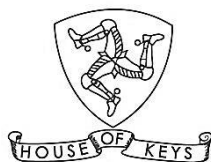


# HOUSE OF KEYS

## Y Chiare as Feed



# ORDER PAPER

## Claare Obbyr

**DOUGLAS**

**Tuesday 12<sup>th</sup> March 2019**

**10.00 am**

- 1. Commonwealth Day Message from Her Majesty the Queen**
- 2. Questions for Oral Answer**
  1. The Hon. Member for Ayre and Michael (Mr Baker) to ask the Chief Minister –  
  
How he intends to utilise any proceeds which arise from the recent grant of a licence to explore for gas in the Island's territorial waters?
  2. The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for the Treasury –  
  
If he will make a statement on the consultation into gambling supervision?
  3. The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for the Treasury –  
  
How long it takes for people to receive a pension forecast?
  4. The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for Policy and Reform –  
  
How many households have been sent reminder letters about the annual canvass to provide an update of the Electoral Register; and how the households who responded to the annual canvass to update the Electoral Register provided their information?

5. The Hon. Member for Onchan (Ms Edge) to ask the Minister for Enterprise –  
When the contract will be awarded for TT radio coverage for 2019?

**3. Questions for Written Answer**

1. The Hon. Member for Onchan (Mr Callister) to ask the Minister for Infrastructure –

How many people are on the First Time Buyers' Register?

2. The Hon. Member for Onchan (Mr Callister) to ask the Minister for Infrastructure –

How many unoccupied properties the Department holds, broken down by (a) First Time Buyers' (b) General Social Housing and (c) Older Persons' Housing?

3. The Hon. Member for Onchan (Mr Callister) to ask the Minister for Infrastructure –

How many unoccupied properties each Local Housing Authority holds, broken down by (a) General Social Housing and (b) Older Persons' Housing?

4. The Hon. Member for Onchan (Mr Callister) to ask the Chairman of Manx Utilities Authority –

Pursuant to the written response of 5<sup>th</sup> February, if he will make a statement on the financial value of the electricity generated at the Energy from Waste Plant over the last five years?

**4. Bills for Second Reading**

- 4.1 Council of Ministers (Amendment) Bill 2019

**Mr Malarkey**

- 4.2 Town and Country Planning (Amendment) Bill 2019

**Mr Thomas**

## 5. Leave to Introduce

The Hon. Member for Ramsey (Mr Hooper) to move –

That leave be given to introduce a Private Member's Bill

Bill to make further provision in relation to leasehold premises and to amend the Housing (Miscellaneous Provisions) Act 2011 in respect of compulsory purchases; and for connected purposes.

## 6. Consideration of Clauses

### 6.1 Charities Registration and Regulation Bill 2018

**Mr Thomas**

#### Tabled Amendments

<i>Clause 3</i>	<i>Mr Hooper</i>
<i>Clause 4</i>	<i>Mr Hooper</i>
<i>Clause 8</i>	<i>Mr Hooper</i>
<i>Clause 9</i>	<i>Mr Hooper</i>
<i>Clause 15</i>	<i>Mr Harmer</i>
<i>Clause 15</i>	<i>Mr Hooper</i>
<i>Clause 17</i>	<i>Mr Hooper</i>
<i>Clause 21</i>	<i>Mr Hooper</i>
<i>New Clause 1</i>	<i>Mr Hooper</i>
<i>New Clause 2</i>	<i>Mr Hooper</i>
<i>Clause 27</i>	<i>Mr Hooper</i>
<i>Clause 36</i>	<i>Mr Hooper</i>
<i>Clause 46</i>	<i>Mr Hooper</i>
<i>Clause 46</i>	<i>Mr Harmer</i>
<i>New Clause 3</i>	<i>Mr Hooper</i>

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

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

CHARITIES REGISTRATION AND REGULATION BILL  
2018

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**CONSIDERATION OF CLAUSES**

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**CONCATENATED LIST OF AMENDMENTS**

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**AMENDMENT TO CLAUSE 3**

1. Page 16, omit lines 24 and 25. (Mr Hooper)

**AMENDMENT TO CLAUSE 4**

2. Page 17, omit lines 29 to 32. (Mr Hooper)  
*In consequence of this amendment, omit "(1)" at the beginning of the Clause.*

**AMENDMENT TO CLAUSE 8**

3. Page 20, omit lines 31 to 33. (Mr Hooper)  
*In consequence of this amendment insert "or" at the end of line 29.*

**AMENDMENT TO CLAUSE 9**

4. Page 21, for lines 9 to 14 substitute—
  - “(3) The register (including the entries cancelled when institutions are removed from the register) is to be public and must be open to public inspection at all reasonable times.
  - (4) If any information contained in the register is not in documentary form, subsection (1) is to be read as requiring the information to be available for public inspection in legible form at all reasonable times.
  - (5) Copies (or particulars) of the trusts of any registered charity as supplied to the Attorney General under this act must, so long as the charity remains on the register—
    - (a) be kept by the Attorney General, and
    - (b) be open to public inspection at all reasonable times.

- (6) If a copy of a document relating to a registered charity—
- (a) is not required to be supplied to the Attorney General as the result of this act, but
- (b) is in the Attorney General’s possession,
- a copy of the document must be open to inspection under subsection (4) as if supplied to the Attorney General under this Act.
- (7) Despite anything in subsections (3) to (6), the Attorney General may prescribe information or classes of information which are not to be made available except in such circumstances and to such persons as may be prescribed.
- Tynwald procedure — approval required.”. (Mr Hooper)

## AMENDMENT TO CLAUSE 15

5. Page 24, after line 5 insert—

“(d) any charity or other institution which is exempt from registration; and”. (Mr Harmer)

*In consequence of this amendment, omit “and” at the end of line 5 on page 24, renumber the following paragraph as (e) and adjust cross-references accordingly.*

6. Page 24 for line 9 and 10 substitute—

“(3) The Attorney General must publicise the removal of an institution from the register —

- (a) by publishing a notice in one edition of a newspaper published and circulating in the Isle of Man;
- (b) by publishing a notice on a website maintained by the Attorney General, for a minimum period of one month;
- (c) by maintaining a current list in the prescribed form and with the prescribed particulars of all institutions in respect of which notice has been published; and
- (d) by making the list maintained under paragraph (c) available for inspection by any person at any reasonable time.

(4) On and after the coming into operation of section 43(1)(b) of the *Legislation Act 2015* subsection (3) has effect with the substitution for paragraphs (a) and (b) of—

“(a) by publishing a notice in the electronic gazette;”.”. (Mr Hooper)

## AMENDMENT TO CLAUSE 17

7. Page 24, after line 28 insert the following subsection—

- “(4) Subject to being satisfied that the requirements of subsection (3) are met, the Attorney General must not unreasonably refuse consent under this section.”. (Mr Hooper)

## AMENDMENT TO CLAUSE 21

8. Page 26, after line 27 insert—

- “(5) Subject to being satisfied that the requirements of subsection (4) are met, the Attorney General must not unreasonably refuse consent under this section.”. (Mr. Hooper)

## NEW CLAUSE 1

9. Page 30, at the beginning of line 6 insert, as Clause 27—`

### NC1 Accounting records

- (1) The trustees of a charity must ensure that accounting records are kept in respect of the charity which are sufficient to show and explain all the charity's transactions, and which are such as to—
- (a) disclose at any time, with reasonable accuracy, the financial position of the charity at that time, and
  - (b) enable the trustees to ensure that, where any statements of accounts are prepared by them under section 27 those statements of accounts comply with the requirements of regulations under section 46.
- (2) The accounting records must, in particular, contain—
- (a) entries showing from day to day all sums of money received and expended by the charity, and the matters in respect of which the receipt and expenditure takes place, and
  - (b) a record of the assets and liabilities of the charity.
- (3) The accounting records must be kept at the registered address of the charity or at such other place as the trustees of the charity think fit and must at all times be open to inspection by the trustees of the charity. (Mr. Hooper)

*Renumber the succeeding Clauses of the Bill and adjust cross-references accordingly.*

## NEW CLAUSE 2

10. Page 30, after New Clause 1 insert (as Clause 28 of the Bill)—

**NC2 Preservation of accounting records and accounts**

- (1) The trustees of a registered charity must preserve any accounting records and accounts made in respect of the charity for at least 6 years from the end of the financial year of the charity in which they are made.
- (2) Subsection (3) applies if a registered charity ceases to exist within the period of 6 years mentioned in subsection (1) as it applies to any accounting records and accounts.
- (3) The obligation to preserve the accounting records and accounts in accordance with subsection (1) must continue to be discharged by the last trustees of the registered charity, unless the Attorney General consents in writing to the destruction or disposal of the records." (Mr. Hooper)

*Renumber the subsequent Clauses of the Bill and adjust cross-references accordingly.*

**AMENDMENT TO CLAUSE 27**

11. Page 31, line 2 omit "higher". (Mr Hooper)

**AMENDMENT TO CLAUSE 36**

12. Page 34, omit lines 24 to 26 (subsection (3) of the Clause). (Mr Hooper)

*In consequence of this amendment renumber the following subsection as subsection (3) and adjust cross-references accordingly.*

**AMENDMENT TO CLAUSE 46**

13. Page 39, on line 31 renumber the existing text as subsection (1) and at the beginning of the line insert "Subject to subsection (2),". (Mr Hooper)

*Adjust cross-references accordingly.*

14. Page 39, line 35 after "registered charities" insert "and". (Mr Harmer)

15. Page 40, omit line 9. (Mr Hooper)

16. Page 40, after line 9 insert—

"(2) Regulations under subsection (1) may confer a discretion on the Attorney General to determine any matter.



- (3) Regulations under subsection (1) must provide an exemption from the requirement to register in the case of a charity which has a gross income not exceeding £5,000.
- (4) The Attorney General may by order increase the amount specified in subsection (3)
- (5) In this section a reference to a charity's gross income is to be read, in relation to a particular time as a reference to the charity's gross income in its financial year preceding that in which the question of the requirement to register arises.

*Tynwald procedure for regulations under subsection (1) and orders under subsection (3) – approval required". (Mr Hooper)*

## NEW CLAUSE 3

17. On page 46 after line 21 insert the following new Clause—

### **"66 Religious Charities Regulations 1999**

- (1) The Religious Charities Regulations 1999 are amended as follows.
- (2) In the Schedule at the end of the entries relating to the Church of England insert—

«An ecclesiastical charity within the meaning of Schedule 3 to the Church Act 1992. A trust of property falling within paragraph 1(2) of that Schedule.»". (Mr Hooper)
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*Renumber the succeeding Clauses of the Bill, and adjust cross-references accordingly.*