

TYNWALD

Tinvaal



ORDER PAPER

Claare Obbyr

DOUGLAS
Tuesday 19th March 2019
at 10.30 am

1. To lay before the Court –

Safeguarding Act 2018

Safeguarding Board (Qualifications and Procedures) Regulations 2019
[\[SD No 2019/0125\]](#) [\[MEMO\]](#)

European Union and Trade Act 2019

European Union and Trade Act 2019 (Consequential Provisions) Regulations 2019 [\[SD No 2019/0096\]](#) [\[MEMO\]](#)

European Union and Trade Act 2019 (Deficiencies) (Enterprise) Regulations 2019 [\[SD No 2019/0120\]](#) [\[MEMO\]](#)

European Union and Trade Act 2019 (Deficiencies) (Patents) Regulations 2019 [\[SD No 2019/0121\]](#) [\[MEMO\]](#)

European Union and Trade Act 2019 (Deficiencies) (DEFA) (No. 2) Regulations 2019 [\[SD No 2019/0122\]](#) [\[MEMO\]](#)

European Union and Trade Act 2019 (Deficiencies) (DEFA) (No. 2) Regulations 2019 Correction Notice [\[SD No 2019/0122A\]](#)

European Union and Trade Act 2019 (Deficiencies) (Health and Social Care) Regulations 2019 [\[SD No 2019/0102\]](#) [\[MEMO\]](#)

European Union (Forest Law Enforcement, Governance and Trade) (Amendment) Regulations 2019 [\[SD No 2019/0076\]](#) [\[MEMO\]](#)

European Union and Trade Act 2019 (Retained Direct EU Legislation) (Customs) Regulations 2019 [\[SD No 2019/0064\]](#) [\[MEMO\]](#)

European Union and Trade Act 2019 (Retained Direct EU Legislation) (Sanctions) Regulations 2019 [\[SD No 2019/0078\]](#) [\[MEMO\]](#)

European Union and Trade Act 2019 (Deficiencies) (Isle of Man Financial Services Authority) Regulations 2019 [\[SD No 2019/0097\]](#) [\[MEMO\]](#)

European Union and Trade Act 2019 (Deficiencies) (Department of Infrastructure) Regulations 2019 [\[SD No 2019/0087\]](#) [\[MEMO\]](#)

Merchant Shipping (Miscellaneous Provisions) Act 1996
Merchant Shipping (Fees) Regulations 2019 [[SD No 2019/0099](#)] [[MEMO](#)]

Merchant Shipping (Masters and Seamen) Act 1979
Merchant Shipping (Seamen's Documents) (Amendment) Order 2019
[[SD No 2019/0100](#)] [[MEMO](#)]

Airports and Civil Aviation Act 1987
Civil Aviation (Aviation Security) (Application) (Amendment) Order 2019
[[SD No 2019/0072](#)] [[MEMO](#)]
Civil Aviation Acts (Application) (Amendment) Order 2019
[[SD No 2019/0073](#)] [[MEMO](#)]

Social Services Act 2011
Adult Social Care Services (Charges) Regulations 2019 [[SD No 2019/0085](#)]
[[MEMO](#)]

Harbours Act 2010
Harbour (Dues and Charges) (Amendment) Regulations 2019
[[SD No 2019/0111](#)] [[MEMO](#)]
Harbour (Miscellaneous Provisions) (Amendment) Bye-laws 2019
[[SD No 2019/0110](#)] [[MEMO](#)]
Registration of Pleasure Craft (Amendment) Regulations 2019
[[SD No 2019/0112](#)] [[MEMO](#)]

Licensing and Registration of Vehicles Act 1985
Licensing and Registration of Vehicles (Amendment) Regulations 2019
[[SD No 2019/0055](#)] [[MEMO](#)]

Housing (Miscellaneous Provisions) Act 1976
Public Sector Housing (Older Persons) (Allocation) Policy 2019
[[SD No 2019/0074](#)] [[MEMO](#)]
Public Sector Housing (General Needs) (Allocation) Policy 2019
[[SD No 2019/0075](#)] [[MEMO](#)]

Alcoholic Liquor Duties Act 1986
Alcoholic Liquor Duties Act 1986 (Amendment) Order 2019
[[SD No 2019/0054](#)] [[MEMO](#)]

Financial Services Act 2008
Regulated Activities (Credit Unions Etc.) (Amendment) Order 2019
[[SD No 2019/0046](#)] [[MEMO](#)]

Financial Services (Exemptions) (Credit Unions) (Amendment) Regulations 2019 [[SD No 2019/0047](#)] [[MEMO](#)]

Financial Services (Fees) (Credit Unions) (Amendment) Order 2019 [[SD No 2019/0048](#)] [[MEMO](#)]

Financial Services (Credit Unions) (Amendment) Rule Book 2019 [[SD No 2019/0049](#)] [[MEMO](#)]

Financial Services (Fees) Order 2019 [[SD No 2019/0032](#)] [[MEMO](#)]

Credit Unions Act 1993

Credit Unions Act 1993 (Loan Interest Rate) (Amendment) Order 2019 [[SD No 2019/0050](#)] [[MEMO](#)]

Collective Investment Schemes Act 2008

Collective Investment Schemes (Fees) Order 2019 [[SD No 2019/0030](#)] [[MEMO](#)]

Designated Businesses (Registration and Oversight) Act 2015

Designated Businesses (Fees) Order 2019 [[SD No 2019/0031](#)] [[MEMO](#)]

Customs and Excise Act 1993

Customs and Excise Acts (Soft Drinks Industry Levy) (Application) Order 2019 [[SD No 2019/0051](#)] [[MEMO](#)]

Customs and Excise Acts (Application) (Amendment) (No. 2) Order 2019 [[SD No 2019/0084](#)] [[MEMO](#)]

Social Security Act 2000

Social Security Legislation (Contributions) (Application) (Amendment) Order 2019 [[SD No 2019/0065](#)] [[MEMO](#)]

Social Security Legislation (Benefits) (Application) (No. 2) Order 2019 [[SD No 2019/0093](#)] [[MEMO](#)]

Social Security Legislation (Benefits) (Application) (No. 3) Order 2019 [[SD No 2019/0090](#)] [[MEMO](#)]

TV Licence Payment (Amendment) Order 2019 [[SD No 2019/0092](#)] [[MEMO](#)]

Pension Schemes Act 1995

Pension Schemes Legislation (Application) Order 2019 [[SD No 2019/0091](#)] [[MEMO](#)]

Social Security Administration Act 1992

Social Security (Reciprocal Agreement) (United Kingdom) (Amendment) Order 2019 [[SD No 2019/0069](#)] [[MEMO](#)]

Audit Act 2006

Accounts and Audit (Amendment) Regulations 2019 [[SD No 2019/0115](#)]
[[MEMO](#)]

Income Tax Act 1970

Income Tax (Common Reporting Standard) (Amendment) Regulations 2019
[[SD No 2019/0079](#)] [[MEMO](#)]

Income Tax (Social Security Benefits) Order 2019 [[SD No 2019/0068](#)]
[[MEMO](#)]

Reports

Public Sector Pensions - Legacy Funding Update: A Second Cabinet Office Report
[[GD No 2019/0014](#)] [[MEMO](#)]

Home Generation feed-in tariffs, electric vehicles and electric heating for
buildings [[GD No 2019/0003](#)]

Moving Towards Low Emission Travel – A Policy for Surface Transport and
Electric Vehicles [[GD No 2019/0010](#)]

Sea Services Agreement – Heads of Terms Report [[GD No 2019/0009](#)] [[MEMO](#)]

The remaining items are not the subject of motions on the Order Paper

Documents subject to no procedure

High Court Act 1991

Rules of the High Court of Justice (Amendment) 2019 [[SD No 2019/0071](#)]
[[MEMO](#)]

Social Security Pensions Act 1975

Pensions Increase (Annual Review) Order 2019 [[SD No 2019/0103](#)]

Document subject to negative resolution

European Communities (Isle of Man) Act 1973

Timber and Timber Products (Placing on the Market) Regulations 2019
[[SD No 2019/0101](#)] [[MEMO](#)]

Interpretation Act 2015

Registered Schemes Administrators (Fees) Order 2019 [[SD No 2019/0034](#)]
[[MEMO](#)]
Court Services Fees Order 2019 [[SD No 2019/0098](#)] [[MEMO](#)]

Insurance Act 2008

Insurance (Fees) Regulations 2019 [[SD No 2019/0033](#)] [[MEMO](#)]

Appointed Day Orders

Abortion Reform Act 2019

Abortion Reform Act 2019 (Appointed Day) Order 2019 [[SD No 2019/0123](#)]
[[MEMO](#)]

Credit Unions (Amendment) Act 2018

Credit Unions (Amendment) Act 2018 (Appointed Day) Order 2019
[[SD No 2019/0070](#)]

Reports

Report on the Accounts of Local Authorities, Burial Authorities, Elderly Persons' Housing Committees and Joint Boards [[GD No 2019/0004](#)]

Department of Home Affairs Annual Report of the Surveillance Commissioner for 2018 [[GD No 2019/0011](#)]

Road Transport Licensing Committee Annual Report for the year ended 31st March 2018 [[GD No 2019/0012](#)]

Safeguarding Together Guidance for collective working to safeguard children and vulnerable adults in the Isle of Man [[GD No 2019/0013](#)] [[MEMO](#)]

Standing Committee of Tynwald on Public Accounts First Report for the Session 2018-2019: Overspending at Noble's Hospital - One Year On [[PP No 2019/0031](#)]

Standing Committee of Tynwald on Public Accounts Second Report for the Session 2018-2019: Overspending at Noble's Hospital - Staffing [[PP No 2019/0032](#)]

2. Questions

See Question Paper.

3. Climate Change Mitigation

Statement by the Minister for Environment, Food and Agriculture.

4. Supplementary Vote

The Minister for Health and Social Care to move –

That Tynwald authorises the Treasury, in respect of the year ended 31st March 2019, to apply from General Revenue a sum not exceeding £4,000,000 being the additional amount required by the Department of Health and Social Care in respect of excess expenditure incurred in the provision of its services. [[MEMO](#)]

5. Supplementary Vote

The Minister for Home Affairs to move –

That Tynwald authorises the Treasury, in respect of the year ended 31st March 2019, to apply from the General Revenue a sum not exceeding £1,551,000 being the additional amount required by the Department of Home Affairs in respect of excess expenditure incurred in the provision of its services. [[MEMO](#)]

6. Regional Sewage Treatment Strategy - Phase 2

The Chair of the Manx Utilities Authority (Dr Allinson) to move –

That Tynwald approves Manx Utilities Authority incurring expenditure not exceeding £23,500,000 in respect of the construction of the Regional Sewage Treatment Strategy - Phase 2.

[Reference 'Regional Sewage Treatment Works for Peel, Laxey and Baldrine' under the heading 'Manx Utilities Authority' on page 33 of the Isle of Man Budget 2019-20, under the 'Capital Programme Future Schemes – Phasing of Capital Schemes from 2019-20' on page 107 of the Isle of Man Budget 2019-20.]

7. Currency Act 1992

The Minister for the Treasury to move –

That Tynwald authorise the Treasury to issue Manx currency to a maximum aggregate face value of £115 million, comprising £90 million in Government notes and £25 million in coins. [[MEMO](#)]

8. Public Sector Pensions - Legacy Funding Update: A Second Cabinet Office Report

The Minister for Policy and Reform to move –

That Tynwald:

1. Receives the second Report of the Cabinet Office entitled Public Sector Pensions - Legacy Funding Update: A Second Cabinet Office Report [[GD No 2019/0014](#)] [[MEMO](#)];
2. Notes that changes already made to public sector pension schemes are projected to reduce long term costs and expenditure when considered in today's terms;
3. Notes that a series of workshops and presentations with Members have now been undertaken aimed at reaching conclusions on the options covered in the report;
4. Notes that most of the options considered in the workshops if implemented will not act to address the legacy funding gap but will introduce considerable administration cost, uncertainty and complexity to public sector pension schemes;
5. Approves the establishment of a voluntary Defined Contribution pension scheme by 31 December 2020 as an alternative to the current Defined Benefits schemes following an assessment with Treasury of the possible cost implications on the current schemes, and that if implemented, it will be offered to all future new public servants and also, (subject to cost implications) to any current public servants who wish to move into that scheme;
6. Notes that the PSPA will seek approval from the Treasury at the appropriate time for a suitable budget to research, establish and fully communicate the option of a new Defined Contribution pension scheme to public servants with the assistance of suitably qualified pension and communication specialists;
7. Notes that the PSPA along with the Office of Human Resources will monitor take-up rates for any new Defined Contribution scheme over the following 3-5 years after establishment to ascertain if any significant cost issues

are emerging and also to consider whether the Defined Contribution scheme should become the default scheme for future new public servants;

8. Notes that the Treasury will review whether it should establish some level of short term borrowing in order to meet future cashflow costs;

9. Notes that the Treasury will review the operation of its annual Pensions Increase Order to ascertain whether it should be amended in order to better control the future level of pension increases, and if any changes are determined, it will report back to Tynwald by 31 December 2019; and

10. Notes that the PSPA will continue to develop final Cost Sharing legislation with a view to formally consulting on the legislation in order to have this in place for the first Cost Sharing valuation in 2020.

9. Home Generation Feed-In Tariffs, Electric Vehicles and Electric Heating for Buildings

The Chair of the Manx Utilities Authority (Dr Allinson) to move –

That Tynwald receives and approves the report Home generation feed-in tariffs, electric vehicles and electric heating for buildings [[GD No 2019/0003](#)].

10. Moving Towards Low Emission Travel

The Minister for Infrastructure to move –

That Tynwald receives and approves the policy document Moving Towards Low Emission Travel – A Policy for Surface Transport and Electric Vehicles [[GD No 2019/0010](#)].

11. Sea Services Agreement

The Minister for Infrastructure to move –

That Tynwald:

1. Approves the Heads of Terms that defines the intended key terms of the Sea Services Agreement negotiated between the Department of Infrastructure and the Isle of Man Steam Packet Company Limited; and

2. Instructs the Department of Infrastructure to finalise the legally binding Sea Services Agreement [[GD No 2019/0009](#)] [[MEMO](#)] with Isle of Man Steam

Packet Company Limited by 31st May 2019 for commencement on 1st January 2020.

12. European Union and Trade Act 2019

The Chief Minister to move –

That the European Union and Trade Act 2019 (Consequential Provisions) Regulations 2019 [[SD No 2019/0096](#)] [[MEMO](#)] be approved.

13. Safeguarding Act 2018

The Minister for Policy and Reform to move –

That the Safeguarding Board (Qualifications and Procedures) Regulations 2019 [[SD No 2019/0125](#)] [[MEMO](#)] be approved.

14. European Union and Trade Act 2019

The Minister for Enterprise to move –

That the European Union and Trade Act 2019 (Deficiencies) (Enterprise) Regulations 2019 [[SD No 2019/0120](#)] [[MEMO](#)] be approved.

15. European Union and Trade Act 2019

The Minister for Enterprise to move –

That the European Union and Trade Act 2019 (Deficiencies) (Patents) Regulations 2019 [[SD No 2019/0121](#)] [[MEMO](#)] be approved.

16. Merchant Shipping (Miscellaneous Provisions) Act 1996

The Minister for Enterprise to move –

That the Merchant Shipping (Fees) Regulations 2019 [[SD No 2019/0099](#)] [[MEMO](#)] be approved.

17. Merchant Shipping (Masters and Seamen) Act 1979

The Minister for Enterprise to move –

That the Merchant Shipping (Seamen's Documents)(Amendment) Order 2019 [[SD No 2019/0100](#)] [[MEMO](#)] be approved.

18. Airports and Civil Aviation Act 1987

The Minister for Enterprise to move –

That the Civil Aviation (Aviation Security) (Application) (Amendment) Order 2019 [[SD No 2019/0072](#)] [[MEMO](#)] be approved.

19. Airports and Civil Aviation Act 1987

The Minister for Enterprise to move –

That the Civil Aviation Acts (Application) (Amendment) Order 2019 [[SD No 2019/0073](#)] [[MEMO](#)] be approved.

20. Manx Museum and National Trust Act 1959

A Member of the Department for Enterprise (Mr Callister) to move –

That Tynwald approves that the Manx Museum be open to visitors every day, but closed on Christmas Day, Boxing Day, Tynwald Day, New Year's Day and such other occasional days as directed by the Trust; that the usual opening hours shall be at variable times between 8 am and 10 pm as the Director shall set; and that the Director may set exceptional opening times outside those hours. [[MEMO](#)]

21. European Union and Trade Act 2019

The Minister for Environment, Food and Agriculture to move –

That the European Union and Trade Act 2019 (Deficiencies) (DEFA) (No. 2) Regulations 2019 [[SD No 2019/0122](#)] [[MEMO](#)] be approved.

[[SD No 2019/0122A](#)] is relevant to this item.

22. European Union and Trade Act 2019

The Minister for Health and Social Care to move –

That the European Union and Trade Act 2019 (Deficiencies) (Health and Social Care) Regulations 2019 [[SD No 2019/0102](#)] [[MEMO](#)] be approved.

23. Social Services Act 2011

The Minister for Health and Social Care to move –

That the Adult Social Care Services (Charges) Regulations 2019 [[SD No 2019/0085](#)] [[MEMO](#)] be approved.

24. Harbours Act 2010

The Minister for Infrastructure to move –

That the Harbour (Dues and Charges) (Amendment) Regulations 2019 [[SD No 2019/0111](#)] [[MEMO](#)] be approved.

25. Harbours Act 2010

The Minister for Infrastructure to move –

That the Harbour (Miscellaneous Provisions) (Amendment) Bye-laws 2019 [[SD No 2019/0110](#)] [[MEMO](#)] be approved.

26. Harbours Act 2010

The Minister for Infrastructure to move –

That the Registration of Pleasure Craft (Amendment) Regulations 2019 [[SD No 2019/0112](#)] [[MEMO](#)] be approved.

27. Licensing and Registration of Vehicles Act 1985

The Minister for Infrastructure to move –

That the Licensing and Registration of Vehicles (Amendment) Regulations 2019 [[SD No 2019/0055](#)] [[MEMO](#)] be approved.

28. Housing (Miscellaneous Provisions) Act 1976

The Minister for Infrastructure to move –

That the Public Sector Housing (Older Persons) (Allocation) Policy 2019 [[SD No 2019/0074](#)] [[MEMO](#)] be approved.

29. Housing (Miscellaneous Provisions) Act 1976

The Minister for Infrastructure to move –

That the Public Sector Housing (General Needs) (Allocation) Policy 2019 [[SD No 2019/0075](#)] [[MEMO](#)] be approved.

30. European Union and Trade Act 2019

The Minister for Infrastructure to move –

That the European Union and Trade Act 2019 (Deficiencies) (Department of Infrastructure) Regulations 2019 [[SD No 2019/0087](#)] [[MEMO](#)] be approved.

31. Alcoholic Liquor Duties Act 1986

The Minister for the Treasury to move –

That the Alcoholic Liquor Duties Act 1986 (Amendment) Order 2019 [[SD No 2019/0054](#)] [[MEMO](#)] be approved.

32. Financial Services Act 2008

The Minister for the Treasury to move –

That the Regulated Activities (Credit Unions Etc.) (Amendment) Order 2019 [[SD No 2019/0046](#)] [[MEMO](#)] be approved.

33. Financial Services Act 2008

The Minister for the Treasury to move –

That the Financial Services (Exemptions) (Credit Unions) (Amendment) Regulations 2019 [[SD No 2019/0047](#)] [[MEMO](#)] be approved.

34. Financial Services Act 2008

The Minister for the Treasury to move –

That the Financial Services (Fees) (Credit Unions) (Amendment) Order 2019 [[SD No 2019/0048](#)] [[MEMO](#)] be approved.

35. Financial Services Act 2008

The Minister for the Treasury to move –

That the Financial Services (Credit Unions) (Amendment) Rule Book 2019 [[SD No 2019/0049](#)] [[MEMO](#)] be approved.

36. Credit Unions Act 1993

The Minister for the Treasury to move –

That the Credit Unions Act 1993 (Loan Interest Rate) (Amendment) Order 2019 [[SD No 2019/0050](#)] [[MEMO](#)] be approved.

37. Collective Investment Schemes Act 2008

The Minister for the Treasury to move –

That the Collective Investment Schemes (Fees) Order 2019 [[SD No 2019/0030](#)] [[MEMO](#)] be approved.

38. Designated Businesses (Registration and Oversight) Act 2015

The Minister for the Treasury to move –

That the Designated Businesses (Fees) Order 2019 [[SD No 2019/0031](#)] [[MEMO](#)] be approved.

39. Financial Services Act 2008

The Minister for the Treasury to move –

That the Financial Services (Fees) Order 2019 [[SD No 2019/0032](#)] [[MEMO](#)] be approved.

40. Customs and Excise Act 1993

The Minister for the Treasury to move –

That the Customs and Excise Acts (Soft Drinks Industry Levy) (Application) Order 2019 [[SD No 2019/0051](#)] [[MEMO](#)] be approved.

41. Customs and Excise Act 1993

The Minister for the Treasury to move –

That the Customs and Excise Acts (Application) (Amendment) (No. 2) Order 2019 [[SD No 2019/0084](#)] [[MEMO](#)] be approved.

42. European Union and Trade Act 2019

The Minister for the Treasury to move –

That the European Union (Forest Law Enforcement, Governance and Trade) (Amendment) Regulations 2019 [[SD No 2019/0076](#)] [[MEMO](#)] be approved.

43. European Union and Trade Act 2019

The Minister for the Treasury to move –

That the European Union and Trade Act 2019 (Retained Direct EU Legislation) (Customs) Regulations 2019 [[SD No 2019/0064](#)] [[MEMO](#)] be approved.

44. European Union and Trade Act 2019

The Minister for the Treasury to move –

That the European Union and Trade Act 2019 (Retained Direct EU Legislation) (Sanctions) Regulations 2019 [[SD No 2019/0078](#)] [[MEMO](#)] be approved.

45. European Union and Trade Act 2019

The Minister for the Treasury to move –

That the European Union and Trade Act 2019 (Deficiencies) (Isle of Man Financial Services Authority) Regulations 2019 [[SD No 2019/0097](#)] [[MEMO](#)] be approved.

46. Social Security Act 2000

The Minister for the Treasury to move –

That the Social Security Legislation (Contributions) (Application) (Amendment) Order 2019 [[SD No 2019/0065](#)] [[MEMO](#)] be approved.

47. Social Security Act 2000

The Minister for the Treasury to move –

That the Social Security Legislation (Benefits) (Application) (No. 2) Order 2019 [[SD No 2019/0093](#)] [[MEMO](#)] be approved.

48. Social Security Act 2000

A Member of the Treasury (Mr Peake) to move –

That the Social Security Legislation (Benefits) (Application) (No. 3) Order 2019 [[SD No 2019/0090](#)] [[MEMO](#)] be approved.

49. Pension Schemes Act 1995

A Member of the Treasury (Mr Peake) to move –

That the Pension Schemes Legislation (Application) Order 2019 [[SD No 2019/0091](#)] [[MEMO](#)] be approved.

50. Social Security Act 2000

A Member of the Treasury (Mr Peake) to move –

That the TV Licence Payment (Amendment) Order 2019 [[SD No 2019/0092](#)] [[MEMO](#)] be approved.

51. Social Security Administration Act 1992

The Minister for the Treasury to move –

That The Social Security (Reciprocal Agreement) (United Kingdom) (Amendment) Order 2019 [[SD No 2019/0069](#)] [[MEMO](#)] be approved.

52. Audit Act 2006

The Minister for the Treasury to move –

That the Accounts and Audit (Amendment) Regulations 2019 [[SD No 2019/0115](#)] [[MEMO](#)] be approved.

53. Income Tax Act 1970

The Minister for the Treasury to move –

That the Income Tax (Common Reporting Standard) (Amendment) Regulations 2019 [[SD No 2019/0079](#)] [[MEMO](#)] be approved.

54. Income Tax Act 1970

The Minister for the Treasury to move –

That the Income Tax (Social Security Benefits) Order 2019 [[SD No 2019/0068](#)] [[MEMO](#)] be approved.

55. Youth Parliament for the Isle of Man

The Hon. Member for Council, Miss August-Hanson, to move –

That Tynwald supports the principle of a Youth Parliament for the Isle of Man; and instructs the Tynwald Management Committee to oversee the establishment and operation of the Manx Youth Parliament in consultation with the Manx Youth Parliament external advisory board.