

TYNWALD Tinvaal



ORDER PAPER Claare Obbyr

DOUGLAS
Tuesday 19th June 2012
at 10.30 am

1. To lay before the Court -

European Communities (Isle of Man) Act 1973

[European Union \(Iran Sanctions\) \(Proliferation\) Order 2012
\[SD No 0427/12\]](#)

Misuse of Drugs Act 1976

[Misuse of Drugs \(Controlled Drug Specification\) \(Methoxetamine\)
Order 2012 \[SD No 0295/12\]](#)

Police Powers and Procedures Act 1998

[Police Powers and Procedures Codes \(Amendment\) Order 2012
\[SD No 0322/12\]](#)

Road Traffic Act 1985

[Road Vehicles \(Construction, Equipment and Weights\) Regulations 2012
\[SD No 0326/12\]](#)

[Road Vehicles \(Maintenance and Use\) Regulations 2012 \[SD No 0323/12\]](#)

[Road Traffic \(Immobilisation of Motor Vehicles off Highways\)
Regulations 2012 \[SD No 0325/12\]](#)

[Road Traffic \(Motor Cars\) \(Overnight and Weekend Waiting\)
Regulations 2012 \[SD No 0327/12\]](#)

Road Transport Act 2001

[Public Passenger Vehicles \(Driver's Licences\) \(Amendment\) Regulations 2012 \[SD No 0328/12\]](#)

[Public Passenger Vehicles \(Ongoing Fitness\) \(Appeals\) \(Fee\) Regulations 2012 \[SD No 0330/12\]](#)

Fees and Duties Act 1989

[Road Transport \(Public Passenger Vehicles\) \(Fees\) Order 2012 \[SD No 0331/12\]](#)

[Town and Country Planning \(Fees for Applications\) Order 2012 \[SD No 0394/12\]](#)

Licensing and Registration of Vehicles Act 1985

[Licensing and Registration of Vehicles \(Amendment\) Regulations 2012 \[SD No 0332/12\]](#)

Town and Country Planning Act 1999

[Town and Country Planning \(Permitted Development\) Order 2012 \[SD No 0254/12\]](#)

[Town and Country Planning \(Permitted Development\) \(Telecommunications\) Order 2012 be approved \[SD No 0391/12\]](#)

Highways Act 1986

[Highways Closure \(Area of Public Highway, off Clagh Vane Estate, Ballasalla, Malew\) Order 2012 \[SD No 0395/12\]](#)

Submarine Cables Act 2003

[Submarine Cables \(Fees\) Regulations 2012 \[SD No 0393/12\]](#)

Housing (Miscellaneous Provisions) Act 2011

[House Purchase Assistance Scheme 2012 \[SD No 0396/12\]](#)

Social Security Act 2000

[Social Security Legislation \(Benefits\) \(Application\) \(No 2\) Order 2012 \[SD No 0280/12\]](#)

[Social Security Legislation \(Benefits\) \(Application\) \(No 3\) Order 2012 \[SD No 0281/12\]](#)

Pension Schemes Act 1995

[Pension Schemes Legislation \(Application\) \(No 2\) Order 2012 \[SD No 0282/12\]](#)

Collective Investment Schemes Act 2008

[Collective Investment Schemes \(Recognised Schemes\) \(Guernsey\) Order 2012 \[SD No 0273/12\]](#)

[Collective Investment Schemes \(Recognised Schemes\) \(Jersey\) Order 2012 \[SD No 0274/12\]](#)

[Collective Investment Schemes \(Recognised Schemes\) \(United Kingdom\) Order 2012 \[SD No 0275/12\]](#)

Income Tax Act 1970

[Income Tax \(Qatar\) \(Double Taxation\) Order 2012 \[SD No 0308/12\]](#)

[Gambling Duty Bill 2012](#)

Reports

[Report of the Tynwald Management Committee on the remit of the Tynwald Management Committee \[PP0078/12\]](#)

[A Review of the Scope of Government in the Isle of Man - An Independent Report to the Council of Ministers. \[GD No 0021/12\]](#)

[The Government's Rebalancing Strategy - Some Comments from the Review Team on the Scope of Government. \[GD No 0022/12\]](#)

Police Act 1993

[Chief Constable's Annual Report 2011-12 \[GD No 0016/12\]](#)

Note: The following items are not the subject of motions on the Order Paper

Documents subject to negative procedure

Immigration Act 1971 (An Act of Parliament as extended to the Isle of Man by the Immigration (Isle of Man) Order 2008 (SI 2008 No 680))

[Statement of Changes in Immigration Rules \[SD No 0288/12\]](#)

European Communities (Isle of Man) Act 1973

[Iran Sanctions \(Proliferation\) Regulations 2012 \[SD No 0428/12\]](#)

Documents subject to no procedure

[Guidance for Potential Petitioners at Tynwald Hill. Revised Edition 2012 \[PP No 0075/12\]](#)

Insurance Act 2008

[Insurance \(Solvency\) \(Amendment\) Regulations 2012 \[SD No 0294/12\]](#)

[Department of Home Affairs Policing Plan 2012-2013 May 2012. \[GD No 0015/12\]](#)

European Community

[EU Secondary Legislation: May 2012 \[GC No 0016/12\]](#)

Reports

[Annual Report of the Gaelic Broadcasting Committee - Bing Ymskeaylley Gaelgagh Year ended 31st March 2012 \[GD No 0018/12\]](#)

[Annual Report on the Activities of the Manx Industrial Relations Service for 2011 \[GD No 0020/12\]](#)

Interception of Communications Act 1988

[Report of the Commissioner for the Year Ended 31st December 2009 \[GD No 0024/12\]](#)

[Report of the Commissioner for the Year Ended 31st December 2010 \[GD No 0025/12\]](#)

[Report of the Commissioner for the Year Ended 31st December 2011 \[GD No 0026/12\]](#)

[Council of Ministers' Response to the Report of the Standing Committee on Public Accounts on IT Projects and Support \[GD No 0019/12\]](#)

[Report of the Police Complaints Commissioner for the year ended 31st March 2012 \[GD No 0031/12\]](#)

[Oxford Economics - The Economic Impact of the Film Industry for the Isle of Man - A report prepared for Isle of Man Film Limited - May 2012](#)

[Strategy for the Future of the Isle of Man Film Industry - June 2012 \[GD0029/12\]](#)

2. Questions

See Question Paper

3. Building Industry Apprenticeships

Statement by the Minister for Economic Development

4. Media Development Fund

The Minister for the Treasury to move -

That Tynwald, in principle subject to contract, approves the appointment of Pinewood Shepperton plc as the investment managers for the Media Development Fund for an initial term of five years; and that Treasury be authorised to expend from the Reserve Fund a sum not exceeding £24 million to purchase a shareholding in Pinewood Shepperton plc representing the stake of up to 19.99% of ordinary share capital.

5. Revenue Accounts 2011-12 Supplementary Vote

The Minister for Community, Culture and Leisure to move -

That Tynwald authorises the Treasury in respect of the year ended 31st March 2012, to apply from General Revenue surplus receipts totalling £568,906 of the Department of Community, Culture and Leisure, the sum of £568,906 in payment of excess expenditure.

6. Tynwald Management Committee

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

The report of the Tynwald Management Committee on the remit of the Tynwald Management Committee be received and the following recommendations be approved -

1. That Tynwald Standing Orders be amended to include the constitution of the Tynwald Management Committee in these terms:

Tynwald Management Committee

X.1 There shall be a Standing Committee of the Court on Management of the Clerk of Tynwald's Office.

X.2 The Committee shall be composed of the Speaker of the House of Keys, who shall be the Chairman, the President of Tynwald and three Members of Tynwald.

X.3 The Committee shall -

- (i) oversee the management of the secretariat of the Office of the Clerk of Tynwald;

- (ii) ensure that necessary services are provided for Members of Tynwald, that appropriate resources are made available to allow for such services and that such resources are properly used;
 - (iii) oversee the efficient and effective use of resources by the Clerk of Tynwald, who shall be the Accounting Officer for the Tynwald budget; and
 - (iv) provide authority for setting staffing levels and overall terms and conditions of service of the staff of the Office of the Clerk of Tynwald.
2. That the current members of the Committee continue to serve on the Tynwald Management Committee which is reconstituted as a Tynwald Standing Committee.

7. Public Accounts Committee Report on IT Projects and Support

The Chairman of the Standing Committee on Public Accounts (Mr Cregeen) to move –

That the Report of the Standing Committee on Public Accounts on IT Projects and Support [\[PP0036/12\]](#) be received and the following recommendations approved:

RECOMMENDATION 1

- (a) Business change managers should be selected by, and work for, the department sponsoring the business change, which may incorporate an IT solution. The department will select a project manager from:
 - (i) within their department; or
 - (ii) a central pool of Civil Service change managers working within the business change team; or
 - (iii) an external company, either for specific technical expertise or because no internal candidate is available who has appropriate experience for the role.
- (b) After quotations for project management costs have been obtained in advance, any projected significant changes to the original quotation should be formally approved.
- (c) A benchmarking exercise should be undertaken to identify a generally appropriate level of project management costs when considered as a percentage of the total costs.
- (d) An ISD officer, with appropriate technical knowledge, should be assigned to provide advice and support during each service investigation.

RECOMMENDATION 2

- (a) ISD must consider ways of reducing its reliance on outsourcing, and
- (b) ISD must negotiate with suppliers to obtain cheaper daily rates for long-term contracts.

RECOMMENDATION 3

- (a) Each Isle of Man Government Department should have a programme manager responsible for overseeing all projects and meeting regularly with other programme managers and a representative of the Transforming Government team. This group, the Business Change Management Group, will consult the IOMG systems map, will share information on work planned and in progress, review new change requests (service requests) and discuss the opportunities for collaboration.
- (b) There should be one standard business change methodology managed centrally by the Business Change Management Group which will call for input from an IT specialist when required. A second business change methodology should be developed for use in lower risk projects.
- (c) Business change should be managed centrally with information and documentation stored centrally and shared among business change personnel so that best practice can be highlighted and examples of previous similar work can be used to reduce the 'reinventing the wheel' scenarios.

RECOMMENDATION 4

The Business Change Management Team should include staff with business analysis skills.

RECOMMENDATION 5

The efficiency of the helpdesk system should be improved by -

- (a) training departmental CLOs (computer liaison officers) to deal with relatively minor problems, thereby removing the need for a helpdesk call;
- (b) training helpdesk staff to deal with standard maintenance problems and identify at an early stage any calls which need to be referred to second level staff for more specialised maintenance;
- (c) ISD compiling data to identify the percentage of standard maintenance problems dealt with by individual helpdesk staff compared to calls they referred to second level staff, so that further training can be provided to staff whose percentage is unacceptably low;
- (d) access to better information being made available to all Departments on the response to their calls, to avoid follow-up calls being made to ISD to check on progress; and
- (e) monthly helpdesk statistics being published online in a transparent manner and regular customer satisfaction evaluations being undertaken.

RECOMMENDATION 6

- (a) The network should be secured in such a way as to allow access by third party support staff where necessary;
- (b) if a particular Department is not satisfied with the current out-of-hours service, it should arrange with ISD to fund a more formal 'on call' rota system; and
- (c) using the IOMG Systems Map, application hosting should be planned so that programmed downtime for those applications which need to run 24/7 is reduced to a minimum agreed between the Department and ISD. Data on interruptions to services should be maintained by ISD and made available to the affected Departments

This PAC Report was laid before Tynwald in April 2012. The Government's response [\[GD0019/12\]](#) will be laid before Tynwald at the present sitting. This is the first application of the procedure adopted for PAC and PRC reports in accordance with Tynwald's resolution of 18th January 2011.

8. A Review of the Scope of Government in the Isle of Man - An Independent Report to the Council of Ministers. The Government's Rebalancing Strategy - Some Comments from the Review Team on the Scope of Government

The Chief Minister to move -

That Tynwald notes that the Council of Ministers has received and is considering the two reports: "A Review of the Scope of Government in the Isle of Man - An Independent Report to the Council of Ministers" and "The Government's Rebalancing Strategy - Some Comments from the Review Team on the Scope of Government"; and that the views of Tynwald Members and members of the public in respect of both the reports and any of the recommendations contained therein are welcome.

9. European Communities (Isle of Man) Act 1973

The Chief Minister to move -

That the European Union (Iran Sanctions) (Proliferation) Order 2012 be approved [\[SD No 0427/12\]](#)

10. Police Act 1993

The Minister for Home Affairs to move -

That the Chief Constable's Annual Report 2011-12 be received [\[GD No 0016/12\]](#)

11. Police Powers and Procedures Act 1998

The Minister for Home Affairs to move –

That the Police Powers and Procedures Codes (Amendment) Order 2012 be approved [\[SD No 0322/12\]](#)

12. Misuse of Drugs Act 1976

The Minister for Health to move –

That the Misuse of Drugs (Controlled Drug Specification) (Methoxetamine) Order 2012 be approved [\[SD No 0295/12\]](#)

13. Road Traffic Act 1985

The Minister for Infrastructure to move –

That the Road Vehicles (Construction, Equipment and Weights) Regulations 2012 be approved [\[SD No 0326/12\]](#)

14. Road Traffic Act 1985

The Minister for Infrastructure to move –

That the Road Vehicles (Maintenance and Use) Regulations 2012 be approved [\[SD No 0323/12\]](#)

15. Road Traffic Act 1985

The Minister for Infrastructure to move –

That the Road Traffic (Immobilisation of Motor Vehicles Off Highways) Regulations 2012 be approved [\[SD No 0325/12\]](#)

16. Road Traffic Act 1985

The Minister for Infrastructure to move –

That the Road Traffic (Motor Cars) (Overnight and Weekend Waiting) Regulations 2012 be approved [\[SD No 0327/12\]](#)

17. Road Transport Act 2001

The Minister for Infrastructure to move –

That the Public Passenger Vehicles (Driver's Licences) (Amendment) Regulations 2012 be approved [\[SD No 0328/12\]](#)

18. Fees and Duties Act 1989

The Minister for Infrastructure to move –

That the Road Transport (Public Passenger Vehicles) (Fees) Order 2012 be approved [\[SD No 0331/12\]](#)

19. Road Transport Act 2001

The Minister for Infrastructure to move –

That the Public Passenger Vehicles (Ongoing Fitness) (Appeals) (Fee) Regulations 2012 be approved [\[SD No 0330/12\]](#)

20. Licensing and Registration of Vehicles Act 1985

The Minister for Infrastructure to move –

That the Licensing and Registration of Vehicles (Amendment) Regulations 2012 be approved [\[SD No 0332/12\]](#)

21. Fees and Duties Act 1989

The Minister for Infrastructure to move –

That the Town and Country Planning (Fees for Applications) Order 2012 be approved [\[SD No 0394/12\]](#)

22. Town and Country Planning Act 1999

The Minister for Infrastructure to move –

That the Town and Country Planning (Permitted Development) Order 2012 be approved [\[SD No 0254/12\]](#)

23. Town and Country Planning Act 1999

The Minister for Infrastructure to move –

That the Town and Country Planning (Permitted Development) (Telecommunications) Order 2012 be approved [\[SD No 0391/12\]](#)

24. Highways Act 1986

The Minister for Infrastructure to move –

That the Highway Closure (Area of Public Highway, off Clagh Vane Estate, Ballasalla, Malew) Order 2012 be approved [\[SD No 0395/12\]](#)

25. Submarine Cables Act 2003

The Minister for Infrastructure to move –

That the Submarine Cables (Fees) Regulations 2012 be approved [\[SD No 0393/12\]](#)

26. Housing (Miscellaneous Provisions) Act 2011

The Minister for Social Care to move –

That the House Purchase Assistance Scheme 2012 be approved [\[SD No 0396/12\]](#)

27. Social Security Act 2000

The Minister for Social Care to move –

That the Social Security Legislation (Benefits) (Application) (No 2) Order 2012 be approved [\[SD No 0280/12\]](#)

28. Social Security Act 2000

The Minister for Social Care to move –

That the Social Security Legislation (Benefits) (Application) (No 3) Order 2012 be approved [\[SD No 0281/12\]](#)

29. Pension Schemes Act 1995

The Minister for Social Care to move –

That the Pension Schemes Legislation (Application) (No 2) Order 2012 be approved [\[SD No 0282/12\]](#)

30. Collective Investment Schemes Act 2008

The Minister for the Treasury to move –

That the Collective Investment Schemes (Recognised Schemes) (Guernsey) Order 2012 be approved [\[SD No 0273/12\]](#)

31. Collective Investment Schemes Act 2008

The Minister for the Treasury to move –

That the Collective Investment Schemes (Recognised Schemes) (Jersey) Order 2012 be approved [\[SD No 0274/12\]](#)

32. Collective Investment Schemes Act 2008

The Minister for the Treasury to move –

That the Collective Investment Schemes (Recognised Schemes) (United Kingdom) Order 2012 be approved [\[SD No 0275/12\]](#)

33. Income Tax Act 1970

The Minister for the Treasury to move –

That the Income Tax (Qatar) (Double Taxation) Order 2012 be approved [\[SD No 0308/12\]](#)

34. Gambling Duty Bill 2012

The Minister for the Treasury to move -

That, in accordance with Tynwald Standing Order 10.5, for clause 33 of the Gambling Duty Bill substitute -

“33. Civil penalties

If a person contravenes any requirement imposed by or under regulations made under section 18 or section 21, unless those regulations provide otherwise, the contravention attracts a penalty under section 9 of the Finance Act 1994 (of Parliament) (civil penalties), as that section applies to the Island from time to time.”

35. Investment Funds

The Hon. Member for Middle (Mr Quayle) to move -

That Tynwald requests the Council of Ministers to investigate the feasibility of establishing an investment fund, focusing on supporting the local economy using part of the funds held in Government’s existing reserves; and to report back by October 2012.