



HOUSE OF KEYS

Y Chiare as Feed

VOTES AND PROCEEDINGS

Reaghyssyn as daaltyn

DOUGLAS
TUESDAY 25th FEBRUARY 2003
at 10.00 am

PRESENT: Mr Speaker and 23 Members.

1. BILL FOR FIRST READING

1. Income Tax Bill

Mr Bell

Bill read a first time.

2. BILLS FOR SECOND READING

1. Gas and Electricity Bill

Motion made - that the Bill be now read a second time.

Mr Downie

Motion carried.

2. International Criminal Court Bill

Motion made - that the Bill be now read a second time.

Mr Gill

Motion carried.

3. BILLS FOR CONSIDERATION OF CLAUSES

1. Litter (Amendment) Bill

Mr Singer

Clause 1 ordered to stand part of the Bill.

Motion made - that the following New Clause be agreed in principle -

Page 5 -

Functions of Local Authorities

After section 5A of the Litter Act 1972 insert -

Provision of litter bins

5B. *Where it appears to a local authority reasonably necessary to do so, the authority shall provide and maintain -*

(a) in any street in its district, and

(b) in any other public place in its district which is under its control,

bins or other receptacles for the collection and temporary deposit of litter, and shall make arrangements for them to be regularly emptied.

Employment of litter officers

5C. *Every local authority shall employ one or more persons for the purpose of exercising -*

(a) its functions under section 3 (enforcement), and

(b) any other functions of the authority under this Act.

Mr Karran

Motion carried.

Amendment moved -

New Clause paragraph 5C:

delete the word "employ" and replace it with the word "*designate*"

Mrs Crowe

House divided.

Amendment carried.

New Clause as amended ordered to stand part of the Bill.

Clause 2 ordered to stand part of the Bill.

3. Fireworks Bill

Mr Downie

Clause 1 ordered to stand part of the Bill.

Clause 2 -

Motion made - That Standing Order 154(2)(b) be suspended to permit amendments to Clause 2 of the Fireworks Bill 2003 to be moved at this sitting.

Mr Henderson

Motion carried.

Amendments moved -

Page 1 -

line 1: for "apparently under the age of 18 years" substitute "*under the age of 21 years*".

Mr Henderson

House divided.

Amendment lost.

Page 2 -

line 11: at the end insert -

"(6) In proceedings for an offence under subsection (1) it shall be a defence for the accused to show that he had reasonable cause to believe that the person in question was of the age of 21 or over."

Mr Henderson

Amendment withdrawn.

Amendments moved -

Page 1 -

line 12: after "shall" insert "*, in the course of a business,*".

Mr Karran

House divided.

Amendment lost.

Page 2 -

line 4: for "21" substitute "*18*".

line 7: for "21" substitute "*18*".

Mr Karran

House divided.

Amendments carried.

Amendments moved -

Page 1 -

line 12: omit "*apparently*".

Mr Houghton

Amendment carried.

Page 2 -
line 11: at the end insert -

“(6) In the proceedings for an offence under subsection (1) it shall be a defence for the accused to show that he had reasonable cause to believe that the person in question was of the age of 18 or over.”

Mr Houghton

Amendment carried.

Clause 2 as amended ordered to stand part of Bill.

Clause 3 -

Amendment moved -

Page 3: line 1, omit paragraph (g).

Mr Karran

House divided.
Amendment lost.

Clause 3 ordered to stand part of Bill.

Clause 4 -

Amendment moved -

Page 4 -
line 13: omit sub-clause (5).

Mrs Hannan

House divided.
Amendment lost.

Amendments moved -

Page 3 -
line 23: for sub-clause (1) substitute -

“4. (1) No person shall let off a firework in any place unless he has in accordance with subsection (2) -

(a) given a notice to the Department of Home Affairs (“the Department”) specifying the time and place where the firework will be let off; and

(b) caused a like notice to be given in a newspaper published and circulating in the Island.”

Mr Houghton

Amendment carried.

Page 4 -

line 7: for “a firework display put on” substitute *“the letting off of a firework”*.

line 13: for “a firework display put on” substitute “*the letting off of a firework*”.

line 18: for paragraphs (a) and (b) substitute -

“(a) *the person by whom the firework is let off, and*

(b) *subject to subsection (7), the occupier of the place where it is let off,*”.

line 30: for “the display was put on” substitute “*the firework was let off*”.
Mr Houghton

Amendments carried.

Amendments moved -

Page 4 -

line 9: for “25th October” substitute “*3^d November*”.

Mr Earnshaw

line 11: for “26th December” substitute “*31st December*”.

Mr Earnshaw

House divided.

Amendments lost.

Amendment moved -

Page 4 -

line 14; for the words from “put on by” to “Crown” substitute “*put on by a public authority*”.

Mr Karran

Amendment withdrawn.

Clause 4 as amended ordered to stand part of the Bill.

Clause 5 -

Amendment moved -

Page 5 -

line 6: omit paragraph (a).

Mrs Hannan

House divided.

Amendment carried.

Amendment moved -

Page 5 -

line 10: for “of which notice has been given” substitute “*where notice of the letting off of the firework has been given*”.

Mr Houghton

House divided.

Amendment carried.

Clause 5 as amended ordered to stand part of the Bill.

Clauses 6 to 8 ordered to stand part of the Bill.

Clause 9 -

Amendment moved -

Page 6 -

line 11:

Omit “or” and insert *a comma* after “Department”;
Insert after “Department” the words “, *Tynwald, the House of Keys or the Legislative Council, or a Committee appointed by any of them*”.

Mr Gill

Amendment lost.

Clause 9 ordered to stand part of the Bill.

2. Inquiries (Evidence) Bill

Mr Corkill

Clause 1 stand part of the Bill.

Motion made - that the Inquiries (Evidence) Bill be referred under Standing Order 156 to a committee of three Members for the consideration of Clauses and report.

Mr Karran

House divided.

Motion lost.

The House rose at 5.30pm

Malachy Cornwell-Kelly
Secretary of the House

The House adjourned to the 4th March 2003