

**6. Council of Ministers (Amendment) Bill 2020 –  
Debate resumed –  
Second Reading approved**

Mr Mercer to move:

*That the Council of Ministers (Amendment) Bill 2020 be read a second time.*

**The President:** We turn to the final Item on our Order Paper, Council of Ministers (Amendment) Bill 2020 for resumption of Second Reading and clauses stage.

Hon. Members will recall that a resolution was passed during the course of the Second Reading stage at the last sitting, which has been now considered and addressed.

I invite the mover to pick up the Bill, Mr Mercer.

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

In moving the Second Reading of the Council of Ministers (Amendment) Bill 2020 for what is effectively the second time, I do not intend to go over the ground that was covered previously. However, I will for the record attempt to summarise the steps that transpired during and since then.

At the previous Second Reading debate here in this Chamber, various questions and additional concerns were raised by my hon. colleagues in Council. After some exploration of options available, a motion was put forward by Hon. Member of Council Mr Henderson and Legislative Council voted to request:

That the Council desires to refer the issues raised by the Council of Ministers (Amendment) Bill 2020 to a Joint Committee; that a message be sent to the Keys informing it of this resolution and requesting its concurrence; and that a delegation of three Members be provisionally elected to the Joint Committee.

As a result, we did not proceed to a vote on the Second Reading of the Bill. Instead, the request was sent to the other place and this was debated in full at their sitting on 9th February 2021, during a motion submitted by Hon. Member Mr Hooper MHK, and seconded by our Chief Minister:

That the Keys does not concur with the proposal of the Council that a Committee be appointed to consider the issues raised by the Council of Ministers (Amendment) Bill 2020 (in the Council).

The vote went 18 to 5 in favour of that motion. The contributions to the debate were varied, but the majority view was that Legislative Council was thanked for raising its concerns, but that the considered view of the Keys was to proceed with this Amendment Bill as written.

Hon. Members, I understand that your concerns have been recorded and debated both here and in the other place. Those who would seek to amend the Council of Ministers Act in future will have the resources of *Hansard* and also the research appendices that were appended to our last debate to draw upon if they so choose.

Returning now though to the Bill before us. If Hon. Members have any remaining questions, I will do my best to answer these during my reply to this debate.

Mr President, with that, I beg to move that the Council of Ministers (Amendment) Bill 2020 be read for a second time.

**The President:** Miss August-Hanson.

**Miss August-Hanson:** Thank you, Mr President.

I would like to second and also thank the Keys for having a proper debate on this in the other place.

**The President:** Thank you.

I put the question that the Council of Ministers (Amendment) Bill be read for the second time. Those in favour, say aye; against, no. The ayes have it. The ayes have it.

**Council of Ministers (Amendment) Bill 2020 –  
Clauses considered**

Mr Mercer to move.

**The President:** We move on to clauses.

Mr Mercer.

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

Clause 1 gives the proposed short title of the Act as the Council of Ministers (Amendment) Act 2020.

Mr President, I beg to move clause 1 stand part of the Bill.

**The President:** Miss August-Hanson.

**Miss August-Hanson:** I beg to second, Mr President.

**The President:** I put the question that clause 1 do stand part of the Bill. Those in favour, say aye; against, no. The ayes have it. The ayes have it.

Clause 2.

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

Clause 2 amends section 2(3)(b) of the Council of Ministers Act 1990 by reducing the number of affirmative votes currently required to pass a resolution in the House of Keys of no confidence in the Council of Ministers. Specifically, reducing the number of votes required from 16 to 13.

Mr President, I beg to move that clause 2 stand part of the Bill.

**The President:** Miss August-Hanson.

**Miss August-Hanson:** I beg to second, Mr President.

**The President:** Mrs Lord-Brennan.

**Mrs Lord-Brennan:** Thank you, Mr President.

I just feel that it needs to be recognised that some of these things were discussed and debated. In the main, I would just say the Keys wants what it wants. In my view, I think that some of the arguments that were put forward, aside from recognising that the Keys wants what it wants, is that actually this will not need to be relied on, that a letter would suffice and things like that. I would just simply say that I am sure this Bill is going to go through today, totally recognise the primacy of the Keys, but it does remain to be I think probably one of the only things, and it is a significant matter, that would not be subject to any check and balance or time to reflect on whether that was a right decision.

So I have really wanted to buy my own mind into supporting this – I *really* have. I do not think me not supporting it today is going to make any major difference and I hope it does not come to pass to be any major, critical matter in the future. However, I just think that some of the points

that came up still stand in terms of the absolute overall system and the Island. But the Keys wants what it wants.

Thank you, Mr President.

**The President:** Miss August-Hanson.

**Miss August-Hanson:** Thank you, Mr President.

I would like to agree with what has just been said by my colleague on Council, Mrs Lord-Brennan. I think that we are not quite looking at this on the whole. But again, the Keys wants what it wants, so I am more than happy to move forward on that basis.

Thank you, Mr President.

**The President:** Thank you.

I call on the mover to reply, Mr Mercer.

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

I think we have covered a lot of ground with this particular Bill. At this point, I think I will beg to move.

**The President:** Thank you.

I put the question that clause 2 do stand part of the Bill. Those in favour, say aye; against, no. The ayes have it. The ayes have it.

That concludes, Hon. Members, the clauses stage of the Council of Ministers (Amendment) Bill and, indeed, our business for this sitting. Thank you very much for your consideration of the Order Paper and Council will now stand adjourned until Tuesday next, 2nd March, 10.30 a.m. here in our own Chamber.

*The Council adjourned at 3.12 p.m.*