

**3. Standing Orders Committee –
First Report received and recommendations approved**

Mr Cretney to move:

That the First Report of the Standing Orders Committee of the Legislative Council for the Session 2017–18: Composition of the Committee and Other Matters [[PP No 2018/0032](#)] be received and that the following recommendations be approved:

Recommendation 1

That in Standing Order 4A.1(2) the words ‘HM Attorney General and three other Members’ be left out and replaced with ‘the President, who shall chair the Committee, and two other Members’.

Recommendation 2

That Standing Order 3.1 be replaced with the words: ‘No Member shall be absent from a sitting without the consent of the President.’

Recommendation 3

That in Standing Order 4.4(2) the words ‘after the amendments have been initialled by the President’ be left out; and that in Standing Order 4.5(2) the words ‘signed by the President and’ be left out.

Recommendation 4

That Standing Order 4.4(2) be amended by the addition at the end of the words: ‘immediately unless the President determines that its return should be delayed’; that Standing Order 4.5(2) be amended by the addition at the end of the words ‘immediately unless the President determines that its transmission should be delayed’; and that Standing Order 6.2(5) be omitted.

The President: We turn to Item 3, Standing Orders Committee, First Report. I call on Mr Cretney to move.

5 **Mr Cretney:** Thank you, Mr President.

This Report makes four recommendations for changes to our Standing Orders as set out on the Order Paper.

10 The first recommendation is about who should be a member of our Standing Orders Committee. At the moment the Committee is formed of Her Majesty’s Attorney General and three other Members. The three other Members are Mr President, Mrs Sharpe and myself. The Standing Orders do not say who should chair the Committee but in practice it has been chaired by Mr President. If our recommendation is carried, the Committee will be formed of Mr President, who shall chair the Committee, and two other Members. We were asked to consider this reform in an email of December 2017 for the Tynwald Standing Orders Committee
15 which is quoted in our Report.

The Tynwald Standing Orders Committee itself was reformed at the May sitting of Tynwald. Our recommendation follows through on the same thinking.

20 Mr President, our thinking is that if this recommendation is carried to day and provided other Hon. Members are content, Her Majesty’s Attorney General will leave the Committee and the other three Members will continue to be you as Chair; Hon. Member, Mrs Sharpe who was elected to the Committee not long ago; and myself. It follows from the recent Tynwald Resolution that the three of us would then be the representatives of this Council on the Tynwald Standing Orders Committee as well.

Mr President, the other three recommendations in this Report are rather more technical.
25 Recommendation 2 is about what happens if an Hon. Member is unable to attend a sitting.
Under the Standing Orders as currently worded we are supposed to inform the Clerk. However,
under primary legislation we are not supposed to miss a sitting without the consent of the
President. The recommendation will bring our Standing Orders into line with that legislation.

30 Recommendation 3 removes an outdated reference to the initialling of amendments by the
President. This belongs to a bygone era of hard-copy record-keeping. Amendments have not
been initialled for years. This change would bring our Standing Orders into line with current
practice.

35 Recommendation 4 is about what happens when we have passed a Bill and specifically the
point at which we transmit them to the Keys. The purpose of the recommendation is to make
express provision for a situation which happened in 2016 and may have happened at other
times in the past. On 14th June 2016 two Bills which had been introduced first into the
Legislative Council were passed: they were the Equality Bill 2016 and the Treasure Bill 2016. If
40 these Bills had been transmitted to the House of Keys immediately, they might have been
considered to be before the House at the time of the dissolution on 11th August 2016. Under
Keys Standing Orders they might then have been deemed to have lapsed. That would have been
an undesirable outcome from the point of view of this Council because then the new House
would have had to start out as if those Bills had never existed and we might have had to debate
them all over again. Those of us who were here for the Equality Bill will remember that one in
particular. In order to avoid this risk, Madam President announced on 14th June 2016 that each
45 Bill would be transmitted to the Keys on 3rd October 2016. This announcement was certainly
within her powers at the time but the Committee felt it would be better if the President's ability
to do this was set out in the Standing Orders.

Mr President, these are the four recommendations of this Report and I hope Hon. Members
will support them. I beg to move.

50 **The President:** Mrs Sharpe, do you care to second?

Mrs Sharpe: I beg to second.

55 **The President:** Does any other Member wish to speak?

A Member: No, happy to support.

60 **The President:** In that case I put the motion that the First Report of the Standing Orders
Committee and the four recommendations be approved. Those in favour, say aye; against, no.
The ayes have it. The ayes have it.

Hon. Members, that brings us to the end of our Order Paper.