

3.2. Representation of the People (Amendment) Bill 2013 – Clauses considered

Mr Anderson to move.

The Speaker: We turn now to the Representation of the People (Amendment) Bill.

Mr Watterson: Agreed. (*Interjections and laughter*)

The Speaker: I will carefully explain how this is to be dealt with and give further explanation as we go along to deal with each clause and the order in which they will be taken etc.

First of all, Hon. Members, please listen carefully.

A Member: I shall say this only once!

The Speaker: There are three proposed amendments to the long title and I propose to take those first as they will influence which amendments fall because they are consequential. They are effectively separate debates and what I shall do is call each Member in turn to move his amendment to the long title and that shall be debated as a separate item. Once we have those three debates settled, we shall proceed with the Bill and what remains of the amendments.

The following amendments depend upon the long title amendments being passed by this House.

Firstly, Mr Watterson's amendment to clause 3, which are numbered 1 and 2, and they are to be found on page 10 of the Order Paper. Those amendments relate to the registration of political parties.

Then we have Mr Karran's amendments, relating to STV. They are on page 34 of the Order Paper and it is amendment 5 to clause 3 and the heading change, which is his amendment 1 to clause 3. Those two are also consequential on this long title being successful.

Then we have Mr Gawne's amendment to clause 3 on page 32 of the Order Paper, to which amendment 1 also relates to STV. All those amendments, as I say, are dependent on the long title being successful.

What I shall do is call Mr Watterson first to move his amendment, which will be seconded and debated, and the House can then vote on. Then I shall call Mr Gawne to move his amendment to the long title, and then finally, Mr Karran. If the House votes to amend the long title, I shall call the mover to move the relevant dependent amendments, which I have just mentioned to you, formally at the appropriate place.

Mr Anderson.

Mr Anderson: Mr Speaker, just a bit of a clarification really.

How can somebody move an amendment when the title has not been moved?

The Speaker: The answer to that is that clause 1 moves the short title. That requires to be moved, but the long title to the Bill is taken as read. When the Bill has been tabled, it is accompanied by the long title. The long title is not voted on separately. The short title is, but not the long title. I hope that deals with that.

So we commence debate on the long title and I call on the Hon. Member for Rushen, Mr Watterson.

Mr Watterson: Mr Speaker, in moving my amendment for the long title, I would like to dispel the myth that I am seeking to delay this Bill. (*Laughter*) I have no doubt that we will be able to debate on four clauses and 15 amendments in the course of a day's sitting and still have time to move on to the other Bills that we have on the Order Paper today.

The long title is simple in its effect. It seeks to ensure that the Bill can encompass the regulation of political parties and I want to bring openness and transparency into political parties and political donations.

I, for one, have never accepted a financial donation to assist my election campaign and I know many others in a similar position. (**A Member:** Hear, hear.) However, in other jurisdictions around the world the spotlight has quite rightly been pointed at those who do accept donations, asking where the money has come from so that people can see whether there was any perceived influence behind the scenes. This applies to individuals and parties alike. We saw a prime case in point where Bernie Ecclestone made a donation to the Labour Party, who so happened to have policy of not banning tobacco legislation in Formula One at that time.

If ever there is a case for why this needs to be moved and moved urgently, instead of waiting for further down the line, it is the Douglas East by-election. (**Several Members:** Hear, hear.) We should send out a message now, loud and clear and early, that what we witnessed on that occasion will not be accepted in Manx politics.

More and more civilised countries are enacting legislation to ensure that the funding of political parties and politics generally is in the public arena. The general absence of party politics for many of us should not mean that we are exempt from that scrutiny. Whether funds are donated to an individual or via a party, there should be a requirement that they are disclosed, and I am keen to see that happen.

These amendments are not new. They have been consulted upon and they were drawn up for the 2011 Bill, which never actually reached clauses stage. I would like to think that all Members could rally behind this principle to ensure that this measure is brought in at the first opportunity and not shoved into the long grass.

Mr Speaker, I beg to move:

Amendment to long title

Page 2, lines 1 and 2, after 'with respect to' insert 'the registration of political parties, the funding of elections and'.

Mr Cretney: Mr Speaker, I beg to second.

The Speaker: Hon. Member, Mr Karran.

Mr Karran: Can I speak to the –

The Speaker: Yes, indeed. We are in a debate now –

Mr Karran: Separately?

A Member: Yes.

The Speaker: – on the long title as moved by Mr Watterson.

Mr Karran: I have no problem with supporting the principle, but I do think it is very worrying that the likes of, on page 15, subclause (3)(1), that the danger you might find is you are going to make Mec Vannin an illegal organisation for not putting up a candidate for the last 10 years. I think the point is that what this is actually highlighting, Vainstyr Loayreyder, and it has come back to vindicate us who have been here on all of this issues, is the ridiculous situation that we cannot move amendments to sort that out without the support of executive Government's block vote because we cannot suspend Standing Orders –

Mr Watterson: You do not need to.

Mr Karran: – to do that.

I think the principle is that it should be debated. I think Members need to realise there are implications in some of these things where I do not think the mover has realised what he has done and I think in some cases that will just give credibility to people who refuse to get involved with the political system.

Mr Watterson: Can I just make a point of order, Mr Speaker?

Standing Order 4.8, subparagraph (5) of Standing Orders states that:

‘If approved by the House in principle, a motion that the new clause stand part of the Bill may be made at the same sitting; but if any Member indicates to the Speaker immediately after approval in principle that that Member wishes to propose an amendment to the new clause’

– as you have identified in clause 15 –

‘such a motion shall not be moved before the next but one sitting. Notice of an amendment to the new clause shall then be given in accordance with Standing Order 2.2.’

So the ability is there.

The Speaker: I thank you Hon. Member for debating that, but we are not debating the new clause. (**A Member:** No.) It is a debate on the long title (**Mr Watterson:** Correct.) and therefore that Standing Order does not apply.

Mr Karran: So, I think, Vainstyr Loayreyder, it is important that the Hon. Member gets the opportunity to go through the detail of his proposals, because I think it is important. The danger will be that people will be saying that it is just filibustering and trying as a fellow three-seat constituency Member who has supported the issue of two-seat constituencies, even if it is very reluctantly, because of the fact of the basic core issue of equality that it is wrong that there should be three, two and one-seat constituencies in this day and age that we do not have STV.

But I do feel that it is important that the Member needs to reassure Members that what he is actually proposing in his proposals will stack up. I think everybody in this House would like to see openness and transparency as far as that is concerned. We would like other organisations, like Masonry and the like, to also be open and transparent as far as their support, which was more likely the biggest political organisation in this House when I actually became a Member of this House, with the concern that the farming lobby was maybe more productive. (**Two Members:** Hear, hear.) But, Masonry... More productive, as far as looking after their interests. (*Interjections*) (**A Member:** Hear, hear.)

So I do agree with him and I do think that the issue of transparency, I think that is very good that individual Members... but I am concerned about some of the contents of some of the proposals that he is proposing for this Bill.

A Member: Hear, hear.

The Speaker: Hon. Member, Mr Anderson.

Mr Anderson: Thank you, Mr Speaker.

I would like this opportunity to strongly caution Members that by agreeing to any of the three alternative long titles put forward, they will be undermining all the work that has been taking place to this critical point in time.

Those seeking to introduce new issues into this Bill, by way of amendments to the long title, are doing so without prior process. These changes should be properly pursued through the other vehicles that are available and their inclusion into this Bill can only serve to muddy the waters and jeopardise the main purpose of the legislation, which is to achieve equality in voting and representation.

The hon. mover of this amendment, Mr Watterson, is well aware from his position as Chair of the Governance Committee, the Council of Ministers, and also from his position in the Council, that a second detailed Election Bill, which deals amongst all other things with registration of political parties and the funding of election, is being finalised and will be very shortly published for consultation.

Mr Watterson: I did not know it was that...

Mr Anderson: First, the public and other key stakeholders will be provided with the opportunity to put forward their views on these matters ahead of the publication of a draft Bill. I have been pleased to write to Hon. Members on this matter explaining the position and that this second Bill will deal with a number of key election matters. I would be very surprised if Hon. Members consider it appropriate to seek to force into this Bill matters that have not been subject to an appropriate consultation process, when in contrast the review of the boundaries has been laid by an independent committee and been subject to three years of public consultation and three reports to Tynwald.

A Member: Hear, hear.

The Speaker: Mrs Cannell.

Mrs Cannell: Thank you, Mr Speaker.

I was going to say 'Hear, hear' to the previous speaker. *(Interjection)*

All of these amendments, looking through them, some of them are very interesting, but they are just inappropriately placed with this particular Bill, which is not yet before us. The actual Bill, which is going... hopefully we will get to the position where it can be moved, is to redefine the boundaries, redefine representation across the Island, and that is all that it does. That is all that it does.

This business about wanting to get into acknowledge, recognise and regulate political parties is a very dangerous move, unless you want to go towards party politics; but that debate is yet to be had, especially with the public. If they want to go to party politics, then we ought to perhaps be thinking about paving the way for it, but that question remains unanswered because the people have never been asked.

I would reject everything that, unfortunately, all three Members of the House are going to be putting to you today in terms of amendments, and particularly in trying to change the long title of the Bill. I would resist it.

The Speaker: Hon. Member for Rushen, Mr Gawne.

Mr Gawne: Gura mie eu, Loayreyder.

It is good to know that we are not wasting our time in this debating Chamber then and that everything is to be rejected without actually having heard the arguments; but that is for the Hon. Member for Douglas East to justify as we go through.

We have heard about appropriate consultation taking place. We have also heard about the Governance Committee considering various Bills in relation to elections. I also sit on the Governance Committee, along with my colleague for Rushen and the Hon. Member for Michael, and the way, or the impression that we have been given is that this Bill apparently is being rushed through because

this is very important and we must get this done, and the other one is taking a lot longer and it may be that we do not have enough legislative time to actually get it through before the next election. (**A Member:** Hear, hear.) (*Interjections*) That is how it was explained to us in the Governance Committee. Now, whether that is correct or not is perhaps for others to explain to us, but that is what we were told.

So I think the 'jam tomorrow' promises from the Hon. Member for Glenfaba are very much *not* promises that I recognise in relation to my role on that Committee. So I think it really is important that we consider these at this stage. They have been drafted now. They are reasonable. I would say some of them anyway are reasonable amendments, probably most of them, and please listen to what the movers of the various amendments have to say, because we are all about trying to make this a more effective piece of legislation that works in the interests of fairness and democracy.

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

Mr Singer: I will be brief, Mr Speaker, but the fact is, as was said by Mrs Cannell, it is quite clear I think in most people's minds, before any of these amendments came forward, that it was important... The due process has gone through as far as the Boundary Commission had come to their conclusions, having fully consulted, and this is coming to us now to approve.

From what was said by the last speaker about it might be any day, any day that... it might be a long time before the second Bill comes forward, Mr Anderson's letter says quite clearly here, and I take him at his word:

'I am pleased to say that No. 2 Bill is substantially complete and due to go out for public consultation after Easter...'

I am assuming he means *this* Easter (**Mr Anderson:** Hear, hear.) (*Interjections*) and therefore we are talking about two months' time, and then I do not really believe that the people who believe in democracy are prepared to push something through today without the public being able to be consulted. It is only on this one occasion, I think, when they would say that; otherwise, if anybody else in here was trying to do the same thing, they would up on their feet.

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

The Chief Minister: Thank you, Mr Speaker.

I congratulate the Members for Rushen on an excellent approach and excellent strategy to destroy the Bill in the first place. (**Mr Watterson:** Rubbish!) We appreciate how important three seats are to Rushen and we acknowledge the work that they are putting in to protect the *status quo* in Rushen.

What I would like to do though, Mr Speaker, is just very briefly remind Hon. Members of a couple of facts. First of all, this is not a Council of Ministers' Bill. This is a Tynwald initiated Bill. The review of the boundaries, when the Commission was set up, was at the behest of Tynwald; it was not at the behest of Council of Ministers.

The Committee has worked over about three years, I think, from start to finish. They brought three reports to Tynwald. They consulted with the public on three occasions and on each of the three occasions the recommendations of that Committee were approved by a substantial majority of Tynwald, and so let us get that straight to begin with. This is not the Council of Ministers railroading business through; it is your Bill. It originated in Tynwald and this is what we are discussing today.

I can confirm everything that Mr Anderson has said in relation to the progress of the other Bills. The Members for Rushen, who are on the Governance Committee, know full well what the programme is.

A Member: They do.

The Chief Minister: If there is any delay in these Bills coming forward, it is in the Governance Committee not moving it fast enough.

Two Members: Rubbish! (*Interjection*)

The Chief Minister: Council will – (*Interjection*) The Bill is getting very close to agreement and the Bill will be going out for public consultation in April. As Chief Minister, I can give you that assurance that that work is nearly done now (*Interjection*) and that Bill will go out for public consultation.

The Members, who are moving the amendments to the long title, are saying, 'This is not going to delay the Bill. This is only a few minutes discussion and then it will be done.' If these go through, at the very least it will have to go out to public consultation again to make up for the deficiencies in the preparation of this element of the legislation in the first place. This will delay the whole progress by months by the time it has finished, and it is no good shaking your head, Mr Watterson. You know perfectly well what the procedures would be. If there were three separate amendments to the long title accepted, there would be extensive consultation necessary, but that is not to say for a moment that we would not support the structure of the Bill in registration of political parties. I think we have probably all got an agreement on that, but it needs to be done in the proper way. It needs to be out consulting with the people who are directly going to be affected by it.

We have been told on the one hand that we have got to promote democracy. This is democracy. (**A Member:** Yes.) If we bounce something through now without consultation and the political parties or other affected people are not involved in it, how is that improving the democratic process?

Mr Speaker, the individual elements of the amendment which we are talking about are all worthy of discussion, but in their own place and not as part of this Bill. The Bill is absolutely crystal clear: it is to amend the boundaries at the request of Tynwald in time for the next election. It is a very narrowly based Bill. It is a Bill which had the majority in Tynwald to take it to this stage today.

I would urge Hon. Members not to be side-tracked by the smokescreen which has been generated around at present. If you lose sight of this, if you lose sight of the core reason why this Bill is coming through in the first place, you will lose the opportunity, if we are not careful, of having fairness introduced at the next General Election in the guise of equalisation of representation right across the Island. This is something many of us have argued for, for many, many years. Twelve two-seat constituencies was the decision of Tynwald. They wanted us to move in this direction and that is what the Bill contains. This will bring fairness in time for the next election and there will be a second Bill coming along, probably before the end of this legislative session, if not by the autumn at the latest after the consultation is finished, to cover all these other issues. I can give you, as Chief Minister, an assurance this Bill is in the pipeline and will be dealt with, but this is not the way to do it. This is a smokescreen. It is a red herring and it is designed to undermine and destroy in fact the two-seat constituency concept. (*Interjection*)

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

Mr Quirk: Thank you, Mr Speaker.

Just on the particular issue there, I am quite happy for the Members to bring forward these amendments here today and would support the majority of them. What I cannot support is the mover of this, and I have no animosity against Mr Anderson at all, but when I hear the Chairman of the Committee that did the boundary review that there was substantial consultation that was done over a period of time, it did not have a –

Mr Watterson: Eighteen people in a church hall in Ballabeg.

Two Members: Yes.

Mr Gawne: And that is the best –

Mr Quirk: The ones that were majorly affected, okay, there were certain particular areas, they never even... even when we requested them to have some consultation surrounding greater Douglas in the places where it was going to be affected, they did not listen. They never listened to the people who elected us into this Chamber. They never listened to the Members of this particular side of the bench either, and I was very disappointed on that.

When they first – and I am going over old ground, but I have to repeat it – had a slice of Onchan, they took a massive slice from the whole centre of Onchan there. *(Interjection Mr Gawne) (Laughter)*

They had a public meeting. We had to have that public meeting because they were on the wrong track totally to it, and then we had the second option and they came back in. They still would not have consultation with the people of Onchan, although certain people did write in, and I am grateful for that. Their views were considered, as far as I am concerned, by the Boundary Review Committee, despite what the Committee says, and the way I was treated when I met them too, you could not discuss any other issues because it was tight perimeters. Well, I am sorry, but here today those tight perimeters do not affect me now. I have an opportunity as an elected Member here today to exercise my vote. I want to exercise that vote today and support some of my colleagues.

The Speaker: Hon. Member for Malew and Santon, Mr Cregeen.

Mr Cregeen: Thank you, Mr Speaker.

It is quite interesting to see three people on a Governance Committee with different stories coming. *(Interjections)* I would interested if –

Mr Watterson: No, you have had a consistent story from those who are on the Committee.

Mr Cregeen: Yes, from the Rushen bench, compared to Minister Anderson.

Mr Watterson: He is not on the Committee. *(Laughter)*

Mr Cregeen: So where is this coming from?

Mr Gawne: He is getting more information than the Committee gets.

Mr Cregeen: So how does Minister Anderson know that this is coming through quickly in the Governance Committee if he...? It would be very nice of him if he would circulate where he has got his advice from and why the Governance Committee has not got that advice. **(A Member:** Hear, hear.) *(Interjections)*

We are going on about this burning issue. I do not know how many people have been contacted by members of the public saying that this is a burning issue. *(Interjections)* I, for one, have not been contacted by people in Malew and Santon saying, ‘We are underrepresented in this area’ –

Mr Ronan: We have had this argument.

A Member: Some of us haven’t.

Mr Cregeen: – and I really that when we are looking at the registration of political parties, it is something that needs to be brought in because this cuts the *[Inaudible]* –

Mrs Cannell: Not in this Bill. *(Interjections)*

Mr Cregeen: – on time. (**Mrs Cannell:** Dear, dear.) So later on this, like the Member for Rushen said, 'It is jam tomorrow, but we do not know whether we are going to get it.'

The Speaker: Hon. Member for Ayre, Mr Teare.

Mr Teare: Thank you, Mr Speaker.

I think really we are losing sight of what the Hon. Chief Minister has said. We had a mandate from Tynwald to go on 12 times two, and I think we should stay on that.

Further, the amendments that we are seeing here are laudable, but they are already on the horizon as it were, and the Chief Minister has given that undertaking. What I want to try and do is to give an equality of arms, if I could just illustrate that by something that happened to me about 12 months ago in another place.

We were debating changes to the Financial Services Regulations and it just so happened that one of the agreed parties happened to live in a three-seat constituency, and so each Member from the three-seat constituency came and lobbied me. As it happened, I was not able to accede to their petitions anyway; but just imagine what would have happened if that person who was aggrieved had lived in the constituency of my two colleagues either side of me. There has to be fairness. There has to be equality of arms (*Interjection*) and what the Bill as printed is bringing in is exactly that. I would urge Hon. Members to go and take this first step and then we can move on to the other issues later. (**A Member:** Hear, hear.)

We need to be very careful that we are not going to run into soft sand and then the election will come, the election will go and there will be nothing done. Let us do it and let us do it now, Mr Speaker.

Several Members: Hear, hear.

The Speaker: I call on the mover to reply.

Mr Watterson: Thank you, Mr Speaker.

Firstly, I think I quite clearly made the point to the Hon. Member for Onchan about the ability in Standing Orders to amend an amendment, so that if this concept is passed in principle and we do get to the detail of it, there is the principle there to amend that.

The Hon. Member also talked about Mec Vannin being made illegal by virtue of this. I think we probably need to work out the difference between what is now a political party and what is now a lobby group. I think that is as much a matter for their own members as it is for the wider populous, which brings me on to the points made by Mr Anderson, who is somewhat boxing at shadows in this. I do not see and recognise some of the comments he made about no prior process as these were consulted upon when they were prepared in 2011. They have been consulted upon. These were prepared in readiness for that Bill and not –

Mr Anderson: They were not consulted.

Mr Watterson: They were consulted on.

Mr Anderson: They were not.

Mr Watterson: I can assure the Hon. Member that these were consulted upon because I had them drafted, Mr Anderson. (*Interjections*)

Mr Speaker, the other points that were made by Mr Anderson were with regard to my role on the Governance Committee, and it is because of that role on the Governance Committee that I have seen the significant amount of work that has gone into the No. 2 Bill, which will be an omnibus Bill,

which will have huge amounts of provisions in it. I will be amazed if that makes it back just by 2016 and that is why I have picked out, to me, one issue that I think is absolutely urgent and critical now and is the subject for the long title debate that we are having now (*Interjection*) and that to me is the critical point. I am not trying to move all of these things and throw lots of provisions into a Bill. I am picking the single provision that I think is most key and I have explained the reasons why and why I seek the support of Hon. Members for the long title change.

Picking up on Mrs Cannell's point, party politics is here, Mrs Cannell. (**A Member:** Hear, hear.) It now needs governing properly and that to me is critical (*Interjection*) and we saw the failings of that lack of governance in the East Douglas by-election; however, I am sorry if she does not appreciate my amendment. So I suppose if it has got to go, it has got to go. Well, I disagree.

Mr Singer talked about the No. 2 Bill being out to consultation after Easter. That was news to me when I read it in Mr Anderson's letter, which again is somewhat surprising when I am the Chairman of the Committee that is supposed to be assisting with the preparation of that Bill.

Mrs Cannell: Well, that says a lot.

Mr Watterson: I reiterate the point that it has been consulted upon. The point that Mr Anderson raised, the fact that it will be out to consultation after Easter, has not come before the Council of Ministers, it has not come to the Governance Committee and no draft Bill has come to the Governance Committee.

Which brings me on to the point from the other Member for Ramsey, and I would plead the case that for those standing at the next election, funding political parties and campaigns is going to be vital. We saw what happened in Douglas East with the by-election and I do not want to see that happen again. I think it sullies Manx politics. (*Interjection*)

I am concerned that the Governance Committee considered the issues around a lot of the points here, months and months and months ago, and the points we were consulted upon, and suddenly it is going to appear in the legislative programme, without it even having, as far as I was last aware, been drafted. So I am now a bit concerned that as Chairman of the Committee things are being kept from me; but that is something I suppose I will pick up outside the Chamber.

Bringing back to the principle, Mr Speaker, this is about the funding of elections for candidates and for political parties. I think it is a critical issue. I think it is something that absolutely needs addressing by 2016. It needs to be done at the earliest possible opportunity.

The amendments I drafted were consulted upon and drafted in readiness for the 2011 Bill, which never actually reached clauses stage. It was done at that point, not subsequently. So it has not been consulted upon in the last two years... has not been consulted on *again*, should I say, but it has been out to public consultation.

The issue, I believe, is important. It is critical. I want to send out a message that this is going to happen in time for the next election and that is why it needs to go into this Bill, rather than to an omnibus Representation of the People Act, which is going to have an awful lot of provisions and is possibly going to be a whole new Election Bill, rather than changes to the Representation of the People Bill – it was that big. So I want to make sure that these provisions have the opportunity of going in at the earliest possible opportunity, and effectively by voting down the long title, you will be kicking this particular issue into the long grass.

Two Members: Rubbish!

Mrs Cannell: And you with it hopefully.

The Speaker: Hon. Members, I am going to put to the vote the motion in the name of Mr Watterson, to amend the long title, as set out at the top of page 10 in respect of the registration of political parties' funding of the elections.

Those in favour of the amendment to the long title, please say aye; against, no. The ayes have it.

A division was called for and electronic voting resulted as follows:

FOR

Mr Quirk
Mr Karran
Mr Cregeen
Mr Henderson
Mrs Beecroft
Mr Cretney
Mr Watterson
Mr Skelly
Mr Gawne

AGAINST

Mr Ronan
Mr Crookall
Mr Anderson
Mr Bell
Mr Singer
Mr Quayle
Mr Teare
Mr Cannan
Mrs Cannell
Mr Robertshaw
Mr Shimmin
Mr Thomas
The Speaker

The Speaker: With 9 votes for, 13 votes against (*Interjections and laughter*) the motion therefore fails to carry.

As indicated, I am now going to take the amendment to the long title in the name of the Hon. Member for Rushen, Mr Gawne.

Mr Gawne: Gura mie eu, Loayreyder.

Before dispersions are cast, if I fail to improve this Bill with my amendments, I will be supporting all the clauses of the Bill. (**Mrs Cannell:** Hear, hear.) I will be supporting – it is 12 two-seats, isn't it? – and so please stop questioning my motivations.

If I could just refer Hon. Members to page 3, line 1:

'The Electoral Commission must consider such matter relating to elections as a resolution of Tynwald directs.'

And then line 6:

'The Electoral Commission must issue such other reports to Tynwald as a resolution of Tynwald directs.'

Now that, to my mind, can include things which are not directly connected to the number of boundaries and constituencies for elections to the House of Keys and so my amendment merely asks for the insertion of 'the functions of an Electoral Commission and' to be added. That actually allows the Bill to do what it is currently drafted to do, so the amendment is there to assist the mover in actually delivering the purpose of his Bill. No doubt I will be accused of trying to undermine the delicate process by trying to assist him in making sure that the Bill actually does what it says it is supposed to do and if that is the case, well, so be it.

But my amendment allows the Bill to actually do what it says it is going to do. My concern with the current long title is that it does not allow the Bill to do everything. The Electoral Commission that is referred to... certainly some aspects of the work of the Electoral Commission is in relation to boundaries, but not all of it. So my amendment basically alters the long title to read, 'A Bill to amend further the Representation of the People Act 1995 with respect to the functions of an Electoral Commission and the number and boundaries of the constituencies for elections to the House of Keys and their review and for connected purposes.'

This is a helpful amendment, which clarifies what the Bill's purpose is and I beg to move:

Amendment to long title

Page 2, line 2, after 'with respect to' insert 'the functions of an Electoral Commission and'.

A Member: Vote!

The Speaker: A seconder?

Mr Karran: I will second and reserve my remarks.

The Speaker: I put the question to the vote.

All those in favour of the amendment to the long title in the name of Mr Gawne, on page 31, the Functions of the Electoral Commission, please say aye; against, no. The ayes have it.

A division was called for and electronic voting resulted as follows:

FOR	AGAINST
Mr Quirk	Mr Ronan
Mr Karran	Mr Crookall
Mr Cregeen	Mr Anderson
Mr Henderson	Mr Bell
Mrs Beecroft	Mr Singer
Mr Watterson	Mr Quayle
Mr Skelly	Mr Teare
Mr Gawne	Mr Cannan
The Speaker	Mrs Cannell
	Mr Robertshaw
	Mr Shimmin
	Mr Thomas
	Mr Cretney

The Speaker: With 9 votes for, 13 votes against, the motion therefore fails to carry.

We turn now to the third of the amendments to the long title, that of Mr Karran, Hon. Member.

Mr Karran: Vainstyr Loayreyder, the reason I bring this about is not to sabotage the Bill, but it is to give the opportunity as far as whether we should go back to the system that we had in the 1986 election. This is directly taken from the original legislation.

Personally speaking, I do support STV. I believe that it is a far more effective democratic process. We have only got to look in this constituency, where I think it was one Member got elected with something like 70% or 67% of people voting against him, than voting for him, to get elected, and that cannot be democracy (**Mr Gawne:** Hear, hear.) as far as that is concerned.

My only hope is that with the other amendments, as far as whether it is two, three or four-seat constituencies, that Hon. Members will support the principle that I do believe we should have STV reintroduced. I know it was not popular with a lot of people, but it is about what is right and what is wrong and just in this House, like I have been with the likes of Chief Minister when we were battling for Human Rights or all these other issues, sometimes you have got to say what needs to be said because it does undermine the whole democratic process when you can find that three-quarters of the people voted against the candidate who got elected.

All this does is give you the opportunity if any of the other amendments... I really think it is important, Hon. Members, if we do go for two, three or four-seat constituencies, I actually believe that STV is a far better, far more democratic way of dealing with the voting procedures. It does not affect the principle of the Bill. It does not affect whether you have two seats, three seats, four seats or one seat of 24. In fact, if it is a seat of 24, it is vital that this type of election takes place.

It is also in my opinion important, as far as a Member that was the original Member for the ancient sheding of Middle, the situation was that we went from Santon Gorge to Sulby Reservoir. Now, I know I first got elected on the green vote, the left vote and the anti-Onchan vote by the fact that I was the only candidate who bothered going to the extremities of the constituencies. So the issue was that for the likes of Santon, under a three-seat constituency, it had a polling area of 300

votes, South Braddan had a polling area of about 250 to 280 votes and I think Braddan itself had an area of somewhere in the region of something like 1,500 votes. The other 3,000, 4,000 or 5,000 votes came from Onchan, in Onchan parish.

So consequently, if we are going for multi-seat constituencies, the fact is that you could do in a week Santon parish, and in a week you could do 1,000 or 1,500 votes in the polling district of Ballachurry or Birch Hill or the likes. I think that it is important in multi-seat constituencies that there is a representation of the whole of the constituency and I believe, even in a two-seat constituency, particularly in the Michael/Ayre situation where who is going to go to South Patrick or North German or wherever, when you would just stay in Peel town because you get far more? This is why the issue of STV is much more fair and it does stop the situation where you end up with somebody having more votes cast against them to get elected to this House than cast for them and getting them elected on the basis of the fact that more people voted against them.

At least the proportionality of the way that STV works would mean that the transfer value, if someone got 50 votes, then half the transfer value would go to the next candidates to make sure that they have got a legitimate mandate from the people.

Hon. Members, I know, as I am in a three-seat constituency, that the principle is that obviously I do not want to lose Howstrake in Onchan. I totally do not want to lose that because it is a very important part of my constituency, but I have actually supported 12 two-seat constituencies because it is our party policy of equality as far as representation throughout the Island.

The other issue that needs to be addressed is that if there was STV, then there would be more legitimacy for different multi-seat constituencies because then you would still have the same situation.

Hon. Members, I hope that you do support the long title be amended because it will give you flexibility to discuss, especially the issues of Minister Watterson's proposals, as far as his boundary changes and his 24-seat one-seat constituency, and Minister Gawne's proposals. I must say that I was very pleased to see the points from the Member for Ramsey in the previous debate about fairness.

I just hope that Hon. Members will support this proposal because it will actually give you flexibility when you discuss the other issues, if we are going to have a sensible debate in here about the numbers that should be in each constituency.

I do hope someone will support me. I beg to move:

Amendment to long title

Page 2, line 3 after 'review' insert 'and to introduce a system of electing members of the Keys by means of voting system involving a single transferable vote'.

The Speaker: Mrs Beecroft.

Mrs Beecroft: I beg to second and reserve my remarks.

The Speaker: Mr Gawne.

Mr Gawne: Gura mie eu, Loayreyder.

Well, I certainly will be supporting the Hon. Member for Onchan, Mr Karran. The vast majority of us in here are in here without the majority support of our constituents – that is a fact. Under STV, none of us could be in here without the majority support of our constituents and I think that is really quite an important point. It is really a very important point in fact in terms of democracy.

We know that we have a disillusioned electorate; this is not something new. It is not as though it has happened in the last few years, it has been happening for probably the last... I was going to say the last 10 years since I have been elected, but probably it has been going on for a lot longer than that and we need to find ways in which we can connect the public back to the political process, and I

think that STV certainly will assist with that because people will only be elected into this House with the majority support from their constituents. That is a very positive move. This is the right Bill to insert this in. We have the people... 'I have got my eyes covered. I have got my ears covered. I am not listening, not looking and not interested in what anyone has got to say', and that is fine if that is their approach. I think we have already rejected an amendment which was intended to actually improve the Bill.

I hope that we do not just stick with this rather unfortunate pattern which appears to have been emerging. But certainly, this is a very positive move. It means that we will have a more democratic system and perhaps we will encourage the public to take more interest in politics as a result.

The Speaker: Hon. Member, Mr Anderson.

Mr Anderson: Thank you, Mr Speaker.

I am very sympathetic to the argument the Hon. Member for Onchan has made, but I would re-emphasise that this is not the vehicle for his particular STV ambition. I would be very supportive of that if he brought it forward and it is good to hear the Member on the Governance Committee listening to that and supporting it.

Maybe, then, it would be good if Mr Karran would refer this to the Governance Committee to include in the No. 2 Bill (*Interjection*) but by attempting to put it into here today, we are running the risk of not delivering any change at all and it is muddying the waters. I am sympathetic to STV voting, personally, but I caution Hon. Members of making any changes to the long title of this Bill because it will inevitably muddy the waters. There is another vehicle coming. We have a date. We have been given April. The Chief Minister has given his reassurance that that Bill will come forward and that is the vehicle to do it in. This is not the vehicle to do it in.

A Member: A miracle worker.

The Speaker: Hon. Member for Ramsey.

Mr Singer: Thank you, Mr Speaker.

I agree with the previous speaker, Minister Anderson, that this is not the right vehicle, but there is another side to the first past the post or not vote, because when it is first past the post then someone puts a cross against somebody they want to see elected. If there are two seats, they can put one cross or two crosses against the people they want to see elected. This STV system means that you have to indicate a preference for somebody who there is no way you want to see elected, but it may well be that that number you put actually gets that person elected. So that is not fairness. That is not fairness, forcing somebody to put the numbers on, because if you do not put all the numbers on – one, two three, four, if there are four candidates – it means that your vote is invalid and that cannot be right. So in fact you are being disenfranchised because you do not wish to see somebody elected anyway at all.

So, as I say, that is not fairness, having STV, and that could also be looked at as bringing forward a disillusioned electorate because you are making them do something that they do not wish to do.

The Speaker: Mrs Cannell.

Mrs Cannell: Thank you, Mr Speaker.

I would echo the comments made by the previous speaker, Mr Singer.

Mr Karran, when moving the principle of this change in the long title, said, 'I want to bring back in the 1986 system'. Well, in fact STV was still in place in 1991, because that was the very first time I stood for election to the House of Keys (*Interjection*) and it was an absolute nightmare – absolute nightmare.

In Douglas East, you had the two sitting Members and you had, I think it was, four or five of us who challenged them. Most returning officers did not understand the mathematical equations which had to be made, it was – (*Interjection*) I can only speak of the one that I was involved in. The Members, who were representing their various candidates, had to keep correcting the mathematical equation and we were there for hours. The reason why it was thrown out... and I covered the debates. I was not a Member of the House of Keys. I was a member of the public in the gallery and I covered the debates in this place as to why we should get rid of the single transferable vote and go back to the first-past-the-post system, and it was primarily because the public did not like STV. They did not like it. Yes, they did not understand it, but neither did a majority of returning officers which did not help, but they did not like it. They did not trust it and, as Mr Singer has said, if they go out and cast their vote for one, two or three, and if it is a two-seat constituency they will put their cross against two names where they are prepared to give them a 100% vote. They do not want then what is left being distributed by what is left in the equation. They take exception to their vote or part of their vote being used to add to someone else's *possible* success in getting in. They do not trust it and that is why we have removed it.

At the moment there is no complaint by the public of the voting system. There is complaint about the selection of candidates and they would like and crave more choice, but we cannot really do an awful lot about that except try and encourage more people to come forward and perhaps make our working practices more amenable than in a modern society. (*Interjection*) But they did not like it and so we got out of it.

What I would say to Hon. Members – and it is not a case of speaking to a closed mind or a predetermined position on this – is that yes, I have a predetermined position on this. I know what I support in electoral reform and I know what I do not, but it is not merely because I have made the judgment, it is through experience.

What I would say, with the three Hon. Members, is why not come forward in a Private Member's Bill? If you have no confidence in Bill No. 2 coming forward, which is going to provide all of the particulars and details going forward in time for 2016, why not come to the House then and ask for leave to introduce a Private Member's Bill if you have all of this stuff marshalled already? I am sure Hon. Members will give you the benefit of doubt and give you permission, which is customary, to introduce a Bill and then let us get into the meat of it, rather than wait and then ridicule those who are going to come forward with a second Bill, which is going to contain more of the detail which for is craved for today.

Again, I would say stick with Bill. It is to deal with the boundaries and that is all it is and that is all we are here to do today on this Bill.

The Speaker: Mrs Beecroft.

Mrs Beecroft: Thank you, Mr Speaker.

Of course, I will be supporting Mr Karran's amendment because I believe that STV is fairer, and that is it in a nutshell. I actually think that if returning officers have a problem in understanding it, then they should be better trained; but that is no reason for not voting for something. If it is going to give you a fairer result, you make sure that you train the returning officers better so that they are appropriately equipped to deal with it correctly. I do not know that the public are against it. Maybe they were, but I am not so sure that they are now. I think the public are becoming very much more politically aware and I think the public would like a say in it.

I am disappointed that the amendments that would have prevented something like Douglas East are not even going to be debated today, because I do worry about the second Bill and that it is not going to be through in time.

A Member: What rubbish!

Mrs Beecroft: I was a candidate in Douglas East, so I speak from first-hand experience about how horrible it was. I would hate to see a repetition of anything like that again and that would have cleared that up, and the same with the rules for political parties and/or other candidates. There is enough besmirching of Liberal Vannin and aspersions cast about our funding etc, etc, that I would have welcomed rules that everybody had to stick to so that everything was out in the open and there could not be any of this; but that has failed and so, as they say, we are where we are. I hope it is in Bill No. 2, but I do hope that it is time for the next General Election because I really would hate to see a repeat of that. (**A Member:** Hear, hear.)

But, basically, I will be supporting Mr Karran with his amendment about STV because I think it is fair, and that is it in a nutshell.

The Speaker: Mr Karran to reply.

Mr Karran: Vainstyr Loayreyder, it is not about muddying the waters. I have to say in the particular mover's this Bill, who is going to bother canvassing North German, South Patrick or wherever in the constituency of Peel and Glenfaba? That is the problem we are going to have, the fact that you are simply going to disenfranchise the more sparse areas under this proposal. That is what happened in the old Middle sheading and that was one of the reasons why it was right to bring about the boundary changes, even though effectively I think it was original seat with a majority of six that ended up being cut into about seven different areas with bits going to South Douglas and everywhere else, and North Douglas, West Douglas... Malew with Santon and whatever.

I just feel that the issue of STV that it will make a... because you are going to find that you have got something like a quarter of the land mass to become the new Ayre and Michael constituencies –

A Member: A third.

Mr Anderson: It is shrinking. (*Laughter*)

Mr Gawne: It is shrinking on one side.

Mr Karran: It may be the case, but the point is again, under this system where you have got multi-seat constituencies, it makes it even more important for STV. I do feel that if we are to give credence to the proposals for 24 one-seat constituencies, eight three-seat constituencies or four six-seat constituencies, this is an important issue.

I agree with the Hon. Member and unfortunately you are right that they have gone for the 1986 arrangement with the legal draftsman and not the 1991. By the time 1991 had come in, the provision of plump voting had been resolved and that is an issue which is a complete red herring as far as this House is concerned, because that can be sorted out quite easily by the Members as far as that is to allow the plumping if Members want that to happen.

But I do feel that it is alright in urban areas to have first past the post, but in the likes of the Hon. Member for Glenfaba's area, basically he has disenfranchised his constituents from being represented because they will not bother and they will just go to Peel. (*Interjection*) It is alright the Hon. Member for Peel saying that, but the reality is as a Member who had a three-seat constituency and had Santon, I had the thing of old George Curphey, a resident of Port Grenaugh, asking me, 'Are you a canvasser? I have not seen one since 1948'. (*Laughter and interjection*) He was not an isolated case and that is why I think the STV is an important thing and I hope Hon. Members will support it.

The issue of the plump proposal is an issue that may be... as I say, that needs to be looked at. To be fair, the legal draftsman department is very busy and obviously maybe we need to make it so we get better priority for serving backbenchers as far as these issues are concerned.

But I do feel, Hon. Members, that this is not about muddying the waters. This is about making sure that the people in South Patrick and in North German and the people in the sparse areas of

Ayre will actually have input, because unfortunately if you do this and you end up with what you have got... even in your own constituency, Vainstyr Loayreyder, basically the power houses will be Howstrake polling area and Laxey will be the king maker for the new constituency of Garff and they will not need to go to South Lonan, North Lonan or anywhere else, or Onchan Parish, because there will be no point. You want to go where the votes are and where you can... So I do hope Hon. Members (*Interjection*) will consider supporting the issue of extending the long title of the Bill.

The Speaker: Hon. Members, the motion is that the long title be amended, as moved by Mr Karran. Those in favour, please say aye; against, no. The ayes have it.

A division was called for and electronic voting resulted as follows:

FOR

Mr Karran
Mrs Beecroft
Mr Cretney
Mr Watterson
Mr Gawne

AGAINST

Mr Quirk
Mr Ronan
Mr Crookall
Mr Anderson
Mr Bell
Mr Singer
Mr Quayle
Mr Teare
Mr Cannan
Mr Cregeen
Mr Henderson
Mrs Cannell
Mr Robertshaw
Mr Shimmin
Mr Thomas
Mr Skelly
The Speaker

The Speaker: With 5 votes for, 17 votes against, the motion therefore fails to carry.

Now having dealt with the long title, we move to the Bill as printed with its original long title and the clauses stage.

I call Mr Anderson to move clause 1.

Mr Anderson: Thank you, Mr Speaker.

Clause 1 provides the short title of the Bill.

I beg to move that clause 1 do stand part of the Bill.

The Speaker: Mr Gawne.

Mr Gawne: I am happy to second and reserve my remarks.

The Speaker: I put the question that clause 1 do stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 2: before I call Mr Anderson, there are two amendments to be moved to this clause, by Mr Gawne and Mr Watterson. If Mr Gawne's amendment succeeds, Mr Watterson's falls as it has been replaced by Mr Gawne's. I shall put the question of Mr Gawne's first at the end of the debate on the clause.

I call Mr Anderson.

Mr Anderson: Thank you, Mr Speaker.

Clause 2 provides that the Act will come into force so as to apply to the General Election of the Keys in 2016 and every election thereafter. This gives effect to the recommendation of the Boundary

Review Committee, which was approved by Tynwald in June 2013. It ensures that there is a target date for these changes to be implemented providing a certainty for the electorate, for Members and for potential candidates, which is so important.

I beg to move that clause 2 do stand part of the Bill.

Mr Singer: I beg to second.

The Speaker: Mr Singer seconding.

I call Mr Gawne.

Mr Gawne: Gura mie eu, Loayreyder.

My amendment basically allows the public to know what is going on in relation to what we are about here.

We have heard about the reports that have come back. We have had three reports, according to the Chief Minister and the Member for Ramsey on this topic. All three, I think we all had to acknowledge, were relatively lightweight reports. We have heard about the extensive consultation; indeed, I heard the Chairman of the Committee this morning saying that she had been to all four parts of the Island to have the consultation. Well, actually, there are more than four parts. We are already in this Bill dividing the Island into 12 parts.

Then we look at the actual consultation that took place in the four parts of the Island. I think the best attended meeting was in Rushen, at which there was full support for continuing with what we have already got, *(Laughter)* I should say.

A Member: From all three of them. *(Interjections)*

Mr Gawne: So we have ignored the views of the people there.

Again, if you actually look through the reports, there were very, very mixed views in all the reports on all occasions. What we have done in Tynwald is taken a political decision and so let us now get ourselves hung-up on this idea that in some way we have been fulsome and we have engaged with the public and everyone knows what is going on, because they do not.

So what this would require – and I think it is the least we should be doing – is that we would let everybody know, who is affected, and that is every voter on the Isle of Man, what exactly it is that we are doing, and that is all this clause is really requiring. If, having let everybody know what we are doing, the response back from the populace is actually we do not really like what you are doing, then we have to come back with some form of response. The response can be similar to the response that I have had to my long title and my colleagues have had to theirs, which is that actually we do not really care what you say and we are going to do this anyway.

That is all this clause requires, that we actually make sure that everybody affected knows what is going to happen, and they do not at the moment. Anyone sitting in this Hon. House who believes that their constituents know what is happening, I think would be deluding themselves.

I beg to move:

Substitution of clause 2

Page 2, lines 7 to 9 for clause 2 substitute —

'2 Commencement, application and amendment

This Act, other than section 1 and this section, comes into operation on such day as the Governor in Council may by order appoint.

But an order under subsection (1) may not provide for the application of this Act to an election to the Keys before the general election to that House in 2016.

Before making an order under subsection (1) the Governor in Council must —

(a) take such steps as appears to the Governor in Council to be appropriate —

(i) to publish the order in draft, together with an explanation of its effect;
(ii) to consult every person who would be affected by the commencement of the provisions proposed to be commenced by the order;
(iii) to consider any representations made by those consulted; and
(b) decide whether it is appropriate in the light of those representations to amend this Act.
If the Governor in Council decides it is appropriate to amend this Act, the Governor in Council may by order amend it (including this section) so far as appears to the Governor in Council to be necessary or expedient in consequence of the representations made under subsection (3).
An order under subsection (4) must not come into operation unless it is approved by Tynwald.
If section 3(2) has not come into operation before the general election of the Keys in 2016 —
(a) the reference in section 4(1)(b) to that general election is to be construed as a reference to the general election following the coming into operation of section 3(2); and
(b) the reference in the substituted section 11(1) of the Representation of the People Act 1995 to the general election of 2021 is to be construed as a reference to the second general election following the coming into operation of that substituted section.'

The Speaker: Mr Skelly.

Mr Skelly: I beg to second and reserve my remarks.

The Speaker: I now call on Mr Watterson.

Mr Watterson: Mr Speaker, we have heard in the Budget debate that we are undertaking a period of significant social change.

Our taxes are changing, our structure is changing and on top of all this our boundaries are changing and our electorates, with whom we have this contract, are also changing. It will be hard for those with increased areas to build the relationships when they need to be focused on the task at hand in this administration. This is less of an issue for continuing two-seat or shrinking three-seat constituencies where many of the electorates will already be known to us.

I am therefore proposing that the effect of this legislation only commence on the 2021 Election, giving Members the opportunity of fighting the next Election on the same boundaries as those which were fought last time.

I beg to move that my amendment to clause 2 stand part of the Bill:

Amendment to clause 2
Page 2, line 8, for '2016', substitute '2021'.

The Speaker: Mr Quirk.

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

The Speaker: With clause and amendments having been moved, we will now open for debate.
Mr Karran.

Mr Karran: Vainstyr Loayreyder.

As much as it would be very nice to be of a pensionable age when these proposals come in in 2021, *(Laughter)* I think that it would be wrong for us to support that proposal. **(A Member:** Hear, hear.)

I think that the Hon. Member for Rushen has got a point. I think that there are concerns about the issue as far as consultation is concerned and I am very sympathetic towards that and supporting

that proposal; but on the other one, as far as 2021 is concerned, whilst it would be nice, I am afraid I think it would be wrong.

We do need to address the issue of boundary changes. It is absurd that we have the situation where we can end up with a situation of Glenfaba, having 1,500 votes, having the same representation as –

Mr Anderson: Two thousand. (*Interjection*)

Mr Gawne: As many as that? (*Interjections*) Is that including the cows?

Mr Karran: – and when you have Middle it has 1,000 or so more.

Mr Quayle: Double. More than double.

A Member: More than double.

Mr Karran: The point is, Vainstyr Loayreyder, we had that situation in 1986 where we had Doolish Twoaie, Douglas North, with 1,000 more voters only having one seat and Ayre having two seats, with 1,000 less voters but two Members of this Hon. House.

I do feel that Mr Gawne's issue is worthy of investigation and I will be supporting it.

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

The Chief Minister: I should suggest, Mr Speaker, that Members ought to be very wary of supporting just minor little amendments, as suggested by Mr Gawne.

In some respects, I would support the previous speaker in relation to the actual start date on this. It should be the next Election. It is ridiculous to knock it on to 2021. (**Mr Anderson:** Nice try.)

The minor little amendment that intrigues me is subclause (3)(ii):

'... the Governor in Council must –

(ii)... consult every person who would be affected by the commencement of the provisions proposed to be commenced by the order;'

– and then –

'(iii) to consider any representations made by those consulted;'

What he is asking for, in effect, is a referendum.

Mr Gawne: No, a *letter*. That is what I am asking for.

Mrs Cannell: No. (*Interjections*)

The Chief Minister: Nonsense!

Mrs Cannell: It is a referendum in everything but name.

Mr Gawne: If I wanted a referendum, I would have said 'a referendum'.

The Chief Minister: Government, whatever form at the time, will have a responsibility to tell the electorate what the new boundary changes are. That is going to happen; it is a given. It does not need legislation for that.

What you are saying here goes way beyond simply telling the electorate that the boundaries have changed. This is a further round of consultation with 'every person who would be affected'. That is what the clause says.

We have to then consider the feedback we get from that consultation. (*Interjection by Mr Gawne*) It is a referendum. There is no other way of looking at it. If we are going to consult with every person it might not be referendum in name but it is certainly going to be referendum in reality; and is this what we want?

What we are asking for is equality in representation across the Island – 12 two-seat constituencies. What is being proposed here is immediately before the next Election we then sabotage our own agreement today by saying we are going to have a referendum on it and we will listen to the outcome of the people before we bring in the new arrangement.

This, Hon. Members, is yet another example of a smokescreen trying to muddy the... well, not muddy the waters but to confuse the situation and I would urge Hon. Members to see this move for what it is. It is not a minor little amendment. It is a major attempt to sabotage the Bill. Please vote against it.

The Speaker: The Hon. Member, Mr Anderson.

Mr Anderson: Yes, Mr Speaker. Just speaking to one of the amendments, if that is okay? (**The Speaker:** Indeed, yes.) Rather than replying. (**The Speaker:** Yes, indeed.)

I am not going to speak to the amendment from Mr Watterson. I think it has been already put where it is deserved, from what Hon. Members have said.

In relation to comments made by Mr Gawne... and I must put on record what a good job I think the Boundary Commission did. It was very extensive. It was not just public meetings around the Island; it was covered on the radio, media and the press throughout, and they did their job, I think, very diligently and they came back to us three times to make sure that the principles they were establishing were in tune with Tynwald's wishes. There is always going to be a minority that has a different view, but I think they did their job with diligence.

By the way, there was a political Member on that Commission as well and there was on the previous one. I think one of the amendments later on suggests that should be written into statute. So they had a political view as well from previous Members.

Mr Gawne proposes an amendment that it should not apply to a general election to the House of Keys before the General Election in 2016. There has never been any intention for these provisions to apply before 2016 and this is already set out in the Bill, in this clause.

I will just build on the point the Chief Minister made. Mr Gawne seeks to delay the coming into effect of the Act until the Governor in Council has taken appropriate steps 'to consult every person' – *every person* – affected by the provisions and are considered as representations and then decide whether to amend the Act, and any amendment, by order, must be approved by Tynwald.

We have consulted to death on what is within this Bill –

Mr Gawne and Mr Quirk: No, you haven't.

Mr Anderson: – and we have come back and Tynwald has made the decision. It is not what everybody wants but there is common ground here. It represents proportional representation for the first time in centuries and I beg that you just reject this amendment.

The Speaker: Mr Quirk.

Mr Quirk: Mr Speaker, I am drawn to my feet again by my colleague from over the border, Mr Anderson, when he has indicated to the House there that representation was given and views were taken on board.

I have to say to him once again that the first time around it may have done but then the Boundary Commission changed their mind. They changed their mind on a particular area, including the one for Onchan that we represent there – they did something wholly different; which gives validation to Mr Gawne’s thing – that those who are affected should be notified.

If we do not get nothing out of today, I hope that the Member moving this will give me the definitive map of the area because even in The Butt, one particular house sits in the road but because it is at the end the line was drawn the wrong way. So that particular house finds itself not in Onchan anymore; it is in a new constituency. The rest of the neighbours are in Onchan.

So where was that person consulted with? I think – to this particular house – why not give the opportunity to the Members there? Okay, Mr Watterson may be taking it into the long grass a little bit, (*Laughter*) (**The Chief Minister:** A little?) (**Mr Anderson:** Five years.) but I have to give all three of them the opportunity to say at least we debated the issue here today in this particular (**Mr Watterson:** Hear, hear.) parliament and give those people the opportunity, where I do not think the Boundary Review Commission actually did give that opportunity to the second slice they took out of Onchan when they got the first slice wrong.

The Speaker: Mr Watterson to reply to the debate.
Mr Gawne to reply.

Mr Gawne: Gura mie eu, Loayreyder.
Am I allowed to speak to Mr Watterson's amendment?

The Speaker: You are indeed. I thought we had reached the stage where I was inviting the movers of the (**Mr Gawne:** Yes, well I –) amendments to reply but if that is not the case you may speak to the debate.

Mr Watterson: A two for one offer.

Mr Gawne: It was only to say that I simply will not be supporting it because I do think we need to get the fairness in as soon as possible. (**The Chief Minister:** Hear, hear.)
So if I now reply –

The Speaker: If you wish to speak to the amendment of Mr Watterson –

Mr Gawne: I just have.

Mr Anderson: That is it. (*Laughter*)

A Member: That was it.

The Speaker: Thank you.
In that case, Mr Anderson to reply.

Mr Gawne: Sorry, can I not reply to my own amendment?

The Speaker: I thought you had.

Mr Gawne: No. (*Laughter*) Mr Watterson’s amendment.

The Speaker: Let’s get on with it, and if you would please reply to the debate, as mover of the amendment.

Mr Gawne: Gura mie eu, Loayreyder.

I also believe that the Boundary Review Committee did an excellent job, but (**A Member:** But.) let's not have any doubt cast because the Hon. Member for Ramsey and the Hon. Member for Glenfaba have been fantastic in terms of the smoke screens that they have constructed during this debate. We have *never* gone out to the public with the provisions (**A Member:** Hear, hear.) that are in this Bill. *We have not* and yet we have defeated all the 'We cannot possibly support this because we have not been out to the public with that.' We have not been out to the public with this!

The public do not know what is in this Bill and what I am suggesting is that we write a letter to the public and say, 'This is what is in this Bill.' That is all I am asking. People can then have a reply slip and (*Interjections*) if we find there is an overwhelming objection to this, then perhaps we can reconsider. That is all my clause suggests; (**Mr Quirk:** Democracy.) that we ask the public what they think and we inform them what we are doing to their election process.

I do not think that is an unreasonable thing to do and the Boundary Commission has not done that. The Boundary Commission has consulted on a wide range of options but it has not consulted on the final version. It has not explained to the public what we are about today (**Mr Quirk:** Why?) and I think... Democracy is really rather important to me and I think... well, I know it is to everybody else in here; and I really do think that we should allow the public the opportunity to know what we are about to do to our constitution.

Mr Singer: Filibustering. Aren't we elected to make decisions?

Mr Gawne: Allowing the public to know what is about to happen to the constitution is filibustering. Sending a letter out to every person in the Isle of Man explaining what is about to happen to the constitution is filibustering. Asking the public what they think is filibustering. Well, we have heard it all, haven't we? (*Interjections*)

In relation to Mr Quirk's little issue with The Butt, I think we probably have a similar issue in Arbory and Rushen. There is a house at the top of Beaton's Lane, which is on the boundary between Arbory and Rushen: half the house is in Rushen, half the house is in Arbory. So presumably it depends on the day that the election roll is finalised as to whether they are in the kitchen or the living room... as to which constituency they are supposed to vote in. It would be interesting to know how that particular issue is being resolved. Thus far we do not know and it would be helpful to know.

Nobody has been consulted on this; nobody knows what is happening. All I am asking is that we send a letter out to our constituents and let them know what we are doing to our constitution – the biggest change to the boundaries in centuries. (**Mr Anderson:** 1985.) Bizarrely, we heard from the Hon. Member for Glenfaba that this is 'proportional representation for the first time in centuries' and only a few moments ago he voted against proportional representation. This is not proportional representation; it is a more proportional way of dividing up constituencies.

I am amazed if Members are honestly going to turn around and say, 'We should not let the public know what we are about with this massive change to our constitution.'

I beg to move.

The Speaker: I call on the mover to reply, Mr Anderson.

Mr Anderson: Thank you, Mr Speaker.

I found it quite interesting, the way the hon. mover of the last amendment has phrased it – that we have not consulted enough – and yet here we have all these amendments from the Hon. Members for Rushen that have not been consulted on at all!

What we have in front of us is something that has been out in the public domain –

A Member: It has not!

Mr Anderson: – now for nearly two years. We have asked an independent group of people to look at it; they have come back; they have given us their recommendations, having consulted... and whether people go to a public meeting or not is up to them. It has been in the press. It has been widely reported.

At the end of the day, we have been elected to make the decisions on the basis of the information we have been given. I honestly think that the Hon. Member for Rushen ‘protesteth too much’. *(Laughter)* We are here to make decisions and we have the information, based on widespread consultation. Let's get on with what is in the Bill and leave everything else to Bill No. 2.

I have always said – and the Chief Minister has given his assurance – that we will have Bill No. 2 in this parliamentary –

Mr Gawne: But what consultation on this?

Mr Anderson: – this parliamentary year. You have that reassurance and I think Hon. Members realise by now what is going on on the Rushen bench. *(Interjection by Mr Gawne)*

I ask you to support clause 2. I beg to move.

The Speaker: Hon. Members, in respect of clause 2, I put first the amendment of Mr Gawne. Those in favour of the amendment, please say aye; against, no. The noes have it.

A division was called for and electronic voting resulted as follows:

FOR

Mr Quirk
Mr Karran
Mr Cregeen
Mr Henderson
Mrs Beecroft
Mr Watterson
Mr Skelly
Mr Gawne

AGAINST

Mr Ronan
Mr Crookall
Mr Anderson
Mr Bell
Mr Singer
Mr Quayle
Mr Teare
Mr Cannan
Mrs Cannell
Mr Robertshaw
Mr Shimmin
Mr Thomas
Mr Cretney
The Speaker

The Speaker: There were 8 votes for, 14 against. The amendment therefore fails to carry.

I put the amendment by Mr Watterson. Those in favour, please say aye; against, no. The ayes have it.

A division was called for and electronic voting resulted as follows:

FOR

Mr Quirk
Mr Henderson
Mr Watterson

AGAINST

Mr Karran
Mr Ronan
Mr Crookall
Mr Anderson
Mr Bell
Mr Singer
Mr Quayle
Mr Teare
Mr Cannan

Mr Cregeen
Mrs Beecroft
Mrs Cannell
Mr Robertshaw
Mr Shimmin
Mr Thomas
Mr Cretney
Mr Skelly
Mr Gawne
The Speaker

The Speaker: There were 3 votes for, 19 against. That amendment fails to carry.

I put clause 2 as moved. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 3 requires some explanation. (*Laughter*) (**Mr Watterson:** Hear, hear!) How I propose to deal with this is, first of all, I have had representations from Mr Gawne that his amendment, at the bottom of page 32, to clause 3... he would like to suspend Standing Orders to enable him to move the amendment in a different form. I will not call him to do so just now. I will call him at the start of the debate on clause 3. So we will get that matter disposed of and Mr Gawne can explain his case for that.

Mr Gawne's amendment 2 on page 32 is a stand-alone amendment, and if he moves it, I wish to put that first, at the end of the debate on this clause.

The same applies to Mr Karran, on page 34, there is a stand-alone amendment number 4. I will put that at the end of the debate on the clause, as a separate...

There are a number of amendments from Mr Watterson, Mr Gawne and Mr Karran that are effectively alternative amendments in relation to the number of constituencies and how many Members may represent them. I shall call each of the three Members to move all of their amendments to this clause, but allow debate and all the alternatives that are on the Order Paper.

Then at the end of the debate, I shall put the question on each of the alternatives – which will, of course, have had to have been seconded as well – starting with Mr Watterson's proposal to have one constituency of 24 Members, then his proposal to have two constituencies of 12 Members and so on, only interrupting his amendments to put Mr Gawne's alternative – six constituencies of four Members – and then Mr Karran's – also six constituencies of four Members – in the appropriate place before the alternative proposed by Mr Watterson. If the House agrees any of the choices, then all the other amendments fall.

I shall take Mr Gawne's amendments 3 and 4, on page 32, which are linked together, at the end of the process if they are still relevant and have not been overtaken by the House agreeing to one of the previous alternatives.

Mr Anderson: Pretty straightforward.

Mr Singer: Could you explain that again? (*Laughter*)

The Speaker: I shall be happy to clarify as we move along, if there is any doubt as to the procedure.

Mr Gawne.

Mr Gawne: Yes, just in relation to my final amendment, there is a drafting error and actually what that amendment is meant to do is not to replace 11A, as it currently is drafted to do. My intention had always been that this was to be an addition to come after, so that effectively the 2021 Election would be for six four-seat constituencies. So it is probably not directly related to the consideration of looking at the 2016 Election anyway.

Mr Anderson: We know what to do with it anyway. *(Laughter)*

The Speaker: If the House will bear with me one moment.

The Speaker consulted the Secretary of the House.

The Speaker: Thank you, Hon. Member. At the end of the day, it is an amendment in respect of the six-by-four option and we will certainly give you the opportunity to suspend Standing Orders to clarify that, but I think if we take them with the other alternatives at that time and I will make it clear when we come to yours just what is taking place, if that is acceptable?

Mr Gawne: I suppose the point I am making is that you could have a successful amendment to two 12-seat constituents, for example, and still have my amendment following on from that in the 2021 Election.

Not that it is going to go anywhere, obviously. *(Laughter and interjections)*

The Speaker consulted the Secretary of the House.

The Speaker: I will say again, Hon. Member, if the House gives permission to suspend Standing Orders on the grounds that you wish to amend, when it comes to the vote, I think it will be clear to the House exactly what they are voting on; but to avoid any doubt I will make sure that, if it is successful, the House is aware. So if we could proceed on that basis.

Before I call Mr Anderson to deal with this matter now, I invite Mr Gawne to address the House in order to have a suspension of Standing Orders to deal with the particular clause [*Inaudible*] on page 32.

Mr Gawne: Gura mie eu, Loayreyder, and I must apologise to Members for not spotting this before now. I had specifically asked when I was giving the instructions to the legislative drafters for this amendment to the clause to allow for a 12 two-seat constituency representation for the 2016 Election and my intention then was, with this amendment, that when we moved to the 2021 Election, we would replace the 12 two-seats with six four-seats.

Unfortunately, the way this is drafted, we would replace the 12 two-seats, which was absolutely not my intention. So my intention would be actually to move the amendment but without the 'Page 3, lines 11 to 30, for subsections (1) and (2) of the clause 11A substitute'; it would be actually 'insert this at the end of clause 11A'. That would be my preference. That was my intention.

So I would ask – bearing in mind that this was a genuine drafting mistake – if Members would indulge with suspension of Standing Orders so I can move what I actually meant to move, as opposed to what, unfortunately, is drafted here.

If I manage to get support, so that I can move what I wanted to, you can then vote against it – *(Laughter)* and I am sure you will – but please at least allow me to move what I had intended to move. So I beg to move:

That Standing Orders be suspended to permit an amendment to clause 3 to be re-worded.

The Speaker: Could I invite you to clearly specify, by reading out the amendment in the way you would see that it ought to have been worded?

Mr Gawne: Gura mie eu, Loayreyder.

So, basically, what I would say it should read is: 'Page 3, after line 37, "(3) Schedule 1 is repealed." insert...' and then the three elements that I have mentioned in my amendment at the bottom of

page 32. And on page 33 would be some numbering issues relating to that too, I would imagine, which we would have to include.

So you would presumably go from... You have got (1), (2), (3) on page 3. You could then move to (4), (5) and (6) and that would allow my amendment to actually do what it is supposed to do.

Again I apologise to Members for the confusion.

The Speaker: Is it clear to the House? (**Several Members:** No.) (**Several Members:** Yes.) Thank you.

Do I have a seconder to the move to suspend Standing Orders?

Mr Watterson: You do, Mr Speaker. It is me.

The Speaker: Does anyone wish to speak on the debate over whether to suspend Standing Orders?

Mr Karran.

Mr Karran: Vainstyr Loayreyder.

I think instead of us being in the situation where I am generally taking Ministers to task and the Chief Minister is trying to defend the indefensible of them, I do feel that it is right to give him the opportunity to have the suspension of Standing Orders, so that the issue can be debated in detail.

I think that is what we are here for. I have to say, Vainstyr Loayreyder, I am really pleased today to see us actually doing it the way legislation should be operated and I think it is really good to see there has obviously been a change of mind as far as the legislation being done on this basis. This is the right basis. We should be line by line... We all know the difference between 'may' and 'shall' and I just think we should give the Hon. Member, the Minister, the opportunity to have suspension of Standing Orders in order to do so.

The Speaker: Mr Anderson.

Mr Anderson: Yes, I will agree with the Hon. Member who has just resumed his seat: we can agree to suspension of Standing Orders and then vote against. (*Laughter*)

The Speaker: We move straight to the vote. Those in favour, please say aye; against, no. The ayes have it.

A division was called for and electronic voting resulted as follows:

FOR

Mr Quirk
Mr Karran
Mr Crookall
Mr Anderson
Mr Bell
Mr Cregeen
Mr Henderson
Mrs Beecroft
Mr Robertshaw
Mr Shimmin
Mr Watterson
Mr Skelly
Mr Gawne
The Speaker

AGAINST

Mr Ronan
Mr Singer
Mr Quayle
Mr Teare
Mr Cannan
Mrs Cannell
Mr Thomas
Mr Cretney

The Speaker: With 14 votes for, 8 votes against –

Mr Gawne: How can you move against that?

The Speaker: – the motion therefore fails to carry and the amendment remains on the Order Paper in its current form. (**A Member:** Farcical!)

Clause 3. I call on the mover, Mr Anderson.

Mr Anderson: Thank you, Mr Speaker.

Clause 3 substitutes a new section 11 in the Representation of the People Act 1995 and introduces a new section 11A.

The section 11 legislates for the recommendation of the Boundary Review Committee, approved by Tynwald, that there should be regular reviews of the number of boundaries of constituencies and provides for the establishment of an Electoral Commission.

An Electoral Commission will be appointed by the Governor in Council within 12 months of the General Election in 2021, and every second General Election thereafter. However an Electoral Commission may also be appointed at any other time if the resolution of Tynwald so directs. The membership of an Electoral Commission will comprise a chair and a minimum of three other members.

Mr Speaker, although the main function of the Electoral Commission will be to review the number and boundaries of constituencies there is provision for it to consider any such matters relating to elections, as a resolution of Tynwald may direct. The Electoral Commission will be required to submit a report on the number of boundaries of constituencies to Tynwald no later than 18 months after its appointment. Such a report can be an interim report and therefore the Electoral Commission must issue such other reports and in such a timeframe as a resolution of Tynwald directs. On submission of its final report to Tynwald, the Electoral Commission is taken to be dissolved.

An Electoral Commission must be appointed within 12 months of the General Election of 2021 to review the number and boundaries of constituencies, or at any other time after this Act comes into effect if a resolution of Tynwald so directs.

The new section 11 provides for the Island to be divided into 12 constituencies, each returning two Members. This is in accordance with the Tynwald resolution of 18th June 2013 and was the outcome of the three-year ongoing process of public consultation and political engagement.

This clause delivers voting equality for the people of the Isle of Man and, as I have stated earlier, equality of voting and representation is a fundamental principle of democracy, and its implementation in the Island is long overdue.

Hon. Members, in making its recommendation to Tynwald, the Boundary Review Committee made it clear that, after so many years with no changes to constituency boundaries, every option would result in disruption to a greater or lesser degree. The Committee considered which option was the most practical and achieved the objectives of equality of representation and of equivalency that is the ratio of population to Member.

After detailed consideration, the least disruptive model – taking into account the needs of the whole Island – was identified by the Committee to be 12 constituencies of two Members each. That is what was recommended to Tynwald and what is, after a lengthy debate, agreed. The boundaries of the new constituencies are in accordance with the maps presented to Tynwald in June 2013 and the names of the constituencies are as suggested in the Boundary Review Committee's report.

Three years of time and effort have been invested in reviewing and consulting upon equality of voting and representation, and I believe that failure to deliver on that investment would, as I have stated, damage public confidence in the integrity of the parliamentary process and undermine the reputation and credibility of this House. Members of the public would rightly view with dismay any failure of this House to reform itself and may then question our ability to lead reform in other areas.

I urge, therefore, Members to support these changes as an important first step. I beg to move that clause 3 do stand part of the Bill.

The Speaker: Mr Quayle.

Mr Quayle: I beg to second and reserve my remarks.

The Speaker: I call first Mr Watterson to move his amendments to clause 3.

Mr Watterson: Mr Speaker, just following on from your guidance, which caught me by surprise, obviously I was expecting to move these amendments separately and you have indicated that you would like them to be moved together and in a completely different order from the way that I have set out in my speaking notes, so this could be a completely garbled attempt at trying to –

A Member: Nothing new there.

Mr Anderson: Mr Speaker, we will be able to unpick them.

The Speaker: We will try to bear with you.

Mr Watterson: It might be worth then, Mr Speaker, in order to try to save time and assist the House, if I am able to move them *en bloc* with a single speaking note, have them seconded *en bloc* and still vote on them separately. I think it would have the same effect as what you are indicating.

The Speaker: It would be my intention for each mover of the amendment to move all the amendments standing in his name *en bloc*. We can debate them together, but a vote taken on each separate proposition.

Mr Watterson: Yes, okay, and I also got the feeling that you were leading towards a certain order of me doing that and if I might deviate from that as well, that would also be helpful.

The Speaker: Well, I have set out what I propose to do. (**Mrs Cannell:** Hear, hear.) So I would invite you to carry on.

Mr Watterson: I will carry on. (*Interjection and laughter*)

Mr Speaker, my next amendment is one of a series of options that Members can consider, having reflected on the process so far, as to what size constituencies are preferable.

The arguments have been well articulated. The bigger the seat the more removed the individual can be from parish pump politics. They can focus on national issues and work as a team for their constituents, overriding the perception of a democratic deficit that some believe exists if there is both a Minister and backbencher representing the same seat.

Larger constituencies require more legwork, more houses to get round and provide more of a challenge maintaining a relationship with all of your constituents. I would remind Members of just how few times we vote along geographical lines. I dread to say it but Members may also want to keep in mind their views for the future of local authorities and the extent to which these tie in with constituency boundaries.

I do not intend to dwell on the pros and cons of each option in the hope that each Member has had the opportunity to reflect and discuss proposals with their constituents since the debate in Tynwald last year.

The first of these amendments proposes eight constituencies of three Members. The advantages of this model need no explanation – certainly for Members of Rushen and Onchan who have seen this model work well for many years. There is a big enough team to take on issues, separate work and offer a diversity of experiences across Government. It also represents the optimal mix of urban

and rural in all seats except those within Douglas. Almost all of the other town seats would have a rural element. *(Interjection)* The area is manageable from a canvassing point of view.

In terms of the option of six four-seat constituencies, Mr Karran has helpfully proposed a similar amendment which gives one example as to how six constituencies of four seats could work. Mine is less prescriptive. This model has in the past been used as a springboard for reform of the Legislative Council, as many will appreciate.

Moving further into the territories of national politics, four constituencies returning six Members would lead perhaps to a far more regional approach to politics. Three eight-seat constituencies would essentially mean a Douglas North and South option, allowing significant scope for national politics. This option on larger ones would assist in dealing with matters such as a directly elected Chief Minister and would also mirror the eight seats in Legislative Council.

The two 12-seat constituencies is perhaps something of a wild card, Mr Speaker, in that it does not really ever seem to have been given consideration. I appreciate the psephological difficulty in defining two constituencies in terms of geographical terms but, in my eagerness to put all of the options before Members, I offer this for completeness.

The final option, Mr Speaker, means true national politics for the Isle of Man. In the same way that Jersey elects its senators on an all-Island basis, there is no reason why all of our politicians could not be national politicians, fighting issues on a national platform, seeking a mandate from all of the people, not just some of the people.

This would completely take away the democratic deficit that some people believe exists around equality of votes and allows for a simpler method of popular election for the Chief Minister, should that be the will of Tynwald in future legislation. Ultimately, it sets everyone on a level playing field with an impossible task of canvassing every house, but the expectation is that constituencies' narrow geographical boundaries are no more and that people could seek assistance from any national representative. This would be a bold concept in Manx politics, but to the purists must surely have an attraction.

With that, Mr Speaker, I beg to move the suite of amendments standing in my name. *(Laughter)*
(Mr Cretney: Sweet and sour!)

Amendments to clause 3

Page 3, line 11, for subsection (1) of the substituted clause 11A substitute –

'(1) For an election the Island is divided into 8 constituencies each returning 3 members in accordance with subsection (4).'

Page 3, lines 26 to 29, in subsection (2) of the substituted clause 11A for 'as recommended by the Third Report to Tynwald of the Boundary Review Committee dated May 2013 and approved by Tynwald in 28 June 2013', substitute 'as prescribed by an order made under subsection (4).'

Page 3, line 37, insert new subsection -

'(4) The Council of Ministers must by order prescribe the names and boundaries of constituencies following public consultation and after considering any recommendation from an Electoral Commission or any Committee of the House of Keys convened for this purpose'

Amendments to clause 3

Page 3, line 11, for subsection (1) of the substituted clause 11A substitute –

'(1) For an election the Island is divided into 6 constituencies each returning 4 members in accordance with subsection (4).'

Page 3, lines 26 to 29, in subsection (2) of the substituted clause 11A for 'as recommended by the Third Report to Tynwald of the Boundary Review Committee dated May 2013 and approved by Tynwald in 28 June 2013', substitute 'as prescribed by an order made under subsection (4).'

Page 3, line 37, insert new subsection –

'(4) The Council of Ministers must by order prescribe the names and boundaries of constituencies following public consultation and after considering any recommendation from an Electoral Commission or any Committee of the House of Keys convened for this purpose.'

Amendments to clause 3

Page 3, line 11, for subsection (1) of the substituted clause 11A substitute –

'(1) For an election the Island is divided into 4 constituencies each returning 6 members in accordance with subsection (4).'

Page 3, lines 26 to 29, in subsection (2) of the substituted clause 11A for 'as recommended by the Third Report to Tynwald of the Boundary Review Committee dated May 2013 and approved by Tynwald in 28 June 2013', substitute 'as prescribed by an order made under subsection (4).'

Page 3, line 37, insert new subsection –

'(4) The Council of Ministers must by order prescribe the names and boundaries of constituencies following public consultation and after considering any recommendation from an Electoral Commission or any Committee of the House of Keys convened for this purpose.'

Amendments to clause 3

Page 3, line 11, for subsection (1) of the substituted clause 11A substitute –

'(1) For an election the Island is divided into 3 constituencies each returning 8 members in accordance with subsection (4).'

Page 3, lines 26 to 29, in subsection (2) of the substituted clause 11A for 'as recommended by the Third Report to Tynwald of the Boundary Review Committee dated May 2013 and approved by Tynwald in 28 June 2013', substitute 'as prescribed by an order made under subsection (4).'

Page 3, line 37, insert new subsection –

'(4) The Council of Ministers must by order prescribe the names and boundaries of constituencies following public consultation and after considering any recommendation from an Electoral Commission or any Committee of the House of Keys convened for this purpose.'

Amendments to clause 3

Page 3, line 11, for subsection (1) of the substituted clause 11A substitute –

'(1) For an election the Island is divided into 2 constituencies each returning 12 members in accordance with subsection (4).'

Page 3, lines 26 to 29, in subsection (2) of the substituted clause 11A for 'as recommended by the Third Report to Tynwald of the Boundary Review Committee dated May 2013 and approved by Tynwald in 28 June 2013', substitute 'as prescribed by an order made under subsection (4).'

Page 3, line 37, insert new subsection –

'(4) The Council of Ministers must by order prescribe the names and boundaries of constituencies following public consultation and after considering any recommendation from an Electoral Commission or any Committee of the House of Keys convened for this purpose.'

Amendments to clause 3

Page 2, line 13, for subsection (2) substitute –

'(2) For section 11 (including the cross-heading before it) and section 12 substitute -

'11 Basis of elections

(1) 24 members are elected on an Island-wide basis.

(2) The Treasury, after consulting each local authority, may by order divide the Island into a number of polling districts specified in the order.

(3) An order under subsection (2) shall not have effect unless it is approved by Tynwald.'

Page 3, line 37 after subsection (3) insert –

'(4) The Schedule contains further amendments to the Representation of the People Act 1995 consequential upon subsection (2).

After page 4 insert –

'SCHEDULE

[Section 3(2)]

Amendments Consequential on Abolition of Constituencies

Provision of Act	Amendment
<i>Section 1(1)</i>	<i>Delete 'for a constituency'</i>
<i>Section 5</i>	<i>Delete the words after 'Governor' to end of section</i>
<i>Section 6(8)</i>	<i>Delete 'to any constituency'</i>
<i>Section 13(1)</i>	<i>Delete 'in respect of each constituency'</i>
<i>Section 13(2)</i>	<i>Delete subsection</i>
<i>Section 15(a)</i>	<i>Delete paragraph</i>
<i>Section 21</i>	<i>Delete 'to represent a constituency'</i>
<i>Section 24(1)</i>	<i>Delete 'for a constituency' and 'in that constituency'</i>
<i>Section 26(1)</i>	<i>Delete 'of the constituency'</i>
<i>Section 27(2) and (3)</i>	<i>Delete 'in any constituency'</i>
<i>Section 29(b)</i>	<i>Delete paragraph</i>
<i>Section 31(1)</i>	<i>Delete 'of the constituency for which he is a candidate'</i>
<i>Section 43(1)(d)</i>	<i>Delete 'in the same constituency'</i>
<i>Section 63(2)(c)</i>	<i>Delete the words after 'given' to the end of the paragraph</i>
<i>Section 66(3)</i>	<i>Delete the words after 'local authority' to the end of the subsection</i>
<i>Section 74(1)(a)</i>	<i>Delete 'in the constituency'</i>
<i>Schedule 2, rule 5(2)</i>	<i>Delete paragraph</i>
<i>Schedule 2, rule 5(3)(b)</i>	<i>Delete 'in the constituency'</i>
<i>Schedule 2, rule 7(4)</i>	<i>Delete 'within the constituency'</i>
<i>Schedule 2, rule 7(8)</i>	<i>Delete 'in the constituency'</i>
<i>Schedule 2, rule 9</i>	<i>Delete 'for a constituency' and 'in the constituency'</i>
<i>Schedule 2, rule 18</i>	<i>Delete 'for the same constituency'</i>
<i>Schedule 2, rule 26(3)(a)</i>	<i>Delete sub-paragraph</i>
<i>Schedule 2, rule 28(1)(a)</i>	<i>Delete 'in the constituency'</i>
<i>Schedule 2, rule 33(1)(a)(ii), and (b)(ii)</i>	<i>Delete 'for the constituency of'</i>
<i>Schedule 2, rule 33(2)</i>	<i>Delete 'in this constituency'</i>
<i>Schedule 2, rules 42(1A) and 47(3)</i>	<i>Delete 'in the constituency'</i>
<i>Schedule 2, rule 47(5)</i>	<i>Delete paragraph</i>
<i>Schedule 2, rule 48(1)</i>	<i>Delete 'for any constituency'</i>
<i>Schedule 2, rule 50(1)</i>	<i>For ', the date of the election to which they relate and the name of the constituency for which the election was held' substitute 'and the date of the election to which they relate'</i>
<i>Schedule 3, paragraph 2(4)</i>	<i>Delete 'of the constituency to which the petition relates' and 'in that constituency'</i>

Schedule 3, paragraphs 10(2), 16(3) and 17(1)(b)	Delete 'in the constituency to which the petition relates'
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The Speaker: Mr Quirk.

Mr Quirk: I beg to second.

The Speaker: I call upon Mr Gawne, to move your amendments to clause 3.

Mr Gawne: Gura mie eu, Loayreyder.

The first amendment that I am able to move is number 2, which basically states:

'2. Page 3, line 6 after subsection (5) of the substituted clause 11 insert –

“(5A) Before issuing a report under subsection (5) the Electoral Commission must ensure that consultation has taken place with every person affected by the proposals contained in its report.”

This would take place in 2021. By that time it will merely involve somebody pressing a button to all citizens of the Isle of Man and all citizens can then return their views.

I know that we are not interested in actually finding out what the public think and we are not interested in letting them know what they think of massive changes to the – (**A Member:** Terrible.) Well, that is how you voted! However –

Two Members: No, it is not.

Mr Gawne: However, this is what is going to happen in 2021. It will probably be 2022 or 2023 by the time this comes in and by that time the concern of issuing letters and envelopes will have disappeared. All you need to do is actually press a button on a computer and every person will be consulted.

I do not think that is an unreasonable thing, particularly bearing in mind that this Bill – despite what the mover says – has not been out for consultation. (**Several Members:** Hear, hear.) Nobody has seen this Bill prior to it coming to the branches.

However, I am obviously on a losing wicket so – (*Interjections*)

A Member: Stick with it.

Mr Gawne: I will stick with it. I will but you may have detected (*Interjection*) that I am a little bit disappointed that my attempts to make this Bill fairer, more democratic and allow the public to know what is going on (**Mr Cretney:** Your view.) have failed so far. Maybe I will win you over.

I think this one is one of the few where even the hardest and cold hearted (*Laughter*) of Members will have to acknowledge that alphabetically we have 'Ayre and Michael', we have 'Douglas Central', we have 'Douglas East', 'Douglas North', 'Douglas West', 'Garff', 'Glenfaba and Peel', 'Middle', 'Onchan', 'Ramsey', 'Rushen' and then we have 'Malew, Arbory and Castletown' – not alphabetical. So there is a drafting error as far as I am concerned and all my amendment attempts to do is correct that drafting error.

I do not care if it is 'Malew, Arbory and Castletown' or 'Arbory, Castletown and Malew' but I do think it is right to have these things (*Interjection*) in at least the same order. So I would ask Members to think hard before they vote that one out. Even I am incapable of coming up with some Machiavellian sinister way in which that simple amendment can undermine the ability of the mover to get his Bill through. However, we will see where we go.

As Members were not prepared to support me in moving what I actually wanted to move – (**A Member:** Some Members.) Yes, some Members. Okay, yes, maybe I should be a bit more charitable. Apologies. Eight Members chose not to allow me to move what I wanted to move. There was a

drafting error. It was an error perhaps that I should have picked up sooner but eight Members chose not to allow me to move what I want to move; so I am not going to move this clause because if I did move it, it would mean that this is the final one of my amendments; if I did move that then we would not have 12 two-seat constituencies assuming that people supported my move. So I am not going to move it because I do support 12 two-seat constituencies at the next election.

So I am moving my second amendment. I am moving the Arbory, Castletown and Malew change but I am not moving the other. I beg to move:

Amendments to clause 3

Page 3, line 6 after subsection (5) of the substituted clause 11 insert –

‘(5A) Before issuing a report under subsection (5) the Electoral Commission must ensure that consultation has taken place with every person affected by the proposals contained in its report.’

Page 3, line 13, in subsection (1) of the substituted clause 11A before the entry entitled ‘Ayre and Michael’ insert the following entry –

‘Arbory, Castletown and Malew’.

Page 3, line 20 in subsection (1) of the substituted clause 11A delete the entry entitled ‘Malew, Arbory and Castletown’.

The Speaker: Can I have a seconder? *(Interjections and laughter)*

Mr Quirk: Mr Speaker, I am happy to second. **(Two Members:** You cannot.) I can second two.

The Speaker: Mr Karran, could you move your amendment to clause 3? *(Interjections)*

Mr Karran: Vainstyr Loayreyder, you can second two amendments to the one clause?

Mr Watterson: He seconded six of mine!

The Speaker: Yes, in the case of Mr Quirk he reserved his remarks.

Mr Quirk: Yes.

Mr Karran: Right. That is the point.

The Speaker: He reserved his remarks and can second *(Interjection by Mr Quirk)* – in this particular debate.

Mr Karran: Vainstyr Loayreyder, before speaking to my amendment I would just like to speak to the others.

The only issue that I have with the Hon. Member for Rushen’s is the issue of part 3, line 37, about the issue of having to have the Council of Ministers having to prescribe an order of names and constituencies. I think this is where my amendment just... There is no way that can be politically delayed as far as the amendment that I have in front of us here today. I have gone out of my way to make sure that, when it comes down to the proposal by myself, I have put the different constituencies together in order to try and get a principle of trying to develop more national politics.

I believe that six four-seat constituencies, on the basis of what I have proposed, would be a far more sensible way forward. My only concern is the issue of the lack of STV; but as the hon. mover of this Bill has said, that can be brought in with the new Bill that is supposed to be on its way very soon, as far as that issue is concerned; because I could see the problems of putting Ayre, Michael and Ramsey together on a first past the post... They would never know where Jurby was or Michael was, as far as canvassing for such a constituency.

So I still think it is important that the issue is that we need to get more national politics (**A Member:** Hear, hear.) and I believe that by putting six four-seat constituencies... I think that is the right way forward. I think that would be a far more sensible way forward, as far as the issue is concerned.

I know that people say, well, obviously, I am losing house numbers, I am losing the parish of Onchan; but the principle I believe in is the equality under the first-past-the-post system of representation and we more likely would have been inconsistent with that if we had been 24 single-seat constituencies; because I do not think we need any more state representation, as far as national politics is concerned.

I hope Hon. Members will see this as a genuine attempt, like the STV, to not delay the Bill but put an effective alternative as far as the proposal is concerned; that here we are – we can go tomorrow whether it is 12 two-seat constituencies or we can go tomorrow where there are six four-seats constituencies. I think this issue is important. I think we are in new territory and it is going to be harder for the likes of national Government to operate when we are not in a position where we have won the lottery and we do not really need to worry about how we spend money.

I think that we need to go for bigger constituencies and I would hope that we would see the STV issue come up later and the issue that was resolved by 1991, as far as the plump vote is concerned. I hope, Hon. Members, because of the – I suppose – partisan lines, that we have all looked at these bands to a lesser or greater degree we are going to vote... that the other amendment that I have got for clause 3 to do with part 4:

‘4. Page 3, line 36, after subsection (3) of the inserted section 11A insert –
“(4) To avoid any doubt, nothing in this section affects the boundary of any local authority.”.’

– that is something separate and I hope Hon. Members will support that because I think it is important that we need to make the dividing line between national constituencies and local authority constituencies. I know that I do bring that in as my constituents will be affected. The people in Howstrake I do not fear will be taken over by the local authority of Lonan; but I do fear that the likes of my constituents in Larch Hill, Carrs Road and Tromode... there will be an argument then that it is now in the constituency of Doolish Twoaie, that it should become part of Douglas. (**Mr Quirk:** Super-Douglas.)

This would make it quite clear that this Bill has no justification for any boundary changes as far as local government is concerned. They are two separate stand-alone things here and I do hope that that is just a piece of common sense and about dividing national boundaries for national Government and local boundaries for local government.

So, Hon. Members, I do hope that this House will support my proposal because there is no ‘Get Out of Jail’ card as far as my proposal for six four-seats. There is no having to go to the Council of Ministers; there is no having to have a consultation with anybody. We are accepting the fact that the decision has been made as far as this... All this is trying to do is put them on a more national basis and I believe this is the right way forward and I hope Hon. Members will support it. I beg to move:

Amendments to clause 3

Page 3, lines 11 to 24, for subsection (1) of the inserted section 11A substitute –

‘(1) For an election the Island is divided into 6 constituencies each returning 4 members as follows –

Ayre, Michael and Ramsey

Douglas Central and Douglas North

Douglas East and Douglas West

Garff and Onchan

Glenfaba, Peel and Middle

Malew, Arbory, Castletown and Rushen.’

Page 3, line 29, in subsection (2) of the inserted section 11A after 'June 2013' insert '(save that that recommendation is modified so that the 12 constituencies there mentioned have each been combined with one other as described in subsection (1))'.

Page 3, line 36, after subsection (3) of the inserted section 11A insert –
'(4) To avoid any doubt, nothing in this section affects the boundary of any local authority.'

The Speaker: Mrs Beecroft.

Mrs Beecroft: Thank you, Mr Speaker.
I beg to second and reserve my remarks.

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

Mr Singer: Thank you.

I can understand what the proposer of the amendment is saying but you have to look at it in the practicalities of having a four-seat constituency and the area that is covered. We have very little party politics on this Island so everybody is an individual. In party politics – and I have worked in party politics where you have people who are volunteers, people of the party who will do the work for you... Practically, here the candidate has to do... most people have to do most of the work by themselves. (**Two Members:** Yes.) So the candidate has to try – and it is very difficult even under the present system – to find time – particularly for somebody who is working and feels that they want to stand for the House of Keys. It is difficult for them to find time – to go round knocking on every door. It is difficult to put up – or have enough volunteers to put up – the posters.

So I think it then creates the unfairness that we are talking about. I think we should make it possible for as many people as possible who feel they want to stand for the House of Keys to be able to do so. I think the practicalities of this proposal make that a lot more difficult and we may well not get the people in this House who should be in this House because they cannot find the time, if they are working, to be able to run a campaign as they would wish.

Therefore, that is the main reason really that I think the 12 by twos is the best, fairest form of constituency. (*Interjection*)

A Member: Hear, hear.

The Speaker: The Hon. Member for Malew and Santon.

Mr Cregeen: Thank you, Mr Speaker.

Just, first of all, one question for the Member for Rushen, Mr Gawne, who is talking about consultation. Did he consult on 'Arbory, Castletown and Malew'? (*Laughter*)

Furthermore, carrying on from the point from Mr Singer, I was at a conference regarding how to get people involved in elections and one of the problems that you see throughout the world is 'too big' constituencies. One of the things that we have been really proud about on the Isle of Man is how close we are to our constituents and I think by going into bigger constituencies we will lose that unique thing that we are close to our constituents – that we know how things are going – and I think it would be retrograde step to actually go either three or four... [*Inaudible*]

The Speaker: Mr Quirk.

Mr Quirk: Thank you, Mr Speaker.

I am just supporting my colleague, Mr Karran, on the particular issue here regarding avoiding any doubt regarding the boundary areas for local authorities.

I seek the assurance from Mr Anderson on that –

Mr Anderson: This is not –

Mr Quirk: – that these will stay as is promised in the Bill and for the avoidance there of a particular area which is in the parish of Onchan – down at Tromode there – where we will be subject to, I presume, a lot of pressure in the future. Hopefully, Mr Anderson will put on record – as they did some years ago; I do not know if it was Mr Anderson himself at the time or maybe his father – regarding the parish of Onchan and the Onchan urban area, where *Hansard* did record – Mr Karran is in it – that protection was afforded until an amalgamation took place.

So I wanted to see some... and I would ask Hon. Members in this particular House to afford Onchan – the two of us still left here tonight anyway – some support on this particular element of this motion. It is worthy of support and it would record for us in the future an obligation that has been given by this particular House.

The Speaker: The Hon. Member for Ayre, Mr Teare.

Mr Teare: Thank you, Mr Speaker.

I think one of the best arguments against the big seat constituencies has been put forward by the Hon. Member for Onchan, Mr Karran. He said, ‘Who is going to canvas rural areas? Where do you go? Where the concentration of voters are.’

I do remember talking to my hon. friend Mr Cretney just before the last Election and we were saying, ‘Well, how is the canvassing going?’ When we actually worked it out he could canvas – because of his more compacted area – at five times the rate that I could.

If we are going to have areas bigger than the proposal in the original Bill I think – not unnaturally – candidates – especially the ones who have got a full-time job to hold down – who want to get into politics will find it virtually impossible to get the views of all the people that they are seeking to represent and without that I think it is a flawed concept.

The Speaker: The Hon. Member, Mr Skelly.

Mr Skelly: Gura mie eu, Loayreyder.

I will actually be supporting Mr Karran’s amendment. (**A Member:** Hear, hear.)

This is about change. We heard about the Agenda for Change – a lot of arguments; whether we should go to 12 of two; whether we should go to eight of three. This one here means everyone changes. (**A Member:** Absolutely.) It also brings the point to bear about the bigger the constituency, the bigger the politics. I have said it before.

The reason why, obviously, I talk about the three-seat is we have diversity within three seats, with the people we actually represent. Even bigger again – I do not have a problem with that. I am happy to support that but, take note here, Malew, Arbory, Castletown and Rushen would actually be four seats; there are five Members representing that but I am happy to take that because it is change. (**Mr Gawne:** Hear, hear.) Who else is prepared to accept change?

Gura mie eu.

A Member: We are.

The Speaker: The Hon. Member for Middle, Mr Quayle.

Mr Gawne: Well, Ramsey is not.

Mr Quayle: Thank you, Mr Speaker.

I really feel these amendments are all long-grass wrecking (**Several Members:** Hear, hear.) (**Mrs Cannell:** Absolutely.) of the motions.

Mr Gawne wants things put in alphabetical order and wants six constituencies of four seats. *(Interjection by Mr Gawne)* Mr Watterson wants six constituencies of four, four of six, three of eight, one of 24 –

Two Members: Two of 12.

Mr Quayle: Two of 12. **(A Member:** House!) Yes, it is bingo.

Mr Karran, who had previously supported a system that did not disenfranchise those people living in the rural areas – as my colleague from Ayre, Mr Teare, has pointed out – is now saying let's have six fours and have an even bigger... and take away the vote from the rural areas even more.

This is a total farce. I am ashamed by the antics of these Members.

Mr Anderson: Not surprised though.

Mr Quayle: The only saving grace is that at least the public is spared from having to listen to this rubbish *(Interjections and laughter)* and I feel sorry for the members of the press who are having to sit through this debate. *(Interjections and laughter)* I blame the Chief Minister *(Laughter)* for allowing two Ministers too much time to waste. **(A Member:** Yes!) *(Laughter)* **(Mr Anderson:** Reshuffle.) **(Mrs Cannell:** Hear, hear.) *(Laughter)* and when we have got the –

The Chief Minister: This is a time of change, do not forget.

Mr Quayle: – we have got the full support of Tynwald, the majority of Keys and so much time to come up with waste and wrecking the motion. Give them something to do, Chief Minister – *(Interjections and laughter)* Health and Social Care. *(Interjections and laughter)*

The Speaker: Mrs Beecroft.

Mrs Beecroft: Thank you, Mr Speaker.

I actually was not going to say anything in this because everybody had been summing up my thoughts quite nicely – until the previous speaker.

How dare he say it is 'rubbish' that we debate these things. This is what is called democracy. This is a debating Chamber. **(Two Members:** Hear, hear.) This is where legislation gets debated for goodness' sake! *(Interjection)* I am sorry, Mr Speaker, I know I get shrill when I get angry but that *really* takes the biscuit! **(Several Members:** Hear, hear.)

And to say it will disenfranchise rural areas if the constituencies get too big – no, it does not. **(Mr Gawne:** Absolutely.) It actually gives them an equal playing field because you would take away the personality. It would have to be about policy and everybody in the rural areas would know what the policy was anyway – the same as the people in the urban areas. So you would actually bring equality to the rural areas.

Sorry, Mr Speaker, but I do get angry when people just rubbish democracy. I think it was totally uncalled for and I do wish he would retract that remark. *(Interjection by Mr Quayle)* I see it in a totally different perspective – as I am entitled to do –

A Member: Have a biscuit.

Mrs Beecroft: – without being told that the debate is rubbish.

So I will be supporting six-fours. I would actually like larger but I think we do have to take it a stage at a time. I think politics should not be just about personality; it should be about the policies that are presented to the people and they should be voting on the policies primarily as much as whether they actually like the person who is presenting those policies. **(A Member:** Hear, hear.)

Thank you, Mr Speaker.

The Speaker: I call on the mover to speak on one of the amendments.

Mr Anderson: Or maybe more than one of the amendments. *(Laughter)*

The Speaker: One or more amendment.

Mr Anderson: Mr Speaker, I think this debate has become fairly predictable really and everybody is putting into the pot their own ideal solution to the conundrum.

We have, on our Order Paper, the solution. We have had the Boundary Commission look at all the ideas and come forward. We are now getting individual Member's ideas. We have heard the argument for smaller constituencies. We have heard the arguments for bigger constituencies. The compromise that the Boundary Commission put forward – that Tynwald has supported by a large majority – is what is on the Order Paper. I would ask Hon. Members not to stray from that.

In relation to the amendment by the Hon. Member for Rushen, Mr Gawne, I would support his amendment on the naming of Arbory, Castletown and Malew.

Mr Gawne: Hear, hear. *(Laughter and interjections)*

The Speaker: The Hon. Member, Mrs Cannell.

Mrs Cannell: Thank you, Mr Speaker. I will be very brief.

Whilst I have sympathy with the contribution from the Member for Douglas South, Mrs Beecroft, she also has to remember: yes, it is a debating Chamber, but it is also a Chamber of freedom of speech and opinion; and each one of us will have an opinion and we use the force of argument in this place to make a point or to make a case or to try and make a change in legislation. We are entitled to have that view even if it is not the common view throughout the assembly. *That* is democracy. So I will condone any Member to get to his or her feet to speak their mind about what their ideas are, even though I may not have much regard for them, in terms of supporting them.

The other thing is that it was the Boundary Commission that looked at all the equations. Do not forget that, Hon. Members. They looked at all the possible equations of redefinition of the Island to provide equal representation across the board. They looked at the four by six, they looked at the one by 24; they looked at all the various mathematical equations and they came up with what they came up with; and they said – and I do not know how many times the hon. mover of the Bill has mentioned it – that this appeared to be what they believed to be the fairest system.

Going forward, if the Bill finally does get to its Third Reading – and I hope we finish it today **(Several Members: Hear, hear.)** and it gets to its Third Reading – and proceeds, it has still got to go through the Legislative Council. I just hope we do not have the same kind of shenanigans up there as we have had here today, because that may well delay the Bill – especially if they try and tinker with it and then it comes back and then we reject it. But anyway, I suppose I am being pessimistic, with experience of these sorts of things, when it comes to constitutional reform.

The other thing that I just wanted to put on record is the hon. mover is saying Tynwald has supported this. We all know that Tynwald supported it but do not forget in Tynwald Court is the branch of the House of Keys and it was a majority of the House of Keys that also supported this voting in Tynwald. So do not forget that.

I would say stick with the Bill as written.

The Speaker: Mr Ronan.

Mr Ronan: Again – thank you, Mr Speaker – I was not going to get on to my feet as well. I just want to say something on record on this.

I have been very supportive of the equalisation of boundaries. I think what is important is we have gone through the consultation; we have been around the houses and I think what is in front of us now is where we need to be right now – which is equalisation. We all have individual ideas of where we want to be. I know what I submitted is not what we have now but what matters is we get to where we need to be.

It is pretty clear – I do not want to get involved in the slugging match here but when I picked this up I think it is the first time I have had a House of Keys Order Paper which basically resembles a Kays catalogue. It is so big (*Interjection*) and, to be honest with you, trying to understand it as well is like trying to play Japanese poker. (*Laughter*) It has been very complicated but what matters today is that we stick to where we are (**A Member:** Hear, hear.) and I think really, as well, we have clear guidance from the Chief Minister – again, clarified by Mr Anderson, of the other concerns regarding the amendments being raised – that this is going to come back to us. Let's just stick to where we are and let's get to where we need to be today, hopefully today.

Thank you, Mr Speaker.

The Speaker: Mr Karran to reply to his amendment if he wishes.

A Member: If you wish.

Mr Karran: Yes, (*Laughter*) to the amendment for local authority boundaries or to the whole lot?

The Speaker: Yes, to the amendment that you moved.

Mr Karran: Okay. Well, I hope Hon Members *will* support the subclause (4). It is not about filibustering. It is about making a detailed declaration of the fact that this is not a legal precedent to justify the boundaries for the national parliament – Tynwald – to be assumed to be the same for local authorities. (**A Member:** Hear, hear.)

This is nothing to do with this... and I do not want to just... 'It is about an Onchan thing'; it is not about an Onchan thing. (**A Member:** No.) I do take exception (**Mr Gawne:** Hear, hear.) in this House about being told by people it is an Onchan thing. We have supported the principle of equal representation. (**Mr Gawne:** Hear, hear.) I am going to lose one of the most concentrated voting areas if I stay within Onchan at the next General Election, in this proposal.

I believe in equalisation of representation and I think it is good to see the Hon. Member for Castletown being honest about the fact... This is how it used to be before we ended up more and more like the Council of Ministers, where everyone nodded everything through. This is how it used to be when I was first in here. We held primary legislation on a level where we did debate the 'may and the shall', and this is where I really respect the Hon. Member for his honesty about the Japanese poker! Because, to be perfectly honest with you, being in here 20-odd years, I have to say it was difficult to see how people could do certain things –

Mr Ronan: Smoke and mirrors in here – not for real.

Mr Karran: – as far as that is concerned. But the fact is he is wrong on one point and that is, 'We need clear guidance from the Chief Minister'. This is *nothing to do* with the Chief Minister and executive Government.

But I can forgive that input because the fact is, it is the way it is done for years, Vainstyr Loayreyder, within this House... whatever the executive Government. The executive Government is supposed to be held to account here and this is a parliamentary issue; and, to be fair to the Chief

Minister, he has made this clear in his input into this debate, that it is not an executive Government function, as far as this is concerned. Members need to realise that.

We go to the issue, as far as Mrs Cannell is concerned. I think the point is that Mrs Cannell is misunderstanding the issue of free speech. The fact is that we are always attacking free speech. It is actually the other way. The Member for Middle is actually attacking Members for actually doing the job. (**A Member:** Hear, hear.)

I wonder how many people actually do read these Bills at times, when I sit in this House and I hear the usual entourage of... I cannot even repeat what was said in the Members' Room in the past about keeping Members here for hours on end and I remind them that is what they are paid for; that is what primary legislation... The first important part of when you get your writ as an MHK is to deal with primary legislation, not about getting up the slippery ladder or pole, as far as executive Government is concerned; that is something else; that is part of the role of a parliamentarian who is in executive Government.

So when she says about, 'Oh, they did not...' we made the agenda as far as the 12 two-seat constituency (*Interjection by Mrs Cannell*) and to try and make out that the Commission has made that agenda... They did not make that agenda; the mover will tell you that. (**A Member:** Hear, hear.) It was made on the basis of a Tynwald resolution. So this is blatantly people not understanding what is actually being proposed as far as this and who has led that agenda... That agenda was led by Tynwald, not by the Commission. It was us who put in the thing about the 12 two-seat constituencies –

Mrs Cannell: We gave them the remit, yes.

Mr Karran: – and she is wrong to try and make out that that is not the case.

As far as the hon. mover, Mr Anderson, is concerned, all I would like him to do is to recognise that the point of subclause (4) is a standalone provision about national boundaries being national boundaries, and not national and local authority boundaries. We need to define that... and that is why I was keen – with the presiding officer and the Clerk – to make sure that that issue has nothing to do with two-seat, four-seat, 24-seat or whatever. That is to do with the principle that, if this Bill is brought into power, there is no legal guidance that Douglas will turn around and say, 'Well, part of Onchan parish and Onchan district is part of Douglas; it should be part of Douglas because of that position.' That is all that does. It is a declaration that says that principle... (*Interjection*) and the same with the likes of *Hansard*; and it is not just about the issue that it is parish pump Onchan; it is about the issue of the definition between national boundaries and local authority boundaries, and that should be an issue that we should be concerned about throughout this thing.

I do take offence at Mr Quayle saying about 'throwing it in the long grass'. My Bill has told you one thing. My Bill has taken your Bill and it has just said I have combined the constituencies together. There is none of this rhetoric of going back to report by the Council of Ministers, the independent Commission or whatever. It does not do anything and I am quite disappointed that somebody who is supposed to be the great businessman – the man who in this House, who has come in here – cannot understand that the simple amendment that I do will not change the process as far as this Bill, but simply combines two-seat constituencies together to form four-seat... I am disappointed he cannot understand that as far as that is concerned.

Mr Quayle: Put it on the next Bill.

Mr Karran: The next thing –

Mrs Cannell: Point of order, Mr Speaker.

Again, as usual, it is becoming personable. (**A Member:** Hear, hear.) Every Member in this House (*Interjections*) has the right –

The Speaker: Your point of order is taken.

Mrs Cannell: Yes, to make the point, Mr Speaker –

The Speaker: The point is taken –

Mrs Cannell: – without being vilified.

The Speaker: – and the Hon. Member is sailing close in my opinion, with gratuitous remarks –

Mr Karran: The point is I just would like people to read the Bill and see the amendments the way they are. (*Interjection by Mrs Cannell*)

The point is Mr Skelly says – even him, as Members for Rushen, says about the changes – that it will affect him – my amendment, which is a pure amendment to the Bill. There is no way of changing anything as far as throwing it off into the long grass. As he said: ‘The bigger the constituency, the bigger the politics.’ (**Mrs Beecroft:** Yes.) If ever there has been a time for ‘the bigger the politics’, we are going into it and some of us have been blessed in the fact that coming here in 1985 we have seen the boom that has come.

The Speaker: Hon. Member you are in danger of becoming repetitive now (*Laughter*) (**A Member:** Hear, hear.) (*Interjections*) about your experience in this place. Would you please address your closing remarks in relation to the amendments that have been moved? That is what I ask.

Mr Karran: I am and I am replying to the –

The Speaker: No, you have not but please continue.

Mr Karran: I know people want to get out of this place (*Interjections*) but the fact is we are paid to listen to this... [*Inaudible*]

The Speaker: Hon. Member, I think Members are well aware of their duties (**A Member:** Hear, hear.) as far as that is concerned. They do not need reminding. Can we please get on with the debate?

Mr Karran: Mr Teare says about the fact that... the issue of making it worse. That was the reason why this Member wanted to bring in STV voting and that is the reason why I understand, more likely, better than the Hon. Member – being the former Member for the old sheading of Middle – about this issue. I think –

The Speaker: Hon. Member, you have gone outside the bounds of this debate. We have covered STV. We are no longer considering STV. It is not relevant.

Mr Karran: But, Vainstyr Loayreyder, he brought this up in reply to my question and I am just telling him that the fact is he brought this up in argument against my amendment, as far as the issue of ... There is an opportunity in a later Bill to actually sort that issue out if he is really sincere about worrying about minorities in this constituency.

Hon. Members, I hope that you will support my proposals. There are no caveats, no long grass. You simply support this Bill. You have been given the proposals by me. The Bill carries on its ways except instead of 12 two-seat constituencies it is four seats. I hope the other issue of the parliamentary seats being separated from local authority seats is something that we should be doing, if only to stop ourselves from being demeaned.

A Member: Hear, hear.

The Speaker: Mr Gawne. The right of reply.

Mr Gawne: Gura mie eu, Loayreyder.

I suppose we will have to start with the Hon. Member for Middle and his remarks. I have to say I find them quite amusing and I laughed along with everybody else, but I think it does show perhaps – I do not want to say this in a way that seems patronising, because it is certainly not meant to be but – a degree of naivety in terms of what our roles are in this House.

I mean this is what we are here for. (**Two Members:** Hear, hear.) This is what we are about. We are supposed to debate legislation and, actually, despite what we have said, the principles in this Bill – a range of principles – were consulted upon.

We then, as Tynwald, chose one of those principles, one option. (*Interjections*) We chose that and then the public have not seen anything in this since. This has *not* been out to consultation. So perhaps, being charitable to Hon. Members, the reason that we do not have such rigorous debates is because the Government machine is so good at consultation that we cover all the angles before we get into the debating Chamber. Maybe that is being overly charitable. But this has not been out so I believe that it is my absolute right to pick holes in a Bill which I believe has flaws; and I was recommending improvements to those flaws.

I would remind Hon. Members that I supported the principle of equalisation. I actually voted in favour of 12 two-seat constituencies and I have not moved one of my amendments because I was not given the support to move the amendment in the way that I had intended it to be drafted because, had I moved it as it is written on the Order Paper, it would have gone against the wishes of Tynwald and we would not have had the 12 two-seats, we would have had the six four-seats.

So please listen a little bit more carefully and give us the opportunity to attempt to improve the legislation when we have not been given an opportunity thus far to do so. I do not think that is unreasonable. I did enjoy, though, the humour and it was funny; but it is my absolute right to come forward with amendments to Bills which are, in my view, flawed.

I do not believe that it is unreasonable, for example, to suggest that when the Boundary Commission is re-established in 2021 that we ask the Boundary Commission to actually let the people know what it has been recommended, rather than consult on what is going on and then tell Tynwald, but do not actually let anybody know what we have decided – which is what we have actually done with this Bill. I do not think that is an unreasonable thing. That is one of my amendments – one of my ‘silly amendments’, according to the Hon. Member for Middle. (*Interjection by Mr Quayle*) I do not believe that is silly. I think that it is quite reasonable to let the public know what we have actually decided upon. That is what I am asking for in the first of my amendments.

I was delighted with the Hon. Member for Glenfaba in giving me his support, in relation to the amendment in relation to changing or actually putting in alphabetical order the constituencies. I do not think that is an unreasonable thing. Had we actually gone out to consultation on the Bill, that would have been spotted and it would have been corrected at that time.

So I do think that... Well, I was tempted to say I give up, but I do not. I do not give up. I think it is very important that we have the opportunity to debate these things. I think it is important to correct flaws in legislation. Clearly, in relation to the alphabetical order of constituencies, there is a flaw in the legislation. Does it matter? Yes, of course it matters. Of course it matters. We should have the legislation right and I was pleased that the mover has acknowledged that that is the case and that he suggested that he will be supporting me.

Again, the Hon. Member for Middle suggested that I was putting forward six four-seats – which, had he been listening, he would have heard that I have not been able to because he did not support me with the suspension of Standing Orders so I could not move it in the way I wanted to. So I have not moved that final clause (*Interjections*) and I want to make it absolutely clear that I have not

because I support the equalisation of representation in the seats. I support 12 two-seats. I voted in favour of that when it came to the vote in Tynwald.

So to all the unfortunate – maybe that is the best way I can put it – comments that have been made about my integrity during this debate – that in some way this was all an exercise to put it into the long grass – why would I have voted in favour in the first place for a 12 two-seats? All I am trying to do with my amendments is to improve the legislation. I believe that there is certainly one flaw that we have already not improved on, in terms of the long title – the final one here: the ‘Arbory, Castletown and Malew’ instead of ‘Malew, Castletown and Arbory’ or whatever it is. Yes, it may be a picky thing, it may be a minor thing, but it is correcting the legislation. The legislation is currently flawed. It is not going to make a significant difference but let’s get it right –

The Speaker: Hon. Member, will you draw your remarks to a close now.

Mr Gawne: – so that we have the opportunity to get it right.

The Speaker: I am inviting you to draw your remarks to a close.

Mr Gawne: I am coming to –

The Speaker: Standing Orders state that business shall terminate by 5.30 p.m. and any later sitting of the House shall be determined by majority of the Members present and voting. I intend to take a vote to that effect. I was going to do so if you were about to finish and I shall do so when you are finished.

A Member: I think he has finished.

The Speaker: Have you finished, Hon. Member?

Mr Gawne: Gura mie eu, Loayreyder.

I was drawing to a close, certainly. I think I do, though, want to re-emphasise the point that I support 12 two-seat constituencies. I have done since Tynwald voted in favour and I voted in favour at that time.

I think the unfortunate smoke screens that have been put up by some supporters of this Bill are disappointing. We are elected in my view to say it how it is, to say it how we see it. We all take an oath in Tynwald – a very clear oath that requires us to say what we believe and that is what I have done.

That is why I have moved these amendments. I have done it because I think it is in the best interests of the people who I represent and, in fact, that we all represent. I believe that it is not unreasonable. It is not silly to say that we should ask the public what they think about significant changes to the constitution of the Isle of Man.

I beg to move.

The Speaker: Hon. Members, as I indicated in the Standing Orders, business shall terminate. Can I suggest a Member may wish to propose that we finish this Bill today?

Mr Henderson.

Mr Henderson: Yes, I would support your view on that. Vainstyr Loayreyder, I propose that we finish this Item today.

The Speaker: Thank you.

Mr Watterson.

Mr Watterson: I am happy to second that, Mr Speaker.

The Speaker: Is that agreed? Those in favour, say aye.

A division was called for and electronic voting resulted as follows:

FOR

Mr Ronan
Mr Crookall
Mr Anderson
Mr Bell
Mr Singer
Mr Quayle
Mr Teare
Mr Cannan
Mr Cregeen
Mr Henderson
Mrs Beecroft
Mrs Cannell
Mr Robertshaw
Mr Shimmin
Mr Thomas
Mr Watterson
Mr Skelly
Mr Gawne
The Speaker

AGAINST

Mr Quirk
Mr Karran
Mr Cretney

The Speaker: There were 19 for, 3 against. It therefore carries.

Mr Watterson, (*Interjection*) would you exercise your right of reply? (*Interjections and laughter*)

Mr Watterson, you have the floor. (*Laughter*) You have the floor, sir.

Mr Watterson: Thank you very much, Mr Speaker.

It was not my intention to detain the House long, if for no other reason than to demonstrate that my intention is to not delay this Bill week after week after week but to get a resolution this evening.

I will resist the temptation to go around some of the comments that have been around the Chamber, but will instead align myself with much of what my hon. colleague, Mr Gawne, has said. I think a lot of Members have made up their mind about this Bill. They have made up their minds about the amendments. They are there but we will get through the vote on them and I think probably at this stage it would be best to leave it as that, Mr Speaker.

The Speaker: Thank you, sir.

Mr Anderson.

Mr Anderson: I do not want to detain Hon. Members any longer than I need to either, but I just need to make one or two short remarks.

In relation to local authorities, I did not want this to muddy the waters. This legislation, as it states, just effects the House of Keys. Whether it specifies or not other elections, it is for the House of Keys. Do not let that muddy the waters.

Hon. Members have got a good understanding of what this simple Bill is all round and Hon. Members have tried to re-write history. I just ask Hon. Members to stick to the text of the Bill. But I did put out the olive branch. The Hon. Member for Rushen did tend to rebound on me a little bit (**Mr Gawne:** No.) but I am still supportive of that amendment.

I beg to move.

The Speaker: Thank you, Hon. Members. The clause and the amendments, having been duly moved and seconded and debated, I now move to a vote. I take first the amendment to clause 3 on page 28, which is for one constituency of 24 Members... voting on that option in the name of Mr Watterson. Those in favour, please say aye; against, no. The noes have it.

A division was called for and electronic voting resulted as follows:

FOR

Mr Karran
Mrs Beecroft
Mr Watterson
Mr Skelly
Mr Gawne

AGAINST

Mr Quirk
Mr Ronan
Mr Crookall
Mr Anderson
Mr Bell
Mr Singer
Mr Quayle
Mr Teare
Mr Cannan
Mr Cregeen
Mr Henderson
Mrs Cannell
Mr Robertshaw
Mr Shimmin
Mr Thomas
Mr Cretney
The Speaker

The Speaker: There were 5 votes for, 17 against. The motion fails.

We now turn to the amendment on page 27 by Mr Watterson: two constituencies each returning 12 Members. Those in favour, please say aye; against, no. The noes have it. The noes have it.

Still on page 27: the amendment for three constituencies of eight Members. Those in favour, please say aye; against, no. The noes have it.

A division was called for and electronic voting resulted as follows:

FOR

Mr Karran
Mrs Beecroft
Mr Watterson
Mr Skelly
Mr Gawne

AGAINST

Mr Quirk
Mr Ronan
Mr Crookall
Mr Anderson
Mr Bell
Mr Singer
Mr Quayle
Mr Teare
Mr Cannan
Mr Cregeen
Mr Henderson
Mrs Cannell
Mr Robertshaw
Mr Shimmin
Mr Thomas
Mr Cretney
The Speaker

The Speaker: There were 5 votes for, 17 against. The motion fails.

On page 26, Mr Watterson's amendment: four constituencies of six Members. Those in favour, please say aye; against, no. The noes have it. The noes have it.

I will turn now to the amendment of Mr Karran on page 34. His proposal was six constituencies, each of four Members, as set out on the Order Paper on page 34. Those in favour, please say aye; against, no. The noes have it.

A division was called for and electronic voting resulted as follows:

FOR

Mr Quirk
Mr Karran
Mrs Beecroft
Mr Watterson
Mr Skelly
Mr Gawne

AGAINST

Mr Ronan
Mr Crookall
Mr Anderson
Mr Bell
Mr Singer
Mr Quayle
Mr Teare
Mr Cannan
Mr Cregeen
Mr Henderson
Mrs Cannell
Mr Robertshaw
Mr Shimmin
Mr Thomas
Mr Cretney
The Speaker

The Speaker: There were 6 votes for, 16 against. The motion fails.
Then Mr Gawne's amendment on page 32, as set out, for six constituencies of four Members.

The Clerk: No, he has not moved that. (**Mrs Cannell:** No.) He did not move that.

Mr Gawne: I did not move that.

The Speaker: You did not move that?

In that case we revert to Mr Watterson's motion on page 26, of six constituencies of four. Those in favour, please say aye; against, no. The noes have it.

A division was called for and electronic voting resulted as follows:

FOR

Mr Karran
Mrs Beecroft
Mr Watterson
Mr Skelly
Mr Gawne

AGAINST

Mr Quirk
Mr Ronan
Mr Crookall
Mr Anderson
Mr Bell
Mr Singer
Mr Quayle
Mr Teare
Mr Cannan
Mr Cregeen
Mr Henderson
Mrs Cannell
Mr Robertshaw
Mr Shimmin
Mr Thomas
Mr Cretney
The Speaker

The Speaker: There were 5 votes for, 17 against. The motion fails to carry.

We move now to Mr Watterson's amendment on page 25, of eight constituencies of three Members. Those in favour, please say aye; against, no. The noes have it.

A division was called for and electronic voting resulted as follows:

FOR

Mr Karran
Mrs Beecroft
Mr Watterson
Mr Skelly
Mr Gawne

AGAINST

Mr Quirk
Mr Ronan
Mr Crookall
Mr Anderson
Mr Bell
Mr Singer
Mr Quayle
Mr Teare
Mr Cannan
Mr Cregeen
Mr Henderson
Mrs Cannell
Mr Robertshaw
Mr Shimmin
Mr Thomas
Mr Cretney
The Speaker

The Speaker: There were 5 votes for, 17 against. The amendment therefore fails to carry.

We now move to the, what I describe as standalone amendments – the first of those. On page 32, number 2, in the name of Mr Gawne. Those in favour, please say aye; against, no. The ayes have it.

A division was called for and electronic voting resulted as follows:

FOR

Mr Quirk
Mr Karran
Mr Cannan
Mr Henderson
Mrs Beecroft
Mr Watterson
Mr Skelly
Mr Gawne

AGAINST

Mr Ronan
Mr Crookall
Mr Anderson
Mr Bell
Mr Singer
Mr Quayle
Mr Teare
Mr Cregeen
Mrs Cannell
Mr Robertshaw
Mr Shimmin
Mr Thomas
Mr Cretney
The Speaker

The Speaker: There were 8 votes for, 14 against. It therefore fails to carry.

Also on page 32, amendments number 3 and 4 by Mr Gawne, in relation to the naming of 'Arbory, Castletown and Malew'. Those in favour, please say aye; against, no. The ayes have it.

A division was called for and electronic voting resulted as follows:

FOR

Mr Karran
Mr Anderson
Mr Bell
Mr Teare
Mrs Beecroft
Mrs Cannell

AGAINST

Mr Quirk
Mr Ronan
Mr Crookall
Mr Singer
Mr Quayle
Mr Cannan

Mr Shimmin
Mr Thomas
Mr Cretney
Mr Watterson
Mr Skelly
Mr Gawne
The Speaker

Mr Cregeen
Mr Henderson
Mr Robertshaw

The Speaker: There were 13 votes for, 9 votes against. That amendment therefore carries.
Finally, the amendment on page 34, number 4, in the name of Mr Karran. Those in favour, please say aye; against, no. The eyes have it.

A division was called for and electronic voting resulted as follows:

FOR

Mr Quirk
Mr Karran
Mrs Beecroft
Mr Watterson
Mr Skelly
Mr Gawne
The Speaker

AGAINST

Mr Ronan
Mr Crookall
Mr Anderson
Mr Bell
Mr Singer
Mr Quayle
Mr Teare
Mr Cannan
Mr Cregeen
Mr Henderson
Mrs Cannell
Mr Robertshaw
Mr Shimmin
Mr Thomas
Mr Cretney

The Speaker: There were 7 votes for, 15 against. The amendment therefore fails to be carried.
Having dealt with the amendments, I put the motion that clause 3 as amended stand part of the Bill. Those in favour, please say aye; against, no. The eyes have it.

A division was called for and electronic voting resulted as follows:

FOR

Mr Karran
Mr Ronan
Mr Crookall
Mr Anderson
Mr Bell
Mr Singer
Mr Quayle
Mr Teare
Mr Cannan
Mr Cregeen
Mr Henderson
Mrs Beecroft
Mrs Cannell
Mr Robertshaw
Mr Shimmin
Mr Thomas
Mr Cretney
Mr Watterson
Mr Skelly
Mr Gawne
The Speaker

AGAINST

Mr Quirk

The Speaker: There were 21 votes for, 1 vote against. Clause 3 as amended therefore carries. I finally move to clause 4. Mr Anderson.

Mr Anderson: Thank you, Mr Speaker.

I think this will be the clause that takes the longest of the Bill. We will see.

Clause 4 provides for the Act to cease to have effect on the day following promulgation or on the day following the General Election of the House of Keys, whichever is the earlier.

This is a standard legislative drafting procedure. When an Act amends another Act, those amendments will be incorporated into the Act being amended. The provisions making these amendments become spent but the Act, in reality, now consisting only of the short title and the commencement provision, remains on the statutory book for no purpose.

The provision in clause 4 prevents this from happening. Examples of recent Bills which include the now standard provision are the Limited Liability (Amendment) Bill 2013, the Post Office (Amendment) Bill 2013 and the Summary Jurisdiction and Miscellaneous Bill 2013. Those were examples of Bills with the same effects in them.

Mr Speaker, I beg to move that clause 4 do stand part of this Bill.

The Speaker: Mr Singer.

Mr Singer: I beg to second.

The Speaker: Mr Karran.

Mr Karran: Vainstyr Loayreyder.

I would just like to ask the mover of the Bill what happens if there is a by-election between now and then, allowing for the fact of the constituencies being in position...? I just think it is important that we clarify that – that obviously the existing constituencies will have to be in force until 2016. That is all.

The Speaker: The mover to reply.

Mr Anderson: Yes, the current arrangement stays in place and this does not come into effect until the 2016 General Election.

The Speaker: Hon. Members, I put the question that clause 4 do stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Hon. Members, that brings us to the end of our consideration of the Representation of the People (Amendment) Bill clauses stage and concludes the business of the House today.

The House will now stand adjourned until the next sitting which will take place at 10 o'clock on 4th March in this Chamber.

The House adjourned at 5.44 p.m.