



**HOUSE OF KEYS
OFFICIAL REPORT**

**RECORTYS OIKOIL
Y CHIARE AS FEED**

**PROCEEDINGS
DAALTYN
(HANSARD)**

Douglas, Tuesday, 13th February 2007

Present:

The Speaker (Hon. S C Rodan) (Garff);
 The Chief Minister (The Hon. J A Brown) (Castletown);
 Hon. D M Anderson (Glenfaba); Hon. A V Craine and Hon. A R Bell (Ramsey); Hon. W E Teare (Ayre);
 Mr J D Q Cannan (Michael); Mr T Crookall (Peel); Mr P Karran, Hon. A J Earnshaw and Mr D J Quirk (Onchan);
 Hon. G M Quayle (Middle); Mr R W Henderson and Mr J R Houghton (Douglas North);
 Hon. D C Cretney and Mr W M Malarkey (Douglas South); Mr R P Braidwood (Douglas East);
 Mr C G Corkish MBE and Hon. J P Shimmin (Douglas West); Mr G D Cregeen (Malew and Santon);
 Mr J P Watterson, Hon. P A Gawne and Mr Q B Gill (Rushen);
 with Mr M Cornwell-Kelly, Secretary of the House

Business transacted

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The House adjourned at 11.16 a.m.

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House of Keys

The House met at 10.00 a.m.

[MR SPEAKER *in the Chair*]

WELCOME TO NEW CHAPLAIN

The Speaker: Good morning, Hon. Members.

Members: Good morning, Mr Speaker.

The Speaker: Can I begin by, on behalf of the House, extending the warmest of welcomes to our new Chaplain, the Rev. Bill Martin, (**Members:** Hear, hear.) to the ministry amongst us. I hope your time with us will be a happy one for you personally.

The Chaplain: Thank you.

A Member: Hear, hear.

The Speaker: I will now ask our new Chaplain to lead us in prayer.

PRAYERS

The Chaplain of the House of Keys

ALMIGHTY God, the fountain of all wisdom, we humbly beseech Thee with Thy favour to behold the Governor and Legislature of this Isle; mercifully grant that Thy Holy Spirit may rest upon them, enlighten and guide them; that all their consultations may be directed and prospered to the advancement of Thy glory, and the welfare of Thy church and people, through Jesus Christ our Lord.

Grayse nyn Jiarn Yeesey Creest, as graih Yee, as sheshaght gherjoil y Spyrryd Noo, dy row mårin ooilley er son dy bragh. Amen.

[The Grace of our Lord Jesus Christ and the love of God and the fellowship of the Holy Spirit be with us now and for evermore Amen.]

LEAVE OF ABSENCE GRANTED

The Speaker: Hon. Members, I have granted leave of absence from today's sitting to the Hon. Member for Douglas East, Mrs Cannell.

Questions for Oral Answer

TREASURY

Manx Family Services severance payment Source of funds

1.1. The Hon. Member for Michael (Mr Cannan) to ask the Minister for the Treasury:

Was the secret severance payment to Manx Family Services paid from the Department of Health and Social Services budget or from Treasury contingency funds?

The Speaker: We now turn to our Order Paper, Item 1, Questions for Oral Answer, and I call on the Hon. Member for Michael, Mr Cannan.

Mr Cannan: I ask the Question standing in my name, sir.

The Speaker: Hon. Member for Ramsey, Minister for the Treasury, Mr Bell.

The Minister for the Treasury (Mr Bell): Thank you, Mr Speaker.

I can advise Hon. Members that the payment made to Manx Family Services in respect of the early severance of their contract with the Department of Health and Social Security was met by that Department's budget, as voted by Tynwald for the current year 2006-07. There has been no separate allocation of Treasury funding made available for this purpose.

The Speaker: Hon. Member for Michael, Mr Cannan.

Mr Cannan: I thank the Minister for his Answer, but were you, as Treasury Minister, first consulted by the DHSS Minister and/or the Attorney General, with regard to making a secret payment to Manx Family Services, in respect of the severance of their contract, before, I repeat, *before* any such decision to make the secret payment was finalised?

The Speaker: Hon. Member for Ramsey, Mr Bell.

The Minister: Consultation with Treasury officers did take place, Mr Speaker.

The Speaker: Hon. Member for Douglas North, Mr Henderson.

Mr Henderson: Gura mie eu, Vainstyr Loayreyder.

Could the Shirveishagh Tashtee confirm to me and this House and the public of the Isle of Man, how his Treasury officers, working with the DHSS finance officers, intend to audit the Department's accounts at this year's end of financial accounting, given that the present DHSS Minister has said he has not advised the Council of Ministers of what that secret payment is?

Welcome to new Chaplain

Prayers : Leave of absence granted

Manx Family Services severance payment – Source of funds

Could the Treasury Minister confirm that somebody in his section knows what the amount is and that it will be properly audited and looked into, as and when the appropriate time occurs?

The Speaker: Minister for the Treasury, Mr Bell.

The Minister: This payment, Mr Speaker, revolves around the balance sheet of the Social Services sector of the DHSS Department and it will be audited in exactly the same way as all other expenditure carried out by that Department.

The Speaker: Hon. Member for Michael, Mr Cannan.

Mr Cannan: Will the Treasury Minister... in his role as Treasury Minister and responsible for the public funds, did he personally authorise Treasury concurrence of the amount of payment of such a large sum to Manx Family Services, in severance and in secrecy? The Minister, please.

The Speaker: Minister for the Treasury.

The Minister: I personally did not, Mr Speaker.

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

Mr Karran: Could the Shirveishagh Tashtee inform this Hon. House, as far as this issue is concerned, will this payment be added to the overspend of that Department and is he in a position yet to tell us how much that overspend is going to be, including this cost, seeing as it is so secret? Is it going to be £4 million or £5 million?

The Speaker: Minister for the Treasury.

The Minister: Yes, Mr Speaker, the expenditure incurred in relation to this whole issue will be included in the overall balance at the end of the financial year for the Department of Health and Social Security. Therefore, that figure will clearly have an influence on the final outcome of the Department's... and the overspend, whatever that final figure might be.

It is projected, I think, Mr Speaker, that the figure of around £5 million has been mentioned as a possible overspend at this stage, but I know the Department is still working hard to try and minimise any further overspends.

The Speaker: Hon. Member for Michael, Mr Cannan.

Mr Cannan: In what respect does the request by the Department for £2.9 million at next week's Tynwald reflect on the almost £1 million that is due to be paid, or has been paid to Manx Family Services?

The Speaker: Minister for the Treasury.

The Minister: I have absolutely no idea, Mr Speaker. *(Laughter)*

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

Mr Karran: Vainstyr Loayreyder, is the Shirveishagh Tashtee aware, is it possibly the issue to do with the reciprocal health agreement, the £2.9 million, this new agreement?

The Speaker: Minister for the Treasury.

The Minister: Mr Speaker, the resolution due to come to Tynwald next week, as will be explained by the Minister for the DHSS, is entirely to do with the reciprocal health agreement and advance payment now being sought by the UK health authorities, which have somewhat changed the relationship, in terms of our ability to finance this particular project. They are now seeking payment in advance in some areas, which is somewhat different from what has gone on in the past, but it has nothing to do with Manx Family Services.

The Speaker: Hon. Member for Douglas North, Mr Henderson.

Mr Henderson: Gura mie eu, Vainstyr Loayreyder.

Can the Shirveishagh Tashtee just clarify and reconfirm that, in his initial answers, he made reference to a payment to Manx Family Services for the severance of the contract? Can he confirm that that is correct, especially in the light of recent Questions, Vainstyr Loayreyder, whereby the Minister for the DHSS was evading the issue of whether a payment had been made or not?

Can we now, once and for all, for public record, make it straight that some sort of payment was made and, further to that, can the Shirveishagh confirm whether that payment was in excess of £1 million or less than £1 million?

The Speaker: Minister for the Treasury.

The Minister: Mr Speaker, a settlement has been agreed between the DHSS and Manx Family Services and that, I am sure, will be the subject of further debate, as and when the overall overspend for the Department is identified at the end of the year. At this stage, I cannot give any final identification of those figures, Mr Speaker.

The Speaker: Hon. Member for Michael, Mr Cannan, a final supplementary.

Mr Cannan: Will the Treasury Minister tell us whether the financial records, the financial books of Departments of Government are open for inspection to Members of Tynwald or are the financial records kept secret and known only to Ministers and civil servants?

The Speaker: Minister for the Treasury.

The Minister: Mr Speaker, the finances, Government's finances are always made public, as the Hon. Member well knows. In this particular instance, though, the settlement is confidential and it will be for the DHSS to decide whether that is disclosed.

HEALTH AND SOCIAL SECURITY

St Christopher's service Policing

1.4. The Hon. Member for Onchan (Mr Karran) to ask the Minister for Health and Social Security:

Who in your Department has responsibility for policing the St Christopher's service?

The Speaker: In the absence of the Minister for Trade and Industry, I shall move over Questions 2 and 3 and go to Question 4. I call on the Hon. Member for Onchan, Mr Karran, to put his Question to the Minister for Health and Social Security, please.

Mr Karran: Vainstyr Loayreyder, I ask the Question standing in my name.

The Speaker: Hon. Member for Ayre, Mr Teare, Minister for Health and Social Security.

The Minister for Health and Social Security (Mr Teare): Thank you, Mr Speaker.

The Department's registrations and inspections unit has an officer appointed, who undertakes inspection of all units on an announced and an unannounced basis. This process is reviewed on an annual basis by the political Member for Social Services and the last review was undertaken in July last year, sir.

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

Mr Karran: Vainstyr Loayreyder, can the Shirveishagh tell me: if things are wrong and reported to his Department, do they take any responsibility or, as has been alleged, as a previous Minister said, 'It is nothing to do with us, they are a commercial firm'? I would be interested to know is that the viewpoint that the new Minister takes?

The Speaker: Minister for Health and Social Security.

The Minister: Thank you, Mr Speaker.

The service providers are benchmarked against the key performance indicators and there are bi-monthly meetings between the Department and the service providers in that respect. If any issues arose, they would be discussed with them, if appropriate, but the way we monitor them is through the key performance indicators (KPIs), sir.

In the first instance, we expect, if there are issues, that the issues would be addressed through the normal channels, before they would be escalated to the Department, sir.

The Speaker: Hon. Member for Onchan, Mr Quirk.

Mr Quirk: Thank you, Mr Speaker.

Can I ask the Minister responsible, could he indicate to me how many work permits have been issued at St Christopher's and do they all have current job descriptions?

The Speaker: Minister to reply.

The Minister: As I said in the foregoing answer to the question, sir, I did say that they are monitored against the KPIs and if there are any issues, we would take them up. If the Hon. Member for Onchan feels that he does have some specific instances that he would like to bring to my attention, then, of course, I would like to discuss it with him.

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

Mr Karran: Vainstyr Loayreyder, would the Shirveishagh inform this Hon. House: if these operators, who work under the blessing of his Department, are breaking Health and

Safety and other rules, does he not feel that there is any responsibility on his Department to make sure that those issues are being addressed?

The Speaker: Minister for Health and Social Security.

The Minister: The Hon. Member will appreciate that there are inspections, as I did say in my original Answer, sir, that are taken. They are announced and also they are unannounced. They are called section 55 inspections and they can go round and anything that is seen or noticed at the time of the inspection would be raised with the relevant service provider, sir.

The Speaker: Hon. Member for Onchan, Mr Quirk.

Mr Quirk: Thank you, Mr Speaker.

Can I just ask the Minister, my last supplementary is: are those evaluations available for scrutiny?

The Speaker: Minister to reply.

The Minister: No, they are not. The Department is delegated to administer these contracts and it is the Department's duty to make sure that they are effectively monitored, sir.

Health Service staff reductions in UK Reassurance for Isle of Man

1.5. The Hon. Member for Onchan (Mr Karran) to ask the Minister for Health and Social Security:

In view of the fact that proposals have been leaked from a Report about the United Kingdom Department of Health and Social Security suggesting drastic staff reductions in the Health Service, can you assure this House that this will not happen here?

The Speaker: Question 5, Hon. Member for Onchan, Mr Karran.

Mr Karran: I beg to ask the Question standing in my name.

The Speaker: Minister for Health and Social Security, Mr Teare.

The Minister for Health and Social Security (Mr Teare): Thank you, Mr Speaker.

I feel that the Hon. Member is referring to an early draft Workforce Strategy 2007 prepared by the UK Department of Health Workforce Directive in November 2006, which was reported in 4th January 2007 edition of the *Health Service Journal*. The report is predicated on certain assumptions, we admit, which may not apply to the Isle of Man, but the Department must give serious regard to the final observations and staffing numbers will always be subject to review from the perspective of quality of service, value for money and efficiency, sir.

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

Mr Karran: A supplementary, Vainstyr Loayreyder.

Could the Shirveishagh son Slaynt as Shickyrys inform this Hon. House, is he saying he is not ruling out these suggestions from the United Kingdom?

With the issue of the £5 million overspend, what are we going to do to resolve that issue, as far as the money that is concerned, by his Department?

The Speaker: Minister, Mr Teare.

The Minister: Thank you, sir.

Yes, there is an overspend and that is public knowledge. The Department is considering all options and I hope to have a departmental meeting next month, sir, to discuss the options and the way forward.

What I would say to the hon. questioner is that the Department of Health and Social Security comprises three distinct units and he should not assume that the focus is always on health.

I have to say, sir, that, I am somewhat confused by the Hon. Member, because in last week's sitting of this Hon. House, he did make mention of what action the Department was taking towards reducing the number of certain employees in the service. So, on one hand, he is saying that we should be reducing and then today, because it is a different day – the sun is shining – he is in a different temperament, he is saying that we should not reduce the number! I have to say I am confused, sir.

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

Mr Karran: Vainstyr Loayreyder, would the Shirveishagh, now that he has owned up that he is going to reduce, what would the situation be...? Will he make a point of coming back to Tynwald to debate any issue when it comes to job cuts at the front-line services? Would he not agree that he has not got the backbone to address the management incompetency at the higher levels within this Department, which is not the only one which has been needed to be addressed for the last 10 years?

Can the Shirveishagh inform this Hon. House that any decisions on cutbacks will not be the people at the bottom end, and the unions will be fully informed from him taking the easy political options?

The Speaker: A comprehensive supplementary. Minister to reply.

The Minister: I would like to thank the Hon. Member for the memory test, sir, and I will do my best to reflect on all the issues that he has brought to the fore here.

I can assure him that I do have a backbone. I am not an invertebrate and I am not motivated by inertia.

If we have to make decisions, we will take decisions, but I did say initially that it is premature. He has picked up something, or somebody on his behalf has picked up something which is a draft and it is a working paper and it is a different jurisdiction. I would say, with due respect, to the Hon. Member, he is comparing chalk and cheese, sir.

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

Mr Karran: Vainstyr Loayreyder, would the Shirveishagh son Slaynt inform this House that before he decides to do any

wholesale cutting, he will debate the issue in Tynwald and it will not become an after-the-effect situation, if he is not going to address the core issues of bad management within the Department of Health and Social Security?

The Speaker: Minister, Mr Teare, to reply.

The Minister: I would not agree that there is bad management, sir. What we have to do is to make sure that our resources are effectively targeted, continue to deliver a quality service, and also give value for money for the taxpayer.

There have been no decisions made. It is very much in the early stages and we are currently starting an evaluation process but, as I say, it is very early stages. I think, really, that the comments which he is making now are being unhelpful, sir, because, at the risk of repeating myself, it is a draft report and it is a working report. It is not even official policy anywhere.

TRADE AND INDUSTRY

Manx Workshop for the Disabled Rescue from closure

1.2. The Hon. Member for Douglas North (Mr Houghton) to ask the Minister for Trade and Industry:

(1) *Have you put together a rescue package to save the Manx Workshop for the Disabled from imminent closure; and*

(2) *if so, how much has your Department pledged to the charity?*

The Speaker: I now revert to Question 2 and call on the Hon. Member for Douglas North, Mr Houghton.

Mr Houghton: Thank you, Mr Speaker.

I beg leave to ask the Question standing in my name, sir.

The Speaker: Hon. Member for Douglas South, Minister for Trade and Industry, Mr Cretney.

The Minister for Trade and Industry (Mr Cretney): Yes, thank you, Mr Speaker, and can I apologise for my late appearance. I was unavoidably delayed on the way in.

Mr Speaker, my Department and the Department of Health and Social Security have worked closely to examine how best Government can support the needs of those members of our community who are disabled and are seeking employment.

As I have previously informed this House, the two Departments have met with representatives of the Workshop to discuss how the Workshop may be able to fulfil the required role of giving disabled persons the skills, experience and competence in the workplace, such that the individuals can then take up further mainstream employment opportunities, wherever possible.

With regard to the Manx Workshop for the Disabled, I believe two factors are key if this strategy is to be successfully implemented.

Firstly, Government needs to provide continued support in the short term to the Workshop to enable it to continue to operate. To that end, I authorised the payment of £10,000 from my Department to the Workshop, which was paid on 15th January 2007.

Also, I am pleased to confirm that the Department of Health and Social Security, which provides an annual payment to the Workshop of £84,000, has agreed to commit to a further six-month period of support from 1st April 2007, providing certainty of Government support until the end of September 2007.

As stated previously, the Department of Health and Social Security is now working hard to put in place a new contract for the provision of disability employment services which best meet the future needs of our community. The Workshop will have every opportunity to be considered for this contract and I can again assure Hon. Members that my Department will support the Department of Health and Social Security in expediting this process.

Mr Speaker, I therefore believe Government, since the new administration, has acted promptly and prudently in supporting the Workshop's current operations, while seeking the best long-term support for persons with a disability. They must be our first priority in these discussions.

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

Mr Houghton: Thank you, Mr Speaker.

How can the Minister say that in support, and working closely together with such a worthy charity, he authorised payment for £10,000 in January this year, when that money was pledged by his Chief Executive some time in December to bail the charity out from going broke, not for assisting the Workshop's relocation?

Mr Speaker, does the Minister not really search in his soul that he is doing nothing but prevaricating by simply passing the buck onto the DHSS for their support, when it is to his Department that we are seeking support for the relocation only?

The Speaker: Minister for Trade and Industry, Mr Cretney.

The Minister: Yes, Mr Speaker.

In terms of Government expenditure in this regard, I make the decisions, not the Chief Executive. I was appointed Minister for Trade and Industry on 15th December last year. I met the Deemster on 19th December; a decision was made on 11th January; payment was made on 15th January.

I think we have acted promptly in the short term to try and support the charity, whilst a longer-term strategy, which has got to be the best thing for those persons with a disability, whom we are all in support of, is expedited.

Mrs Craine: Hear, hear.

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

Mr Houghton: Thank you, Mr Speaker.

The Hon. Minister is digging a deeper hole every time he speaks on this particular matter. He says he makes the decisions in his Department. He told us last time he calls the

shots in his Department, and I hope he does.

So if he is as fully supported behind what he says today and what he has said in the past about what he does in his Department, will he undertake to pledge over four financial years the total sum of £60,000 to that charity to enable them to relocate? If he really supports disabled people – and I do congratulate him, commend him, for going and seeing the state of the place yesterday during the morning, I understand – would he pledge that money now and all contracts and negotiations with another Minister's Department can take place in the fullness of time? Would he give that pledge to this Hon. House today, sir?

The Speaker: Minister for Trade and Industry, Mr Cretney.

The Minister: Mr Speaker, my Department and the Department of Health and Social Security have concerns as to whether the facilities which are offered presently and the opportunities for those persons with a disability to get gainfully, wherever possible, into full-time employment in the general workplace are being provided under the present regime.

I did go yesterday and I am afraid... I accept that there are difficulties in terms of the space in which the set-up operates, but also it was quite clear to me there were certain management issues which have not just happened overnight, in terms of the way the operation is going.

I think, with a fresh start, hopefully the Manx Workshop will be able to reach agreement with the Department of Health and Social Security, who are the body who will be offering the contract to provide us with services for disabled people into employment. I hope they are able to do that, but we have to allow that process to take place.

The Speaker: Hon. Member for Douglas South, Mr Malarkey.

Mr Malarkey: Thank you, Mr Speaker.

Could the Minister confirm that his predecessor entered into a verbal agreement (**Mr Houghton:** Hear, hear.) with the Department, with the issue, that for four years there would be £15,000 available (**Mr Houghton:** Hear, hear.); then gave them the impression that they had the go-ahead from the Department and put themselves into starting to make the move in January; then this verbal agreement was withdrawn just prior to Christmas, leaving them not only in debt, because they believed they were moving, but also in a worse state than what they were before it started?

The Speaker: Minister for Trade and Industry.

The Minister: Yes, thank you, Mr Speaker.

I had that raised when I had a meeting with a number of Hon. Members. It was the first we had heard about it. I then heard Deemster Corrin on the radio.

What Deemster Corrin said on the radio was he had tentatively been promised, possibly, £60,000 over four years. What was and what was not promised by the former Minister is a matter Members must take up with him.

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

Mr Houghton: Mr Speaker, I am flabbergasted at the

Minister's answers. The Minister mentioned, in answer to my last question, that the Workshop certainly needs a fresh start. We all support that. Would he support the relocation costs in the order of £60,000, which was offered by his previous Minister over a period of time?

Would he pledge to do that and then the contracts and the negotiations that have been ongoing since day one can continue with the Department of Health and Social Security without the need for his Department's participation?

My final appeal to the Minister, Mr Speaker: would he do that in order for this worthy charity to relocate?

The Speaker: Minister.

The Minister: Mr Speaker, I think I said previously, when we have been discussing this matter in this hon. place, I understand the frustrations of Deemster Corrin and the people involved in the charity, and I do believe that that is worthy of examination elsewhere.

There was talk of other things... the Deemster spoke about a nine-month and a four-month delay in terms of planning. I believe that those matters, when they did not even go to the Planning Committee, I understand, are matters which are worthy of examination.

However, we are where we are now and my opinion – and I understand the frustration that is around this – is that we need to get the right outcome to this and the right outcome to this, short term, is we are offering financial support to enable the charity to continue. Long term, we need to have a different regime, whereby there are more opportunities for persons with a disability wherever possible to get into the workplace, recognising that they will continue to need therapeutic services.

As I said at the last sitting – sorry, the sitting on 30th January – of this hon. place, I have a constituent who is in exactly that situation and has been there for 20 years. I recognise the good work that that has afforded my constituent. However, Hon. Members need to bear with the two Departments. Both of us have recently been appointed to our positions and we are now trying to put right the situation that has been going wrong for several years.

Mr Houghton: Hear, hear. Prevarication.

The Speaker: Hon. Member for Michael, Mr Cannan.

Mr Cannan: Will the Minister, in order to give reassurance to the disabled, confirm that his Department, in conjunction with others, will ensure that the Workshop will remain financially solvent until such time as the reorganisation takes place? In other words, will the Departments of Government under his leadership ensure that there is no financial crisis until the reorganisation takes place, which is his policy? (*Interjection by Mr Houghton*)

The Speaker: Minister for Trade and Industry.

The Minister: Yes, thank you, Mr Speaker.

Yes, I am very happy to confirm that. Indeed, I confirmed that at the last sitting where this matter was raised.

I have long been interested in the needs of disabled persons in this Island. In fact, I took forward the Chronically Sick and Disabled Persons Act as a private Member's Bill, which followed on from my Manx Labour Party colleague,

Matthew Ward, who had done the same previously.

So I have long been interested in this area and do not need to be lectured by anybody about the needs of the disabled. I am happy to confirm, as I did previously, that there is no question whatsoever that this will have a detrimental effect on the persons with a disability currently employed within the Workshop. We have offered short-term financial support. If that is needed to be extended, then that will happen.

In terms of the Department of Health and Social Security, they have also extended their support until September. I believe that is a very realistic timescale in which to get to a contract and in which to take things forward into the future for those people with a disability in employment.

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

Mr Karran: A supplementary, Vainstyr Loayreyder.

Could the Shirveishagh tell us what are the training costs, if we were to put some of these individuals across to the United Kingdom? Is it something in the region of £600?

Would the Shirveishagh not agree that it seems the words of some Ministers are not worth the breath they are sent with? Could the Shirveishagh not reassure this House, by having this issue addressed by the Council of Ministers, that the money is found, on the understanding that a new policy and development would be part of the tenancy agreement for the Workshop, in order not to end up with a situation of jam tomorrow, which is far too easy? It is alright passing legislation; it is another thing actually getting it to be meaningful and working for people.

The Speaker: The Minister for Trade and Industry.

The Minister: Mr Speaker, I think it would be financially imprudent, if nothing else, to push forward over £100,000 now for the charity or for Government until such time as a longer-term policy is established. Over £127,000 is the cost of relocation. The charity, I understand, has access to about £60,000 –

Mr Karran: Absolutely not.

The Minister: Well, they have £30,000 at the moment, they have pledges of another £30,000 and Government would be required to pay £67,000, which would be the balance.

What I am saying to the Hon. Members is that I understand the frustration, but we have to get things right for the future.

Laxey Pipe Factory Conversion to industrial units

1.3. The Hon. Member for Douglas North (Mr Houghton) to ask the Minister for Trade and Industry:

When will the Laxey Pipe Factory be converted and made available as industrial units for small businesses?

The Speaker: Question 3 and I call on the Hon. Member for Douglas North, Mr Houghton.

Mr Houghton: Thank you Mr Speaker. I beg leave to

ask the Question standing in my name, sir.

The Speaker: The Minister for Trade and Industry, Mr Cretney.

The Minister for Trade and Industry (Mr Cretney): Yes, thank you, Mr Speaker.

The former Laxey Pipe Factory is no longer owned by the Department of Trade and Industry, having been sold to the MMD Group of Companies in October last year. Before the sale, the Department of Trade and Industry had considered a business incubator unit to assist the growth of small businesses.

Hon. Members will be aware that the DTI had been considering several options for the building, whilst bearing in mind the requirements for the promotion of economic activity in Laxey that is compatible with the area and its population, as well as sympathetic to the building's architecture.

The MMD Group is a successful manufacturer of heavy mining equipment, operating worldwide and the Group chairman approached the DTI direct with a view to purchasing the former factory in order to locate MMD's international purchasing and order processing operations on the Isle of Man. The building would also provide facilities for the Group's visiting engineers from around the world, where they could carry on their design and specification work.

It was felt that MMD's proposal would result in the renovation and useful employment of the landmark building at no cost to Government, whilst offering the benefits of attracting a valuable business to the Island and to Laxey, bringing both new, well-paid jobs and spend in the local economy. Also, the sale generated a valuable income to Government of £500,000.

It is understood that work on refurbishing the building is progressing well and the Group hopes to begin full-time operations from there in two months' time.

My Department is now reviewing plans for business incubation. I am pleased to report that, separately, my Department's small business start-up scheme is proving very successful in helping new businesses get established, hence the sale of the former pipe factory has brought real benefits to the Isle of Man and Laxey, whilst my Department has still been able to assist dozens of small businesses.

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

Mr Houghton: Thank you, Mr Speaker.

The Department – which had Questions in this Hon. House answered around about the springtime of last year, answered by the Hon. Member for Middle, Mr Quayle – said something quite different from what the Department is now saying. I appreciate the Minister was not there at the time – another prevarication, Mr Speaker, by that Department, who could not care less about small businesses and who could not care less about the provision of small business units, importantly for the eastern part of the Island.

What will the Minister do about the provision of small business units, industrial units, from his Department's point of view, in this part of the Island, sir?

The Speaker: Minister to reply.

The Minister: Yes, thank you.

I am aware that this matter was raised previously in the House of Keys on Tuesday 26th June. A Question was asked by the Hon. Member for Onchan, Mr Karran, and answered by the Hon. Member for Middle, Mr Quayle. The situation is that, since then, the Department made a decision – (**Mr Houghton:** Prevaricated!) Well, I am not able to say whether they prevaricated or not, but they got £500,000 for the Laxey Pipes building in October and it was sold quite legitimately.

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

Mr Karran: Vainstyr Loayreyder, would the Shirveishagh not agree that, whilst there could be good economic argument for producing new jobs in the area, as far as this proposal, could he inform us, did it go out to tender? I do not think it did; in fact, I know it did not.

Could the Shirveishagh inform us whether that may be the policy of his Department, and will he raise, in the Council of Ministers, these issues where we are getting rid of public buildings which should be going out to tender, as far as the issue is concerned? Even if it does mean that you take a lower bid for such a building, at least it should be in the public domain, the rationale of why, in order not to encourage the viewpoint that everything is too clubby-clubby, matey-matey.

Mr Houghton: Hear, hear.

The Speaker: Hon. Member for Douglas South, Mr Cretney.

The Minister: Yes, I am happy to review the Department's policy in that regard, but the sale was approved by Treasury. It did not go out to tender, the Hon. Member is right, but it achieved the price which the Government Valuer placed upon it, anyway.

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

Mr Houghton: I am very grateful, Mr Speaker: a final supplementary sir.

I note, Mr Speaker, that the Minister did not answer my last supplementary question as to what he was going to do with small industrial units for that part of the Island, namely in Laxey, now they have lost this precious facility to be able to do that.

Mr Speaker, when the Minister explained what this company, MMD, were going to provide within those premises, he did not mention that there will be living quarters, namely a penthouse suite on the top deck of that facility. Can he make comment on that, as to why that was not provided for in the answer here.

The Speaker: Minister for Trade and Industry.

The Minister: I will certainly examine that; that is the first I have heard of that suggestion. My understanding is that in the sale agreement there was an agreement that the property would not be used for housing – (*Interjection by Mr Houghton*) Well, that is the first I have heard of it. If that is the case, then clearly either the agreement has been breached, which I do not think it will have been –

Mr Houghton: Another prevarication?

A Member: Oh, no, for God's sake.

The Minister: Mr Speaker, I think the Hon. Member has had too much rhetoric for breakfast. (*Laughter*)

The Speaker: Hon. Member for Onchan, Mr Karran, final supplementary, I think.

Mr Karran: Would the Shirveishagh not agree that the figure of £500,000 would be really quite a bargain for most people for such premises?

Would the Shirveishagh not agree that whilst there could be good arguments for creating new economic activity within the Island for such a sale, that it would be wrong for his Department to try and give the impression that the £500,000 is a fair price for such a building? I am sure you would have got double that price, if it had gone out onto the open market.

Would the Shirveishagh just assure this Hon. House that he will raise it with the Council of Ministers, (**Mr Houghton:** Hear, hear.) that the issue of selling off public assets behind closed doors, not in an open market, should have to come to at least Tynwald, in order for the executive to justify why they are selling off cheaply the assets of the taxpayers?

Mr Houghton: Rather than doing it behind our backs.

The Speaker: Minister for Trade and Industry.

The Minister: Yes, thank you, Mr Speaker.

The £500,000 which was obtained for this building was in line with the Government Valuer's assessment of its worth. Fifteen jobs have been created in Laxey. (**A Member:** Hear, hear.) The building has lain dormant for several years. There are some plus points in this.

But I will, I am happy to say, review that policy which has been described by the Hon. Member, to see what is in the best interest of the taxpayer.

TRANSPORT

Regular ferry service provision Safeguards

1.6. The Hon. Member for Onchan (Mr Karran) to ask the Minister for Transport:

What safeguards have been taken, in both the short and long term, to ensure alternative arrangements are in place to provide a regular ferry service to the travelling public?

The Speaker: Question 6 and I call on the Hon. Member for Onchan, Mr Karran.

Mr Karran: Vainstyr Loayreyder, I beg to ask the Question standing in my name.

The Speaker: I call on the Hon. Member for Glenfaba, Minister for Transport, Mr Anderson.

The Minister for Transport (Mr Anderson): Thank you, Mr Speaker.

The User Agreements and the two extensions to the original documentation in 2002 and 2004 between the Department and the Isle of Man Steam Packet Company formed a safeguard with provision of regular, reliable ferry services. In the short term, the Isle of Man Steam Packet Company's major obligations under the User Agreement at this time of year will continue to be met by the existing schedule operated by the *Ben-my-Chree*.

SuperSeaCat 2 is presently undergoing an overhaul, repairs and surveys, with the intention of the vessel returning to service on 23rd March. In view of the recent incident involving *Sea Express 1*, the company is assessing whether this deadline can be brought forward and will do so, if at all practical. The company has already advised that it is looking at a number of options for the medium and long term, which include chartering another fast craft.

However, before any medium- or long-term decision is taken, a detailed assessment of *Sea Express 1* must be completed and this will only be possible once it has been dry-docked. Due to the vessel's damaged condition, it cannot be moved from the wet base in Birkenhead until a dry dock becomes available in approximately two weeks' time. It is likely, therefore, that a decision on a long-term solution will not be possible for at least four weeks.

In the short term, the company is actively investigating to see if a suitable vessel is available for charter to restore the weekend Liverpool service.

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

Mr Karran: Could the Shirveishagh inform this House that his Department and the Department of Tourism will actually make the agenda, as far as protecting the access to the Island and the reasonable availability of the service to the Island in the TT fortnight, by making the agenda, instead of the company?

Would the Shirveishagh investigate the possibilities of even encouraging the operators to see whether some agreement can be made with other Irish Sea operators, whether they could drop into Douglas on their way to the Irish Republic or back, as part of the package of measures in order to make sure there is convenient, efficient access services in the TT fortnight, in order that it does not put people off?

The Speaker: Minister for Transport.

The Minister: Thank you, Mr Speaker.

I have full confidence that the Steam Packet is doing all it can in this area and we continue to have dialogue with the company about its short-, medium- and long-term plans. I am confident that a resolution to this problem will be found.

The Speaker: I call on the Hon. Member for Douglas South, Mr Malarkey.

Mr Malarkey: Minister, do you recall when I asked a Question last week regarding Liverpool port, about the user contract and did we have an obligation from the Steam Packet to use the Liverpool port?

At the time, you informed me you were not sure, but responded with the rest of the House that the obligation was for a port in the north-west. Further investigation this

week on the User Agreement, which is quite complicated, because there are several of them and certainly several amendments...

Under the amendment of February 2002, when the User Agreement was extended for five years, it was also put into the User Agreement that Liverpool port must be used 365 days a year for at least one return voyage and that was actually good news for the Isle of Man residents when it was brought into the Agreement. But then two years later, the same Government seemed –

The Speaker: Come to a question, Hon. Member, please.

Mr Malarkey: I am trying for clarification –

The Speaker: Hon. Member, resume your seat, please.

I must encourage Members not to expand their supplementary questions with lengthy statements. Provided you come to a question, it is perfectly acceptable to have a long supplementary, but it must not contain statements.

Hon. Member, continue.

Mr Malarkey: I beg to apologise, Mr Speaker. Us new boys on the block must learn these lessons.

Mr Karran: Liberal Vannin!

Mr Malarkey: Could you just confirm for me, then, that the latest User Agreement does specify that the Isle of Man Steam Packet Company must supply a route return from 1st April to mid-October to Liverpool for the residents of the Isle of Man?

The Speaker: Minister for Transport, Mr Anderson.

The Minister: Mr Speaker, the contracts between the Isle of Man Government and the Isle of Man Steam Packet Company are quite technical. However, my understanding of it is that the Steam Packet have fully met their obligations so far, and I have every confidence they will continue to meet their obligations in this area.

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

Mr Karran: Vainstyr Loayreyder, would the Shirveishagh reassure this House that he will go back to the Council of Ministers, in order to make sure that the issue of who makes the agenda, as far as the success of the TT fortnight and the access issue for the convenience of the public will be made by the Council of Ministers' Departments that are responsible for it and not by the vested interest of the company that has managed to win the lottery by getting the User Agreement?

Would the Shirveishagh also like to inform this Hon. House: what are the sanctions that his Department can take against the Steam Packet if they do fail to provide an adequate service for a lot of people on this Island for whom the fortnight of TT is the backbone of them keeping afloat for the rest of the year in the tourist industry?

The Speaker: Minister to reply.

The Minister: Yes, Mr Speaker.

The Hon. Member certainly does not seem to have the confidence I have in the Isle of Man Steam Packet Company. What we have to protect the Island is, quite clearly, the User Agreement. That User Agreement has stood well the test of time and I am confident that for the TT period the User Agreement will be the backbone of making sure that people come to and from this Island and their needs are fully met.

TOURISM AND LEISURE

TT accommodation Use of schools

1.7. The Hon. Member for Onchan (Mr Karran) to ask the Minister for Tourism and Leisure:

In view of the concern over the lack of accommodation during the TT period, has your Department investigated utilising some of the schools?

The Speaker: Question 7 and I call on the Hon. Member for Onchan, Mr Karran.

Mr Karran: Vainstyr Loayreyder, I ask the Question standing in my name.

The Speaker: Hon. Member for Onchan, Mr Earnshaw, Minister for Tourism and Leisure.

The Minister for Tourism and Leisure (Mr Earnshaw): Thank you, Mr Speaker.

In 2006, a comprehensive plan for Centenary TT accommodation was established by the Department of Tourism and Leisure, which set a target of identifying 20,000 additional bed spaces, given the anticipated increased interest and visitor numbers expected. Officers from the Department are currently on track to achieve this target.

Whilst the majority of additional bed spaces are on campsites, concerted efforts have been made to increase the number of bed spaces under the Homestay Scheme, which is the biggest potential source of additional quality accommodation. In addition to this, the Department also realises that a number of visitors will be staying with friends and relations or renting homes and apartments.

As part of the plan, the Department of Transport and the Department of Education considered the use of the Island's schools, but found that the secondary schools will have O-level and A-level examinations during the TT period and junior schools would not be able to offer the necessary shower and toilet facilities required by existing accommodation legislation.

Overriding this, the schools form part of a wet-weather or a weather-related emergency plan and must be reserved for that purpose, should emergency regulations be instigated. This emergency plan is the first line of defence in providing accommodation in the event of adverse weather conditions and we must ensure this plan remains in place and effective.

Whilst, like all Hon. Members, I would like to see a repeat of the weather experienced in TT fortnight in 2006, I am, unfortunately, not able to guarantee this and with the awareness that not all visitors wish to camp, I would

respectfully request the assistance from other persons in this House today and those listening to this broadcast to encourage as many of our Island residents as they can to partake in this year's Homestay Scheme.

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

Mr Karran: I thank the Shirveishagh for his reply and I am glad that he cannot guarantee the weather, like it does not look like he is going to be able to guarantee a boat service.

So would the Shirveishagh consider that, whilst I am glad that the issue of the adverse weather conditions would be a problem for the schools, would the Shirveishagh reconsider this issue, as the whole schools would not be taken up by people taking their A- and O-levels in the secondary schools?

Would he consider, maybe, the issue, if there are concerns about planning, of bringing some sort of planning order to give the schools an exemption for that use over the TT fortnight, instead of ending up with a reactive situation when they are in a crisis? Let us be proactive, which we would like to see as a House of Keys, I hope.

The Speaker: Minister to reply.

The Minister: Thank you, Mr Speaker.

Yes, I am happy to reconsider that with the Department of Education Minister. I think this was worked out prior to us taking up our new jobs, so I do not see any harm in having a review of this, although I am as confident as I can be that what we have at the moment is the right way forward for our guests.

The Speaker: Hon. Members, that brings us to the end of Questions for Oral Answer.

Item 2, Questions for Written Answer: these will be circulated, Hon. Members, but I understand that, in respect of Question 4, the Department of Health and Social Security has supplied the office with an incorrect Written Answer and circulation of that will be delayed while the Written Answer is being copied.

Questions for Written Answer

CHIEF MINISTER

Senior civil servants Annual salaries

2.1. The Hon. Member for Michael (Mr Cannan) to ask the Chief Minister:

What is the current annual salary of the following appointments:

- (a) Chief Secretary;
- (b) Chief Financial Officer;
- (c) Chief Executive of the Department of Agriculture, Fisheries and Forestry;
- (d) Chief Executive of the Department of Health and Social Security;

- (e) Chief Executive of the Department of Local Government and the Environment;
- (f) Director of Education;
- (g) Director of Transport;
- (h) Director of Trade and Industry;
- (i) Director of Tourism and Leisure; and
- (j) Chief Executive of the Civil Service Commission?

Answer: It is assumed that the information being sought concerns the current annual salary of the Chief Secretary, the Chief Executives of the nine Departments of Government and the Chief Officer, Personnel Office.

The current annual salary payable with effect from 1st January 2007 to those officers is as follows in Table 2.1A.

Table 2.1A

	£ per annum
(a) Chief Secretary	113,794
(b) Chief Financial Officer	107,759
(c) Chief Executive, DAFF	86,312
(d) Chief Executive, DHSS	94,829
(e) Chief Executive, DLGE	86,312
(f) Director of Education	94,829
(g) Chief Executive, DoT	86,312
(h) Chief Executive, DTI	86,312
(i) Chief Executive, DTL	86,312
(j) Chief Executive, DHA	86,312
(k) Chief Officer, Personnel Office	69,052

The current salary of the Chief Executive of the Department of Home Affairs has been included for completeness.

TREASURY

Members' attendance fees Legal Aid Commission and Review of Government

2.2. The Hon. Member for Onchan (Mr Karran) to ask the Minister of the Treasury:

What were the cost of Members' attendance fees –
(a) for the Legal Services Commission followed by the Legal Aid Commission; and
(b) for the Review of the Structure of Government in the Isle of Man?

Answer: (a) A total sum of £17,426.20 was paid through the office of the Chief Secretary in March 2001, in respect of the 'Legal Commission' to perform a general review of legal services, with a further sum of £24,750 being paid between May 2002 and February 2004 to the Legal Services Commission in respect of a review of Legal Aid. These payments cannot be split between 'attendance fees' and other costs and expenses. They refer to the total cost of each review.

(b) The cost of attendance fees paid to members for performing the Review of the Structure of Government in the Isle of Man between September 2005 and October 2006 was £78,000.

TRADE AND INDUSTRY**Manx Workshop for the Disabled
Refurbishment and relocation**

2.3. The Hon. Member for Douglas North (Mr Houghton) to ask the Minister for Trade and Industry:

What action have you taken to resolve the financial shortfall to fund the refurbishment and relocation costs for the Manx Workshop for the Disabled to move to old Noble's since giving the charity your full support in the Keys on 30th January 2007?

Answer: I, and my Chief Executive, met with the Hon. Member and with six other Hon. Members on 6th February 2007 to explain exactly how both my Department and the Department of Health and Social Security have endeavoured to work with the Manx Workshop for the Disabled. We explained the correspondence and meetings that have occurred, as provided to all Tynwald Members on 2nd February 2007.

I stated at the meeting that I, my officers and the DHSS, remain committed to a positive dialogue with the representatives of the Workshop. There is a short term and longer term issue in this. Government are committed to support the Workshop as stated in my oral response up until the end of September 2007 and in the longer term an appropriate contractual arrangement with the DHSS will be established which the Workshop will have every opportunity to be considered for. So there need be no concern whatsoever for the persons with a disability employed within it.

HEALTH AND SOCIAL SECURITY**St Christopher's services
Payments by DHSS**

2.4. The Hon. Member for Onchan (Mr Karran) to ask the Minister for Health and Social Security:

What is the total amount paid to St Christopher's per year by your Department for their services?

Answer: See Table 2.4A below.

Table 2.4A

First Payment in 2004/05 (Part year from July 2004) As per Answer House of Keys Question 7, February, 2006	£2,375,748
Payment for 2005/06	£3,643,417
Payment for 2006/07	Estimated £4,686,000

OFFICE OF FAIR TRADING**Legal practices
Charge-out rates**

2.5. The Hon. Member for Onchan (Mr Karran) to ask the Chairman of the Office of Fair Trading:

In respect of legal practices what is the hourly charge-out rate for a senior partner, junior partner and articled clerk?

Answer: The Office of Fair Trading does not hold this information. In order to try to answer the Hon. Member's Question, the Office made contact with the Isle of Man Law Society, who advised that they do not hold such information.

The Office understands that advocates' fees (or charge-out rates) are extremely variable across the profession and for different types of work. Fees are a matter for negotiation and agreement between the client and the advocate. The Advocates Act 1995 covers the issue of advocates' fees in detail at Part III, Sections 19 to 25 inclusive. This places duties on advocates in respect of agreeing fees and advising clients of their rights in respect of legal aid.

The Act provides for mechanisms whereby clients can seek a review of any bills charged and so aims to ensure that any bills for fees are fair and reasonable.

Orders of the Day**BILLS FOR FIRST READING****Personal Liability
(Ministers, Members and Officers) Bill
Broadcasting (Amendment) Bill**

The Speaker: I now turn to Item 3, Bills for First Reading, and I call on the Secretary of the House.

The Secretary: Mr Speaker, the Bills for First Reading are: the Personal Liability (Members and Officers Bill), introduced by the Hon. Member for Ramsey, Mr Bell; and the Broadcasting (Amendment) Bill, introduced into the House by the Hon. Member for Middle, Mr Quayle.

ELECTIONS TO LEGISLATIVE COUNCIL**Isle of Man Newspapers poll results
Circulation disallowed**

The Speaker: Hon. Members, before we move on to Item 4, there has been a request from Isle of Man Newspapers during the course of this sitting to circulate written notes to Members, which I understand contain the results of some kind of opinion poll on who should be elected to the Legislative Council.

Hon. Members, there is nothing to stop the press lobbying Members or communicating with Members, of course, but I have been reluctant to permit the circulation of other than purely parliamentary papers (**Several Members:** Hear, hear.) during the course of a sitting. Such material, other than parliamentary papers, would normally, I expect, be on Members' desks by 10.00 a.m. and that would, of course, include any such written material as I have described.

But, Hon. Members, I am in your hands and, if the

House is of a contrary view, I am quite prepared to permit the circulation of these notes now. If no Member wishes to propose this, we will proceed to the election but, as I say, Hon. Members, I am content for the House... If nobody is so proposing... Hon. Member, Mr Karran.

Mr Karran: I think they should be circulated. I think Members should see that the general public are interested. I have no problem.

Mr Crookall: Read it in the paper.

Two Members: Yes.

The Speaker: Hon. Members, I detect no feeling for that to happen.

Elections to Legislative Council Mr E A Crowe elected

4. Election of one person to serve as a Member of the Legislative Council for a period expiring on 29th February 2008 and one person to serve as a Member of the Legislative Council for a period expiring on 28th February 2010 –

<i>Nominee</i>	<i>Proposer</i>
<i>Mr Charles Arthur Cain</i>	<i>Mr Bell</i>
<i>Mr Edward Alan Crowe</i>	<i>Mr Braidwood</i>
<i>Mr John Edward Lightfoot</i>	<i>Mr Crookall</i>

The Speaker: Therefore, I shall move on to the business under Item 4. That business is to elect two Members to the Legislative Council to serve for two unequal terms, the first expiring on 29th February 2008 and the second expiring on 28th February 2010.

In accordance with the statutory requirements in section 2 of the Isle of Man Constitution (Elections to Council) Act 1971, I called at the sitting on 30th January for nominations to be made and those on your Order Paper resulted. All nominations were accompanied by the required statements of qualification and reasons in support and were circulated to Hon. Members by the Deputy Secretary of the House on 2nd February. As also required by the Act, the sitting of the House today takes place no sooner than 10 days after the close of nominations. The procedure at this election is governed by Standing Order 8.3.

I shall first call on each nominator to propose the candidate that Member has nominated and then call for a seconder to that nomination.

Under Standing Order 8.3.1, only the proposer and seconder may speak.

Under Standing Order 8.3.5, each Member may vote for none of the candidates or for any number of the candidates up to the number of vacancies to be filled. A voting paper which is blank or which contains either one vote for a candidate or two votes for candidates is therefore, on this occasion, valid. All voting papers completed otherwise are invalid and no vote recorded on them will be counted.

Under the Act, a successful candidate needs no fewer than 13 votes in their favour.

If it happens that a candidate obtains a majority of the votes of Members present on voting in the first round, but

fewer than 13 votes, Standing Order 8.3.9 allows a second round of voting. Under Standing Order 8.3.9, an invalid voting paper is included in reckoning the total of those present and voting.

In the second round, a total of 13 votes is still needed for the candidate to be elected. Failing a candidate obtaining 13 votes in the second round of voting, that candidate is deleted from the election.

If, when all candidates have been voted on in this way, there remains a vacancy or vacancies, I will call for fresh nominations and indicate the time limits applicable. An unsuccessful candidate may be nominated again.

As I have indicated to the House, the software of the electronic voting system is not capable of adapting to the special rules of this election, allowing Members not to vote in respect of all the vacancies. We will, therefore, now proceed to a conventional ballot.

I call upon the Hon. Member for Ramsey, Mr Bell.

Mr Bell: Thank you, Mr Speaker.

Once again, it gives me great pleasure to nominate Mr Charles Arthur Cain as a candidate for one of the current vacancies on the Legislative Council.

Mr Cain is a former MHK, having represented Ramsey from 1981 to 1986 and successfully served on a number of Government boards and committees. Charles stood down from his membership of the House of Keys in 1986 due to the increased workload of his rapidly expanding business and was not defeated at the polls.

He has also had considerable local authority experience as a Member of Ramsey Town Commissioners from 1976-81 and again from 1992-2001, acting as Chairman in 1979-80. During his time in politics, Charles has always displayed a strong social conscience and has been active in promoting a reformist agenda in Government.

Mr Cain has had a long and successful business career, ranging from banking to trust and other fiduciary services, and has been long been considered a highly respected and original thinker within the industry. His career has also extended into journalism and he has written many respected articles for various financial publications, as well as fulfilling many high-profile speaking engagements at a wide range of financial forums worldwide.

He is currently reducing his business workload, acting now as a consultant for the company he founded, with the aim of giving himself more free time for other interests. Charles is a passionate supporter of the Manx language, heritage and culture and is indeed a fluent Manx speaker and a great promoter of all things Manx.

Mr Speaker, bearing in mind that both the vacant seats are for less than a normal full term, I believe it is very important to elect someone who already has a clear understanding of the structure of Tynwald and the Legislative Council and so can be in a position to contribute from day one. I believe Charles Cain will bring vision, enthusiasm, intellect and a successful track record in both business and politics to Tynwald at a time when the Isle of Man may well be facing many serious challenges on the economic and international fronts.

He is a passionate Manxman, fully committed to developing our language, culture and national identity. He is a great believer in social justice and will contribute to the continuing pursuit of a prosperous and caring society.

In total, Mr Speaker, I believe Charles Cain would make an effective addition to the Legislative Council and to

Tynwald and I am pleased to propose his nomination.

The Speaker: Thank you, Hon. Member.
I now call on the Hon. Member for Ayre, Mr Teare.

Mr Teare: Thank you, Mr Speaker.

I am very pleased and privileged to second the proposal put forward by the Hon. Member for Ramsey of Mr Cain.

I feel that with his long and distinguished career and also with seeing the Isle of Man from a wider perspective, he has skills which would be of considerable benefit to Tynwald Court and another place. I feel that he has a great deal to add and I can do no more but to support the nomination put forward by the Hon. Member for Ramsey, sir.

The Speaker: I now call on the Hon. Member for Douglas East, Mr Braidwood.

Mr Braidwood: Thank you, Mr Speaker.

It gives me great pleasure once again to nominate Edward Alan Crowe as a candidate for the Legislative Council.

Information has already been circulated to Hon. Members detailing his background. Alan Crowe is a Manxman who was popularly elected by the people. In 1995 he was elected as a Member of the House of Keys for North Douglas in a by-election and re-elected in the General Election of 1996. In 1998, he was elected to the Legislative Council and served a five-year term to 2003. For health reasons he stood down, did not seek re-election at that time, but now being in excellent health, I would ask for your support today in re-electing him to the Legislative Council.

During his time as a Member of Tynwald he served on a number of Standing Committees including Public Accounts and Economic Initiatives and also served on various Select Committees. He also participated fully in Government as a Department Member for Education, Treasury, Trade and Industry, Agriculture Fisheries and Forestry, Local Government and the Environment. He was Chairman of the Financial Supervision Commission and Chairman of the Planning Committee. His enthusiasm for all aspects of his work from Department, Select Committees etc shows the dedication and commitment of the man.

As well as his political experience in Tynwald, he has extensive business experience in financial services, most of them in the Isle of Man, but also in Australia. Importantly, Alan Crowe also supports the reform of the Legislative Council, so that it is popularly elected.

Mr Speaker, in summing up, Alan Crowe has the essential, relevant, political and business experience to serve as a Member of the Legislative Council, as well as having a full commitment to the Isle of Man and its people. I would respectfully ask Hon. Members to give their support in electing him today.

The Speaker: Thank you, Hon. Member. I call on the Hon. Member for Douglas West, Mr Shimmin.

Mr Shimmin: Thank you, Mr Speaker.

I am again honoured to be in a position to second the nomination of Alan Crowe, as I still believe he is the ideal candidate for service on Legislative Council. I have known Alan for 10 years and during that time he has always impressed me with his integrity, ability and I believe he has the experience and understanding to hit the ground running.

I would be delighted if the Hon. Court could find favour with his nomination and allow Alan to continue the public service work he began some years ago and that which he holds most dear. He, and I, believe he has much to offer.

Thank you, Mr Speaker.

The Speaker: Thank you, Hon. Member. I now call on the Hon. Member for Peel, Mr Crookall.

Mr Crookall: Thank you, Mr Speaker.

I am again delighted to put forward the name of John Edward Lightfoot as the nomination for Member of the Legislative Council. I do not propose to go through John's CV, as we did a couple of weeks ago. I do not think it is needed again, but I would just like to take a few minutes to reiterate the qualities I think John does have.

John, in allowing his name to come forward again, depicts to me what sort of a character he is. He is a determined man who believes and cares about what he does. He is a dedicated man. After 39 years at the bus company, I am sure you will agree, that is dedication. He is committed. John is still a serving member of the Peel Town Commissioners after 27 years and he has been married for over 40 years. Those figures alone tell you what sort of a man John is. John is very passionate about the Island, Peel especially, and he will do whatever he is asked to do without fear or favour.

This is not a numbers game for Peel or for the west; this is about the Island. I think John would be good for the Island and I hope you will get the chance to agree with me. We have been put here to do a job and until we come up with an acceptable new system for electing Members of the Legislative Council, this is the vehicle we have to use. It is down to us to put the people in place.

If the Legislative Council had to be publicly elected at this time, John Lightfoot at this moment would be out knocking on the doors. That is the sort of guy he is: he wants this job, he would like to do it, whether it be for 15 months or the longer term.

He is a level-headed person who would serve the Island to the best of his ability and the Isle of Man would benefit from it, I am sure.

Hon. Members, I would ask you to support my nomination of John Edward Lightfoot, please, this morning. Thank you.

The Speaker: Thank you, Hon. Member, and I call on the Hon. Member for Onchan, Mr Quirk.

Mr Quirk: I beg to second, Mr Speaker, and reserve my remarks.

The Speaker: Thank you, Hon. Member.

Nominations, therefore, having been duly made and seconded, I call on the Secretary to distribute ballot papers.

I would like to call on the Hon. Member for Malew and Santon, Mr Cregeen, to be a scrutineer and the Hon. Member for Douglas South, Mr Cretney.

A ballot took place.

The Speaker: Hon. Members, I declare the result of the election as follows: Mr Cain received 6 votes; Mr Crowe received 15 votes; Mr Lightfoot received 8 votes and there

were two spoilt papers.

I therefore declare that Mr Crowe has been duly elected to the Legislative Council and there will be no further round of voting at this sitting.

**Elections to Legislative Council
Fresh nominations called for**

The Speaker: Hon. Members, the House has not elected one Member to the Legislative Council, in accordance with the statutory requirements in section 2 of the Isle of Man Constitution (Elections to Council) Act 1971. I must therefore call for fresh nominations to be made to the Secretary of the House by 5.00 p.m. on Friday, 16th February for a further election to be held at the sitting of the House on 27th February.

A nomination, as before, must be by a Member of the House, be in writing and be supported by a statement of the candidate's qualification and experience and the reason why the proposer considers that the candidate would be suitable to be elected to the Legislative Council. A person so nominated need not be a Member of the House.

Hon. Members, that concludes the business before the House today. The House will now stand adjourned to the sitting of Tynwald Court on 20th February at 10.30 a.m. in Douglas. Before doing so, may I remind Members of the Management and Members' Standards Committee that there will be a meeting immediately after the conclusion of this sitting, in Committee Room 1.

Thank you, Hon. Members.

The House adjourned at 11.16 a.m.