

**REPORT OF PROCEEDINGS OF
LEGISLATIVE COUNCIL**

**Douglas, Tuesday, 1st December 1998
at 10.30 a.m.**

Present:

The President (the Hon Sir Charles Kerruish OBE LLD (hc) CP), the Lord Bishop (the Rt Rev Noël Debroy Jones), the Attorney-General (Mr W J H Corlett), Hon C M Christian, Messrs E A Crowe, D F K Delaney, J R Kniveton, E G Lowey, Hon E J Mann, Messrs J N Radcliffe and G H Waft, with Mr T A Bawden, Clerk of the Council.

The Lord Bishop took the prayers.

Schools – Internet Access – Question by Mr Waft

The President: Turning to our agenda paper we have first of all questions for the day and I call upon the hon. member, Mr Waft, to ask the question standing in his name as number (1) on that agenda paper.

Mr Waft: Thank you, Mr President. I beg to ask the Minister for Education:

Has Manx Telecom made an offer to Manx schools for internet access comparable to that made to the UK schools by its parent, British Telecom?

The President: The Minister for Education to reply.

Dr Mann: Thank you, Mr President. The department is in constant discussion with Manx Telecom over offers made to UK schools with a view to ensuring that Manx schools receive at least the same benefits. I am pleased to say that our schools already are benefiting from a Manx Telecom scheme exclusive to Isle of Man schools whereby ISDN two telephone circuits are provided at £500 per annum inclusive of installation and call charges between the hours of 8 a.m. and 6 p.m. during term time. The equivalent service offered by BT to UK schools cost £790 per annum. This scheme not only benefits Isle of Man schools, but makes it particularly cost-effective for them to use local internet service providers.

I think it is also interesting to know that all of our secondary schools have networked internet access and have had for about nine months. All of the secondary schools have basic video conferencing facilities and it is our plan to connect all primary schools to the internet during the spring and summer terms of 1999.

Mr Waft: A supplementary, Mr President. Would, minister, you agree with me that Manx Telecom, with its monopoly situation on the Island, should be providing an excellent service to Manx schools, which should be second to none in Europe as compared to those other countries who have to deal with competition?

Dr Mann: I can assure the hon. member that that is true and we are getting a first-class service. We are talking with Manx Telecom constantly to ensure that their development programme involves all schools in the Isle of Man.

Mr Crowe: Mr President, would the minister just clarify the question of the annual costs of calls, which are the major cost when you are connecting to internet? I think you said that there was a special discount rate available to Manx schools for telephone calls?

Dr Mann: That is correct, yes.

Food – Promotion of Speciality Manx Foods – Question by Waft

The President: Moving on, hon. members to question (2) and I call again on the hon. member Mr Waft to ask the question standing in his name.

Mr Waft: Thank you, Mr President. I beg to ask a member of the Department of Agriculture, Forestry and Fisheries:

Recognising the growing popularity of speciality foods does your department encourage, support and promote the production of enhanced value Manx foods, e.g. speciality cheeses, smoked fish, et cetera, in the UK and Europe?

The President: The hon. Mr Crowe of the Department of Agriculture, Forestry and Fisheries to reply.

Mr Crowe: Thank you, Mr President. The department, along with the agriculture and fisheries industries, has long recognised the advantage of adding enhanced value to Manx produce. It is beneficial if such speciality productions can be undertaken in the Isle of Man because it gives the product a higher sales value than the raw material from which it is constituted. The department, therefore, would certainly wish to encourage Manx processors to follow such a course of action in cases where it is deemed economically viable. However, with regard to marketing and financial support, this would be a matter for the respective marketing organisations and the Department of Trade and Industry. The Department of Agriculture's area of operation is confined to direct and indirect support of the primary production sectors.

Mr Waft: A supplementary, Mr President. As a member of the Department of Agriculture and Fisheries and the Department of Trade and Industry and in view of the positive signs of movement of agribusiness from the British Isles within Europe, is it possible for you to institute a combined marketing strategy to make a special effort this next year to promote Manx produce, both locally and abroad?

Mr Crowe: Mr President, yes, it is interesting you talk about the overlap between the Department of Agriculture and the Department of Trade and Industry, which I have found very useful. As to a joint marketing effort I think this would have to be discussed with the marketing societies just to see what their core plans are for the future, but I will pick that up.

Mr Delaney: Given the track record of the marketing societies over a number of years in the past in relationship to Manx products, does he hold out any hope that any advancement will be made in Manx product sales outside the Isle of Man?

Mr Crowe: Mr President, I think the main part of promoting the Isle of Man's agricultural produce and even fishing products is to have a very, very high standard and to have very good health and hygiene regulations so that what we are selling is of the highest quality and of the highest standard. So I believe that the people at the front line in agriculture and fisheries are doing their best under very trying circumstances at the present time against very great competition from EU and overseas countries and I believe that we should give good support to the local producers.

Mr Kniveton: Mr President, as far as speciality foods produced in the Island are concerned, can the hon. member give us any indication as to the value and revenue to this export market into the UK and Europe?

Mr Crowe: Thank you, that is a very interesting question. I was not prepared to give that or have with me the details. There are, of course, direct benefits which are true monetary benefits and there are indirect benefits which come from the industry, but I will supply the member with some further information there,

Mr Lowey: May I ask a supplementary? Would the member not agree that in building a new creamery, part of the financial plans was the export potential of the industry? Has the hon member any idea whether those predictions have been fulfilled or have they fallen short of those predictions?

Mr Crowe: Yes, the new creamery was supported by the Department of Trade and Industry because it was seen as vital by the local producers that the milk obviously has to be of the highest standards for sale in the Isle of Man and elsewhere, and the surplus is turned into cheese. Now, it is finding sometimes markets for those cheeses, whether there could well be an over-supply, so all of these have to be taken on board as an ongoing situation and to look for new markets and to try and get enhanced cheeses and high value cheeses. The whole thing is a continuing process and the department is talking to the marketing societies on this.

Mr Waft: Mr President, is it possible, or would you be able in your capacity as a member of those departments, to bring together for a meeting those marketing directors from the government's different departments - that is, to use their skills, those departments that do have marketing directors, towards a scheme concentrating on Manx products and, as a start to begin with, the Isle of Man Government and their use of UHT milk and cream? Could those directors perhaps come together as a united front for the marketing of Manx products?

Mr Crowe: Mr President, yes, the marketing of Manx produce is a very wide subject and certainly this question of UHT milk is an interesting topic that I will bring back with me to the department. I think the whole marketing of Manx produce is a very wide subject and again the suggestions that you have made about having cross-department marketing for the benefit of the Island is something I will look into.

Mrs Christian: A supplementary, Mr President. Would the hon. member, in perhaps progressing these issues with these departments, take a look at the Orkneys, who could, I suggest, provide an excellent example of what islands can do in terms of marketing their agricultural products?

Mr Crowe: Mr President, yes I am aware that smaller islands such as ourselves or groups of islands are very keen to promote their core industries, their primary industries, and we can always learn from other examples.

Mr Delaney: For the benefit of the Council, would the member have supplied to members of the Council and anyone else interested in Tynwald the names and the positions of the marketing team in place at the moment, whose job it is to sell Manx produce off this Island?

Mr Crowe: Yes, I can supply that to the members, because it is principally the marketing societies who are responsible for promoting the agricultural industry.

Nursing – Encouragement to School-Leavers – Question by Mr Waft

The President: Right, hon. members, we move on to question (3) and I call on the hon. Mr Waft to ask the question standing in his name.

Mr Waft: Mr President, I beg to ask the Minister for Health and Social Security:

What steps if any will be taken by your department to encourage young people leaving Island schools over the next three years to enter the nursing profession?

The President: The Minister for Health and Social Security to reply.

Mrs Christian: Yes, Mr President, the responsibility for promotion of career opportunities in nursing is managed through the department's Centre for Nurse Education. The centre sends out up-to-date promotional nursing literature to all senior schools, the Isle of Man College and the Job Centre, and staff regularly attend career evenings in some schools where there is an opportunity for students to talk with the nurse tutors to discuss, obtain advice and careers guidance. This includes advice to students who may not have attained the necessary academic qualifications. In addition to that, the centre, in conjunction with our service managers, is in the process of developing a more proactive and focused approach in promoting nursing as a career and will shortly be seeking support from all the senior schools on the Island with a view to being included in their career strategies and conventions. It is the intention as a part of this initiative to target male students to what is still seen as largely a female profession. Other steps being looked at include the provision of work experience in some clinical settings, where this is appropriate, to provide an opportunity for young students to gain an experience of hospital life and in conclusion, Mr President, I am pleased to have this opportunity to highlight some of the work being done in this area. There is no doubt that the recruitment and the retention of nursing staff is a major challenge for the wider National Health Service and, that being so, our ability to attract young people into the profession is critical for the future of the service.

Mr Waft: Mr President, would the minister agree with me that the United Kingdom is seeking 15,000 nurses over the next three years and have had to look for staff as far afield as the Phillipines, Finland, Australia and New Zealand, with one NHS Trust even sending a representative to Beijing in China? Would the minister also agree with me that even if we decided to start training our own nurses, there are a great many hurdles to overcome before we would be able to apply to the UKCC to be accredited status, and would she also agree with me that it would be foolish in the extreme to try and create a qualification which was not recognised by that body?

Mrs Christian: Yes, Mr President, I can agree with all the things that the hon. member has said. Quite clearly, it is acknowledged that the UK is looking beyond its own shores for some of its nursing staff and the department has, as the hon. member is aware, been working on the situation with regard to the reintroduction of pre-registration nurse training and, as he says, there are a number of hurdles which have to be overcome if we are to reintroduce that form of training and clearly we would wish to introduce a qualification which was acceptable beyond our shores and not simply confined to the Isle of Man.

Mr Crowe: Mr President, could the minister have been aware of the difficulty of training and recruitment of nurses, and would an Isle of Man waiting allowance help to keep nurses or to encourage them to come to the Island?

Mrs Christian: Yes, Mr President, I think in terms of our recruitment and retention, whilst there are areas of difficulty, particularly with specialist training, we do not compare too badly with other areas at this time. As far as an Isle of Man waiting is concerned, I would suggest that our better pay rates here constitute an improvement over the UK situation. Waitings have been considered from time to time, but I think that the broad employment package is what we are looking at and what needs to be developed rather a specific waiting.

Dr Mann: Well, would the hon. minister agree there is in existence a pre-nurse training course, a foundation course, already in existence at the college here to encourage entrants to start training actually before the true course even begins at 18.

Mrs Christian: Mr President, yes, I would acknowledge that the college has a course which gives a foundation to those students who wish to pursue a career in nursing, but of course at the moment they have to leave the Island to pursue their training for a full registration qualification in nursing.

Mr Waft: Mr President, would the minister agree with me that a new hospital with a new training school could be a centre of excellence for the whole of the North-West and, as a consequence, would attract high quality staff to the new hospital?

Mrs Christian: Mr President, there are certainly arguments for and against the introduction of pre-registration nurse training, but one of those in favour of such a provision is that it does encourage people who are staffing the hospitals to be on top of the job because they are in a position of training others and, yes, it does have an element on attraction in raising the profile and standards of any hospital.

Mr Lowey: Would the minister not agree that while it is right to talk about getting new potential staff we are losing trained existing staff and until we direct our attention to the reasons for that - and I would suggest they are because nursing has become a paper-chasing exercise as opposed to nursing - we are still going to have the problems? We are losing trained staff at a faster rate than we can train new staff to take them; wages are not the only answer.

Mrs Christian: Mr President, wages are not the only answer. As I said before, the whole of the employment package is of interest to anyone who wishes to be employed and that is something we are and have been examining. I think that we ought to be careful not to give the impression that we are losing staff at a tremendous rate and that somehow we need to introduce pre-registration nurse training in order to keep up with those losses. That would be a false picture. There is no doubt at all that if we introduce pre-registration nurse training we may well have a difficulty in providing sufficient places for the people who do go through our training college, and this is one of the statistics that we have to put into the equation when we are considering whether or not to reintroduce.

Mr Lowey: Would the minister not agree, Mr President, through you, that we have wards shut at the moment in our main acute hospital because of the lack of trained staff?

Mrs Christian: Mr President, there are specialist areas where specialist nurses are difficult to recruit. I have to accept that and acknowledge it, but pre-registration nurse training of itself will not remedy that particular problem.

Mr Lowey: Instantly, but long term it may assist.

Mrs Christian: Long term, Mr President, yes, it may add to the pool of nurses from whom we could recruit those who will go on to specialist training. One issue that does concern me a little about that is that one of the reasons we are told we need to reintroduce nurse training in the Island is that many young people do not want to leave the Island to carry out that training which is currently available in another place, and of course in many other professions young people do have to leave the Island. Nursing is not exclusive in that regard. What concerns me is that if they are not prepared to go across to do their original training, one must question whether they would then be prepared to go across to do specialist training. Now, that is something we cannot tell at this point, but certainly if we are to have more nurses available, trained in the basic elements in the Island, we would certainly have a bigger pool from which to recruit those who might go on to a specialist training.

Mr Lowey: Could I ask the minister again to address perhaps my direct question: is it not a fact that we have wards shut because of the lack of trained staff?

Mrs Christian: We have temporary closures for the safety of those who are on the wards where specialist nurses are required. As far as other wards are concerned, we have had the amalgamation of some wards in recent times because of the under-occupation of those wards and it therefore made sense to combine them to give a higher bed occupancy and a more effective use of the staff that were available.

Mr Waft: Would the minister agree with me that when the training school was operating some years ago we were turning out so many trained nurses every year that we were only able to offer them six months' guaranteed work, and after that they had to further their career elsewhere, as would any training school?

Mrs Christian: Mr President, yes, that is certainly the case and could well be the case in the future if nurse training is reintroduced into the Island. The department has been working up proposals for the introduction of pre-registration nurse training and has had a wide number of variables to consider in formulating what it wants to do in this direction in terms of the numbers it would seek to train, the branches of nursing in which it could seek to train and the frequency of the course, and clearly we are trying to construct a course which will (a) meet the minimum requirements of the body which would approve the course in terms of the numbers going through, (b) not flood our existing hospital staff with trainees to the point where the standard of supervision was inadequate and therefore would prejudice our training status, and (c) try and cater for the numbers which we could envisage might be absorbed within the nursing service either in the NHS or in the private sector in the Island, but after a year or two it is probable that we would be training more people than we could absorb.

Mr Delaney: Can I ask this question? If you do not get enough applications for nurse training when you do re-establish it, will you have to go outside the Isle of Man to make up the numbers to give our own Manx people the medical treatment they are entitled to?

Mrs Christian: Could I just clarify the hon. member said medical treatment they are entitled to or the training?

Mr Delaney: Look, nursing is part of the medical treatment, a very important part, and what I am asking is, if we do not get enough recruits coming in from the Island to go into training to become nurses, to work in the hospitals and health services, will we then have to go off-Island to fill those places?

Mrs Christian: Mr President, if we are talking about places in the training school, yes, we would have to go outside the Island to bring in trainees. That in itself would present a problem given the overall approach to nursing today, because many of the training courses in the UK are not being filled at the moment.

Mr Delaney: That is right. That is why I have asked the question.

Treasury – Financing of Capital Schemes – Question by Mr Lowey

The President: Question 4, the hon. member, Mr Lowey.

Mr Lowey: I beg leave to ask a member of the Treasury:

Have the Treasury given consideration to financing capital schemes from their own reserve accounts?

The President: The hon. member for the Treasury, Mr Radcliffe, to reply.

Mr Radcliffe: Thank you, Mr President. At the present time one of Tynwald's policy objectives as expressed on page 25 of the 1998 Policy Review and on page iii of the budget Pink Book 1998-99 is to increase the level of the reserve fund to the equivalent of half of government's annual revenue-funded gross expenditure in the long term and as resources allow. That objective has not yet been achieved. Another section of the Policy Review, in section 8 on page 28, and particularly 8.1(c) states that the Council of Ministers will 'investigate and develop the means of achieving alternative methods of funding of the major schemes in order to reduce the burden on tax revenue'. However, whilst government limits its capital programme to an upper actual spending limit of round about £40 million a year, this can be financed from internal sources. Should government wish to accelerate its capital programme and use reserve accounts, a policy decision may require to be made to change the policies for both the level of the reserve fund and the level of the capital spend. I might say that Treasury has looked at this, has arrived at the conclusion that it would not wish to use its reserve accounts to fund capital accounts and, in the light of Tynwald's instructions - and the hon. members have had their chance to make comment on that particular point that the reserve fund should be equivalent to roughly half the level of the annual spend of government - that level has not been achieved and, until that is done, the policy of government and of Tynwald is to steadily increase the reserve accounts.

Mr Lowey: Could I ask a supplementary? Tynwald's instructions are led by the Treasury. It is their policy that is placed before us and we have the negative or . . . to approve it. Mr President, my supplementary question is, 'Where are our reserve funds invested now and what is it invested in?'

Mr Radcliffe: Our reserve funds, Mr President, are invested with our investment fund managers. The funds are scattered in various parts of the United Kingdom and beyond. The

aim of the reserve fund and the instructions to the fund managers is that it must achieve capital growth and I might say, for the hon. member's interest, the capital growth on the reserve fund to 31st March 1998 was 18 per cent capital growth. I might say that the actual interest on capital invested is round about a figure of 6 per cent, give or take a fraction. I did say in my answer to the hon. member that what we are attempting to achieve is 50 per cent of government's gross expenditure, which in the policy document is stated as being £207 million. The current value of the reserve fund is £152 - £153 million, so we have not yet achieved that 50 per cent figure.

Mr Lowey: Could I ask a supplementary? Would the member of the Treasury not agree that in searching for good sound investments we should not close our eyes to those at home? I would illustrate it by the fact by saying that a monopoly supplier, where the private finance sector is trying to get in at a rapid rate, seems to me to be one which we should not shut our eyes to and the Treasury should certainly not shut its eyes to just because it happens to be on our own doorstep.

Mr Radcliffe: Thank you, Mr President. I appreciate the point that the hon. member is making about sound investment at home. I will undertake to bring this point to Treasury's attention. It will then be up to Treasury as a body to decide whether to bring it to the Council of Ministers or not, but I certainly will give that undertaking.

Mr Lowey: Before Friday, Norman, please.

Mr Delaney: Where government departments, boards, authorities go out and borrow money, who and what is the guarantor of the money - as an example, the Electricity Authority when a company they have set up, borrows money to put a cable underneath - who actually guarantees that money is there or there is adequate collateral to repay the banks or institutions that lend that money? Is it the directors of that company acting on their own behalf? Is it the Manx taxpayer through the tax authority that will guarantee that the money will be repaid at some time so that the people who invest the money know their money is a real gold chip investment or a blue chip investment?

Mr Radcliffe: Well, Mr President, it is, as with any other business deal, up to the lenders to satisfy themselves that the collateral is correct, and that is market practice, Mr President.

Mr Delaney: Another supplementary from that question, Mr President. This company, the cable company, which is going to be set up and the deal is going to be struck on Friday - what input had the Council of Ministers or Tynwald, as there is no record of us ever debating it, and are the taxpayers of the Isle of Man guaranteeing something which they have actually had no part to play in?

Mr Radcliffe: The situation is, Mr President, that the Isle of Man Government is giving a £4¹/₂ million loan to the MEA, which is for their capital commitment to the cable company and of course this cable company, as we are well aware, is or will be jointly owned by the MEA and National Grid. They will borrow money from the private sector to finance the cable and the company will then charge the leasing costs jointly to the MEA and the National Grid. It is purely a commercial proposition and the company will handle that part of the affair in their own way.

Mr Delaney: My last supplementary, Mr President.

The President: I am sorry, sir, but Mr Kniveton; I will come back to you.

Mr Kniveton: Thank you, Mr President. Whereas the hon. member has given us certain indications, certain percentages of how the money is invested, can he tell us how much reserve is readily available should Tynwald decree, for instance, to finance any capital development from the reserve account?

Mr Radcliffe: Mr President, the moneys will be as readily available as any other investment moneys. It is just a question of giving the appropriate notice to the fund managers, who will then convert the holdings they have into cash to come back to the Isle of Man Government. It is a situation where, of course, one can lose money as well as make money, as with all stocks and shares and the current value now is £152 million - that is the actual reserve fund - and you may get more than that, you may get less, if that were to happen.

Mr Delaney: My supplementary to the hon. member is this: as financial decisions on policies are taken in Tynwald Court, Mr President, on matters exceeding certain small amounts of money, when is Tynwald Court going to make the decision of the investment of so many millions of pounds and commitment by the Manx taxpayers to underwrite such investments and commitments? When do you intend bringing this forward so that the members who represent the people of the Isle of Man can put on record their support or non-support of such a scheme?

Mr Radcliffe: Mr President, I would suggest that the appropriate time for that has been when the policy report was debated and will be when the budget report is debated.

Mr Delaney: Sorry, Mr President, the member is obviously unaware that we have never debated such an investment by the Manx people. It has been part of the policy of the directors that we have appointed to run the company but never been authorised by Tynwald.

The President: Hon. members, we are getting past the state of questions now and I do not think an observation calls for an answer.

Edwards Report – Timetable for Implementation of Recommendations – Question by Mr Lowey

The President: Now, we move on to question number (5) and I call upon the hon. member Mr Lowey to ask the question standing in his name.

Mr Lowey: Thank you, Mr President. I beg leave to ask a member of the Council of Ministers;

What timetable is envisaged to implement the 'relevant recommendations of the Edwards report'.

The President: Which hon. member? The hon. member Mrs Christian.

Mrs Christian: Mr President, there is no timetable for the implementation of the recommendations in the Edwards report. Indeed, there is no commitment to implement the recommendations at all. As the hon. member will be aware, the Chief Minister has established a committee to consider the Edwards report findings with a view to making a report to Tynwald. Ultimately it will be for Tynwald to decide which recommendations, if any, are to be adopted and in what time scale.

Mr Lowey: Would the minister not agree that we should be implementing those areas that we believe to be in the right interest - right is right, as I keep saying - and regarding perception outside regarding political input into the regulation series is one which I think Tynwald really should have an opinion on before consulting anybody? If right is right, we should be acting on it, or do we have to wait for Jersey to implement something and then for us to follow? I am certain Jersey will be implementing that particular recommendation before the New Year.

Mrs Christian: Mr President, clearly some of the recommendations in the report are matters which have been under consideration and are in the process of being developed in the Island in any case, so that what we consider is right is in the process of being implemented. With regard to those recommendations which have not yet been considered in the Island, I think it is appropriate and proper that Tynwald has a view on that and the Chief Minister has undertaken to bring forward a report on each of the recommendations with a view as to how we should proceed in relation to them.

Mr Lowey: But on what time scale? Could I ask the minister, through you, Mr President, what time scale is envisaged?

Mrs Christian: I have no information, Mr President, on the proposals of the Chief Minister in relation to the time scale, but I do not believe that it will take a long time to review the recommendations.

Mr Crowe: Mr President, could I ask the minister, will Tynwald be debating the Edwards review as it has been produced or will Tynwald be debating what the Council of Ministers think of the Edwards review and how they propose to go forward from the recommendations?

Mrs Christian: I would suggest, Mr President, that as it has been indicated that the Chief Minister's committee will be considering each of the recommendations and making observations on it, those observations will be put to Tynwald. Now, clearly if members, during the debate on any such report, wish to revert to the original, that would be an opportunity for them to do so.

Mr Crowe: Can I just ask a further supplementary to the minister? Would you agree that the private sector must continue to be fully involved in the consultation over the implementation of the Edwards review proposals and, if this is so, what plans would you think are needed over and above the present consultative committees?

Mrs Christian: Mr President, I should have thought that the existing consultative channels were adequate in relation to discussing with the private sector any changes which might be implemented, whether or not they are as a result of the Edwards findings.

Mr Crowe: Mr President, can I just say to the minister that the meeting given to the private sector at the Manx Museum when the Edwards report was produced was found to be very valuable by members of the private sector, given the openness of the whole thing, and if the opportunity presents itself for further meetings at the Manx Museum for a widespread view from the private sector it would, I think, be very valuable. Would you be able to incorporate that possibly in the future planning?

Mrs Christian: Mr President, I will convey that viewpoint to the Chief Minister for his consideration.

Mr Lowey: Mr President, a supplementary. Would the minister agree that, while she says the lines of communication and consultation are satisfactory, they are satisfactory in the light of the findings on non-resident companies? Now, consultation has been taking place for over four years with the industry. Does she think that is acceptable?

Mrs Christian: Mr President, in so far as the process has been gone through in an attempt to find a way forward, clearly it has been conducted at a speed which Tynwald has found acceptable. Now, whether or not we feel it is appropriate at this point to increase the speed at which such changes are implemented is a matter for the Chief Minister and Tynwald to decide.

Mr Lowey: Would the minister not agree it is not for Tynwald to agree, it is for the Executive to make a policy and come forward for endorsement by Tynwald. It seems wonderful that the minister is putting the blame for a four-year delay in consultation on a body that does not take part, as a body, in that consultation. It is the Executive, government, that actually deals with that.

Mrs Christian: Mr President, I think the hon. member misinterpreted my remarks in seeking to put blame on anybody. I have not said anything, as I understand it, which could be construed in that way. What I am saying is that all decisions ultimately come to Tynwald. In so far as the hon. member is referring to a delay in consultation, this is not an area in which I am directly involved but, as I understand it, consultation has been going on over that period. Now, there has been no particular pressure from anybody outwith government in Tynwald Court to speed up or put forward any proposals which they, as individuals, feel should be pursued in relation to those companies.

Mr Delaney: Two supplementaries, Mr President. Would you tell us now - the question has been asked in another place - who make up this committee on this Edwards report that is going to be meeting the British Government representatives of the Home Office? And, secondly, will you give an undertaking from the Council of Ministers that, before any agreement whatsoever is made with the British Home Office, they will come back to Tynwald first, given the concern of many members of Tynwald that they are being overlooked in so many matters including the Edwards report?

Mrs Christian: Mr President, I will stand correction on this but it is my understanding that this committee, as such, is not a committee which will go to London to consult on the Edwards report. It is a committee which the Chief Minister has established to look at the Edwards findings. It is not one which is going to be in discussion or negotiation with the UK.

Mr Delaney: But we were given to understand -

The President: Hon. member. The learned Attorney-General.

The Attorney-General: I wonder if I might, with a view to clarifying, Mr President, just ask the hon. minister, is she aware that the initial meeting of the committee has indeed taken place and that the recommendations contained within the Edwards report have been perused with a view to there being a full response and a full liaison with interested parties on the Island so that the Island's position can be better protected?

Mrs Christian: Mr President, no, I am not aware that that has happened, but it does not surprise me that the committee has already acted, given the importance of this issue.

Mr Delaney: Could I ask again, Mr President, who the committee is?

Mrs Christian: Mr President, as I understand it, it involves the Treasury minister. Perhaps the Attorney-General could further advise on who the others are.

The Attorney-General: Mr President, the members of the advisory committee which has been established by the Chief Minister consists of the Chief Minister, the Chief Secretary, the Financial Secretary, the Attorney-General, and I believe also that Sir Miles Walker is also involved as a member of that committee, and that an initial meeting has been held with a view to, as I say, reviewing the recommendations of the Edwards review. There has been the fullest consultation, or there will be the fullest consultation, with interested parties and particularly it is proposed that there should be an invitation to interested parties to make their submissions to the committee so that, for example, corporate service providers can make their fears and worries known to the committee and then, as the hon. minister has mentioned, there will be a report made to Tynwald and it will be for Tynwald to decide what recommendations should in fact be implemented and what should not be implemented.

The President: Hon. members, that concludes our scrutiny of the question element of our paper.

Sewerage Bill – Third Reading Approved

The President: We turn now to item 2 and I call upon the hon. Mr Kniveton to take the third reading of the Sewerage Bill.

Mr Kniveton: Yes, thank you, Mr President. Before proceeding to this final stage, the third reading of this Bill, I would firstly like to thank hon. members for their interest throughout the stages. Now, at the clauses stage I did promise to come back with just a few replies to the points raised, replies which, in order to receive fully correct data, I felt should be confirmed by the department's officers who in turn, I might add, I must thank for their interest and enthusiasm for this Bill and how, if finally approved, it will fit in with their daily work and assist them in matters not covered in present legislation.

In respect of clause 11, Mrs Christian, Mr Lowey, Mr Radcliffe and Mr Waft raised a point. People with septic tanks are not responsible now for the maintenance of those tanks and all pipes to and from those tanks. This has been the position for many years. The department operates a septic tank emptying service for which charges are levied which are amended from time to time. The policy has been to offer one free tanker visit per year in an attempt to treat those served by septic tanks in the same way as those served by public sewers - that is to say, those served by public sewers do not currently pay a sewage rate; the free tanker visit is taken to be the equivalent for those served by their own private drainage. It is not intended that government, through the department, would take over any responsibility for private drainage systems. Clearly, should the sewage rate be levied in the future as allowed for in the Bill, then in the continued interest of fairness the department could levy a charge for each tanker visit to a septic tank or cesspool. After all, the department will be meeting, as it does now, the treatment cost of the septic tank contents.

Then we came to clause 12, in this case Mr Lowey, and in response to Mr Lowey's question regarding potential additional costs an answer was given which I would clarify. Clause 12 allows the department to require that drains or sewers be constructed in a manner

to meet its own specific requirements. The advantage to government is that the scheme is provided where government only has to meet part of the cost. Rather than there being more expenditure there should be a potential saving to government as a result of the application of this clause.

Mr Lowey raised a point in clause 25. The derivation of much of the Bill is the most up-to-date legislation on sewage which is in force in England and Wales. The source of clause 25 is the United Kingdom Water Industry Act 1991. The advantage to government of this clause is that where action is taken, where there has been a transgression of a trade effluent consent, the meter reading is taken as a matter of fact. This should avoid the almost inevitable legal defence that the meter was not accurate.

Finally, in clause 29, Mrs Christian raised the point. I would confirm that the reference to 'within 100 feet of the site' does mean that the public sewer must be within 100 feet of the building.

Now, if I go back to clause 11, it appears that I said people with septic tanks are not responsible now. People with septic tanks are not responsible is the situation there.

I feel that this is a very fair and a not over-contentious Bill and it was certainly acceptable to local authorities. I have, as requested, throughout indicated the new clauses which improve present legislation, and I believe we are all wiser with regard to sewage disposal, local authority responsibilities, DoLGE responsibilities, DoT responsibilities and the laying and maintenance of sewers, how contractors and the department must work together in order to effect adoption by the department. I believe we would all agree how essential it is to keep appropriate and up-to-date maps of sewers.

When we started this Sewerage Bill, I think many hon. members believed this would involve the actual levying of a new rate, but I am sure hon. members will appreciate that this provision is already in being and continues, but only Tynwald can approve such an order. The question of trade effluent has been effectively tightened up; at present legislation is not strong in this area. We had the opportunity to consider earth closets, a thing of the past in most places; now there is provision to be replaced by WCs in this legislation.

Mr President, I do not wish to go over all that has been debated but I do hope members do now appreciate the merits of this Bill and how it can improve present legislation. Therefore, sir, it is my duty to move the third reading of the Sewerage Bill 1998 and that it do pass. Thank you, Mr President.

Dr Mann: I beg to second.

Mr Crowe: Mr President, the Bill is to be welcomed and supported because the existing law is very complicated and difficult to administer. The Bill will formally vest all public sewers in the Department of Transport, which will be able to delegate its functions to local authorities. It was interesting that it introduces a new power to levy sewerage rates and it introduces a new all-Island code for the discharge of trade effluent into public sewers. Whilst all of these issues are good administratively, we should view with some concern that the IRIS scheme has, to all intents and purposes, been delayed for five years to the year 2003. We all know the reasons: the capital spending plans have been limited to £40 million per year, but there is a need to

have IRIS built into the capital spending programme with some firm commitment and without a further delay beyond 2003. Thank you.

Mr Lowey: I would just like to say I, too, will be supporting the Bill and thank the hon. member for the clear and concise way he has answered the queries raised during the passage of this Bill.

The President: Reply, sir.

Mr Kniveton: Yes, thank you, Mr President. I believe Mr Crowe did say there that there is a new power now to levy a rate. I think we should make clear that that power was there before but, of course, was and still is subject to the authority of Tynwald.

As far as IRIS is concerned, I am sure the hon. member has heard me myself plead for the funding for IRIS; we are, of course, at the mercy of Treasury in this respect with so many other major developments that are going on at the moment. Mr President, as I say, I do beg to move the third reading of the Sewerage Bill.

The President: Hon. members, I will put the resolution that the Sewerage Bill be now read a third time and do pass. Will those in favour please say aye; against, no. The ayes have it. The ayes have it. That, hon. members, concludes our public business for this day. Council will now sit in private.

The Council sat in private.