

4. LEAVE TO INTRODUCE

**4.1. Private Member's Bill to amend Council of Ministers Act 1990 –
Leave to introduce granted**

The Hon. Member for Garff (Mrs Caine) to move:

That leave be given to introduce a Private Member's Bill to amend section 2(3)(b) of the Council of Ministers Act 1990; and for connected purposes.

The Speaker: Leave to Introduce and I call on the Hon. Member for Garff, Mrs Caine.

Mrs Caine: Thank you, Mr Speaker.

I rise to correct what I feel is an anomaly in the legislation governing the process for removing a Chief Minister. I should emphasise that this is not in any way related to the present incumbent but seeks to rectify an illogical inconsistency in the Council of Ministers Act.

To be evicted as Chief Minister, a Member now requires a straight majority of 13 votes from Members of the House of Keys; however, to be removed from office requires a two-thirds majority of 16 votes. I feel this is wrong. Surely, if the head of Government has lost the confidence of a majority of Hon. Members then, by continuing in office, his or her Government would lose all credibility. If Members felt strongly about this, every Government motion could be opposed by the 13, 14 or 15 Members who voted against him or her.

If the concern relates to the stability of our Government, there are other ways that could be addressed. I looked at comparable jurisdictions and once again I am grateful for the input of Professor Peter Edge from the School of Law, Oxford Brookes University in the course of my research on this point. Overwhelmingly, a simple majority is enough to cause a head of government to resign. The only exception he is aware of is the Cayman Islands where a two-thirds majority is required. This would seem similar to the Manx model but it is not because the Caymans, like pretty much everywhere else, do not have the departmental system of consensus government that we do.

Professor Edge's comment to me was: if you combine a two-thirds majority with the very substantial involvement of MHKs in Government, it looks like stability has trumped accountability too much. I would agree.

Therefore, Mr Speaker, I am seeking the support of this Hon. House to bring forward a Private Member's Bill to amend our legislation requiring 16 Members to support a vote of no confidence in a Chief Minister and to make it 13 votes. I beg to move.

Thank you, Mr Speaker.

The Speaker: Ms Edge.

Ms Edge: Thank you, Mr Speaker.

I beg to second and reserve my remarks.

The Speaker: Mr Thomas.

Mr Thomas: Thank you.

I will speak very briefly. I voted *for* this proposal in 2016, as Mr Speaker did at that point. Mr Speaker's words then were incredibly powerful, explaining exactly the point that Mrs Caine has made. In other words, the proposal before you today was proposed as an amendment to the Council of Ministers Act back in 2016. I will be voting the same way again and I encourage Hon. Members to do likewise.

The Speaker: Mrs Caine to respond to the debate.

Mrs Caine.

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Mrs Caine: Thank you, Mr Speaker.

Not very much of a debate, actually. I am grateful for Mr Thomas for urging Members to support it. It would seem that Members have already made up their minds.

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I would also urge Members to support it. I believe this is a significant part that would support the Isle of Man in its aims to be open and accountable, and I think that any Chief Minister whose support dwindled to 13 or 14 Members of this House would have a crippled government and no credibility. And in terms of the Isle of Man's international reputation it could be very damaging.

So yes, please, I would urge everyone to support it so we could have this piece of legislation, a very simple clause to amend, come before us and have that debate.

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Thank you, Mr Speaker.

The Speaker: The question is that leave be given to introduce a Private Member's Bill to amend section 2(3)(b) of the Council of Ministers Act 1990 and for connected purposes.

Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

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A Member: Divide called.

A Member: Divide.

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The Speaker: Sorry, I did not hear a division called. We will vote on that.

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

FOR

Mr Ashford
Mr Moorhouse
Dr Allinson
Mr Baker
Mrs Barber
Mr Boot
Mr Callister
Mr Cannan
Mrs Corlett
Mr Cregeen
Ms Edge
Mr Harmer
Mr Hooper
Mr Peake
Mr Perkins
Mr Quayle
Mr Robertshaw
Mr Shimmins
Mr Skelly
Mr Speaker
Mr Thomas

AGAINST

None

The Speaker: With 24 for, none against. The ayes have it. The ayes have it.