



HOUSE OF KEYS

Y Chiare as Feed

VOTES AND PROCEEDINGS

Reaghyssyn as daaltyn

DOUGLAS
TUESDAY 9th MARCH 1999
at 10.00 am

MINUTES OF PUBLIC PROCEEDINGS

PRESENT: Mr Speaker and 21 Members, Mr Downie and Mr Duggan being absent with leave.

TRIBUTE TO MR R H CLARKE

Mr Speaker paid tribute to the late Mr Robert H Clarke, a messenger of Tynwald. The House stood in silent tribute.

COMMONWEALTH DAY MESSAGE

Mr Speaker read to the House the Commonwealth Day Message from Her Majesty the Queen.

Motion made - that Standing Order 43(2) be suspended to enable the remaining questions tabled for oral answer at this sitting to be put.

Mr Braidwood

Motion carried.

PUBLIC RECORDS BILL

Motion made - that Clause 1 stand part of the Bill

Mr Gilbey

Motion carried.

Motion made - that Clause 2 stand part of the Bill

Mr Gilbey

Motion carried.

Motion made - that Clause 3 stand part of the Bill

Mr Gilbey

Amendment moved -

Page 4, line 36; for section 3(12) substitute -

“(12) Schedule [1A] shall have effect with respect to the exercise of functions under this section and section 4 in relation to records referred to in paragraph 2 of Schedule 1.”

NEW SCHEDULE

After Schedule 1 insert -

SCHEDULE [1A]

FUNCTIONS IN RELATION TO RECORDS OF LEGISLATURE

Committee of legislative body

1. Tynwald, the Council or the Keys may appoint a committee to exercise functions under sections 3 and 4 in relation to the records of Tynwald, the Council or the Keys, as the case may be.

Exercise of functions in relation to records

2. Where a committee of Tynwald, the Council or the Keys has been appointed under paragraph 1, references in sections 3 and 4 to the Council of Ministers shall, in relation to records of that body, be construed as references to that committee.

Orders made by committees

3. Where an instrument purports to be an order made for the purposes of the definition of “prescribed period” in section 3(11) or 4(10) by a committee appointed under paragraph 2, it shall be presumed, until the contrary is proved, that the committee was duly appointed and that at the material time the signatories of the instrument were members of the committee.

Interpretation

4. For the purposes of this Schedule -

(a) references to records of Tynwald shall be construed as including references to records of any committee of Tynwald and of a joint committee of the Council and the Keys, and administrative and departmental records of the Clerk of Tynwald and any other officer of Tynwald;

- (b) *references to records of the Council shall be construed as including references to records of any committee of the Council, and administrative and departmental records of the Clerk of the Council and any other officer of the Council;*
- (c) *references to records of the Keys shall be construed as including references to records of any committee of the Keys, and administrative and departmental records of the Secretary of the Keys and any other officer of the Keys.*

Mr Corkill

Amendment moved -
Page 5, lines 3 - 5;

after "records of" insert "the Speaker,";

for "Secretary of the Keys" substitute "Secretary of the House of Keys, Counsel to the Speaker";

after "officer of the Keys" add -

"(b) the President of Tynwald and the Speaker, in the case of records of a joint committee of the Council and the Keys";

for "(b)" substitute "(c)".

In Schedule 1, paragraph 2(2) -

after "records of" insert "the President of Tynwald, the Speaker,";

for "Secretary of the Keys" substitute "Secretary of the House of Keys, Counsel to the Speaker".

In Schedule 1, paragraph 7 -

For "Without" substitute "Subject to sub-paragraph (3) and without";

At the end add -

"(3) An order under paragraph (1) shall not be made in respect of records of the Keys, committees or officers of the Keys except with the concurrence of the Speaker; in respect of the records of a joint committee of the Council and the Keys except with the concurrence of the President of Tynwald and the Speaker; and in respect of other parliamentary records except with the concurrence of the President of Tynwald."

Mr Shimmin

Further motion made - that Clause 3 and subsequent clauses be referred to a committee of three Members to consider and report.

Mr Singer

Further motion lost.

Mr Shimmin's amendment to Schedule 1 -
Amendment lost.

Mr Shimmin's amendment to Clause 3 -
House divided.
Amendment lost.

Mr Corkills' amendment -
Amendment carried.
House divided.
Motion as amended carried.

Motion made - that Clause 4 stand part of the Bill

Mr Gilbey

Motion carried.

Motion made - that Clause 5 stand part of the Bill

Mr Gilbey

Motion carried.

Motion made - that Clause 6 stand part of the Bill

Mr Gilbey

Motion carried.

Motion made - that Clause 7 stand part of the Bill

Mr Gilbey

House divided.
Motion carried.

Motion made - that Clauses 8 and 9 with Schedules 2 and 3 stand part of the Bill

Mr Gilbey

Motion carried.

The House rose at 12.16 pm

Prof T StJ N Bates
Secretary of the House

The House adjourned to the sitting of Tynwald commencing on 16th March 1999 and thereafter to 23rd March 1999