses stage.

Now, if we go back to as it used to be, it used to be that we debated the Second Reading and the clauses stage at the one time. We raised amendments at that one time. Sometimes, it was just as things were being discussed, we moved amendments, but we have, in actual fact, in recent times allowed this sort of space, distance between the Second Reading and the clauses stage. We then developed the two-week period, whereby people could raise amendments, discuss it with legislative draftspeople, so that we could, in actual fact, have something coming before the House that was duly considered by the House.

Now, this Representation of the People (Amendment) Bill deals with amending the representation of the People Act 1995. Vainstyr Loayreyder, it could be that we would want to extend voting times. We have just had voting times in local authorities extended to eight o'clock in the morning, which I thought was a move forward, but we might want to extend them later into the evening, to allow people home to vote. There might be all sorts of things that we would wish to raise over quite a considerable Bill, relating to representation of the people.

Now, the issue raised by the Member for Onchan to say that one of the Members was not here, but raised some issues before us, it could be that that Member would think that the Second Reading will be supported, because the Report was supported, but it would be another two weeks before the clauses stage would be dealt with, and then has sought

leave of the House.

I would hope that... I recognise that, for this legislation, that there is support for it, to try to get Royal Assent during this session, but, in a way, why should we rush legislation just to get Royal Assent during this session?

I would hope that Members will respect Standing Orders in this particular issue, and will not support the suspension of Standing Orders to allow the clauses stage to be dealt with.

Thank you, Vainstyr Loayreyder.

**The Speaker:** Hon. Member for Rushen, Mr Rimington.

**Mr Rimington:** Likewise, Mr Speaker, although I see the simplicity of the Bill, and the desire to move it through is noble, and I do not, probably, think, at the end of the day, there will be any issue or contention there, but we do have this system of Standing Orders, and I have been concerned, in recent times, how easily we have suspended that due process of law-making. It does lead me to feel that we ought to stick to the due process, and, on practical grounds, this would allow the Bill to return to the Keys on 11th May for its clauses stage, and, if the House approved, at that point, having gone through clauses stage, also its Third Reading.

But it is that consideration of clauses, and that ability to amend, with careful consideration, which I think is important.

Having done that, I do believe, by looking at the timescales there – it would be tight – that it would be possible for it to make its passage through the Legislative Council and receive Royal Assent by the July Tynwald, which is what we would hope for.

**The Speaker:** Hon. Member for Michael, Mr Cannan, to reply to the debate.

**Mr Cannan:** Thank you, Mr Speaker.

This is, as Hon. Members know, not the Bill, but the suspension of Standing Orders to enable this small Bill, which we are all very familiar with, passing into the next clauses stage.

In commenting upon the remarks of the Member for Onchan, Mr Karran, he was concerned that the Hon. Member for West Douglas, Mr Downie, is not present at this sitting to debate the clauses. There is no guarantee that Mr Downie, or any of us, including myself, would be present at the next sitting of the House of Keys, for the clauses stage, which would be 11th May. 'God moves in a mysterious way, his wonders to perform.' Is there any guarantee that any of us will be there on 11th May? There is not. I have seen so much of life that nobody knows what tomorrow will bring.

So, I have seen important issues raised in Tynwald that Members may wish to have spoken on, and they are not present, through illness or many other circumstances. The business of the Government of the Isle of Man continues – the business of the House.

So, we know the views of Mr Downie. We will respect the views, when coming to our decision, but the House must go on. Life must go on, and if we then said that we cannot

– as I have just said – debate it unless Mr Downie is present – and, through circumstances beyond his control, he is not present on 11th May, do we defer again? Of course not.

Mrs Hannan, of course, always says, ‘We must look to Standing Orders.’ But how many times are Standing Orders suspended? They are suspended by the sound judgement of this House.

In this case, there is a timescale. The desire is that this legislation should go through this House, through the Legislative Council and receive Royal Assent before the end of this legislative session.

I only reiterate what is said and what the House knows: this is a Bill to enable a Member to honourably resign – no more, no less. People’s circumstances – we have heard what people have said at the Second Reading. The Hon. Member, Mr Rimington, said personal circumstances may come up on people, when they feel it is necessary to resign. And he supports it.

So, why should we now find some excuse to delay what we all know is in the best interests of Members, their constituents and this House? Mr Speaker, I move suspension of Standing Orders.

**The Speaker:** Now, then, Hon. Members, we are being asked to agree to suspend Standing Orders in relation to Standing Order 153(1), which enables the clauses to be taken at this sitting, and also Standing Order 154(2)(b) and 154(3), which will enable – if we agree – Members to move amendments on the floor of the House.

Therefore, Hon. Members, the motion before you is that Standing Orders 153(1) and 154(2)(b) and 154(3) be suspended. All those in favour, say aye; against, no. The ayes have it.

*A division was called for and voting resulted as*

*follows:*

**FOR**

Mr Anderson  
Mr Cannan  
Mr Quine  
Mr Gawne  
Mr Houghton  
Mr Henderson  
Mr Duggan  
Mr Braidwood  
Mr Shimmin  
Mr Bell  
Capt. Douglas  
The Speaker

**AGAINST**

Mr Quayle  
Mr Rimington  
Mr Gill  
Mr Cretney  
Mrs Hannan  
Mrs Craine  
Mr Karran  
Mr Earnshaw

**The Speaker:** Hon. Members, the motion fails to carry, with 12 votes for and 8 votes against.

**Constitution Bill  
Consideration of Clauses  
Item deferred**

**The Speaker:** Now, Hon. Members, Item 4 on our Order Paper is ‘Bill for Consideration of Clauses’, which is the Constitution Bill.

As Hon. Members are aware, the Hon. Member for Garff, Mr Rodan, has leave of absence. Therefore, that completes the matters before the House.

The House will now stand adjourned until 10 a.m. on 4th May, here in our own Chamber.

Thank you, Hon. Members.

*The House adjourned at 10.40 a.m.*