

3. COUNCIL AMENDMENTS

3.1. Marriage and Civil Partnership (Amendment) Bill 2016 – Council amendments approved

Mr Bell to move.

The Speaker: I call Mr Bell to move Item 3.

The Chief Minister (Mr Bell): Thank you, Mr Speaker.

As I mentioned in moving the suspension of Standing Orders, the amendments that were approved in the other place were necessary to correct a drafting error. Although there are three amendments, they actually only correct a single error, so with your permission, Mr Speaker, I would like to move them together.

The error in question found its way into the Bill when this House approved the amendments in the name of my hon. colleague, Mr Singer – although of course it was not his fault, but one of the amendments contained a drafting error. *(Laughter)* **(A Member:** Hear, hear.) So I am told! *(Laughter)*

Mr Singer: I told you!

The Chief Minister: Paragraph 5 of Schedule 3 to the Bill as amended in the Keys contains amendments to the Civil Partnership Act 2011 and subparagraph (15) of that paragraph purports to add a new subsection (4) to section 138 of that Act. However, since the 2011 Act only contains 107 sections, that provision of the Bill is clearly incorrect.

As I understand it, the intention was to insert confirmation into the 2011 Act that as the law currently stands, adultery as a ground for divorce, can only be between a man and woman, which will apply whether the adulterer is in a marriage or civil partnership. However, it seems the Matrimonial Proceedings Act 2003 was being looked at, rather than Civil Partnership Act 2011.

The 2003 Act, amongst other things, deals with divorce, and of course section 138 of the 2003 Act concerns interpretation of that Act. Interpretation is dealt with somewhat differently in the 2011 Act, compared to the 2003 Act, so it is not possible to simply substitute subparagraph (15) of paragraph 5 of Schedule 3 to the Bill, and to fulfil the original intention we have ended up with three amendments rather than just one.

So Mr Speaker, with that convoluted explanation, I beg to move.

The Speaker: Mr Shimmin.

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

The Speaker: Hon. Members, I put the question that the amendments to the Marriage and Civil Partnership (Amendment) Bill made by Legislative Council be agreed. Those in favour, say aye; against, no. The ayes have it.

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

FOR	AGAINST
Mrs Beecroft	None
Mr Bell	
Mr Boot	
Mr Cannan	
Mr Cregeen	
Mr Harmer	
Mr Houghton	

Mr Joughin
Mr Karran
Mr Malarkey
Mr Peake
Mr Quayle
Mr Quirk
Mr Robertshaw
Mr Ronan
Mr Shimmin
Mr Singer
Mr Skelly
Mr Teare
The Speaker
Mr Thomas
Mr Watterson

The Speaker: With 22 votes for, none against, the motion therefore carries.

Hon. Members, that concludes the business of the House today. The House will now stand adjourned until the next sitting, which will take place at 10.30 a.m. on 17th May in Tynwald Court.

The House adjourned at 11.20 a.m.