

TYNWALD

Tinvaal



ORDER PAPER

Claare Obbyr

DOUGLAS
TUESDAY 11TH DECEMBER 2007
at 10.30 am

1. To lay before the Court -

European Communities (Isle of Man) Act 1973 -
European Communities (Wire Transfers Regulation) (Application)
(Amendment) Order 2007 *[draft]*

Banking Act 1998 -
Banking (General Practice) Regulatory (Amendment) Code 2007
[SD No 927/07]

Financial Services (Inward Investment) Assistance (Amendment) Scheme
2007 -
Financial Services (Inward Investment) Assistance (Amendment)
Scheme 2007 *[GC No 70/07]*

Income Tax Act 1995 -
Income Tax (Attributed Profits) (Temporary Taxation) Order 2007
[SD No 928/07]

Registration of Electors Act 2006 -
Registration of Electors (Jury Lists) Regulations 2007 *[SD No 935/07]*

Education Act 2001 -
Education (Student Awards) (Amendment) (No 2) Regulations 2007
[SD No 958/07]

Animal Health Act 1996 -
Foot and Mouth Disease (Importation) (Temporary Prohibition) (No. 2)
Order 2007 *[SD No 924/07]*
Pigs (Records, Identification and Movement) Order 2007
[SD No 925/07]

Sea-Fisheries Act 1971 -
Sea-Fisheries (Experimental Area) Byelaws 2006 (Amendment)
Byelaws 2007 [*SD No 926/07*]

Local Government Act 1985 -
Drumgold Street (Off-Street Car Park) Byelaws 2007 [*SD No 931/07*]

Road Transport Act 2001 -
Public Passenger Vehicles (Drivers' Licences) (Exemption) Regulations
2007 [*SD No 936/07*]

Reports -
First Report of the Standing Orders Committee for the Session 2007-08
[*PP116/07*]

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

Value Added Tax Act 1996 -
Value Added Tax (Amendment) (No 8) Regulations 2007
[*SD No 872/07*]
Value Added Tax (Special Provisions) (Amendment) Order 2007
[*SD No 873/07*]

Town and Country Planning Act 1999 -
Douglas (Athol and Victoria Streets) Conservation Area Order 2007
[*SD No 950/07*]

European Communities (Isle of Man) Act 1973 -
EC Wire Transfers Regulation (Enforcement) Regulations 2007
[*SD No 956/07*]

European Community -
EC Secondary Legislation - November 2007 [*GC No 73/07*]

Appointed Day Order -
Broadcasting (Amendment) Act 2007 (Appointed Day) Order 2007
[*SD No 957/07*]

Reports -
Annual Report of the Standing Committee on Public Accounts for the
Session 2006-2007 [*PP121/07*]
Manx Electricity Authority Annual Reports for 2006/07, 2005/06,
2004/05 and 2003/04.
Code of Practice on Access to Government Information: Initial
Refusals and Review of Decisions in respect of Written Requests for
Information made under the Code during the year ended
31st August 2007 [*GR No 043/07*]

2. Questions -

See Question Paper.

3. OFT Inquiry into Energy Prices -

Statement by the Chief Minister.

4. Manx Electricity Authority -

Statement by the Chairman.

5. Supplementary Vote -

The Minister for Agriculture, Fisheries and Forestry to move -

That Tynwald –

- (1) approves the Department of Agriculture, Fisheries and Forestry incurring additional expenditure not exceeding £272,000 in order to continue the Agricultural Credits Act, the Agricultural Holdings and the Fishing Vessel (Financial Assistance) Schemes;
- (2) authorises the Treasury to spend out of the Capital Transactions Account during the year ending 31 March 2008 a sum not exceeding £272,000 in respect of the additional expenditure; and
- (3) approves and sanctions borrowings not exceeding £272,000 being made by Government, such borrowings to be repaid within a period of 30 years.

6. Refurbishment Cushag House, Four Roads, Port St Mary -

The Minister for Health and Social Security to move -

That Tynwald approves the Department of Health and Social Security incurring expenditure not exceeding the sum of £299,000 for the refurbishment of the existing Cushag House, Four Roads, Port St Mary to provide accommodation for adults with learning difficulties.

7. Chief Constable's Annual Report 2006/07 -

The Minister for Home Affairs to move -

That the Chief Constable's Annual Report 2006/07 be received.
[GR No 038/07] (This Report was laid, and circulated with the papers for the November sitting of Tynwald)

8. Langness Peninsula Footpaths -

The Minister for Transport to move -

Whereas the Department of Transport has determined to hold an inquiry pursuant to section 117 of the Highways Act 1986

- (a) as to the status under that Act of a certain footpath on the Langness peninsula, namely that which follows the route from the Department's car park around the coastline and passes to the seaward side of the Langness lighthouse, and in particular whether the said footpath may be presumed to have been dedicated as a highway under section 88 of the said Act; and
- (b) as to whether in the light of the findings of the said inquiry the Department should exercise its powers under section 39 of the said Act in respect of the said footpath;

Tynwald now resolves that the powers conferred by the Inquiries (Evidence) Act 2003 shall be exercisable in relation to the said inquiry.

9. Standing Orders Committee -

The Chairman of the Standing Orders Committee (Mr Speaker) to move -

That the First Report of the Standing Orders of the Committee for the Session 2007-08 be received and the following recommendations approved:

- (i) add to Standing Order 11.4:-

“After the sitting of the Court in February 2008 for the remainder of the Session 2007-08, ‘Quorum’ in relation to the Council shall be three members.”
- (ii) amend Standing Order 6.11(c) by inserting the words in italics:-

“(c) *not relate to any specific case which could be or has been adjudicated upon by the High Court or any tribunal or arbitration, or any formal officially recognised complaints procedure, unless the petition shows that in the circumstances it is not reasonable to expect the petitioner to resort, or have resorted, to such remedy;*”
- (iii) in Standing Order 7.5 delete the words:-

”on receipt by the Clerk of Tynwald”.

10. European Communities (Isle of Man) Act 1973 -

The Chief Minister to move -

That the European Communities (Wire Transfers Regulation) (Application) (Amendment) Order 2007 [*draft*] be approved

11. Banking Act 1998 -

The Minister for the Treasury to move -

That the Banking (General Practice) Regulatory (Amendment) Code 2007 be approved [*SD No 927/07*]

12. The Financial Services (Inward Investment) Assistance (Amendment) Scheme 2007 -

The Minister for the Treasury to move -

That the Financial Services (Inward Investment) Assistance (Amendment) Scheme 2007 be approved [*GC No 70/07*]

13. Income Tax Act 1995 -

The Minister for the Treasury to move -

That the Income Tax (Attributed Profits) (Temporary Taxation) Order 2007 be approved [*SD No 928/07*]

14. Registration of Electors Act 2006 -

The Minister for the Treasury to move -

That the Registration of Electors (Jury Lists) Regulations 2007 be approved [*SD No 935/07*]

15. Education Act 2001 -

The Minister for Education to move -

That the Education (Student Awards) (Amendment) (No 2) Regulations 2007 be approved [*SD No 958/07*]

16. Animal Health Act 1996 -

The Minister for Agriculture, Fisheries and Forestry to move -

That the Foot and Mouth Disease (Importation) (Temporary Prohibition) (No. 2) Order 2007 be approved [*SD No 924/07*]

17. Animal Health Act 1996 -

The Minister for Agriculture, Fisheries and Forestry to move -

That the Pigs (Records, Identification and Movement) Order 2007 be approved [*SD No 925/07*]

18. Sea-Fisheries Act 1971 -

The Minister for Agriculture, Fisheries and Forestry to move -

That the Sea-Fisheries (Experimental Area) Byelaws 2006 (Amendment) Byelaws 2007 be approved [*SD No 926/07*]

19. Local Government Act 1985 -

The Minister for Local Government and the Environment to move -

That the Drumgold Street (Off-Street Car Park) Byelaws 2007 be approved [*SD No 931/07*]

20. Road Transport Act 2001 -

The Minister for Transport to move -

The Public Passenger Vehicles (Drivers' Licences) (Exemption) Regulations 2007 [*SD No 936/07*]

21. Management of Government owned property interests -

The Hon Member for Malew & Santon (Mr Cregeen) to move -

That Tynwald requests the Council of Ministers to investigate whether all real property owned or leased by Government Departments or Statutory Boards should be vested in and controlled by a single body or Department, and to report to the Court no later than November 2008.

22. Isle of Man Post Office Employee Survey 2007 -

The Hon Member for Douglas East (Mrs Cannell) to move -

That Tynwald requests the Isle of Man Post Office distributes a copy of the "IOM Post Office Employee Survey 2007" to all Members of Tynwald.

23. Isle of Man Post Office Employee Survey review -

The Hon Member for Douglas East (Mrs Cannell) to move -

That Tynwald reviews the "IOM Post Office Employee Survey 2007" and notes its contents.

24. Peel Bay Festival -

The Hon Member for Garff to move -

- (1) That Tynwald notes the Peel Bay Festival 2007 -
 - (a) attracted an attendance of some 25,000 spectators and received a high level of acclaim as to the nature and quality of the event from persons both on and off the Island; and
 - (b) has the potential to be developed into an annual music festival attracting greater numbers of spectators, particularly from off-Island, and makes a significant contribution to the economic and social wellbeing of the Island; and
- (2) requests the Department of Tourism and Leisure to -
 - (a) investigate with the Festival promoters proposals for the future development of the Festival from 2009 onwards to achieve the aims at (1)(a) above; and
 - (b) agree a 3 year business plan to include appropriate levels of marketing grant, event guarantee or other form of financial assistance; and

report to Tynwald.

IN TYNWALD

December 2007

Manx Electricity Authority

The Hon Member for Michael (Mr Cannan) to move-

That Standing Order 2.4(1) be suspended and that the following business now be taken.

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The Hon Member for Michael (Mr Cannan) to move-

Tynwald requires that its approval be obtained before any further agreement, or any amendment to the existing agreement, is made with Bord Gais Eireann in respect of the use of the gas pipeline or the provision of the gas supply to the Isle of Man, or for purposes connected therewith.

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Note to Members: I have now withdrawn the notice which I had previously given to Mr President that I wished to move an urgent matter of public importance on this subject.

JDQC