

TYNWALD Tinvaal



ORDER PAPER Claare Obbyr

DOUGLAS
Tuesday 15th November 2011
at 10.30 am

1. To lay before the Court -

European Communities (Isle of Man) Act 1973

[European Union \(Afghanistan Sanctions\) \(Application\) \(Amendment\) Order 2011 \[SD 899/11\]](#)

[European Union \(Côte d'Ivoire Sanctions\) \(Freezing of Funds, Etc\) \(Application\) \(Amendment\) \(No. 5\) Order 2011 \[SD 901/11\]](#)

[European Union \(Libya Sanctions\) \(Application\) \(Amendment\) \(No. 11\) Order 2011 \[SD 903/11\]](#)

[European Union \(Somalia Sanctions\) \(Application\) \(Amendment\) Order 2011 \[SD 905/11\]](#)

[European Union \(Syria Sanctions\) \(Application\) \(Amendment\) \(No. 6\) Order 2011 \[SD 907/11\]](#)

Government Departments Act 1987

[Transfer of Functions \(Governor in Council\) \(Amendment\) Order 2011 \[SD 943/11\]](#)

Customs and Excise Act 1993

[Customs and Excise Acts \(Application\) Order 2011 \[SD 667/11\]](#)

Value Added Tax Act 1996

[Value Added Tax Act 1996 \(Mutual Assistance\) \(Amendment\) Order 2011 \[SD 843/11\]](#)

Customs and Excise Management Act 1986

[Customs and Excise Management Act 1986 \(Mutual Assistance\) \(Amendment\) Order 2011 \[SD 842/11\]](#)

Sea Fisheries Act 1971

[Sea-Fisheries \(Three-Mile Area\) \(Lobster and Crab\) \(Amendment\) Byelaws 2011 \[SD 564/11\]](#)

[Sea-Fisheries \(Three-Mile Area\) \(Lobster and Crab\) \(Amendment\) \(No. 2\) Byelaws 2011 \[SD 752/11\]](#)

[Sea-Fisheries \(Lobster and Crab\) \(Hobby Licensing\) Bye-Laws 2011 \[SD 753/11\]](#)

Public Health Act 1990

[Public Health \(Notifiable Diseases\) Order 2011 \[SD 763/11\]](#)

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

Documents subject to negative procedure

European Communities (Isle of Man) Act 1973

[Afghanistan Sanctions \(Amendment\) Regulations 2011 \[SD 900/11\]](#)

[Côte D'Ivoire Sanctions \(Freezing of Funds, Etc\) \(Amendment\) \(No. 5\) Regulations 2011 \[SD 902/11\]](#)

[Libya Sanctions \(Amendment\) \(No. 11\) Regulations 2011 \[SD 904/11\]](#)

[Somalia Sanctions \(Amendment\) Regulations \[SD 906/11\]](#)

[Syria Sanctions \(Amendment\) \(No. 6\) Regulations 2011 \[SD 908/11\]](#)

Documents subject to no procedure

Currency Act 1992

[Currency \(The Kermode Bear\) \(Crown Coins\) Order 2011 \[SD 852/11\]](#)

[Currency \(Diamond Jubilee of Accession\) \(Crown Coins\) Order 2011 \[SD 853/11\]](#)

[Currency \(European Football Championship 2012\) \(Crown Coins\) Order 2011 \[SD 854/11\]](#)

[Currency \(Juno Moneta\) \(Crown Coins\) Order 2011 \[SD 878/11\]](#)

Customs and Excise Management Act 1986

Alcoholic Liquor Duties Act 1986

[Excise Goods \(Holding, Movement and Duty Point\) \(Amendment\) Regulations 2011 \[SD 864/11\]](#)

Judgments (Reciprocal Enforcement) (Isle of Man) Act 1968

[Judgements \(Reciprocal Enforcement\) \(United Kingdom and Channel Islands\) Order 2011 \[SD 930/11\]](#)

[The Cluster Munitions \(Prohibitions\) Act 2010 \(Isle of Man\) Order 2011 \[SI No. 2443\]](#)

Appointed Day Orders

[Broadway Baptist Church Act 2011 \(Appointed Day\) Order 2011 \[SD 923/11\]](#)

European Community

[EC Secondary Legislation - October 2011 \[GC 53/11\]](#)

Reports -

[Isle of Man Government Accounts for the year ended 31st March 2011](#)

[\[GD 37/11\]](#)

[Third Report of the Manx Lottery Trust - Report and Financial Statements for the year ended 31st March 2011 \[GD 43/11\]](#)

[Department of Economic Development - Young People Not in Education, Employment or Training \(NEET\) Update \[GD 48/11\]](#)

[Manx Electricity Authority - Annual Report 2010-11](#)

[Isle of Man Water and Sewerage Authority - Annual Report and Accounts 2010-11](#)

[Isle of Man Post Office - Report and Accounts for the 52 weeks ended 27th March 2011](#)

2. Questions

See Question Paper

3. Pumping Station Refurbishment Project Phase 3

The Chairman of Isle of Man Water and Sewerage Authority to move -

That Tynwald -

Approves the Isle of Man Water and Sewerage Authority incurring expenditure not exceeding £490,000 in respect of the Pumping Station Refurbishment Project Phase 3.

[\[Funding for the scheme is detailed under Scheme Code G18-059 - 'Pumping Station Refurbishment - Construction Phase 3' on Page 28 and 'Pumping Station Refurbishment' on Page 76 of the Isle of Man Budget 2011-12\]](#)

4. Infill Housing at Bretney Estate, Jurby

The Minister for Social Care to move –

That Tynwald –

Approves the Department of Social Care incurring expenditure not exceeding the sum of £785,000 in respect of the provision of six apartments on the Bretney Estate in Jurby along with associated site works

[Reference: G13-061 Item No. 06 under the heading “Social Care- Jurby Bretney Houses/ Environmental Works (6 no.)” on page 28 of the Isle of Man Budget 2011-12 and as detailed in the Estimate of Capital Payments 2011-12 to 2015-16 under the heading “Social Care- New Schemes” on page 74 of the IOM Budget 2011-12]

5. Minor Capital Works Programme

The Minister for Social Care to move –

That Tynwald –

- (a) Approves the Department of Social Care incurring expenditure not exceeding £220,000 in respect of its Minor Capital Works Programme;
- (b) Authorises the Treasury to spend out of the Capital Transactions Account during the financial year ending 31st March 2012, a sum not exceeding £220,000;
- (c) Approves of and sanctions borrowings not exceeding £220,000 being made by Government, such borrowings to be repaid within a period of 20 years.

6. Young People not in Education, Employment or Training (NEET) Update

The Minister for Economic Development to move –

That the Report “Young People not in Education, Employment or Training (NEET) Update” [\[GD 48/11\]](#) be received.

7. European Communities (Isle of Man) Act 1973

The Minister for the Treasury to move –

That the European Union (Afghanistan Sanctions) (Application) (Amendment) Order 2011 be approved. [\[SD 899/11\]](#)

8. European Communities (Isle of Man) Act 1973

The Minister for the Treasury to move -

That the European Union (Côte d'Ivoire Sanctions) (Freezing of Funds, Etc) (Application) (Amendment) (No. 5) Order 2011 be approved. [\[SD 901/11\]](#)

9. European Communities (Isle of Man) Act 1973

The Minister for the Treasury to move -

That the European Union (Libya Sanctions) (Application) (Amendment) (No. 11) Order 2011 be approved. [\[SD 903/11\]](#)

10. European Communities (Isle of Man) Act 1973

The Minister for the Treasury to move -

That the European Union (Somalia Sanctions) (Application) (Amendment) Order 2011 be approved. [\[SD 905/11\]](#)

11. European Communities (Isle of Man) Act 1973

The Minister for the Treasury to move -

That the European Union (Syria Sanctions) (Application) (Amendment) (No. 6) Order 2011 be approved. [\[SD 907/11\]](#)

12. Government Departments Act 1987

The Minister for the Treasury to move -

That the Transfer of Functions (Governor in Council) (Amendment) Order 2011 be approved. [\[SD 943/11\]](#)

13. Customs and Excise Act 1993

The Minister for the Treasury to move -

That the Customs and Excise Acts (Application) Order 2011 be approved. [\[SD 667/11\]](#)

14. Value Added Tax Act 1996

The Minister for the Treasury to move -

That the Value Added Tax Act 1996 (Mutual Assistance) (Amendment) Order 2011 be approved. [\[SD 843/11\]](#)

15. Customs and Excise Management Act 1986

The Minister for the Treasury to move -

That the Customs and Excise Management Act 1986 (Mutual Assistance) (Amendment) Order 2011 be approved. [\[SD 842/11\]](#)

16. Sea Fisheries Act 1971

The Minister for Environment, Food and Agriculture to move -

That the Sea-Fisheries (Three-Mile Area) (Lobster and Crab) (Amendment) Byelaws 2011 be approved. [\[SD 564/11\]](#)

17. Sea Fisheries Act 1971

The Minister for Environment, Food and Agriculture to move -

That the Sea-Fisheries (Three-Mile Area) (Lobster and Crab) (Amendment) (No. 2) Byelaws 2011 be approved. [\[SD 752/11\]](#)

18. Sea Fisheries Act 1971

The Minister for Environment, Food and Agriculture to move -

That the Sea-Fisheries (Lobster and Crab) (Hobby Licensing) Byelaws 2011 be approved. [\[SD 753/11\]](#)

19. Public Health Act 1990

The Minister for Environment, Food and Agriculture to move -

That the Public Health (Notifiable Diseases) Order 2011 be approved. [\[SD 763/11\]](#)

20. Appointment of Chairmen of Statutory Boards -

The Minister for the Treasury to move -

That Tynwald approves the appointment of:

- (a) Mr E G Lowey MLC as Chairperson of the Manx Electricity Authority;
- (b) Mr J R Houghton MHK as Vice Chairperson of the Manx Electricity Authority;
- (c) Mr C G Corkish MHK as Chairman of the Isle of Man Post Office;
- (d) Mr R A Ronan MHK as Vice Chairman of the Isle of Man Post Office;
- (e) Mr G D Cregeen MHK as Chairman of the Water and Sewerage Authority;
- (f) Mr R W Henderson MHK as Vice Chairman of the Water and Sewerage Authority;
- (g) Mr D J Quirk MHK as Chairman of the Office of Fair Trading; and
- (h) Mr D A Callister MLC as Vice Chairman of the Office of Fair Trading.

21. Whitley Council (Employers' Side)

The Minister for the Treasury to move -

That Tynwald approves the appointment of:

- (a) Mr A L Cannan MHK as the Chairman of the Employers' Side of the Whitley Council for the Isle of Man Public Service (Manual Workers);
- (b) Hon. P A Gawne MHK as a member of the Employers' Side of the Whitley Council for the Isle of Man Public Service (Manual Workers); and
- (c) Mr L I Singer MHK as a member of the Employers' Side of the Whitley Council for the Isle of Man Public Service (Manual Workers).

22. Election of Deputy President

To elect a Deputy President of Tynwald in accordance with section 5(1) of the Constitution Act 1990.

(The person elected as Deputy President must be either a Member of the House of Keys or an elected Member of the Legislative Council; the previous Deputy President was Mr Speaker Rodan.)

23. Public Accounts Committee

To elect a Chairman to serve during the term of the House of Keys notwithstanding Standing Order 5.5.

(Under the Schedule to Standing Orders, paragraph 3.3, the following members are not eligible for membership of this Committee: the President, members of the Council of Ministers and members of the Treasury. The previous members of the Committee were Madam President, Mr Butt, Mr Cregeen, Mr Gill, Mr Henderson and Mr Watterson.)

24. Economic Policy Review Committee

To elect a Chairman to serve during the term of the House of Keys notwithstanding Standing Order 5.5.

(Under the Schedule to Standing Orders, paragraph 1.3, the following members are not eligible for membership of this Committee: the President, members of the Council of Ministers and members of the Treasury; and under paragraph 3.2 the Chairman is an ex-officio member of the Public Accounts Committee. This is a new Committee.)

25. Environment and Infrastructure Policy Review Committee

To elect a Chairman to serve during the term of the House of Keys notwithstanding Standing Order 5.5.

(Under the Schedule to Standing Orders, paragraph 1.3, the following members are not eligible for membership of this Committee: the President, members of the Council of Ministers and members of the Treasury; and under paragraph 3.2 the Chairman is an ex-officio member of the Public Accounts Committee. This is a new Committee.)

26. Social Affairs Policy Review Committee

To elect a Chairman to serve during the term of the House of Keys notwithstanding Standing Order 5.5.

(Under the Schedule to Standing Orders, paragraph 1.3, the following members are not eligible for membership of this Committee: the President, members of the Council of Ministers and members of the Treasury; and under paragraph 3.2 the Chairman is an ex-officio member of the Public Accounts Committee. This is a new Committee.)

27. Public Accounts Committee

To elect a Vice-Chairman to serve during the term of the House of Keys notwithstanding Standing Order 5.5.

(Under the Schedule to Standing Orders, paragraph 3.3, the following members are not eligible for membership of this Committee: the President, members of the Council of Ministers and members of the Treasury. The previous members of the Committee were Madam President, Mr Butt, Mr Cregeen, Mr Gill, Mr Henderson and Mr Watterson.)

28. Economic Policy Review Committee

To elect two Members of Tynwald to serve during the term of the House of Keys notwithstanding Standing Order 5.5.

(Under the Schedule to Standing Orders, paragraph 1.3, the following members are not eligible for membership of this Committee: the President, members of the Council of Ministers and members of the Treasury. This is a new Committee.)

29. Environment and Infrastructure Policy Review Committee

To elect two Members of Tynwald to serve during the term of the House of Keys notwithstanding Standing Order 5.5.

(Under the Schedule to Standing Orders, paragraph 1.3, the following members are not eligible for membership of this Committee: the President, members of the Council of Ministers and members of the Treasury. This is a new Committee.)

30. Social Affairs Policy Review Committee

To elect two Members of Tynwald to serve during the term of the House of Keys notwithstanding Standing Order 5.5.

(Under the Schedule to Standing Orders, paragraph 1.3, the following members are not eligible for membership of this Committee: the President, members of the Council of Ministers and members of the Treasury. This is a new Committee.)

31. Ecclesiastical Committee

To elect three Members of Tynwald to serve during the term of the House of Keys notwithstanding Standing Order 5.5.

(The previous members were Mr Anderson, Mr David Cannan and Mr Earnshaw.)

32. Standing Orders Committee of Tynwald Court: Keys Members

To elect two Members of the House of Keys to serve during the term of the House of Keys notwithstanding Standing Order 5.5.

(Under the Schedule to Standing Orders, paragraph 5.2, Mr Speaker is ex officio chairman of this Committee. The previous elected Keys Members were Mr Cregeen and Mr Martyn Quayle.)

33. Standing Orders Committee of Tynwald Court: Council Members

To elect two Members of the Council to serve during the term of the House of Keys notwithstanding Standing Order 5.5.

(The previous Council Members were Mr Braidwood and Mr Lowey.)

34. Tynwald Honours Committee

To elect three Members of Tynwald to serve during the term of the House of Keys notwithstanding Standing Order 5.5.

(Under the Schedule to Standing Orders, paragraph 7.2, Madam President and Mr Speaker are ex officio members of this Committee. The previous elected Members were Mr Corkish, Mr Karran and Mr Lowey.)

35. Select Committee of Tynwald on the Manx Electricity Authority

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

That the select committee appointed to investigate the Manx Electricity Authority's affairs should not sit further; and that any written and oral evidence which has not yet been reported to this Court be published, subject to any agreements made in relation to confidentiality.

36. Select Committee of Tynwald on the Manx Electricity Authority

To elect three Members of Tynwald to serve on the Committee with Mr Butt and Mr Callister.

(Madam President was previously a Member of the Committee. Under Standing Order 5.1(2) she became ineligible upon her election as President. The two Keys Members of the Committee, Mr Speaker and Mr Quirk, have been continuing to serve under Standing Order 5.5. The position of the two Council Members of the Committee, Mr Butt and Mr Callister, is unaffected by Standing Order 5.5. They are still members of the Committee and do not need to be re-elected.)

37. British-Irish Parliamentary Assembly

To elect one Member of Tynwald and one alternate Member to serve during the term of the House of Keys.

(The previous Member was Mr Speaker and the alternate Member was Mr Lowey.)

38. Petition for Redress of Grievance of Mr Joseph Rae Hamilton

The Hon. Member for Onchan (Mr Quirk) to move -

That a select committee of three Members be appointed with powers to take written and oral evidence pursuant to sections 3 and 4 of the Tynwald Proceedings Act 1876, as amended, to consider the Petition for Redress of Grievance of Mr Joseph Rae Hamilton presented at St John's on 5th July 2011 in relation to declarations of interest by members of local authorities.

39. Petition for Redress of Grievance of Mr David Nicholas Sykes

The Hon. Member for Ramsey (Mr Singer) to move -

That a select committee of three Members be appointed with powers to take written and oral evidence pursuant to sections 3 and 4 of the Tynwald Proceedings Act 1876, as amended, to consider the Petition for Redress of Grievance of Mr David Nicholas Sykes and others presented at St John's on 5th July 2011 in relation to planning procedure and the risk of flooding.