

**5. Emoluments of Members of Tynwald –  
Combined Vote under Standing Order 3.19(1) –  
Amended motion carried**

*Extract from the October 2020 Votes and Proceedings –  
Motion made –*

*That the Report of an Independent Panel on the Emoluments of Members of Tynwald [PP No 2019/0158] be received and that the necessary action be taken by the Treasury and the Public Sector Pensions Authority to implement the proposal set out at Annex 2A of the Report; and that the proposal should be implemented in accordance with the consultation and transition arrangements outlined at paragraph 55 of the Report.*

*Mr Watterson*

*Amendment moved –*

*To leave out all the words after “be received” and add:*

*“and that Tynwald considers it appropriate that Members’ salaries, pensions and expenses, as well as Members’ Standards, be set and judged independently; and that provision for a body responsible for these matters be brought forward by the Emoluments Committee by February 2021 ”.*

*Mr Cannan*

*Amendment moved –*

*To add at the end the words:*

*“and that Tynwald considers it appropriate that Members’ salaries, pensions and expenses be set and judged independently; and that provision for a body responsible for this be brought forward by the Emoluments Committee by February 2021 ”.*

*Mr Hooper*

*Amendment moved –*

*“To leave out all the words after “be received” and add:*

*“and that Tynwald considers it appropriate that Members’ salaries, pensions and expenses, be set and judged independently; and that provision for a body responsible for these matters be brought forward by the Emoluments Committee by February 2021 ”.*

*Ms Edge*

*Mr Cannan’s amendment, by leave of the Court, withdrawn.*

*Ms Edge’s amendment –*

*Court divided.*

*In the Keys – Ayes 13, Noes 10*

*For: Mr Moorhouse, Mr Baker, Mr Boot, Mr Cannan, Mrs Christian, Mrs Corlett, Mr Cregeen, Ms Edge, Mr Peake, Mr Quayle, Mr Quine, Mr Shimmins, Mr Thomas*

*Against: Dr Allinson, Mrs Barber, Mrs Caine, Mr Callister, Mr Harmer, Mr Hooper, Mr Perkins, Mr Robertshaw, Mr Skelly, Mr Speaker*

*In the Council – Ayes 3, Noes 6*

*For: Mr Henderson, The Lord Bishop, Mrs Lord-Brennan*

*Against: Miss August-Hanson, Mr Greenhill, Mrs Maska, Mr Mercer, Mrs Poole-Wilson, Mrs Sharpe*

*Amendment lost.*

*Ms Edge gave notice under Standing Order 3.19(1) of her intention to move her amendment for a combined vote at the November sitting.*

5280 **The President:** We turn now to Item 5, and the motion as set out. This is a combined vote on Ms Edge's amendment to the original motion of which she gave notice at the last sitting. If Ms Edge's amendment is agreed, Mr Hooper's amendment falls. If her amendment is not agreed, I shall put the question on Mr Hooper's amendment and the main motion, which will be voted on in the usual way, Branches voting separately. But Ms Edge's motion will be the subject of a combined vote.

5285 So I invite Ms Edge to formally move the motion.

**Ms Edge:** Thank you, Mr President.

I beg to move the amendment standing in my name for a combined vote under Standing Order 3.19.

5290 Thank you, Mr President.

**The President:** Hon. Member, Mr Hooper.

**Mr Hooper:** Thank you very much, Mr President.

I rise to table an amendment to this combined vote.

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**The Speaker:** Ms Edge's amendment?

**Mr Hooper:** Yes, sorry. The amendment to Ms Edge's amendment, just to be clear, which the Clerk is going to helpfully circulate today.

5300 The reason I am moving this amendment is I still *very* firmly believe that when we have asked for an independent report on an issue which we have all collectively agreed that we should not be voting on, we probably should not be voting on it. We should be taking that independent report as read, as a decision that we have to live with, whether we like it or not. This particular issue, I believe, is very unique in this way, and I think we have all generally agreed that we should not be making a decision on our own pay, so it seems absolutely bizarre that we are  
5305 being asked by Ms Edge to simply park this decision again and kick it further down the road.

5310 Equally, I do not like the idea of voting against elements of this proposal, such as removing the tax-free expense allowance, so there is no way that I can support the amendment Ms Edge has tabled, and I really think that we would be much better to vote on the amendment that I have just tabled today.

I do completely, 100%, agree with Ms Edge that pay going forward should be independently set without Tynwald deciding on the issue. Now, I have made all these points already in last month's debate. I am not going to go over them again in detail. Suffice to say this amendment is aimed to put us back on the right path to accepting these changes now and then handing over  
5315 future responsibility to an independent board, and the amendment that I have tabled retains all of those elements of Ms Edge's proposal. I asked the Clerk to lay this amendment out in bullet points so it is very clear, because otherwise it gets quite complex amending amendments on amendments. I thought, actually, this is a simpler way of setting it out.

5320 Since last month, though, one thing I have been thinking about that has slightly changed my mind on this independent board structure, or an independent committee, is that the amendment that has been proposed by Ms Edge actually does not specifically say Tynwald Members should not be debating or voting on our own pay, it simply says somebody else should make the recommendation. Which is fine, absolutely, but it leaves us open to that possibility of this new independent committee, which may very well include a former MHK, perhaps a former

5325 Chief Minister, perhaps a business representative from the business community, perhaps another lay member, and they would make a recommendation and then that will be laid in front of this Hon. Court and we would then debate it again. And every few years we would be having this debate, which seems mad.

5330 So what I am proposing in this amendment is an extra bullet point, so the last bullet point is really the only thing that we have not discussed previously. The last bullet point basically says that any reports that come out of this committee, out of this independent body, should be subject to the negative procedure in Tynwald. What that means is it is not subject to a debate automatically, but if they propose something that we all or someone, any individual Member, thinks absolutely 'That's mad', anyone in this Hon. Court has the ability to try and exercise a veto  
5335 to bring that to the floor of Tynwald and say, 'We shouldn't do that. We should reject it.' That is why I think the negative procedure makes sense, because it means that – I would like to think at least – in nine times out of 10 you would not be debating anything on pay. You would only be debating something that flew well against the accepted norms and well against the combined wisdom of Tynwald.

5340 The other slight amendment, which again is included in that last bullet point, is in respect of how the budget is set, because one of the concerns that was raised in the last debate is that if we hand over decision-making power entirely to an independent body and they decide universally, 'Oh, actually, we think the Treasury Minister isn't paid enough. His salary should double', we might say, 'Hold on a second! No, that is going to go well beyond the budget, we  
5345 can't afford this'.

We do not really want to be getting into that debate. So actually any budget for this body, or anything they recommend, needs to be going through the normal budget process as opposed to being dealt with as a unique, specialist item on the floor of this Hon. Court. It just needs to be really taken one step back from the decisions being made principally here on the floor. That is in  
5350 essence what I am proposing.

So those bullet points that I am proposing are exactly what Ms Edge is already proposing, which are: going forward, an independent body should be the one setting Members' pay; it accepts the report's recommendations that are in front of us; and it adds that little bit extra that talks about, actually, going forward we do not want to be debating those reports from an  
5355 independent body, and we definitely do want to be talking about the budget. I would much rather that all be dealt with through our standard processes.

So with that, Mr President, I urge Hon. Members to not stand up and go over old ground again in this debate, *(Laughter)* but please accept the independent report, accept the recommendations and let us get back on the right path.

5360 Mr President, I beg to move the amendment in my name:

*To leave out the word 'and' at the beginning of Ms Edge's amendment and after the word 'independently' and to insert the words '*

- that the necessary action be taken by the Treasury and the Public Sector Pensions Authority to implement the proposal set out at Annex 2A of the Report;*
  - that the proposal should be implemented in accordance with the consultation and transition arrangements outlined at paragraph 55 of the Report;'*
- and to add at the end the words '*
- and that the body should be mandated to determine Members' pay subject to the negative Tynwald procedure within an overall limit to be set as part of the budget process'.*

Thank you.

**The President:** Thank you.

5365 Before I invite a seconder and go into the debate, I just wish to draw Hon. Members' attention to a drafting error on the paper that you have in your hand. The text of Mr Hooper's

amendment at the top, the last line reads 'within an overall limit to be set by the Treasury'. When you look down at the motion as amended in italics, the last line reads an 'overall limit to be set as part of the budget process.' The correct wording is 'overall limit to be set by the *Treasury*.' To be set by the Treasury.

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**Mr Hooper:** Apologies, Mr President. No, the wording in the bullet points is correct, sorry. The drafting error is in the original text at the top. So apologies for that.

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**The President:** Thank you. I was advised the opposite but you, as mover, are informing the Court that the wording is: 'to be set as part of the budget process'?

**Mr Hooper:** Yes. That is right, Mr President.

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**The President:** Thank you. Hon. Members, is that absolutely clear? Thank you.  
Hon. Member, Mrs Barber.

**Mrs Barber:** Thank you very much, Mr President.

Hopefully I can keep this very short. I wish to second the amendment in Mr Hooper's name.

5385

One of the elements that I picked up on last month was very much around having a clear budget in relation to this. I think that clarity is absolutely needed. So for me that last bullet point gives that clarity that I am looking for around a budget envelope, as it were, and I think the negative Tynwald procedure, for me, is the right mechanism.

I think having these debates over and over again on the floor, where we are all trying to pick off little elements around pay, is actually just the wrong way to go about this.

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Then, the only thing that I would finish with, is just to reiterate the point that we really are discussing here whether we accept or reject the findings of an independent panel in favour of another independent panel. So I would say let's take this independent panel's findings and then let's establish a far more appropriate mechanism that provides for us into the future and gives us the longevity we are all looking for.

5395

Thank you, Mr President.

**The President:** Thank you, Hon. Member. Two short and concise contributions.

5400

May I remind the Court we had a whole morning's debate (*Laughter*) on Members' pay at the last sitting? It lasted several hours! (*Interjections*) I am sure you do not wish the same this evening because we will not go home until it is finished. (*Laughter*) Please bear that in mind.

Mrs Poole-Wilson.

**Mrs Poole-Wilson:** Thank you, Mr President.

At the risk of repeating what I said last month: what *they* said. (*Laughter*)

5405

This amendment, to my mind, ticks all of our boxes. It sets up a future independent panel, it addresses the issues of avoiding continual debates about this issue, it manages the budget issue; and actually it also deals with the irony of debating whether or not to accept an independent panel's report, whilst deciding that we want to set up another independent panel. It does not make any sense to me.

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I wholeheartedly support the amendment.

**The President:** Thank you, Hon. Member.

Mr Baker, Hon. Member.

5415

**The Minister for Infrastructure (Mr Baker):** Thank you, Mr President.

I rise to my feet to ask, with your permission, that each of the bullet points be voted on separately. The reason I do that is that I particularly like Mr Hooper's addition to Ms Edge's

5420 motion; however, I would not wish us to lose the difference in principle between what Ms Edge is proposing and what Mr Hooper is proposing, and essentially that is around what is on the table for us today.

So, with your permission, Mr President, I would request that.

**The President:** If I understand correctly, you wish this moved on separately?

5425 **Mr Baker:** Yes, Mr President.

**The President:** Now, the relevant Standing Order talks about two distinct propositions. To my mind, this is a sequential argument and does not lend itself to being voted on separately. I think if it was voted on separately you might end up with a dog's breakfast. (*Laughter*) (**A Member:** Hear, hear.) However, it is up to the Court.

The motion has been made and I will put it to the Court.

Mr Shimmins.

**Mr Shimmins:** Thank you, Mr President. I will try and be brief.

5435

**The President:** No, what we are talking about ... Are you being brief on whether we vote separately?

**Mr Shimmins:** No –

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**The President:** No. (*Laughter*) We have not settled that question yet.

Now, I will put to the Court the motion of Mr Baker that it be voted on separately. Is that agreed? Those in favour, say, aye; against, no. The noes have it. The noes have it. Thank you.

Mr Cannan, you wish to speak?

5445 **The Minister for the Treasury (Mr Cannan):** Thank you, Mr President.

I just want to congratulate the Hon. Member for Ramsey for really setting out to confuse what should have been a pretty straightforward debate or vote on emoluments, because basically we are now moving to a stage where the Hon. Member wants an independent body; but he wants that independent body controlled, and he wants the ability to vote depending on whether he likes or does not like the independent body's recommendation. So he does not really want an independent body, he wants a controlled, regulated body that he can call back and have a debate on in Tynwald.

5450 But frankly, Hon. Members, there is no point in having an independent body, because what the Hon. Member has set out, you may as well just hold control of it in here and throw out any call for an independent body and just have the debate every couple of years, depending on the will of individuals, or Tynwald, or Management Committees to decide to have a look.

For me, I think before this amendment we had a very simple, clear, effective motion which was the fact that we really needed to move away from Tynwald debate, voting one way or the other on the matters. We had a useful report, we need to take that now and let the independent body, whether it is that independent body or another created independent body, simply to make the regulation; and the ruling for Tynwald, just to accept that.

5460 I do not think there was any confusion in the wording of Ms Edge's motion. I would urge Tynwald not to get confused or drawn into a long, drawn-out debate about the implications of what is or what is not an independent body. I think that has been set out by Ms Edge.

5465 For me, I retain my vote in favour of the independent body and for us to simply accept what is laid in front of us and to adjust from there on in.

**The President:** Mr Speaker.

5470 **The Speaker:** Thank you.

I can see why the Treasury Minister would not like the amendment before us and I can certainly see that being a weakness in the system. So this is a balanced argument from me.

I had not seen this amendment before it arrived on my desk just a few moments ago. This does take us forward, inasmuch as the first two bullet points do at least provide that principle that we move on: we remove that political patronage element and we do remove that tax-free lump sum element, which are the Achilles' heel, to use the phrase earlier, of our current system. That is the progress.

In terms of the third bullet point about:

... appropriate that Members' salaries, pensions and expenses be set and judged independently –

– again, I think that is pushing at an open door that really is in all of the *three* things that we could potentially vote on this evening,

... and that provision for a body responsible for these matters be brought forward by the Emoluments Committee

Yes, I think that is important, and I think the last bullet point does somewhat pre-empt that debate that we would have in here about what that body would look like and what it would do and how it would report.

Bear in mind at the moment, Hon. Members, one of the strengths of our system is that we are not required to vote on our pay *now*. It is an automatic process and it is linked in with the public sector pay deal. This does make it a slightly different test. So a negative resolution is changing the system, and whilst I see that is better in that the debate moves us forward, what I am not entirely sure about is if that is really where we want to be, and I think that is something that we really ought to consider.

So yes, what that last bullet point does do, it does leave Tynwald Members' pay essentially in the hands of the Treasury as part of the budget process. Mr President, I will resist the temptation to talk about the budget process on this occasion. But I do not think that is entirely fair either, frankly, because we should leave it as part of that wider public sector pay deal. That was what Tynwald set out as one of its principles going into this and that is why I have some concerns about that final bullet point.

So this is a finely balanced one for me. I would suggest that Mr Hooper's amendment from the first debate is actually superior. It gives greater flexibility to the Emoluments Committee to come back with a wider set of options, it accepts the principle of an independent review body, and it also takes us forward – takes that step forward with some of the principles that were set forward by the independent review panel. It delivers those, it gives us an independent report and it will mean that the Emoluments Committee can come back with the mechanism, or proposed mechanism. Hon. Members should not think that that is going to be an easy discussion either, because I will bet there will be 33 different views about what that mechanism should look like. But that is one for another day. That will take time; that will take legislation.

If we want to make that fundamental change that is required to our pay structure, if we want to get rid of that tax-free lump sum, then I would suggest that the best option you have is Mr Hooper's original amendment probably, rather than the one that we have in front of us today.

Thank you, Mr President.

5510 **The President:** Hon. Member for Middle, Mr Shimmins.

**Mr Shimmins:** Thank you, Mr President.

I tend to agree with Mr Cannan on this matter in terms of the amendment. I will not be supporting it. The reason why is it does not address the key issue for me, which is benchmarking

against other similar roles; and I do have some concerns, actually, that it has not been fully thought through.

5520 It is interesting for me there was a bit of a change obviously with the Treasury first being the people that were going to set the limit, and now it is part of the budget process. I would suggest to you, Hon. Members, that neither of those is a very good situation to be in, because either the Treasury or everyone here will be faced with, 'Well, actually, should we reduce the budget for Members' pay?' Well, that might be the right thing to do. Or certainly increasing it is going to be quite challenging because you are going to have to take stuff out of Health and Education to pay for it.

5525 So I do not think this has been thought through properly, and as such I will not be supporting it. Thank you.

**The President:** Mr Cregeen, Hon. Member.

5530 **The Minister for Home Affairs (Mr Cregeen):** Thank you, Mr President.

Just talking to the new amendment. All we are actually doing is further cementing what the Emoluments have said. It is not giving us that fresh start, it is saying, 'Oh, let's implement this and work on the rest of it later.' I cannot support it. I think that those findings were flawed, I do not think it is going to move us in the direction that we want, and I cannot support it.

5535

**The President:** Does anyone else wish to speak before we move to the vote? (**A Member:** No.) No?

In that case, we move to a vote and I put, for a combined vote, the amendment of Mr Hooper to Ms Edge's amendment. Those in favour of Mr Hooper's amendment, say aye; against, no. The noes have it.

5540

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

*In Tynwald – Ayes 9, Noes 23*

**FOR**

Dr Allinson  
Miss August-Hanson  
Mrs Barber  
Mrs Caine  
Mr Callister  
Mr Greenhill  
Mr Hooper  
Mr Moorhouse  
Mrs Poole-Wilson

**AGAINST**

Mr Ashford  
Mr Baker  
Mr Boot  
Mr Cannan  
Mrs Christian  
Mrs Corlett  
Mr Cregeen  
Ms Edge  
Mr Harmer  
Mr Henderson  
Mrs Lord-Brennan  
Mrs Maska  
Mr Mercer  
Mr Peake  
Mr Perkins  
Mr Quayle  
Mr Quine  
Mr Robertshaw  
Mrs Sharpe  
Mr Shimmins  
Mr Skelly  
Mr Speaker  
Mr Thomas

**The President:** With 9 votes for, and 23 against, Mr Hooper's amendment therefore fails to carry.

I put the amendment in the name of Ms Edge for combined vote. Those in favour, say aye; against, no. The noes have it.

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

*In Tynwald – Ayes 15, Noes 17*

**FOR**

Mr Baker  
Mr Boot  
Mr Cannan  
Mrs Christian  
Mrs Corlett  
Mr Cregeen  
Ms Edge  
Mr Henderson  
Mr Moorhouse  
Mr Peake  
Mr Quayle  
Mr Quine  
Mrs Sharpe  
Mr Shimmins  
Mr Thomas

**AGAINST**

Mr Ashford  
Dr Allinson  
Miss August-Hanson  
Mrs Barber  
Mrs Caine  
Mr Callister  
Mr Greenhill  
Mr Harmer  
Mr Hooper  
Mrs Lord-Brennan  
Mrs Maska  
Mr Mercer  
Mr Perkins  
Mrs Poole-Wilson  
Mr Robertshaw  
Mr Skelly  
Mr Speaker

5545 **The President:** With 15 for and 17 against, the amendment by Ms Edge therefore fails to carry.

We move now to Mr Hooper's amendment from last month that is on your Order Paper, and this is for vote in the usual way.

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

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

*In the Keys – Ayes 13, Noes 11*

**FOR**

Mr Ashford  
Dr Allinson  
Mrs Barber  
Mrs Caine  
Mr Callister  
Mr Cannan  
Mr Harmer  
Mr Hooper  
Mr Perkins  
Mr Quine  
Mr Robertshaw  
Mr Skelly  
Mr Speaker

**AGAINST**

Mr Baker  
Mr Boot  
Mrs Christian  
Mrs Corlett  
Mr Cregeen  
Ms Edge  
Mr Moorhouse  
Mr Peake  
Mr Quayle  
Mr Shimmins  
Mr Thomas

5550 **The Speaker:** Mr President, 13 for, 11 against.

*In the Council – Ayes 7, Noes 1*



**FOR**

Miss August-Hanson  
Mr Greenhill  
Mrs Lord-Brennan  
Mrs Maska  
Mr Mercer  
Mrs Poole-Wilson  
Mrs Sharpe

**AGAINST**

Mr Henderson

**The President:** And in Council, 7 votes for and 1 against. The amendment of Mr Hooper therefore carries. That becomes the substantive motion.

5555 I put the motion, then, as amended by Mr Hooper. Those in favour, say aye; against, no. The ayes have it.

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

*In the Keys – Ayes 16, Noes 8*

**FOR**

Mr Ashford  
Dr Allinson  
Mrs Barber  
Mrs Caine  
Mr Callister  
Mr Cannan  
Mr Harmer  
Mr Hooper  
Mr Moorhouse  
Mr Peake  
Mr Perkins  
Mr Quine  
Mr Robertshaw  
Mr Shimmins  
Mr Skelly  
Mr Speaker

**AGAINST**

Mr Baker  
Mr Boot  
Mrs Christian  
Mrs Corlett  
Mr Cregeen  
Ms Edge  
Mr Quayle  
Mr Thomas

**The Speaker:** Mr President, 16 votes for, 8 against in the Keys.

*In the Council – Ayes 7, Noes 1*

**FOR**

Miss August-Hanson  
Mr Greenhill  
Mrs Lord-Brennan  
Mrs Maska  
Mr Mercer  
Mrs Poole-Wilson  
Mrs Sharpe

**AGAINST**

Mr Henderson

**The President:** And in the Council, 7 votes for and 1 against. The motion, as amended, therefore carries.

Thank you, Hon. Members.