

TYNWALD Tinvaal



ORDER PAPER Claare Obbyr

DOUGLAS
Tuesday 19th November 2019
at 10.30 am

1. To lay before the Court –

Town and Country Planning Act 1999

Town and Country Planning (Telecommunications) Development Order 2019 [[SD No 2019/0393](#)] [[MEMO](#)]

Town and Country Planning (Uses Classes) Order 2019 [[SD No 2019/0392](#)] [[MEMO](#)]

Town and Country Planning (Certificates of Lawful Use or Development) (Amendment) Regulations 2019 [[SD No 2019/0424](#)] [[MEMO](#)]

Town and Country Planning (Miscellaneous Amendments) Regulations 2019 [[SD No 2019/0422](#)] [[MEMO](#)]

Data Protection Act 2018

Data Protection (Application of GDPR) (Amendment) Order 2019 [[SD No 2019/0456](#)] [[MEMO](#)]

Financial Provisions and Currency Act 2011

Town and Village Regeneration Scheme 2019 [[SD No 2019/0441](#)] [[MEMO](#)]

Superannuation Act 1984

Isle of Man Post Office Superannuation (Amendment) Scheme 2019 [[SD No 2019/0406](#)] [[MEMO](#)]

National Health Service 2001

National Health Service (Charges for Drugs and Appliances) (Amendment) Regulations 2019 [[SD No 2019/0415](#)] [[MEMO](#)]

Local Government Act 1985

Port Erin (Number of Members) Order 2019 [[SD No 2019/0388](#)] [[MEMO](#)]

Port St Mary (Number of Members) Order 2019 [[SD No 2019/0389](#)] [[MEMO](#)]

Income Tax Act 1970

Taxes (Gibraltar) Order 2019 [[SD No 2019/0383](#)] [[MEMO](#)]

Taxes (Bermuda) Order 2019 [[SD No 2019/0384](#)] [[MEMO](#)]

Social Security Contributions and Benefits Act 1992

Employed Person's Allowance (General) (Amendment) (No. 3) Regulations 2019 [[SD No 2019/0401](#)] [[MEMO](#)]

Employed Person's Allowance (General) (Amendment) (No. 4) Regulations 2019 [[SD No 2019/0402](#)] [[MEMO](#)]

Value Added Tax Act 1996

Value Added Tax Act 1996 (Amendment) (No. 3) Order 2019 [[SD No 2019/0413](#)] [[MEMO](#)]

Customs and Excise Act 1993

Export Control (Sanctions) (Amendment) Order 2019 (Application) Order 2019 [[SD No 2019/0417](#)] [[MEMO](#)]

Reports

Annual Report of the Director of Public Health for 2019: An Equal Society [[GD No 2019/0071](#)]

Ecclesiastical Committee of Tynwald First Report For The Session 2019-20 Draft Church Representation and Ministers Measure (Isle of Man) [[PP No 2019/0124](#)]

Isle of Man Post Office Board - Strategic recommendations relating to pensions [[GD No 2019/0072](#)]

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

Documents subject to no procedure

European Union and Trade Act 2109

European Union and Trade Act 2019 (Amendment of Exit Day) (No. 3) Regulations 2019 [[SD No 2019/0449](#)] [[MEMO](#)]

Documents subject to negative resolution

National Health Service Act 2001

National Health Service (Pharmaceutical Services) (Amendment) (No.2) Regulations 2019 [[SD No 2019/0416](#)] [[MEMO](#)]

Fisheries Act 2012

Sea Fisheries (Lobster and Crab) (Recreational Licensing) (Amendment) Regulations 2019 [[SD No 2019/0444](#)] [[MEMO](#)]

Inland Fisheries (Amendment) Regulations [[SD No 2019/0439](#)] [[MEMO](#)]

Interpretation Act 2015

Town and Country Planning (Application and Appeal Fees) (No. 2) Order 2019 [[SD No 2019/0453](#)] [[MEMO](#)]

Town and Country Planning Act 1999

Town and Country Planning (Development Procedure) Order 2019 [[SD No 2019/0423](#)] [[MEMO](#)]

Taxation (Cross-border Trade) Act 2018

Customs Transit Procedures (Amendment) Regulations 2019 [[SD No 2019/0399](#)] [[MEMO](#)]

Customs Union (United Kingdom) Order [[SD No 2019/0405](#)] [[MEMO](#)]

Appointed Day Orders

Tynwald Commissioner for Administration Act 2011

Tynwald Commissioner for Administration Act 2011 (Appointed Day) (No. 2) Order 2019 [[SD No 2019/0440](#)]

Town and Country Planning (Amendment) Act 2019

Town and Country Planning (Amendment) Act 2019 (Appointed Day) (No. 1) Order 2019 [[SD No 2019/0385](#)] [[MEMO](#)]

Draft Orders

Proceeds of Crime Act 2008

Proceeds of Crime Act (Compliance with International Standards) (No.3) Order 2019 [[SD No 2019/0397](#)] [[MEMO](#)]

Anti-Terrorism and Crime Act 2003

Anti-Terrorism and Crime Act (Compliance with International Standards) Order 2019 [[SD No 2019/0398](#)] [[MEMO](#)]

Reports

Public Services Commission Annual Report 2018-19 [[GD No 2019/0047](#)]

The Enterprise Act 2008 Annual Report for 2018/2019 [[GD No 2019/0061](#)]

Annual Report 2018/2019 of the Manx Heritage Foundation trading as Culture Vannin incorporating the report of the Gaelic Broadcasting Committee [[GD No 2019/0069](#)]

Isle of Man Legal Aid Committee Report 2018-2019 [[GD No 2019/0070](#)]

Council of Ministers Response to the Environment and Infrastructure Policy Review Committee First Report of the Environment and Infrastructure Policy Review Committee for the Session 2018/19 Harbour Strategy Volumes 1 & 2 [[GD No 2019/0076](#)]

Agricultural Strategy 2019-29 Isle of Man high level principles [[GD 2019/0077](#)]

Isle of Man Government Unified Scheme 2011 Annual Report and Accounts for year ended 31 March 2018 [[GD No 2019/0078](#)]

Judicial Pension Scheme 1992 Annual Report and Accounts for year ended 31 March 2018 [[GD No 2019/0079](#)]

Superannuation (Manual Workers) (No.1) Scheme 1973 Annual Report and Accounts for year ended 31 March 2018 [[GD No 2019/0080](#)]

Judicial Pension Scheme 2004 Annual Report and Accounts for year ended 31 March 2018 [[GD No 2019/0081](#)]

Police Pensions Regulations 1991 Annual Report and Accounts for year ended 31 March 2018 [[GD No 2019/0082](#)]

Teachers' Superannuation Order 2011 Annual Report and Accounts for year ended 31 March 2018 [[GD No 2019/0083](#)]

Police Pension Regulations 2010 Annual Report and Accounts for year ended 31 March 2018 [[GD No 2019/0084](#)]

Social Affairs Policy Review Committee Second Report for the Session 2019-20: Suicide Volume 1 [[PP No 2019/0142\(1\)](#)]

Social Affairs Policy Review Committee Second Report for the Session 2019-20: Suicide Volume 2 [[PP No 2019/0142\(2\)](#)]

Tynwald Commissioner for Administration Refusal to investigate a Complaint – Statement of Reasons [\[TCA 1810\]](#)

The Future of Public Service Media in the Isle of Man - A Proposal by Kerry Sharpe MLC [\[PP No 2019/0143\]](#)

2. Questions

See Question Paper.

3. Tynwald Commissioner for Administration

Statement by the Minister for Policy and Reform.

4. Environment and Infrastructure Policy Review Committee

Statement by the Chairman of the Environment and Infrastructure Policy Review Committee.

5. Report of the Isle of Man Post Office Board - Strategic Recommendations Relating to Pensions

The Chairman of the Post Office (Ms Edge) to move –

That the Report of the Isle of Man Post Office Board - Strategic recommendations relating to pensions [\[GD No 2019/0072\]](#) be received and that the following recommendations be approved:

1. The intention of Isle of Man Post Office to submit for approval the Isle of Man Post Office Superannuation (Amendment) Scheme 2019 which includes, in addition to changes of an administrative nature, material amendments:

- To close access to current benefits for new entrants on 30 November 2019;
- Impacting current members in order to meet funding requirements;
- To establish a class of benefits to facilitate the defined benefit Lump Sum Scheme for new staff joining Isle of Man Post Office on or after 1 December 2019.

2. The establishment of the defined contribution scheme, a competitive, benchmarked and socially responsible contract based scheme for new staff joining Isle of Man Post Office on or after 1 December 2019.

6. Environment and Infrastructure Policy Review Committee

The interim Chairman of the Environment and Infrastructure Policy Review Committee (Mrs Maska) to move –

That the First Report of the Environment and Infrastructure Policy Review Committee for the Session 2018-2019: Harbours Strategy [[PP No 2019/0102\(1\)](#)] [[PP No 2019/0102\(2\)](#)] be received and the following recommendations be approved:

Recommendation 1

That the Department of Infrastructure should focus on progressing maintenance works for Douglas Harbour as a matter of urgency.

Recommendation 2

That the Council of Ministers should appoint a body to conduct a strategic review of the Island's harbours and options for future development, adhering to the principle set out in the National Infrastructure Strategy that there should be 'integrated, reliable, secure and resilient provision of Island-wide infrastructure that meets the social and economic needs of the Island up to 2050', and report back to Tynwald.

[[GD No 2019/0076](#)] is relevant to this item.

7. Ecclesiastical Committee of Tynwald

The Chairman of the Ecclesiastical Committee of Tynwald (Mr Cannan) to move –

That the First Report for the Session 2019-2020 – Draft Church Representation and Ministers Measure (Isle of Man) [[PP No 2019/0124](#)] be received and the following recommendation be approved:

Recommendation

That the draft Church Representation and Ministers Measure (Isle of Man) [[PP No 2019/0124A](#)] in the form laid before Tynwald be presented to Her Majesty as required by Schedule 1 to the Church Legislation Procedure Act 1993.

8. Town and Country Planning Act 1999

The Minister for Policy and Reform to move –

That the Town and Country Planning (Telecommunications) Development Order 2019 [[SD No 2019/0393](#)] [[MEMO](#)] be approved.

9. Data Protection Act 2018

The Minister for Policy and Reform to move –

That the Data Protection (Application of GDPR) (Amendment) Order 2019 [[SD No 2019/0456](#)] [[MEMO](#)] be approved.

10. Financial Provisions and Currency Act 2011

The Minister for Enterprise to move –

That the Town and Village Regeneration Scheme 2019 [[SD No 2019/0441](#)] [[MEMO](#)] be approved.

11. Superannuation Act 1984

The Chairman of the Post Office (Ms Edge) to move –

That the Isle of Man Post Office Superannuation (Amendment) Scheme 2019 [[SD No 2019/0406](#)] [[MEMO](#)] be approved.

12. Town and Country Planning Act 1999

The Minister for Environment, Food and Agriculture to move –

That the Town and Country Planning (Use Classes) Order 2019 [[SD No 2019/0392](#)] [[MEMO](#)] be approved.

13. Town and Country Planning Act 1999

The Minister for Environment, Food and Agriculture to move –

That the Town and Country Planning (Certificates of Lawful Use or Development) (Amendment) Regulations 2019 [[SD No 2019/0424](#)] [[MEMO](#)] be approved.

14. Town and Country Planning Act 1999

The Minister for Environment, Food and Agriculture to move –

That the Town and Country Planning (Miscellaneous Amendments) Regulations 2019 [[SD No 2019/0422](#)] [[MEMO](#)] be approved.

15. National Health Service 2001

The Minister for the Department of Health and Social Care to move –

That Tynwald approves the National Health Service (Charges for Drugs and Appliances) (Amendment) Regulations 2019 [[SD No 2019/0415](#)] [[MEMO](#)].

16. Local Government Act 1985

The Minister for Infrastructure to move –

That the Port Erin (Number of Members) Order 2019 [[SD No 2019/0388](#)] [[MEMO](#)] be approved.

17. Local Government Act 1985

The Minister for Infrastructure to move –

That the Port St Mary (Number of Members) Order 2019 [[SD No 2019/0389](#)] [[MEMO](#)] be approved.

18. Income Tax Act 1970

The Minister for the Treasury to move –

That the Taxes (Gibraltar) Order 2019 [[SD No 2019/0383](#)] [[MEMO](#)] be approved.

19. Income Tax Act 1970

The Minister for the Treasury to move –

That the Taxes (Bermuda) Order 2019 [[SD No 2019/0384](#)] [[MEMO](#)] be approved.

20. Social Security Contributions and Benefits Act 1992

The Minister for the Treasury to move –

That the Employed Person's Allowance (General) (Amendment) (No. 3) Regulations 2019 [[SD No 2019/0401](#)] [[MEMO](#)] be approved.

21. Social Security Contributions and Benefits Act 1992

The Minister for the Treasury to move –

That the Employed Person's Allowance (General) (Amendment) (No. 4) Regulations 2019 [[SD No 2019/0402](#)] [[MEMO](#)] be approved.

22. Value Added Tax Act 1996

The Minister for the Treasury to move –

That the Value Added Tax Act 1996 (Amendment) (No. 3) Order 2019 [[SD No 2019/0413](#)] [[MEMO](#)] be approved.

23. Customs and Excise Act 1993

The Minister for the Treasury to move –

That the Export Control (Sanctions) (Amendment) Order 2019 (Application) Order 2019 [[SD No 2019/0417](#)] [[MEMO](#)] be approved.

24. Law of adverse possession (Petition for Redress)

The Hon Member of Council, Mrs Lord-Brennan, to move –

That a committee of three Members be appointed to consider and report on the [Petition for Redress of Mark Jason Cleator](#) presented at St John's on 5th July 2019 in relation to the law of adverse possession.

25. Policy on interested person status in planning matters (Petition for Redress)

The Hon Member for Middle (Mr Shimmins) to move –

That a committee of three Members be appointed to consider and report on the [Petition for Redress of Leonard Trevor Cowin](#) presented at St John's on 5th July 2019 in relation to the policy on interested person status in planning matters.

26. Public health

The Hon Member of Council, Mr Cretney, to move –

That the Annual Report of the Director of Public Health for 2019: An Equal Society [[GD No 2019/0071](#)] be received, that its conclusions be noted, and that the recommendations set out below be approved; and that future annual reports of the Director of Public Health should be laid before Tynwald as a matter of course.

Recommendation 1

Establishing a high level Board to take strategic and policy ownership of health and social inequalities. This would include political representatives and chief officer level representation across government, the third and private sectors

and community organisations. The Board would be responsible for receiving intelligence on health and social inequalities on-Island, evidence of policy and other interventions likely to have an impact, setting strategy and holding to account for delivery and improvement in outcomes. In designing the structure and functions of the Board, good practice and examples of success from English Health and Wellbeing Boards should be taken into account.

Recommendation 2

Design and deliver an Isle of Man core dataset to measure inequalities in health and socio-economic status.

Recommendation 3

Test the feasibility and usefulness of designing a geographically based Isle of Man Index of Multiple Deprivation, bearing in mind the limitations of this approach for rural populations.

Recommendation 4

Explore the potential of working with others to maximise learning relevant to our population. This could include:

- working with Public Health England and the Local Government Association to keep up to date with the progress of work to develop a better understanding of deprivation in rural areas;
- Working with organisations such as the Health Equity Institute (to participate in networks of nations and cities which are applying the Marmot principles as a framework for policy and action), or the Commission for Social Metrics to develop measures of poverty that are most meaningful for our context;
- Working with the Crown Dependencies of Jersey and Guernsey to share capacity and improve understanding of the specific context of small nation islands.

27. Law relating to grandchildren (Petition for Redress)

The Hon Member for Onchan (Ms Edge) to move –

That a committee of three Members be appointed to consider the [Petition for Redress of Terence Anthony Miles and Heather Hazel Miles](#) presented at St John's on 5th July 2019 in relation to reform of the law relating to grandchildren; and that the Committee should report by November 2020.