



**LEGISLATIVE COUNCIL  
OFFICIAL REPORT**

**RECORTYS OIKOIL  
Y CHOONCEIL SLATTYSSAGH**

**P R O C E E D I N G S**

**D A A L T Y N**

**(HANSARD)**

**Douglas, Tuesday, 28th November 2006**

**Present:****The President of Tynwald (The Hon. N Q Cringle)**

The Lord Bishop of Sodor and Man (The Rt. Rev. Graeme Knowles), The Attorney General (Mr W J H Corlett QC),  
Mr D Butt, Mrs. C M Christian, Mrs. P M Crowe, Hon. A F Downie, The Chief Minister (Hon. D J Gelling CBE),  
Mr E G Lowey and Mr G H Waft,  
with Mrs M Cullen, Clerk of the Council.

**Business transacted**

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*The Council sat in private.*

## Legislative Council

*The Council met at 10.30 a.m.*

[MR PRESIDENT *in the Chair*]

### PRAYERS

*The Lord Bishop*

**A**lmighty God, humbly acknowledging our need for thy guidance in all things, and laying aside all private and personal interests, we beseech thee to grant that we may conduct the affairs of this Legislative Council and of our Island to the glory of thy holy name, the maintenance of true religion and justice, the honour of our Queen and Lord and the public welfare, peace and tranquillity of the Isle of Man, and this we beg through Jesus Christ, our Lord. (Members: Amen.)

The grace of our Lord Jesus Christ and the love of God and the fellowship of the Holy Spirit be with us all evermore. Amen.

Members: Amen.

### Procedural

**The President:** Now, Hon. Members, the Legislative Council starts off on a new session, and in another place, I have got no doubt that this morning there is plenty of adrenalin flowing, and a lot of interest taking place in our other Branch.

However, we in the Legislative Council have but a very short Order Paper this morning.

## Orders of the Day

### Manx Museum and National Trust Hon. D J Gelling discharged from service

1. Mr Downie to move:

*That the Hon. Member of the Council, Hon. D J Gelling, be discharged from service on the Manx Museum and National Trust.*

**The President:** Our first Item is the Manx Museum and National Trust, Mr Downie.

**Mr Downie:** Thank you, Mr President.

I wish to move that the Hon. Member of Council, the Hon. Donald Gelling, be discharged from service on the Manx Museum and National Trust.

Just to expand on that, Mr Gelling has been a very good supporter and a worker for Manx National Heritage and Manx National Trust. It has taken quite a lot of his time, over the last

few years, as you could imagine, and I think that in the last six months, at least, I know he was having difficulty in attending some of the meetings, because of the pressures of time.

I think, without question, he felt it was better that somebody else take over the reigns, to leave him more time to do some of the more important things that need to be addressed within the Council of Ministers.

I therefore, Mr President, beg to move the motion standing in my name.

**The President:** Mr Waft.

**Mr Waft:** I beg to second, Mr President.

**The President:** Seconded by Mr Waft. Mrs Christian.

**Mrs Christian:** Simply, Mr President, to say that I can understand the arguments put forward by the mover, but I also think that we ought to be conscious of the other reason why the Hon. Member is standing down. That is because of the petition of dolence in respect of a Government Minister, which I think is extremely regrettable.

I will, therefore, support the motion on the Order Paper.

**The President:** Hon. Members, I put to you the motion that the Hon. Member of Council, Mr Gelling, be discharged from service on the Manx Museum and National Trust. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

### Manx Museum and National Trust Election commenced

2. Election of one member in place of Hon. D J Gelling.

**The President:** In that case, Hon. Members, we then move on to Item 2, the Manx Museum and National Trust, second Item on the Order Paper, which is the election of a member in the place of the Hon. Member, Mr Gelling.

I call for nominations. Mrs Crowe.

**Mrs Crowe:** I would be delighted to propose the Lord Bishop to be the nominated member from the Legislative Council, Mr President.

**The President:** Mrs Christian.

**Mrs Christian:** I beg to second, Mr President. I think the Lord Bishop would make an excellent and active member of the National Trust for this Council.

**The President:** Mr Waft.

**Mr Waft:** I would like to propose Mr Downie, Mr President. He is already there as a lay person, as I understand it, and it would be good to have him as a Legislative Council Member on the Trust.

**Mr Gelling:** I will second that, Mr President.

**Mrs Christian:** Could we clarify, Mr President: Mr Downie currently is a member of the Trustees.

### Prayers : Procedural

Manx Museum and National Trust— Hon. D J Gelling discharged from service  
Manx Museum and National Trust – Election commenced

**The President:** My understanding is that Mr Downie is an associate member, or one who is appointed by the trustees themselves to sit. Mr Downie, will you clarify that?

**Mr Downie:** Yes, Mr President.

The term is a 'co-opted member'. Obviously, I have a great interest in the history and the heritage of the Isle of Man and, some years ago, I was asked to be a co-opted member.

However, if I got the nomination and support of the Legislative Council, I would naturally resign as a co-opted member. That would give an opportunity for one of the other organisations – perhaps wildlife or conservation – to put a co-opted member's name forward. That is how the system would work.

**The President:** Mrs Crowe.

**Mrs Crowe:** Thank you.

I was on the understanding that Mr Downie was a member. He just said that he would resign, if he was appointed by the Legislative Council. Would it be the case that he would be resigning, if the Legislative Council appointed some persons, or...?

**Mr Downie:** To clarify that, Mr President, my term of office is up in, I think, January or February, anyway –

**Mrs Crowe:** Oh, right.

**Mr Downie:** – as a co-opted member. In fact, I think it is renewed on an annual basis, within the rules of the Trust.

**Mrs Crowe:** I did not know that.

**The President:** Hon. Members, we can go round in circles, but we have the two nominations, and I think it will be necessary for us to actually vote, and make a decision as to which of the two nominated people is to take the position of representative of the Legislative Council on the Manx Museum and National Trust.

We have eight voting Members sitting, because we are short of Mr Singer. So, there are eight voting Members. Hon. Members, cast your votes in relation to the two, either the Lord Bishop or Mr Downie.

*A ballot took place.*

**The President:** Mr Lowey.

**Mr Lowey:** Could I ask, Mr President, why we are voting in secret and not in public?

**The President:** Because I think Standing Orders so say.

**Mr Lowey:** Well, that is alright then, if Standing Orders say that! *(Laughter)*

**The President:** Whilst I understand where you come from, it is, I think, to be a secret ballot, and I think the Clerk will do the count for us.

**Mr Lowey:** That is fine.

**The Clerk:** Do you want a teller?

**The President:** I am sure you can count, Marilyn.

*(Laughter)* You have but eight cards.

### Electronic Voting in Tynwald Court Discussion

**Mr Lowey:** While we are waiting for the vote, Mr President, it would be nice if we could get electronic voting in the Council, wouldn't it?

**The President:** Well, it is one of those things. If Members are interested in that particular position, we will be using the electronic voting in Tynwald Court for the first time on 12th December – not for the election to the Chief Minister on the 5th, but the following week we will be using it. On the Friday prior to that, if Members are interested, I have asked the Clerk of Tynwald that we will gather sufficient people in Tynwald Court at four o'clock on the Friday afternoon, so that I have a dummy run myself.

**Mrs Crowe:** Yes, excellent.

**The President:** So, if you want to witness that, there will be a dummy run of the electronic voting at four o'clock on the Friday prior to the 12th December, so that I know what is happening, as much as you do! *(Laughter)*

**Mrs Crowe:** Presumably, there is going to be a proper practice.

**The President:** No, we will go straight in. It should be straightforward: you will have the two buttons, but if you are interested, I would welcome you to be in your seats on that day.

**Mr Butt:** Could I ask, Mr President, do we vote separately from the Keys? Do they vote first and then we follow, or is it all together?

**The President:** With the electronic voting? **(Mr Butt: Yes.)** The system will still be the same: we will vote together, but the Keys will be announced before the Council is announced.

**Mr Waft:** I will be off the Island on the Friday, Mr President.

**The President:** Yes, you have not got to be there. I am just, because it was raised, alerting you to the fact that it is my intention, at four o'clock on that Friday, to have the dummy run.

### Manx Museum and National Trust Election concluded The Lord Bishop elected

**The President:** Right, Hon. Members, the result of the ballot is that the Lord Bishop received 5 votes; and Mr Downie received 3 votes. Therefore, I announce that the Lord Bishop has now become a member of the Manx Museum and National Trust, representing the Legislative Council. Thank you.

**IN COMMITTEE OF THE WHOLE COUNCIL  
(IN PRIVATE)**

**Consideration of Summaries of Proceedings in the  
Council of Ministers  
(February, March, April, May and June 2006)**

**The President:** Now, Hon. Members, that draws to a conclusion our Order Paper, this morning.

We will now sit in private for the consideration of the Summaries of Proceedings in the Council of Ministers' minutes, hopefully to bring us up to speed and up to date on where we are.

Thank you.

*The Council sat in private.*