

**THIRD REPORT OF THE
STANDING ORDERS COMMITTEE
FOR THE SESSION 2007-08**

**PETITIONS FOR REDRESS PRESENTED
ON TYNWALD DAY 2008**

STANDING ORDERS COMMITTEE OF TYNWALD

The Hon S C Rodan SHK (Garff)

Mr G D Cregeen MHK (Malew and Santon)

Mr E A Crowe MLC

Mr E G Lowey MLC

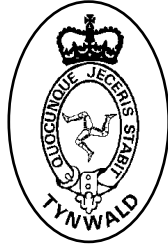
Hon G M Quayle MHK (Middle)

The remit of the Standing Orders Committee is stated by paragraph 7
of the Schedule to Standing Orders

The powers, privileges and immunities relating to the work of a committee of Tynwald are those conferred by sections 3 and 4 of the Tynwald Proceedings Act 1876, sections 1 to 4 of the Privileges of Tynwald (Publications) Act 1973 and sections 2 to 4 of the Tynwald Proceedings Act 1984.

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**To The Honourable Noel Q Cringle, President of Tynwald, and
the Honourable Members of the Council and Keys in
Tynwald assembled.**

**THIRD REPORT OF THE STANDING ORDERS COMMITTEE FOR
THE SESSION 2007-08**

PETITIONS FOR REDRESS PRESENTED ON TYNWALD DAY 2008

1. INTRODUCTION

1.1 The following persons presented Petitions for Redress at Tynwald assembled at St John's on 7th July 2008:

- (1) David Edwin Boyles
- (2) Joseph Duffy
- (3) Christopher Robert Farrer, Cliff Clague, Wendy Buttery
and Dave Mc Williams
- (4) Rodger Gimbert
- (5) Kevin Anthony Glynn and Greeba Skinner
- (6) Graham Peter Joughin
- (7) Robert David Kelly
- (8) Margaret Lombard-Chibnall
- (9) Martin Moore
- (10) Donald Whittaker

1.2 In accordance with Standing Order 6.8(2), we report on whether the Petitions are in order. Copies of the Petitions are annexed.

2. PROCEDURE

2.1 Before examining each Petition, we feel it is appropriate to make a few general comments on the presentation of Petitions for Redress of Grievance. Standing Orders are explicit about the basic requirements of petitions - those requirements may seem somewhat technical and possibly legalistic, but they are requirements which are neither unduly onerous, nor obscure. Moreover, the Clerk of Tynwald's Office produces an explanatory memorandum to assist the potential petitioner to comply with the requirements of Standing Orders. The Clerk of Tynwald and his colleagues make their time and experience available to assist prospective petitioners to produce petitions which comply with the basic requirements of Standing Orders.

2.2 In the light of such assistance, we can see no reason for failure to comply with the basic requirements of Standing Orders. If prospective petitioners do not take up the assistance offered, they may find that their petitions fail.

2.3 Standing Order 6, which deals with Petitions, and on which the Committee bases its decisions, is reproduced below -

2. Public Petitions

Presentation of public petitions

6.2 *A Member, who is not one of the petitioners, may present a public petition.*

Public Petitions not to be debated

6.3 (1) *In presenting a public petition a Member shall be confined to a statement of the persons from whom it comes, of the number of signatures which are attached to it and to the reading of the petition and prayer.*

(2) *When a public petition is presented no debate shall be allowed.*

Printing Public Petitions

6.4 *On the presentation of a public petition a motion may be made that it be printed with the minutes; the motion shall be put, without any amendment or debate.*

3. Petitions for Redress

Petition may be presented on Tynwald Day

6.5 *A Petition for Redress may be presented at Tynwald only when assembled at St John's.*

Mode of presentation

6.6 (1) *A Petition for Redress may be presented at the foot of the Hill by the petitioner or a person authorised by the petitioner; such authorisation shall appear in the petition.*

A Petition for Redress may also be presented on behalf of a petitioner by a Member.

(2) *A petitioner presenting a petition shall approach the Hill by the processional path.*

(3) *No Petition for Redress may be presented at the foot of the Hill by more than three persons.*

Petition to be handed to Governor

6.7 (1) *If presented by a petitioner a Petition for Redress shall be handed by the petitioner at the foot of the Hill to the Clerk of Tynwald who shall forthwith deliver the petition to the Governor.*

(2) *On delivery of the petition to the Governor, the petitioner shall return along the processional path.*

(3) *If presented by a Member, a Petition for Redress shall be handed forthwith by the Member to the Governor.*

Reference to Standing Orders Committee

6.8 (1) *The Governor shall, on receipt of a Petition for Redress refer the petition to the Standing Orders Committee.*

(2) *It shall be the duty of the Standing Orders Committee to examine every Petition for Redress to ascertain whether it is in order, and report to Tynwald.*

No reading of or address on petition on Hill

6.9 *A Petition for Redress shall not be read, nor shall any Member speak to it in Tynwald, until the Petition for Redress has appeared on the Order Paper.*

Requisites of Petitions

6.10 *Standing Order 6.1, except paragraphs (5) and (10), shall apply to a petition for redress.*

Contents of Petitions

6.11 Every Petition for Redress must -

- (a) *relate to a matter of public interest;*
- (b) *relate to a matter falling within the province of Tynwald;*
- (c) *not relate to any specific case which could be or has been adjudicated upon by the High Court or any tribunal or arbitration, or any formal officially recognised complaints procedure, unless the petition shows that in the particular circumstances it is not reasonable to expect the petitioner to resort, or to have resorted, to such remedy;*
- (d) *contain no reference to any matter the substance of which has been determined by Tynwald in the current Session.*

6.12 A Petition for Redress which is in order but which has not been the subject of a resolution for its investigation by a Select Committee of Tynwald within five years following the end of the month in which it has been presented on Tynwald Hill shall be deemed to have lapsed and shall cease to be before the Court (whether or not a general election to the House of Keys shall have taken place within that period).

3. PETITIONS PRESENTED ON 7TH JULY 2008

3.1 Petition of: David Edwin Boyles

Your Committee finds this Petition to be in order.
In Order.

3.2 Petition of: Joseph Duffy

Your Committee finds this Petition to be in order.
In Order.

3.3 Petition of: Christopher Robert Farrer, Cliff Clague, Wendy Buttery and Dave Mc Williams

Your Committee finds this Petition to be in order.
In Order.

3.4 Petition of: Rodger Gimbert

Your Committee finds this Petition to be in order.
In Order.

3.5 Petition of: Kevin Anthony Glynn and Greeba Skinner

Your Committee finds this Petition to be in order.
In Order.

3.6 Petition of: Graham Peter Joughin

Your Committee finds this Petition to be in order.
In Order.

3.7 Petition of: Robert David Kelly

Your Committee finds this Petition to be in order.
In Order.

3.8 Petition of: Margaret Lombard-Chibnal

Your Committee finds this Petition to be technically defective for the lack of the petitioner's address, and therefore not in order.
Not in Order.

3.9 Petition of: Martin Moore

Your Committee finds this Petition to be in order.
In Order.

3.10 Petition of: Donald Whittaker

Your Committee finds this Petition to be in order.
In Order.

4. GENERAL OBSERVATIONS

4.1 Your Committee is pleased to note that all the petitions save one are in order, and in the case of the petition by **Margaret Lombard-Chibnal** there is a technical defect but the purport of the petition is clear and the matter of it is, in any event, before the Court at this sitting.

4.2 One final petition was sent to the Clerk of Tynwald by **Patricia Anne Kelly** by e-mail in the early hours of 8th July, the petitioner explaining that she had been "not physically able to make the journey until later than necessary". The petition is annexed, but there is no provision for a petition to be presented electronically, or indeed after Tynwald Day itself, and the petition by Ms Kelly is therefore not a Tynwald Day petition, and cannot accordingly be in order.

S C Rodan (Chairman)
G D Cregeen
E A Crowe
E G Lowey
G M Quayle

10th July 2008

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