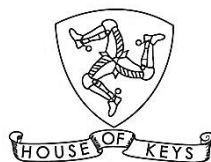


# HOUSE OF KEYS

## Y Chiare as Feed



# ORDER PAPER

## Claare Obbyr

DOUGLAS

Tuesday 13<sup>th</sup> March 2018

10.00 am

**1. Commonwealth Day Message from Her Majesty the Queen**

**2. Questions for Oral Answer**

1. The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Health and Social Care –

If he will make a statement on how the implementation of recommendations from the West Midlands Quality Review Service Reports is being monitored and on progress to date?

2. The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Health and Social Care –

Why Adult Social Care was moved out of Markwell House and what steps are being taken to ensure any benefits and synergies from the previous co-location with Social Security are not lost?

3. The Hon. Member for Douglas South (Mrs Beecroft) to ask the Minister for Health and Social Care –

What action he has taken to ensure effective governance of health and care services?

4. The Hon. Member for Arbory, Castletown, and Malew (Mr Moorhouse) to ask the Minister for Policy and Reform –

What recent research has been carried out into gender pay inequality on the Island?

### **3. Questions for Written Answer**

1. The Hon. Member for Arbory, Castletown, and Malew (Mr Moorhouse) to ask the Minister for the Treasury –

Whether the final distribution to creditors, including investors, of the Louis Group has taken place; and, if not, when this will happen?

2. The Hon. Member for Arbory, Castletown, and Malew (Mr Moorhouse) to ask the Minister for the Treasury –

How many directors of the Louis Group have been disqualified?

3. The Hon. Member for Arbory, Castletown, and Malew (Mr Moorhouse) to ask the Minister for the Treasury –

How much money the Isle of Man government has paid to the Children's Centre; (a) to carry out contracted work; and (b) in the form of donations and charitable giving in each of the last 10 years?

4. The Hon. Member for Onchan (Ms Edge) to ask the Minister for Enterprise –

If he will provide: (a) Departmental structure, costs and FTE by Division prior to the creation of the Department for Enterprise; (b) the current structure, costs and FTE by division/agency; and (c) the FTE and budget transferred to other Departments, Boards and Offices?

5. The Hon. Member for Garff (Mrs Caine) to ask the Minister for Education, Sport and Culture –

How many pupils who attended each primary school between 1991-2000 and 2001-2010 went to university; and what percentage of each school's cohort that represents?

6. The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Infrastructure –

What proportion of government owned land and buildings have been registered at the land registry?

**4. Bill for Second Reading**

4.1 Anti-Money Laundering and other Financial Crime (Miscellaneous Amendments) Bill 2018

**Miss Bettison**

**5. Consideration of Clauses**

5.1 Abortion Reform Bill 2018 (adjournment debate)

**Dr Allinson**

*Tabled Amendments*

<i>Long Title</i>	<i>Mr Peake</i>
<i>Clause 8</i>	<i>Mr Ashford</i>
<i>Clause 8</i>	<i>Mrs Caine</i>
<i>Clause 8</i>	<i>Mr Robertshaw</i>
<i>New Clause 2</i>	<i>Mr Robertshaw</i>
<i>Clause 12</i>	<i>Mrs Caine</i>
<i>Clause 12</i>	<i>Mr Hooper</i>
<i>Clause 13</i>	<i>Mr Robertshaw</i>
<i>Clause 14</i>	<i>Mrs Caine</i>
<i>Clause 15</i>	<i>Mrs Caine</i>
<i>Clause 15</i>	<i>Mr Robertshaw</i>
<i>New clauses 3 to 10</i>	<i>Mr Peake</i>

5.2 Central Registry Bill 2018

**Mr Skelly**

Tabled Amendments

*Amendments to the Schedule*

*Mr Hooper*

*Unless the House otherwise determines, the above business will be considered in the order shown.*

**Roger Phillips**  
**Secretary of the House**

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ABORTION REFORM BILL 2018

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**CONCATENATED LIST OF AMENDMENTS FOR  
SECOND DAY OF THE CLAUSES STAGE**

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**AMENDMENT TO LONG TITLE**

1. Page 7, line 1, after “amendments;” insert “to make provision about access zones for premises where abortion services are provided, and where those who provide them reside;”. (Mr Peake)

**AMENDMENTS TO CLAUSE 8**

2. Page 11, line 5 for “subsection (3) and (4)” substitute “subsections (2) to (4)”. (Mr Robertshaw)

*Note the subsection (2) referred to in this amendment is that proposed to be inserted by amendment 9 or 10 below, and which of them is selected is itself dependent upon whether amendments 4 and 6 are accepted.*

3. Page 11, line 5 for “health care professional” substitute “relevant professional or pharmacist”. (Mrs Caine)
4. Page 11, line 7 for “treatment” substitute “activity”. (Mr Robertshaw)
5. Page 11, line 8 for “the health care professional” substitute “that person”. (Mrs Caine)
6. Page 11, line 9 for “treatment” substitute “activity”. (Mr Robertshaw)
7. Page 11, after line 9 insert —
  - “(2) The Department must not—
    - (a) refuse to employ a person on the ground that the person may refuse to participate in an activity authorised by this Act in reliance upon subsection (1); or
    - (b) terminate the employment of a person who refuses to participate in such an activity on that basis.”. (Mr Robertshaw)

*Renumber the succeeding provisions of the Clause and adjust cross-references accordingly.*

8. Page 11, after line 9 (and amendment 7 if successful) insert—

“(2) A person who intends to rely upon subsection (1) must, within 14 days of being required for the first time to participate in an activity in respect of which the person has a conscientious objection, give notice in writing to that effect to the person who imposed the requirement and (if the requirement was not imposed by the Department) to the Department.”.  
(Mr Robertshaw)

*Renumber the subsequent subsections of the Clause and adjust cross-references accordingly*

9. Page 11, after line 9 and amendments 7 and 8 if successful insert —

“(2) In any legal proceedings, a statement in writing and on oath or affirmation by a person that he or she has a conscientious objection to participating in any treatment authorised under this Act is conclusive evidence of that objection.”. (Mr Robertshaw)

10. Page 11, after line 9 (and amendment 7 and 8) if successful insert—

“(2) In any legal proceedings, a statement in writing and on oath or affirmation by a person that he or she has a conscientious objection to participating in any activity authorised or required under this Act is conclusive evidence of that objection.”. (Mr Robertshaw)

*Note: only one of the two amendments immediately above will be moved, depending upon the success or failure of the amendments proposed at page 11, line 7 and page 11, line 9 (substituting references to “activity” for the references to “treatment” in the Bill as printed).*

11. Page 11, omit lines 10 and 11 (subsection (2) of the Clause in the Bill as printed).  
(Mr Ashford).

*Renumber the succeeding provisions of the Clause, and adjust cross-references accordingly.*

12. Page 11, line 17 for “health care professional” substitute “relevant professional or pharmacist”. (Mrs Caine)

13. Page 11, line 20 for “health care professional” substitute “relevant professional or pharmacist (as the case requires)”. (Mrs Caine)

14. Page 11, line 23 for “health care professional” substitute “relevant professional or pharmacist”. (Mrs Caine)

15. Page 11, for line 28 substitute —

“(b) (summary) 12 months’ custody or a level 5 fine.”. (Mrs Caine)

## NEW CLAUSE 2

16. Page 13, after line 21 insert the following new Clause—

### «NC2 Duty of medical professional following termination

1995/14/6(5)

Where a pregnancy is terminated in accordance with this Act —

- (a) if the child is born alive, the medical practitioner, midwife or nurse attending the woman is under a duty to take all reasonable steps to preserve the life of the child; or
- (b) if there is no live birth, the foetus must be disposed of —
  - (i) in accordance with the wishes of the pregnant woman; or
  - (ii) in the absence of any direction by the pregnant woman, in accordance with the normal practice of the hospital or other facility where the termination occurs,

but neither the foetus nor any part of it may be used or made available for any medical or other experiment or procedure or for any purpose of any description without the express written consent of the mother.». (Mr. Robertshaw)

*Renumber the following provisions of the Bill and adjust cross-references accordingly.*

## AMENDMENT TO CLAUSE 12

17. Page 13 lines 23 and 24 for “the miscarriage of a woman” substitute “the termination of a woman’s pregnancy”. (Mrs Caine)
18. Page 13, line 31 for “miscarriage” substitute “termination”. (Mrs Caine)
19. Page 13, for line 32 substitute—  
“and for the purpose only of—
  - (a) saving the woman’s life; or
  - (b) avoiding grave permanent injury to the woman’s health.”. (Mr Hooper).

## AMENDMENT TO CLAUSE 13

20. Page 13, line 33 at the end insert “**and support**”. (Mr Robertshaw)

**AMENDMENT TO CLAUSE 14**

21. Page 14, line 7 for “her miscarriage” substitute “the termination of her pregnancy”. (Mrs Caine)

**AMENDMENTS TO CLAUSE 15**

22. Page 14, lines 12 and 13 for “healthcare professional” substitute “relevant professional”. (Mrs Caine)

23. Page 14, line 19 for “prescribed” substitute “specified”. (Mrs Caine)

24. Page 14, after line 19 insert —

“(b) requiring any relevant professional or pharmacist who supplies a person with a relevant product, otherwise than in fulfilment of a prescription issued by another person—

(i) to record the reasons for the supply and the circumstances;  
and

(ii) to give notice of the supply and such other information relating to it, as may be specified;”.

*Renumber the succeeding paragraph of the subsection.* (Mrs Caine)

25. Page 14, after line 19 insert—

- a. Either (if Mrs Caine’s amendment at 23 is not accepted)—

“(b) requiring a relevant professional under a duty to comply with paragraph (a), except in a case where section 9(2) or (4) (women under disabilities) applies, to record that to the best of the relevant professional’s knowledge and belief, the woman freely consents to the termination of her pregnancy and has not been coerced into so doing; and”;

- b. Or (if Mrs Caine’s amendment at 23 is accepted)—

“(c) requiring a relevant professional under a duty to comply with paragraph (a) or (b), except in a case where section 9(2) or (4) (women under disabilities) applies, to record that to the best of the relevant professional’s knowledge and belief, the woman freely consents to the termination of her pregnancy and has not been coerced into so doing; and”. (Mr Robertshaw)

*Renumber the succeeding paragraph of subsection (1) accordingly.*



26. Page 14, line 21 for “prescribed” substitute “specified”. (Mrs. Caine)
27. Page 14, line 25 for “(1)(b)” substitute “(1)”. (Mrs Caine)
28. Page 14, for line 29 substitute—  
“*Maximum penalty (summary) – level 5 fine.*”. (Mrs Caine)

**NEW PART (COMPRISING NEW CLAUSES 3 TO 10) TO BE  
INSERTED AS PART 3**

29. Page 14, after line 29 insert—

**«PART 3 — ACCESS ZONES FOR ABORTION SERVICES**

**NC3 Interpretation for this Part**

RSBC/1996/1/1 (part) and drafting (meaning of “provide”).

In this Part—

“**access zone**” means an access zone established under section NC4, NC5 or NC6;

“**home**” means a person’s primary place of residence;

“**patient**” means a woman who is in an access zone in the course of seeking, or using, abortion services and includes any other person, except a person providing those services, who is accompanying her for the purpose of giving her emotional support;

“**pavement interference**” means—

- (a) advising or persuading a woman to refrain from availing herself of abortion services, or
- (b) informing a person about issues related to abortion services, by any means including, in particular, graphic, verbal or written means;

“**protest**” includes carrying out any act of disapproval with respect to issues related to abortion services, by any means including, in particular, graphic, verbal or written means; and

“**provide**” includes facilitate.

**NC4 Access zones for hospitals and other premises in or from which abortion services are provided**RSBC<sup>1</sup>1996/7/5

- (1) For the purpose of facilitating access to abortion services, the Department—
  - (a) must by order establish an access zone for any national health service hospital in which abortion services may be provided under Part 2; and
  - (b) may by order establish an access zone for any premises approved for the purposes of abortion services under section 5(1)(b).

*Tynwald procedure – approval required.*

- (2) An access zone established under subsection (1) includes the land on which the hospital or other premises stands and an area prescribed by the order that extends out a distance not exceeding 100m from the boundaries of the land upon which the hospital or other premises are situate.
- (3) An access zone established under subsection (1) does not include land in private ownership outside the land on which the hospital or premises are situate, unless it is land in private ownership which the operator of the hospital or premises, or a person employed by the operator, has an exclusive right to occupy.

**NC5 Access zones – homes of persons providing abortion services**

RSBC/1996/1/6

- (1) An access zone is established around the home of every registered medical practitioner, midwife, nurse or pharmacist providing abortion services.
- (2) An access zone established under subsection (1) includes the land on which the home is situate and an area that extends out 160m from the boundaries of the land on which the home is situate, subject to subsection (3).
- (3) An access zone established under subsection (1) does not include—
  - (a) if the home is a flat or other part of a building, any other part of the building than the part comprising the flat or part occupied by the registered medical practitioner, midwife, nurse or pharmacist; and
  - (b) private property outside the land on which the home is situate, other than private property that the registered medical practitioner, midwife, nurse or pharmacist has an exclusive right to use or occupy.

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<sup>1</sup> I.e. the Revised Statutes of British Columbia.

**NC6 Access zones — surgeries**

RSBC/1996/1/7 (adapted)

- (1) An access zone is established around the surgery of every medical practitioner who provides abortion services.
- (2) An access zone established under subsection (1) includes the land on which the surgery is situate and an area that extends out 10m from the boundaries of the land on which the surgery is situate.
- (3) An access zone established under subsection (1) does not include—
  - (a) if the surgery is contained in a block of flats or other shared building, any part of the block or building other than the part comprising the surgery,
  - (b) if the surgery is situate, otherwise than as mentioned in paragraph (a), on land, part of which is occupied by another, any part of the land which a private individual, other than the registered medical practitioner, has an exclusive right to use or occupy, and
  - (c) private property outside the land on which the surgery is situate, other than private property that the registered medical practitioner has an exclusive right to use or occupy.

**NC7 Access zones — prohibited conduct**

RSBC/1996/1/2

- (4) While in an access zone a person must not—
  - (a) engage in pavement interference;
  - (b) protest about abortion services;
  - (c) observe, continuously or repeatedly, any premises in or from which abortion services are provided for the purpose of dissuading anyone from providing, or a patient from using, abortion services;
  - (d) place himself or herself close to, and importune, a person providing abortion services or a patient for the purpose of dissuading the person from providing, or the patient from using, abortion services;
  - (e) harass or intimidate a person providing abortion services, or a patient using or seeking to use such services, for the purpose of dissuading that person from doing so.

*Maximum penalty (summary) – 12 months' custody or a level 5 fine.*

- (5) For clarity, nothing in subsection (1) prevents a constable from performing the constable's duties as such.
- (6) In a prosecution under subsection (1)(a) it is a defence for the accused to show that he or she was—

- (a) a person providing abortion services; or
- (b) a patient seeking or receiving such services.

### **NC8 Access zones — other offences**

RSBC/1996/1/2-4 and drafting (subs (4)).

- (7) A person must not photograph, film, videotape, sketch or in any other way graphically record a person providing abortion services or a patient while the person providing those services, or the patient (as the case requires) is in an access zone, for the purpose of dissuading any person from providing or using abortion services.
- (8) A person must not do any of the following for the purpose of dissuading another from providing abortion services, or dissuading a woman from availing herself of those services—
  - (a) repeatedly approach, accompany or follow the other person, or a person known to the other person;
  - (b) continuously or repeatedly observe —
    - (i) a person providing abortion services;
    - (ii) a patient; or
    - (iii) a building in or from which abortion services are provided,
  - (c) place himself or herself close to, and to importune, a person providing abortion services or a patient; or
  - (d) engage in threatening conduct directed at the other person or a person known to the other person.
- (9) A person must not repeatedly communicate by letter, telephone, facsimile or electronic means with another person without their consent for the purpose of dissuading a provider of abortion services from providing abortion services.
- (10) A person who contravenes any provision of subsections (1) to (3) commits an offence.

*Maximum penalty (summary) — 12 months' custody or a level 5 fine.*

### **NC9 Injunctions**

RSBC/1996/1/10 (adapted)

- (11) On application by the Attorney General, the High Court may grant an injunction to restrain a person from contravening a provision of this Act.
- (12) A contravention may be restrained under subsection (1) whether or not it constitutes an offence under this Act, or constitutes—
  - (a) incitement of,
  - (b) procurement of,
  - (c) aiding or abetting, or

- (d) a conspiracy to commit,  
an offence under this Act.

### **NC10 Access zones — notices and regulations**

- (1) The Department must, by means of notices and such other methods of communication (including electronic communications within the meaning of the *Electronic Transactions Act 2000*) as it considers necessary, draw the attention of the public of the existence and extent of access zones created by this Part.
- (2) The Department may by order amend sections NC4 to NC6 to vary the distances referred to in those sections.

*Tynwald procedure for an order under subsection (2) — approval required.*».  
(Mr Peake)

*Renumber the following Part of the Bill as Part 4, renumber the following Clauses and adjust cross-references accordingly.*

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**CENTRAL REGISTRY BILL 2018**

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**CONSIDERATION OF CLAUSES**

Mr Hooper to move —

**AMENDMENTS TO THE SCHEDULE**

1. Page 27, line 31 for “Secretary of State” substitute “Treasury”.
2. Page 33, omit from the beginning of line 33 to the end of line 35 (the text of the existing paragraph 37).  
*Adjust the numbering of the subsequent paragraphs of the Schedule and cross-references to them accordingly.*
3. Page 34, at the beginning of line 1 insert—

**«37 Marine Infrastructure Management Act 2016**

- (1) The *Marine Infrastructure Management Act 2016* is amended as follows.
- (2) In section 10 (timetable for applications) in row 21 of the Table, in column 2 for “General Registry” substitute «Central Registry».
- (3) In section 39(3) (formalities: documents to be deposited in connection with a marine infrastructure consent) for “General Registry” substitute «Central Registry».
- (4) In section 41(2)(a) (correction of errors in marine infrastructure consent: deposit of documents) for “General Registry” substitute «Central Registry».
- (5) In section 42(6)(a) (non-material changes to marine infrastructure consent: deposit of documents) for “General Registry” substitute «Central Registry».
- (6) In section 43(7)(a) (material change to marine infrastructure consent or revocation: deposit of copies) for “General Registry” substitute «Central Registry».

*Re-number the following paragraphs of the Schedule and adjust cross-references accordingly.*