

TYNWALD

Tinvaal



ORDER PAPER

Claare Obbyr

DOUGLAS
Tuesday 21st May 2019
at 10.30 am

1. To lay before the Court –

Education Act 2001

Education (Student Awards) Regulations 2019 [[SD No 2019/0220](#)] [[MEMO](#)]

European Union and Trade Act 2019

European Union and Trade Act 2019 (Deficiencies) (DEFA) (No. 4) Regulations 2019 [[SD No 2019/0185](#)] [[MEMO](#)]

European Union and Trade Act 2019 (Deficiencies) (DEFA) (No. 5) Regulations 2019 [[SD No 2019/0212](#)] [[MEMO](#)]

European Union and Trade Act 2019 (Deficiencies) (DEFA) (No. 6) Regulations 2019 [[SD No 2019/0213](#)] [[MEMO](#)]

Abortion Reform Act 2019

Access to Abortion Services (Noble's Hospital Access Zone) Order 2019 [[SD No 2019/0216](#)] [[MEMO](#)]

Disposal of a Foetus following Termination Directions 2019 [[GC No 2019/0003](#)] [[MEMO](#)]

Abortion Reform (Records and Notices) Regulations 2019 [[SD No 2019/0215](#)] [[MEMO](#)]

Proceeds of Crime Act 2008

Proceeds of Crime Act (Business in the Regulated Sector) Order 2019 [[SD No 2019/0204](#)] [[MEMO](#)]

Land Registration Act 1982

Land Registration Fixed Fees Order 2019 [[SD No 2019/0229](#)] [[MEMO](#)]

Customs and Excise Act 1993

Taxation (Cross-border Trade) Act 2018 (Application) (Amendment) Order 2019 [[SD No 2019/0207](#)] [[MEMO](#)]

Customs and Excise Act 1993

- Export of Radioactive Sources (Control) Order 2006 (Application) (Amendment) Order 2019 [[SD No 2019/0095](#)] [[MEMO](#)]
- Seal Products (Amendment) (EU Exit) Regulations 2018 (Application) Order 2019 [[SD No 2019/0149](#)] [[MEMO](#)]
- Statistics of Trade (Customs and Excise) Regulations (Application) Order 2019 [[SD No 2019/0163](#)] [[MEMO](#)]
- Export Control (Amendment) (EU Exit) Regulations 2019 (Application) Order 2019 [[SD No 2019/0159](#)] [[MEMO](#)]
- Customs (Consequential Amendments) (EU Exit) Regulations 2019 (Application) Order 2019 [[SD No 2019/0157](#)] [[MEMO](#)]
- Customs Safety and Security (Penalty) Regulations 2019 (Application) Order 2019 [[SD No 2019/0173](#)] [[MEMO](#)]

Value Added Tax Act 1996

- Value Added Tax (Transitional Provisions) Order 2019 [[SD No 2019/0161](#)] [[MEMO](#)]
- Value Added Tax (Disclosure of Information Relating to VAT Registration) Order 2019 [[SD No 2019/0160](#)] [[MEMO](#)]
- Value Added Tax 1996 (Amendment) (No. 2) Order 2019 [[SD No 2019/0174](#)] [[MEMO](#)]

European Union and Trade Act 2019

- Customs (Enforcement of Intellectual Property Rights) (Modifications) Regulations 2019 [[SD No 2019/0198](#)] [[MEMO](#)]

Financial Services Act 2008

- Regulated Activities (Crowdfunding) (Amendment) Order 2019 [[SD No 2019/0067](#)] [[MEMO](#)]
- Financial Services (Fees) (Amendment) Order 2019 [[SD No 2019/0199](#)] [[MEMO](#)]

Post Office Act 1993

- Postal Packets (Customs and Excise) (Amendment) Regulations 2019 [[SD No 2019/0179](#)] [[MEMO](#)]

Social Security Contributions and Benefits Act 1992

- Employed Person's Allowance (General) (Amendment) Regulations 2019 [[SD No 2019/0186](#)] [[MEMO](#)]
- Income Support (General) (Isle of Man) (Amendment) Regulations 2019 [[SD No 2019/0187](#)] [[MEMO](#)]

Social Security Act 2000

Social Security Legislation (Benefits) (Application) (No. 4) Order 2019
[\[SD No 2019/0189\]](#) [\[MEMO\]](#)

Pension Schemes Act 1995

Pension Schemes Legislation (Application) (No. 2) Order 2019
[\[SD No 2019/0188\]](#) [\[MEMO\]](#)

Reports

Council of Ministers Response to the Independent Health and Social Care Review Final Report by Sir Jonathan Michael [\[GD No 2019/0022\]](#) [\[MEMO\]](#)

Tynwald Management Committee First Report for the Session 2018-2019: Tynwald Honours [\[PP No 2019/0052\]](#)

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

Documents subject to no procedure

Gaming, Betting and Lotteries Act 1988

Crown Green Bowling Festival (No 2) Order 2019 [\[SD No 2019/0130\]](#)

Crown Green Bowling Festival Order 2019 [\[SD No 2019/0131\]](#)

Education Act 2001

School Catchment Areas Order 2019 [\[SD No 2019/0153\]](#) [\[MEMO\]](#)

European Union and Trade Act 2019

European Union and Trade Act 2019 (Amendment of Exit Day) (No. 2)

Regulations 2019 [\[SD No 2019/0214\]](#) [\[MEMO\]](#)

Local Government Act 1985

Port Erin (Number of Members) Scheme 2019 [\[SD No 2019/0136\]](#) [\[MEMO\]](#)

Finance Act 2017

Soft Drinks Industry Levy (Enforcement) (No. 2) Regulations 2019
[\[SD No 2019/0184\]](#)

Soft Drinks Industry Levy (No. 2) Regulations 2019 [\[SD No 2019/0183\]](#)

Documents subject to negative resolution

Interpretation Act 2015

Land Registration General Fees and Duty Order 2019 [\[SD No 2019/0230\]](#)

Deeds and Probate Registries (Fees and Duty) Order 2019
[\[SD No 2019/0231\]](#)

Proceeds of Crime Act 2008

Terrorism and Other Crime (Financial Restrictions) Act 2014

Anti-Money Laundering and Countering the Financing of Terrorism (Specified Non-Profit Organisations) Code 2019 [[SD No 2019/0200](#)]

Anti-Money Laundering and Countering the Financing of Terrorism Code 2019 [[SD No 2019/0202](#)]

Gambling (Anti-Money Laundering and Countering the Financing of Terrorism) Code 2019 [[SD No 2019/0219](#)]

Taxation (Cross-border Trade) Act 2018

Customs Transit Procedures Regulations 2019 [[SD No 2019/0150](#)]

Customs (Import Duty) Regulations 2019 [[SD No 2019/0152](#)]

Customs (Special Procedures and Outward Processing) Regulations 2019 [[SD No 2019/0154](#)]

Customs (Records) Regulations 2019 [[SD No 2019/0182](#)]

Customs Tariff (Establishment) Regulations 2019 [[SD No 2019/0194](#)]

Customs (Tariff-Free Access for Goods from British Overseas Territories) Regulations 2019 [[SD No 2019/0195](#)]

Customs (Origin of Chargeable Goods) Regulations 2019 [[SD No 2019/0197](#)]

Value Added Tax Act 1996

Value Added Tax (Tour Operators) (Amendment) Order 2019 [[SD No 2019/0162](#)]

Customs and Excise Management Act 1986

Wharves and Temporary Storage Facilities (Approval Condition and Transitional Provision) Regulations [[SD No 2019/0104](#)]

Wharves, Examination Stations and Temporary Storage Facilities (Approval Conditions) Regulations 2019 [[SD No 2019/0105](#)]

Customs (Temporary Storage Facilities Approval Conditions) Regulations 2019 [[SD No 2019/0106](#)]

Aircraft (Customs and Excise) Regulations 2019 [[SD No 2019/0107](#)]

Ship's Report, Importation and Exportation by Sea Regulations 2019 [[SD No 2019/0108](#)]

Control and Movement of Goods Regulations 2019 [[SD No 2019/0109](#)]

Customs and Excise (Personal Reliefs for Special Visitors and Goods Permanently Imported) (Amendment) Order 2019 [[SD No 2019/0172](#)]

Custom and Excise Duties (General Reliefs) Act 1986

Excise Duties (Miscellaneous Amendments) Order 2019 [[SD No 2019/0170](#)]

Customs and Excise Management Act 1986

Alcoholic Liquor Act 1986

Hydrocarbon Oil Duties Act 1986

Excise Duties (Miscellaneous Amendments) Regulations 2019
[\[SD No 2019/0168\]](#)

Draft Orders

Proceeds of Crime Act 2008

Proceeds of Crime Act (Compliance with International Standards) Order
2019 [\[SD No 2019/0206\]](#) [\[MEMO\]](#)

Terrorism and Other Crime (Financial Restrictions) Act 2014

Terrorism and other Crime (Financial Restrictions) Act (Section 69A) Order
2019 [\[SD No 2019/0205\]](#) [\[MEMO\]](#)

Reports

Financial Investigation Unit Strategic Delivery Plan 2019/20 [\[GD No 2019/0015\]](#)

Report of the Interception of Communications Commissioner for the year ended
31 December 2018 [\[GD No 2019/0020\]](#)

Independent Review of the Isle of Man Health Care System [\[GD No 2019/0021\]](#)

Council of Ministers Response to the Standing Committee of Tynwald on Public
Accounts Second Report for the Session 2018/19: Overspending at Noble's
Hospital – One Year on [\[GD No 2019/0023\]](#)

Council of Ministers Response to the Standing Committee of Tynwald on Public
Accounts Second Report for the Session 2018/19: Overspending at Noble's
Hospital – Staffing [\[GD No 2019/0024\]](#)

TT & Festival of Motorcycling Economic Impact Assessment Part 2
[\[GD No 2019/0028\]](#)

2. Questions

See Question Paper.

3. Select Committee on Accommodation for Vulnerable Young People

Statement by the Chairman of the Select Committee on Accommodation for Vulnerable Young People (Mr Baker).

4. Council of Ministers Response to the Independent Health and Social Care Review Final Report by Sir Jonathan Michael dated 18 April 2019

The Minister for the Treasury to move –

That the Council of Ministers Response to the Independent Health and Social Care Review Final Report by Sir Jonathan Michael [[GD No 2019/0022](#)] [[MEMO](#)] be received and the recommendation be approved:

Recommendation

That Tynwald accepts the recommendations included in the Independent Health and Social Care Review Final Report and requires that the Council of Ministers implement them.

5. Public Accounts Committee: Overspending at Noble’s Hospital – One Year On

The Chairman of the Public Accounts Committee (Mr Speaker) to move –

That the First Report of the Public Accounts Committee for the Session 2018-2019 – Overspending at Noble’s Hospital – One Year On [[PP No 2019/0031](#)] be received and the following recommendation be approved:

Recommendation

That the Department of Health and Social Care should provide Tynwald with an annual report on progress each May, commencing in 2020. This should include:

- the governance structure and any in year changes;
- the Department’s vision for service provision and any in year changes (including on and off-Island provision);
- milestones on areas for improvement, with SMART outcomes and evidenced delivery;
- a plan of what data is required and progress against ensuring it is available on a timely, accurate and consistent manner;
- where efficiencies are part of the delivery plan, a costed savings programme agreed at political level;
- consistent reporting of activity or outcomes data based on Departmental targets;

- consistent reporting of what quality standards are expected, and whether they are being met based on Departmental targets and supported by SMART evidence.

[\[GD No 2019/0023\]](#) is relevant to this item.

6. Public Accounts Committee: Overspending at Noble’s Hospital – Staffing

The Chairman of the Public Accounts Committee (Mr Speaker) to move –

That the Second Report of the Public Accounts Committee for the Session 2018-2019 – Overspending at Noble’s Hospital – Staffing [\[PP No 2019/0032\]](#) be received and the following recommendation be approved:

Recommendation

That the Department should, as a minimum, publish the following quarterly, with previous data remaining available:

- Hospital waiting list data, including for diagnostics; as now and also by consultant;
- Hospital occupancy figures by ward;
- Readmission rates;
- Departmental accounts, by division;
- Department staff numbers and vacancies, by division.

[\[GD No 2019/0024\]](#) is relevant to this item.

7. Tynwald Management Committee: remit

The Chairman of the Tynwald Management Committee (Mr Speaker) to move –

That the remit of the Tynwald Management Committee be amended by the addition at the end of paragraph 9.3 of the Schedule to the Standing Orders of a new sub-paragraph (vi) as follows:

“(vi) be the Tynwald Management Committee referred to in section 3 of the Tynwald Auditor General Act 2011, with the relevant powers and responsibilities in relation to the Tynwald Auditor General.”

8. Tynwald Management Committee: Archibald Knox

The Chairman of the Tynwald Management Committee (Mr Speaker) to move –

That the Tynwald Management Committee First Report for the Session 2018-2019 [[PP No 2019/0052](#)] be received and the following recommendation be approved –

That Tynwald approves Archibald Knox for inclusion in the Manx Patriots' Roll of Honour.

9. Public Appointment – Manx Utilities Authority

The Chief Minister to move –

That in accordance with Paragraph 1(4) of Schedule 1 of the Electricity Act 1996, (as amended by the Transfer of Functions (Manx Utilities Authority) Order 2014), Tynwald approves the appointment, by the Council of Ministers, of Mr Anthony Charnley to the Manx Utilities Authority for a term of five years.
[\[MEMO\]](#)

10. Education Act 2001

The Minister for Education and Children to move –

That Tynwald approves the Education (Student Awards) Regulations 2019 [[SD No 2019/0220](#)] [[MEMO](#)].

11. 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. 4) Regulations 2019 [[SD No 2019/0185](#)] [[MEMO](#)] be approved.

12. 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. 5) Regulations 2019 [[SD No 2019/0212](#)] [[MEMO](#)] be approved.

13. 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. 6) Regulations 2019 [[SD No 2019/0213](#)] [[MEMO](#)] be approved.

14. Abortion Reform Act 2019

The Minister for Health and Social Care to move –

That Tynwald approves the Access to Abortion Services (Noble’s Hospital Access Zone) Order 2019 [[SD No 2019/0216](#)] [[MEMO](#)].

15. Abortion Reform Act 2019

The Minister for Health and Social Care to move –

That Tynwald approves the Disposal of a Foetus following Termination Directions 2019 [[GC No 2019/0003](#)] [[MEMO](#)].

16. Abortion Reform Act 2019

The Minister for Health and Social Care to move –

That Tynwald approves the Abortion Reform (Records and Notices) Regulations 2019 [[SD No 2019/0215](#)] [[MEMO](#)].

17. Proceeds of Crime Act 2008

The Minister for Home Affairs to move –

That the Proceeds of Crime Act (Business in the Regulated Sector) Order 2019 [[SD No 2019/0204](#)] [[MEMO](#)] be approved.

18. Inquiries (Evidence) Act 2003

The Minister for Infrastructure to move –

That the powers of the Inquiries (Evidence) Act 2003 shall be exercisable in relation to the Inquiry into the proposal by Port Erin Village Commissioners to reduce the number of elected members for the local authority from 9 members to 7 members.

The inquiry is caused to be made by the Department of Infrastructure pursuant to section 9(5) of the Local Government Act 1985.

19. Land Registration Act 1982

The Minister for Treasury to move –

That the Land Registration Fixed Fees Order 2019 [[SD No 2019/0229](#)] [[MEMO](#)] be approved.

20. Customs and Excise Act 1993

The Minister for the Treasury to move –

That the Taxation (Cross-border Trade) Act 2018 (Application) (Amendment) Order 2019 [[SD No 2019/0207](#)] [[MEMO](#)] be approved.

21. Customs and Excise Act 1993

The Minister for the Treasury to move –

That the Export of Radioactive Sources (Control) Order 2006 (Application) (Amendment) Order 2019 [[SD No 2019/0095](#)] [[MEMO](#)] be approved.

22. Customs and Excise Act 1993

The Minister for the Treasury to move –

That the Seal Products (Amendment) (EU Exit) Regulations 2018 (Application) Order 2019 [[SD No 2019/0149](#)] [[MEMO](#)] be approved.

23. Customs and Excise Act 1993

The Minister for the Treasury to move –

That the Statistics of Trade (Customs and Excise) Regulations (Application) Order 2019 [[SD No 2019/0163](#)] [[MEMO](#)] be approved.

24. Customs and Excise Act 1993

The Minister for the Treasury to move –

That the Export Control (Amendment) (EU Exit) Regulations 2019 (Application) Order 2019 [[SD No 2019/0159](#)] [[MEMO](#)] be approved.

25. Customs and Excise Act 1993

The Minister for the Treasury to move –

That the Customs (Consequential Amendments) (EU Exit) Regulations 2019 (Application) Order 2019 [[SD No 2019/0157](#)] [[MEMO](#)] be approved

26. Customs and Excise Act 1993

The Minister for the Treasury to move –

That the Customs Safety and Security (Penalty) Regulations 2019 (Application) Order 2019 [[SD No 2019/0173](#)] [[MEMO](#)] be approved.

27. Value Added Tax Act 1996

The Minister for the Treasury to move –

That the Value Added Tax (Transitional Provisions) Order 2019 [[SD No 2019/0161](#)] [[MEMO](#)] be approved.

28. Value Added Tax Act 1996

The Minister for the Treasury to move –

That the Value Added Tax (Disclosure of Information Relating to VAT Registration) Order 2019 [[SD No 2019/0160](#)] [[MEMO](#)] be approved.

29. Value Added Tax Act 1996

The Minister for the Treasury to move –

That the Value Added Tax 1996 (Amendment) (No. 2) Order 2019 [[SD No 2019/0174](#)] [[MEMO](#)] be approved.

30. European Union and Trade Act 2019

The Minister for the Treasury to move –

That the Customs (Enforcement of Intellectual Property Rights) (Modifications) Regulations 2019 [[SD No 2019/0198](#)] [[MEMO](#)] be approved.

31. Financial Services Act 2008

The Minister for the Treasury to move –

That the Regulated Activities (Crowdfunding) (Amendment) Order 2019 [[SD No 2019/0067](#)] [[MEMO](#)] be approved.

32. Financial Services Act 2008

The Minister for the Treasury to move –

That the Financial Services (Fees) (Amendment) Order 2019 [[SD No 2019/0199](#)] [[MEMO](#)] be approved.

33. Post Office Act 1993

The Minister for the Treasury to move –

That the Postal Packets (Customs and Excise) (Amendment) Regulations 2019 [[SD No 2019/0179](#)] [[MEMO](#)] be approved.

34. Social Security Contributions and Benefits Act 1992

The Minister for the Treasury to move –

That the Employed Person's Allowance (General) (Amendment) Regulations 2019 [[SD No 2019/0186](#)] [[MEMO](#)] be approved.

35. Social Security Contributions and Benefits Act 1992

The Minister for the Treasury to move –

That the Income Support (General) (Isle of Man) (Amendment) Regulations 2019 [[SD No 2019/0187](#)] [[MEMO](#)] be approved.

36. Social Security Act 2000

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

That the Social Security Legislation (Benefits) (Application) (No. 4) Order 2019 [[SD No 2019/0189](#)] [[MEMO](#)] be approved.

37. Pension Schemes Act 1995

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

That the Pension Schemes Legislation (Application) (No. 2) Order 2019 [[SD No 2019/0188](#)] [[MEMO](#)] be approved.

38. LGBTIQ+ equality

The Hon. Member for Douglas East (Miss Bettison) to move –

That Tynwald affirms its commitment to LGBTIQ+ equality; and condemns the move by the nation of Brunei to make gay sex punishable by stoning to death.

39. Members' allowances

The Hon. Member for Douglas South (Mrs Beecroft) to move –

That Tynwald is of the opinion that the increase in subsistence allowances for the Public Service that came into operation from 1st May 2019 should not apply to Members of Tynwald until the accommodation allowances for patients and escorts cover reasonable costs that they incur.

40. Environmental protection

The Hon. Member for Garff (Mrs Caine) to move –

That Tynwald believes that the Isle of Man faces an environmental and climate emergency; and is of the opinion that the Government should allocate the necessary resources to take urgent and significant action.