



HOUSE OF KEYS OFFICIAL REPORT

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PROCEEDINGS

DAALTYN

HANSARD

Douglas, Wednesday, 6th May 2015

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Present:

The Speaker (Hon. S C Rodan) (Garff);
The Chief Minister (Hon. A R Bell) (Ramsey);
Mr D M Anderson (Glenfaba); Mr L I Singer (Ramsey);
Hon. W E Teare (Ayre); Mr A L Cannan (Michael); Hon. T M Crookall (Peel);
Mr P Karran, Mr Z Hall and Mr D J Quirk (Onchan);
Hon. R H Quayle (Middle); Mr J R Houghton (Douglas North);
Mrs K J Beecroft (Douglas South);
Mr C R Robertshaw (Douglas East);
Hon. J P Shimmin and Mr C C Thomas (Douglas West);
Hon. R A Ronan (Castletown); Mr G D Cregeen (Malew and Santon);
Hon. J P Watterson, Hon. L D Skelly and Hon. P A Gawne (Rushen);
with Mr R I S Phillips, Secretary of the House.

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House of Keys

The House met at 10.00 a.m.

[MR SPEAKER *in the Chair*]

The Speaker: Moghrey mie, good morning, Hon. Members.

5 **Members:** Good morning, Mr Speaker.

The Speaker: The Chaplain will lead us in prayer.

PRAYERS

The Chaplain of the House of Keys

Leave of absence granted

The Speaker: Hon. Members, I have given leave of absence to the Hon. Member for Douglas East, Mrs Cannell.

10 I have to advise that I have been given a message that the Hon. Member for Rushen, Mr Gawne, has been unavoidably delayed on his way in this morning; however, he is expected to join us as soon as possible.

Order of the Day

1. ELECTION OF TWO MEMBERS OF THE LEGISLATIVE COUNCIL

Procedural

Election of two persons to serve as Members of the Legislative Council for a period expiring on 29th January 2020 in place of: Mr Philip Braidwood; Mr Dudley Butt; Mr Alan Crowe; and Mr Alex Downie.

Nominees

Mr David Anderson MHK

Mr Phil Braidwood

Hon. Tim Crookall MHK

Proposers

nominated by Mr Leonard Singer MHK

nominated by Hon. Eddie Teare MHK

nominated by Hon. Juan Watterson MHK

The Speaker: We turn to the single Item on our Order Paper, and this is to elect two persons to the Legislative Council for a term expiring on 29th January 2020.

15 There are three nominations on the Order Paper and these were all accompanied by statements of qualification and reason and support as required, and the papers were circulated to Hon. Members by the Deputy Secretary on 16th April.

Hon. Members are by now familiar with the rules of the election so I do not propose to go through them again in full. (**Mr Watterson:** Hear, hear.)

20 After I have called on Members to propose and second candidates and we move to voting, under Standing Order 8.3(5) each Member may vote for any one or more candidates up to the number of vacancies to be filled, or vote for no candidates. All voting papers completed otherwise are invalid and a no vote recorded on them will be counted.

Under the Act, the successful candidate needs no fewer than 13 votes in his or her favour.

25 If when voting has been concluded the vacancy remains, I shall call for fresh nominations and, as before, I may suspend the sitting at any time if this appears useful.

As before, we will proceed to a paper ballot in relation to the names on the Order Paper.

Hon. Members, I wish to make two points about the process for electing Members of the Legislative Council. The first is that if vacancies remain after further rounds of elections today, we shall be obliged by law to reconvene to hold a further election. If this happens, then I shall invite fresh nominations to be submitted to the Secretary of the House by 4.30 p.m. on Friday 30 5th June. Elections must take place not less than 14 days after that, but as soon as practicable – that is in accordance with the law. So I shall, if necessary, call a sitting for Monday 22nd June.

35 If there still remain any vacancies after that the next dates will be 22nd July for nominations and the House will then sit on 5th August.

The second point I wish to make is that the straitjacket of the timetable imposed on the House by law has proved to be not helpful or necessary. (**Several Members:** Hear, hear.) Whatever the outcome of this election today or whether at the end of the process on any other date, I shall in any event refer this matter to the House of Keys Standing Orders Committee for consideration and report back to this House. I will also recommend to them that they examine 40 afresh the requirement for 13 votes rather than a majority, (**A Member:** Hear, hear.) to look at the ability to plump vote, and at the secrecy of the ballot itself. I believe all these matters need to be examined and reported back to this House. The House will then make a determination in that event and any amendment of the procedure which is laid down in legislation, which most of 45 it is, will of course require further legislation.

Nomination of Mr David Anderson MHK

The Speaker: So, Hon. Members, having said that we now proceed to the election and I call for nominations.

50 First of all I call on the Hon. Member for Ramsey, Mr Singer.

Mr Singer: Thank you, Mr Speaker.

I am pleased to propose Mr David Anderson MHK for election to the Legislative Council.

Mr Anderson's CV has been circulated to Hon. Members who also know him on a personal basis. He first entered Manx politics serving for nine years with Patrick Commissioners and has 55 then been successfully elected three times to this Hon. House. Mr Anderson is an honourable man and he is a man of integrity.

In coming to my decision to propose Mr Anderson, I considered the qualities needed to be a good and fully participating Member of the Legislative Council. The first and greatest responsibility as a Member of the Legislative Council is the scrutiny of legislation virtually line by 60 line, and it needs an ability to concentrate, be a clear thinker and understand how a Bill is

constructed; and in relation to the scrutiny role, Mr Anderson is a member appointed by Tynwald of the Economic Policy Review Committee.

65 There must also be the willingness to take charge of a Bill of which one has no prior knowledge, yet be prepared to be fully briefed and to understand the concept in order to be able to fully explain the contents of the Bill and answer clearly and succinctly the questions of other Members. Mr Anderson has gained much experience by taking major Bills through this Hon. House. He also enjoys being a team player.

70 If a candidate does not exhibit those qualities that I have just referred to then the functioning of the Legislative Council can be compromised. I believe the Hon. Member, Mr Anderson, has all those qualities.

I have every confidence that Mr Anderson is an excellent candidate for the Legislative Council, as I say taking with him there 15 years of experience at the highest level in Manx politics; and I commend him to Hon. Members and therefore ask you to vote for him.

75 Thank you, Mr Speaker.

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

Mr Bell: Thank you, Mr Speaker, I beg to second.

Nomination of Mr Phil Braidwood

80 **The Speaker:** I call on the Hon. Member for Ayre, Mr Teare.

Mr Teare: Thank you, Mr Speaker.

I have much pleasure in nominating Mr Philip Braidwood as a Member of the Legislative Council.

85 Mr Braidwood has been a Member of Tynwald Court for almost 20 years, initially as the member for East Douglas and latterly as a Member of Council. Before then he was a member of Onchan District Commissioners.

90 Since I joined this House in 2004, I have grown to appreciate the contribution that he has made to our national politics. In addition to serving his constituency, he has been a member of many Departments, Deputy Speaker and also a member of the Treasury team, more latterly working with myself. He was also a Minister holding two portfolios: Home Affairs and the Minister for Transport.

Phil is a Member who takes his commitment seriously and I have been impressed by the way that he has discharged his responsibilities, whilst being part of the Treasury team. He has wide ranging and unrivalled experience.

95 During the time that he has worked with me he has taken 19 Bills through the Legislative Council, which has created a very heavy workload and makes him ideally suited to continue to scrutinise legislation. In Phil, we have a hard working and committed Member who has more than justified the trust that was placed in him five years ago, when he was first elected to the Legislative Council, and I feel sure that he is worthy of being re-elected.

100 Mr Speaker, I have much pleasure in moving the nomination of Mr Philip Braidwood as a Member of Council.

The Speaker: Hon. Member for Douglas West, Mr Shimmin.

105 **Mr Shimmin:** Thank you, Mr Speaker.

Mr Phil Braidwood has repeatedly been elected by public mandate to serve the people of Douglas East. He has been experienced in Government and parliament for nearly 20 years, and

in recent times has taken more Bills through for scrutiny of the Legislative Council than any other Member of Tynwald.

110 When we are looking for an ideal set of skills for Legislative Council I believe that Phil Braidwood suits the role of the elder statesman with experience to serve that purpose; and I beg to second, sir.

Nomination of Mr Tim Crookall MHK

The Speaker: I call on the Hon. Member for Rushen. Mr Watterson.

115 **Mr Watterson:** Mr Speaker, I would like to propose the nomination of my hon. colleague from Peel, Mr Tim Crookall MHK.

Mr Crookall has been a Member for Peel since 2006 following nearly 16 years as a Peel Town Commissioner. Since being elected he has served in the Department of Transport and Infrastructure, DoLGE, DHA, DEFA, OFT as vice-chair and chair, Chairman of the Water and Sewerage Authority since 2011; he has been a Minister in DCCL and has been the Minister for the Department of Education and Children for nearly three years.

120 His parliamentary duties on committees are detailed in his CV which has been circulated to all Hon. Members, and I would say he has never shied away from his duties on committees and sees it as part of a Member's responsibility.

125 Mr Crookall's commitment, dedication and working relationship with colleagues and staff is to be applauded and is well known around Government.

In the community he has served on Peel Lifeboat for over 25 years, involved with Arthritis Care Ellan Vannin, Western Live at Home; he is the Chairman of the Peel Heritage Trust and a member of Peel AFC.

130 Mr Speaker, as I have said previously, Mr Crookall is a valuable asset to this House and I do believe that he would continue to be an asset for Tynwald and this House as a Member of the Legislative Council if he is elected.

I beg to propose this nomination standing in my name.

135 **The Speaker:** The Hon. Member for Rushen, Mr Skelly.

Mr Skelly: Yes, I have great pleasure in seconding this nomination of Mr Crookall.

I believe he has served the people of Peel very well, not only as an MHK but obviously previously as a Commissioner and he has done sterling work within Government.

140 I have worked with Mr Crookall in the days of DCCL and I have found him to be a man of integrity. I have found him to be a man who is fair, very genuine and committed to all the roles he has been involved with and I have enjoyed actually working with him as a co-Minister in Council of Ministers.

145 What I do very much enjoy about Mr Crookall is his level of engagement with our colleagues around Tynwald, not just here as Members of House of Keys.

For that reason, I do believe he would be a valuable Member of the Legislative Council and, as I say, I have every pleasure in seconding that nomination.

**Election of two persons to Legislative Council –
First ballot**

150 **The Speaker:** Hon. Members, there have been nominated for election Mr David Anderson,
Mr Phil Braidwood and Mr Tim Crookall.

I am now required to nominate two scrutineers who, with the Secretary of the House, will count the number of votes for each candidate. I therefore ask the Hon. Member for Castletown, Mr Ronan, and the Hon. Member for Douglas South, Mrs Beecroft, if they will kindly act as scrutineers.

155 I call on the Secretary of the House to distribute the ballot papers.
I just remind Hon. Members the microphones are still on.

A first ballot took place and voting resulted as follows:

Vote Results	
Mr Anderson	10
Mr Braidwood	9
Mr Crookall	7

The Speaker: Hon. Members, the result of the election is that Mr Anderson has 10 votes; Mr Braidwood has 9 votes; and Mr Crookall has 7 votes.

No candidate has therefore been elected on the first ballot.

**Election of two persons to Legislative Council –
Second ballot**

160 **The Speaker:** I will at this stage, therefore, go to a second ballot and invite nominations.
Mr Singer.

Mr Singer: Thank you, Mr Speaker.
165 Can I once again... I am very pleased to nominate Mr Anderson.

The Speaker: Mr Bell.

Mr Bell: I beg to second, Mr Speaker.
170

The Speaker: Mr Teare.

Mr Teare: I would be delighted to second Mr Braidwood, sir.

175 **The Speaker:** Mr Shimmin.

Mr Shimmin: I believe he is proposing, Mr Speaker, and I would be delighted to second.
(Laughter)

180 **Mr Teare:** Sorry.

The Speaker: Thank you.
Mr Watterson.

185 **Mr Watterson:** I am happy to propose Mr Crookall, sir.

Mr Watterson: And happy to second.

The Speaker: Are there any other nominations?

In that case, as before, we shall proceed to a ballot.

190 The same scrutineers, please; and ballot papers to be distributed.

A second ballot took place and voting resulted as follows:

Vote Results	
Mr Anderson	9
Mr Braidwood	9
Mr Crookall	8

The Speaker: Hon. Members, the result of the election is: Mr Anderson received 9 votes; Mr Braidwood received 9 votes; and Mr Crookall received 8 votes.

No candidate has been elected.

195 I therefore propose to suspend the sitting for 10 minutes to allow the proposers and the candidates to confer and I shall be available for consultation, also.

*The House adjourned at 10.34 a.m.
and resumed its sitting at 10.53 a.m.*

**Election of two persons to Legislative Council –
Nomination of Mr Paul Beckett –
Third ballot**

The Speaker: Please be seated, Hon. Members.

Hon. Members, following the adjournment and the suspension I again ask for nominations.

The Hon. Member for Ramsey, Mr Singer.

200 **Mr Singer:** Thank you, Mr Speaker.

I wish to nominate Mr David Anderson MHK.

The Speaker: Mr Bell.

205 **Mr Bell:** I beg to second, Mr Speaker.

The Speaker: Mr Teare.

210 **Mr Teare:** Thank you, sir.

I am pleased to nominate Mr Philip Braidwood as a Member of the Legislative Council; a gentleman with an impressive track record who still has a great deal to offer.

The Speaker: Mr Shimmin.

215 **Mr Shimmin:** I beg to second, Mr Speaker.

The Speaker: Mr Watterson.

220 **Mr Watterson:** I beg to propose Mr Crookall, Member for Peel, as a Member of the Legislative Council, sir.

The Speaker: Mr Skelly.

Mr Skelly: And I beg to second, sir.

225 **The Speaker:** Are there any other nominations?
Mrs Beecroft.

Mrs Beecroft: Yes, Mr Speaker.

I would like to nominate Mr Paul Beckett, advocate.

230 Members have had his CV, which is undoubtedly impressive and shows that he is adequately
and eminently suitable for this position.

I do not intend to do a long speech for my nomination of him because I think Members are all
aware from the previous time of exactly why I hope people will support him.

So I beg to nominate him.

235 Thank you, Mr Speaker.

The Speaker: Mr Thomas.

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

240

The Speaker: Are there any other nominations?

The persons nominated are Mr David Anderson, Mr Paul Beckett, Mr Phil Braidwood and
Mr Tim Crookall.

Not the same scrutineers as before –

245

Mr Watterson: They are not lucky!

The Speaker: – the Hon. Member for Castletown and the Hon. Member for Onchan, Mr
Quirk.

250 Please just give us a few moments while new ballot papers are prepared.

A third ballot took place and voting resulted as follows:

Vote Results

Mr Anderson	11
Mr Beckett	5
Mr Braidwood	9
Mr Crookall	9

The Speaker: Hon. Members, the result of the election in this third ballot is that Mr Anderson
received 11 votes; Mr Beckett received 5 votes; Mr Braidwood received 9 votes; Mr Crookall
received 9 votes. No candidate has been elected.

**Election of two persons to Legislative Council –
Fourth ballot**

255 **The Speaker:** It seems to me that we might proceed to a fourth ballot. I therefore invite
nominations.

Mr Singer.

Mr Singer: Thank you, Mr Speaker.

260 I wish to nominate Mr David Anderson.

Mr Bell: I beg to second.

The Speaker: Mr Watterson.

265

Mr Watterson: I propose Mr Crookall, sir.

Mr Skelly: I would be happy to second.

270

The Speaker: Mr Teare.

Mr Teare: Thank you, sir.

I would like to nominate Mr Braidwood.

275

The Speaker: Mr Shimmin.

Mr Shimmin I beg to second.

The Speaker: Mrs Beecroft.

280

Mrs Beecroft: Thank you, Mr Speaker.

Yes, I would like to nominate Mr Paul Beckett, again.

The Speaker: Mr Thomas.

285

Mr Thomas: I will second, Mr Speaker.

The Speaker: Are there any further nominations? In that case we will proceed to a ballot.

290 The candidates are Mr David Anderson, Mr Paul Beckett, Mr Phil Braidwood and Mr Tim Crookall.

The same scrutineers, Mr Quirk and Mr Ronan, please.

A fourth ballot took place and voting resulted as follows:

Vote Results	
Mr Anderson	9
Mr Beckett	4
Mr Braidwood	9
Mr Crookall	9

The Speaker: The result of the election is: Mr Anderson received 9 votes; Mr Beckett received 4 votes; Mr Braidwood received 9 votes; Mr Crookall received 9 votes.

No candidate has therefore been elected.

New nominations called for under Standing Order 8.2(2)(xi)

295 **The Speaker:** Hon. Members, it seems to me pointless to go any further. (**Several Members:** Hear, hear.)

I have made the position absolutely clear. Nominations for a fresh round of elections must be submitted to the Secretary of the House by 4.30 on 5th June. Elections will take place on

300 22nd June, which is the time limit prescribed by law; and, as I said, if after that there are still vacancies then the House will sit on 5th August for the elections.

With that, Hon. Members, that concludes the business of the House.

The House will now stand adjourned until the next sitting which will take place on Tuesday 12th May in this Chamber.

The House adjourned at 11.16 a.m.