

**REPORT OF PROCEEDINGS OF
LEGISLATIVE COUNCIL**

**Douglas, Tuesday, 9th March 1999
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, Messrs J N Radcliffe and G H Waft, with Mr T A Bawden, Clerk of the Council.

The Lord Bishop took the prayers.

Tribute to the Late Bob Clarke

The President: Hon. members, we were all saddened this morning to hear of the sudden death of one of our messengers, Mr Bob Clarke, who served Tynwald and the branches faithfully and well for many years. Our sympathies this morning go out to his wife and family, and I would ask you to join with me in standing for a moment in silence in tribute to his memory.

The Council stood in silence.

The President: Thank you, hon. members.

Apologies for Absence

The President: This morning we have apologies from the hon. Dr Mann, who is off the Island on government business.

Commonwealth Day Message

The President: Of course, yesterday being Commonwealth Day, we are in receipt of the Commonwealth Day Message, the traditional message from Her Majesty as Head of the Commonwealth, which I now invite the learned Clerk to read to Council.

The Clerk: A message for Commonwealth Day 1999 from Her Majesty the Queen, Head of the Commonwealth.

'Music is the theme for Commonwealth Day this year. Throughout our fifty four countries, people will be celebrating and making music in as many ways as that, or more. Of course people of different generations and cultures tap their feet to quite different beats. But for all of us, young and old, music is an essential part of life: for parties and entertainment; for ceremonies and celebrations.

'For music knows no differences of language, no national boundaries. And because it has become such an important part of our cultural lives, it is a universal means of communicating with each other. The variety of music illustrates our diversity; its common tones and harmonies bring us together. Just like the Commonwealth.

'In 1999 we celebrate the 50th anniversary of the modern Commonwealth. Fifty years ago, in 1949, India became the first republic with its own head of state to be a member of the Commonwealth. That paved the way to membership for many other countries, especially from

Asia and Africa, all sharing links of history, a belief in democracy and a will to work together. Today, the Commonwealth includes over a quarter of the world's population, spanning differences in race, creed and language, but sharing the same aspirations towards a better future.

'This November the leaders of the Commonwealth States will gather in South Africa for the Commonwealth Heads of Government Meeting. I look forward to joining them there as they discuss the challenges of the new Millennium, as well as celebrating the Commonwealth's achievements in its life so far.

'Let us then, in this anniversary Year, look both backwards as well as forwards as we mark Commonwealth Day. While we continue to enjoy our favourite music, either by making it or listening to it, let us also celebrate the vigour and creativity that the next generation will bring to their music making. That is just one of the bonds that all the young people of the Commonwealth will share together on this special day.' Elizabeth R. 8 March 1999.

The President: Thank you.

Traffic-Calming Measures – Question by Mr Crowe

The President: Now, hon. members, we move on to item 2 on the agenda paper and that is questions and, question (1), I call upon the hon. Mr Crowe to ask the question standing in his name.

Mr Crowe: I beg leave, Mr President, to ask a member of the Department of Transport:

- (a) *What traffic-calming measures are planned for the 1999-2000 financial year;*
- (b) *where will they be situated; and*
- (c) *what is the order of priority?*

The President: The hon. Mr Kniveton to reply.

Mr Kniveton: Yes, Mr President, thank you. I thank the hon. member for his question.

In relation to the first part on the planned measures relating to traffic calming for 1999-2000 financial year, the department has made provision within its budgets for a series of traffic measures, the sum allocated for these purposes being £100,000.

Now, the highways and traffic division will be providing initially or firstly a 20-mile-per-hour zone in residential areas, gateway features to villages, entry treatments to residential areas, various pedestrian facilities, and safer routes to school initiatives.

Now, with regard to the second and third part of the hon. member's question, the highways and traffic division of the department is presently determining which areas will receive these measures, based on the various requests received and priority of need as determined by the highways and traffic division. I can confirm that the areas receiving consideration for traffic-calming measures are spread throughout the Island.

The President: Do you wish a supplementary, sir?

Mr Crowe: Yes, thank you, Mr President, a supplementary. Firstly I thank the hon. member for his full reply. I would ask him just to consider whether £100,000 is sufficient for

such a volume of work, because there is quite a lot that needs to be done because of the traffic speeds in built-up areas which are causing hazards to people living in built-up areas.

There is a particular one that I would like to ask if it is on the list for work and this is in the Larch Hill and Cedar Walk area at Hightonwood Hill, and perhaps if it is not on the pecking order yet, he might like to consider it at departmental level. Thank you, Mr President.

Mr Kniveton: Yes, Mr President. Well, £100,000, I agree, does not sound a lot of money, but there are so many priorities within the department and it is a question of prioritising where the money is spent. Hon. members have probably heard me complaining that we are not putting sufficient into the IRIS strategy. In the end we have to ask ourselves and Treasury, 'Where does all this money come from?' It is a question of priorities.

As far as the Larch Hill area mentioned by the hon. member, I do not have a specific list of areas to be considered, but I can tell you that one specific area for this coming summer which is actively being worked on by the highways and traffic division is the Glen Mona and Corony areas. While the quotas are not yet agreed and confirmed by the division, with ongoing discussions with the Maughold Commissioners, it is the division's intention to commence work on this site this summer.

Much work has been done in addition on the safer routes to schools, Laxey and Albert Road being the first to benefit.

But just going back to the Glen Mona, hon. members may very well ask, Why this particular area? Well, indeed, why? The department are committed to reducing speeds in village environments and thus a corresponding reduction in accidents and the severity of them. Now, whilst the main thrust of traffic-calming has been on new residential developments, initiatives within the UK have shown that some success can be achieved on main highways without serious detriment to the flow of traffic. Thus when considering a location to receive village treatment by the department we have looked at a number of reasons for it, for why we have chosen Glen Mona, and, as I say it is initially an experiment in this case. We wanted a location outside of the race circuit, that is, the TT and Southern Hundred courses. We wanted approach roads of straight and wide proportions. We had identifiable hazards in the Glen Mona area - the schools, the lack of footways, secondary junctions - and it was on a main strategic route, and finally, it be of sufficient length to receive the various measures. Thank you.

Mr Lowey: Could I ask the hon. member what practical steps introducing a 20 mile-an-hour speed limit into village areas actually entails? Isn't it in effect just putting up a disc with 20 miles an hour on a pole and then it is up to the police then to police it?

Could I draw his attention also to an area in Ballasalla, where getting out of the Clagh Vane estate, which obviously houses the local village school, is almost an impossibility for half an hour at each end of the day, and would his department kindly look at that if he is looking for a place with a straight road and it is outside the TT course and is in a strategic area and all the other things that he has alluded to in his earlier reply.

Mr Kniveton: Right, Mr President, discs on poles, yes, that is the situation. That is one of the attempts by the division to constrain traffic speeds. True, it is has to be policed, but unless we make such moves initially, then no attempt is being made to calm traffic.

Traffic movements is a very, very, large, difficult subject. We all know it, each and every one of us as we come in to the office in the mornings, particularly if we come in at 9 o'clock, and I know, sir, that Ballasalla for half an hour each day is just the same as coming out of Onchan, it is just the same, I presume, as coming out of Ramsey, the bottom of Summerhill, and all areas in Douglas come down this road, Buck's Road, it is all the same during that half hour, and it is something which we have brought upon ourselves and we are doing our best as a division to cure the subject. It is not easy, but I can assure the hon. member that I will draw the attention of the department to Ballasalla.

Hoardings – Question by Mr Delaney

The President: Question (2), the hon. Mr Delaney.

Mr Delaney: Mr President, I beg leave to ask HM Attorney-General:

What department has power -

- (a) to authorise the erection of hoardings adjacent to public rights of way, amenities, et cetera;*
- (b) to ensure that any hoardings -*
 - (i) are constructed and maintained to an adequate standard,*
 - (ii) are removed at the appropriate time, and*
 - (iii) do not give offence to the public or owners and occupiers of adjacent properties; and*
- (c) to prosecute in the case of any regulation being breached?*

The President: The learned Attorney-General to reply.

The Attorney-General: Thank you, Mr President. If a person proposes to erect or take down a building adjoining a road or to alter or repair the outside of such a building, he must, before beginning the work, erect a close boarded hoarding or fence to the satisfaction of the Department of Transport so as to separate that building from the road. This obligation, which may be dispensed with if the department consents, is imposed by section 65 of the Highways Act 1986 which also requires the person to maintain the hoarding or fence and any platform and handrail in good condition, to the satisfaction of the department during such time as the department may require. The department may also require him sufficiently to light the hoarding or fence and any such platform and handrail during the hours of darkness.

As to part (b)(i) of the question from the hon. member, section 66 of the Highways Act provides that no person shall use for any purpose a hoarding or similar structure that is in or adjoins any road unless it is securely fixed to the satisfaction of the Department of Transport.

As to part (b)(ii), section 65 of the Highways Act provides that the person in question must remove the hoarding or fence and any such platform and handrail when required by the department.

As to part (b)(iii), section 4 of the Obscene Publications and Indecent Advertisements Act 1907 provides inter alia that if a person affixes to or inscribes on any house, building, wall, hoarding et cetera, so as to be visible to a person being in or passing along any public place,

street, highway or footpath, any picture or printed or written matter or other exhibition which is of an indecent or obscene character, that person shall be guilty of an offence.

In answer to paragraph (c), in so far as prosecutions are concerned, any prosecution under the Obscene Publications and Indecent Advertisements Act may be at the suit of a chief constable or any inspector or sergeant of police, and in so far as the Highways Act 1986 is concerned, section 115 of that Act provides that proceedings for an offence under the Act shall not, without the consent of the Attorney-General, be taken by any person other than the Attorney-General, a person aggrieved, which would include a person suffering injury or damage as a result of any contravention, a constable or the Department of Transport. Thank you, Mr President.

The President: A supplementary, sir?

Mr Delaney: Thank you, Mr President, and I thank the Attorney for the answer. Bearing in mind that all the first three parts of the question are the responsibility of the transport department, and the Obscene Publications and Indecent Advertisement Act deals with the last part, which was not the intention of the question, it was where the hoarding gives offence to neighbours in such a dilapidated state, can they take action, but I understand why the answer has been put that way, can I ask the Attorney if he can recall when a prosecution for an offence under the sections listed by him took place in this Island?

The Attorney-General: I am afraid, Mr President, as you know, I am a recent incumbent to this office and I do not know when the last prosecution was taken, but perhaps I can undertake to make such enquiries as I can.

Mr Delaney: And you will be surprised with the answer in actual fact. The fact, Mr President, is it is obvious that these sections when they were written in those Acts were at that time might be useful maybe, but it is a fact, would the Attorney not agree with me, that what it needs is consolidating legislation from the perspective of getting the problem that this Island is facing here and other places of having these hoardings, which are erected willy-nilly and causing obstruction to the public, brought into one section of the Act, and is there by any chance and hope a Bill coming forward on which I or another member could attach such a piece of legislation to make the imposition of these hoardings on the public more of an offence than it is at this moment in time?

The Attorney-General: Well, Mr President, I think, with respect to the hon. member, that the legislation actually is in good shape. There is a very comprehensive part of the Highways Act 1986 which of course is a relatively recent piece of legislation. That part, section 64 and onwards, provides a comprehensive code which would enable the department to police these hoardings and of course, as ever, it is for the department or the responsible body to prosecute in appropriate cases.

Mr Delaney: I thank the Attorney for that. Can I bring in one last supplementary? Bearing in mind that there seem to be powers by the Department of Transport and others to actually control the erecting and striking of hoardings and the maintenance of hoardings, could I bring to the attention of the Attorney, and hopefully he would bring it to the attention of the department, that the Villiers hoarding is half up and half down and has been so for many months and has been there for years and as it is not the intention to start construction on the rest of that site, which surrounds a public park, could he bring it to the attention of the

department that action should be taken in that case to remove that hoarding and bring the area back up to a fit state for the public to view?

The Attorney-General: Mr President, I shall arrange for that to be done.

Mr Delaney: Thank you, Mr Attorney.

**Manx Electricity Authority – Isle of Man Water Authority –
Payments to Chairman and Chief Executive – Question by Mr Lowey**

The President: Question (3), the hon. Mr Lowey.

Mr Lowey: I beg leave to ask a member of the Department of Trade and Industry:

- (a) *For each of the last three years, what were -*
- (i) *the salary paid to,*
 - (ii) *the total expense allowances paid to, and*
 - (iii) *the total fees waived in respect of any subsidiary of the Manx Electricity Authority by the Chairman and the Chief Executive of the Manx Electricity Authority; and*
- (b) *the total payments to the Chairman of the Isle of Man Water Authority, as such chairman?*

The President: The hon. Mr Crowe to reply.

Mr Crowe: Thank you, Mr President. The Chairman of the Manx Electricity Authority is paid an annual sum, the level of which is set by the Treasury under the terms of section 2 of the Payment of Members' Expenses Act 1989 and subject to approval by Tynwald. The present level is £15,000 per annum, which was approved by Tynwald with effect from January 1997 when the present chairman took office.

The salary of the chief executive is statutorily a matter for determination between the individual concerned and the authority itself and we do not have access to any details. I can confirm, however, that he receives no expense allowance.

The MEA has no subsidiaries, so the answer to part (a)(iii) of the question is none. If the hon. member is referring to the Manx Cable Company, a private company in which the MEA hold shares, I can say that any fees payable to the authority's chief executive in his capacity as a director of that company are actually surrendered to the authority rather than being waived. The authority's chairman is not due any fees from this company.

Moving on to part (b), in his capacity as Chairman of the Water Authority, the present chairman receives a 10 per cent enhancement on the basic salary payable to him as a member of Tynwald. Since August 1998 this has equated to £2,197 per year. The expenses allowance payable to all members of Tynwald is not of course enhanced. Thank you, Mr President.

The President: The hon. Mr Lowey.

Mr Lowey: I thank the hon. member for his reply. Would the member of the department agree that it is an unsatisfactory position where the chief executive is a director of the company awarding himself a pay rise and isn't it a matter of concern that a chief executive's

salary should be known to the general public, in fact he should not be in a position to be picking his own salary, which is not being made public?

Mr Crowe: Mr President, I thank the hon. member for his supplementary question. What we have to remember here is that Tynwald has appointed the Manx Electricity Authority to handle all the operational issues and it gives the authority the statutory right to set the salary of all its staff, including that of the chief executive. This is an operational matter and it should be left in the hands of the authority, who are appointed by Tynwald and are very responsible people.

Mr Lowey: Could I ask the hon. member, as it is well known what the members of the staff are paid in the MEA, it is a matter of public record, why shouldn't the chief executive's salary be a matter of public record?

Mr Crowe: I think we have given authority to the Manx Electricity Authority, the chairman and his board, to control the affairs of the Manx Electricity Authority and I think we should leave them to administer the operation.

Mr Lowey: Again, Mr President, I can see no reason at all why this should not be a matter, and this Pontius Pilate of the department to say that it is left to the authority to decide, and is it a satisfactory affair where a board member is picking his salary which remains a secret? And the point I was making in drawing comparisons between the Chairman of the Water Authority is that the department leaves the Water Authority to get on with its own internal affairs, yet it is a matter of public record, so why this reticence for not disclosing what is and should be in the public domain? And is it true that they awarded the chief executive a 17 per cent increase last year, whereas they awarded the workforce of the authority 3 per cent?

Mr Crowe: I do not have the information that the hon. member appears to have, but I would disagree that he is setting his own salary. The authority have the right to determine the salaries.

Mr Lowey: Of which he is a member.

Mr Crowe: He is part of that, I would agree. I have noted your views on whether it should be public knowledge or not. I will raise this with the department at the first opportunity.

The President: Before taking Mr Delaney's supplementary, could you perhaps, Mr Attorney, help us with the legal position here as to whether or not this information can be withheld?

The Attorney-General: Mr President, my understanding is that the authority would be subject to directions given by the Department of Trade and Industry, which is, as it were, the sponsoring department of Tynwald, and I believe, sir, that if this matter were to be a matter of public interest, as it clearly is, the department ought to consider very carefully whether or not it should issue a directive to the authority requiring its chief executive to disclose that information.

The President: Thank you, Mr Attorney. The hon. Mr Delaney.

Mr Delaney: Mr President, I am grateful to my colleague Mr Lowey and to the person who has answered this because I personally have a lot of the public interest in this subject, but

what I am trying to understand, and I am grateful to the Attorney for trying to clear this up, is that the question was not answered. This question has not been answered to the members of Tynwald sitting at this session, sitting round this chamber, and I would tell the member, whoever wrote or gave him the advice on the answer, this is not, as far as I am concerned and I am sure the hon. member, satisfactory, Mr President, because we are trying to get public information, as we thought, on somebody being paid from public funds regardless of the fact they come through the Electricity Authority, and I would ask the hon. member would he take this back and come back to this chamber and give us an answer to the question the member has asked? I would ask him to do that.

Mr Crowe: Mr President, I thought it was under standing orders that the member has the right to give his answer as he feels appropriate and whether the answer is what somebody expects or would like is not necessarily always what he might get.

The President: I think the form of answer, yes, but there has been no answer to it. That is the point, I think. However I think the hon. member would bear perhaps the point made by the Attorney in mind and maybe report back to a further sitting.

Mr Crowe: Thank you, Mr President.

The President: Thank you.

Meat Plant – Throughput – Deficiency – Question by Mr Lowey

The President: Item (4), the hon. member Mr Lowey.

Mr Lowey: I beg leave to ask a member of the Department of Agriculture, Fisheries and Forestry:

- (a) *What is the current throughput of the meat plant in respect of -*
 - (i) *cattle,*
 - (ii) *sheep and lambs, and*
 - (iii) *pigs;*
- (b) *does the throughput match that forecast for the plant; and*
- (c) *what was the government deficiency on the plant for each of the last three years?*

The President: The hon. Mr Crowe to reply.

Mr Crowe: Thank you, Mr President. In response to part (a) of the hon. member's question, the total figures for the calendar year 1998 were 5,626 cattle, 71,860 sheep, and 14,013 pigs. The maximum weekly throughput was in week 33, being the week commencing 15th November 1998, when 141 cattle, 2,369 sheep and 263 pigs were processed.

For part (b) of the question the design capacity of the new meat plant was 250 cattle per week, 3,500 sheep and 300 pigs. This capacity was calculated by the United Kingdom's Meat and Livestock Commission in a feasibility study which extrapolated a maximum likely throughput based on Isle of Man stock figures and a prediction of future stock numbers. The figures allowed for cull cows, ewes and sows as well as clean stock.

The plant has been designed to cope with the anticipated maximum daily throughput, as this is a requirement of the EC regulations covering EC-approved plants.

Production patterns in the Isle of Man, as elsewhere, reflect a seasonal pattern, so there will be greater throughput at certain times of the year than at others.

In comparing the throughput figures, particularly on cattle, one has to have regard to the effect of the BSE crisis, which has removed cull cows from the slaughter for human consumption chain. It has also reduced the number of dairy-based animals being finished for beef.

Turning to part (c), there is no deficiency on the plant as such. The Department of Transport which owns the plant leases it out to a third party, the Fatstock Marketing Association, at a rental agreed by negotiation between the two parties. This rental does not cover the full cost of servicing the capital employed in building the plant, but it was always anticipated that this would not be possible and this was clearly pointed out to Tynwald when the meat plant project was approved. As the Department of Transport is the owner of the plant and the leasing party the hon. member may wish to direct any further questions he may have in this respect towards that department. Thank you, Mr President.

The President: A supplementary, sir.

Mr Lowey: Again I cannot understand the reluctance of the Department of Trade to answer the question, Mr President, but to say there is no deficiency, there must be a deficiency, and I am astounded that we are now being redirected to other departments of government. However, be that as it may, would the member of the department not agree that the falling-off of throughput, for whatever reason, has resulted in an increased deficiency on the operations of that meat plant and what steps are his department taking to remedy that?

Mr Crowe: Mr President, what we have here is a meat plant that is EU-approved, which allows all the animals on the throughput of the meat plant to be exported into the UK and into Europe. So without this meat plant we would find that the industry, the agriculture industry, would be in a worse state than it is.

You have to also recognise that the BSE crisis has caused a downturn in all the animals going through the meat plant. Some of it goes through the old abattoir, the cull cows et cetera, so it is a case of making sure that the hygiene and all the new requirements to be met for the animals going through the meat plant and consumer demand are such that people will start to buy meat again, where they went off meat for a while, and I think that it is a case of consumer confidence in eating meat and it is consumer demand that will bring it through again.

Mr Lowey: Appreciating the hon. member's reply, what steps has his department taken to keep the financial situation under control, bearing in mind throughput being reduced for whatever reason. We understand the needs, why we had to have a modern meat plant, but there must have been a programme which was presented, a programme, a financial appraisal of throughput, which was going to bring a return. We know that return is way down, therefore the deficiency must be way up, and I am interested in what practical steps the department is taking to reduce that deficiency? If it was housing for people it would be -

The President: A question, hon. member.

Mr Lowey: Indeed, I am trying to bring it in, sir. If it was housing deficiencies that were being discussed, we know what would be happening to reduce those deficiencies.

Mr Crowe: Mr President, again I would re-emphasise that when the meat plant was built it was built on the basis of an estimation of existing throughput and future estimated throughput and it was based to meet EU standards. Now, the rental was not based on a return on the capital employed, it was based on a negotiated agreement between the FMA and the Department of Transport, so it was an agreement freely entered into by two parties who agreed the rent and I think there are built-in rent increases, so the whole operation of the plant for the term of the lease is determined as to what the rent is. So they know what that cost is.

As to the amount of throughput, it depends on the agricultural industry as to what they are producing, and the department has various subsidy arrangements for various sectors of the industry to help farmers to produce the animals to go into the meat plant. So I think the department is fully supporting the agricultural industry across all sectors.

Mr Delaney: A direct question: would the member agree with me that the rent agreed by Tynwald and by the party subsequently was £50,000 a year for the plant. And the second thing is, would he not also agree with me, bearing in mind the plight of a lot of the young Manx farmers that I meet and talk to me, that the policy that seems to be bereft at the moment is giving them no real future in the long-term planning for the agriculture and meat on the hoof, as I call it, to the Isle of Man, there is no real policy to make them survive for the next few years?

The President: I think we are getting away a bit from the question.

Mr Delaney: I will withdraw the second question but have the first question.

The President: You may reply if you so desire, sir.

Mr Crowe: I do not have the details of rent, but I will supply that to members if they so wish.

Mr Radcliffe: Mr President, would the hon. member of the department agree that although there may be a deficiency there, part of the exercise in offsetting that deficiency is that the producers pay a substantial UHC charge for each and every animal that passes through the plant?

Mr Crowe: I am sorry?

Mr Radcliffe: That is the unit handling cost, Mr President.

Mr Crowe: Right. Well, the FMA and the meat plant are in a business. They have to meet most of their costs and there has to be a charge to do this.

Mr Radcliffe: The point I was making, Mr President, is the producers are helping to offset whatever deficiency there is by paying a substantial amount to the operator.

Mr Crowe: I will take that on board.

Mr Delaney: Well, my last question -

The President: The hon. Mrs Christian.

Mrs Christian: Would the hon. member be able to confirm that that handling charge is considerably in excess (**Mr Delaney:** Hear, hear.) of what would be experienced outside of this Island?

Mr Crowe: I thank the minister for her question and I will check this, the unit handling charge in comparison

to -

Mr Delaney: My supplementary. The hon. member has given us an answer which we all understand he knows, and the question is, given the fact that he says it is run like a business, isn't it true if it was run, this sort of business, in the private sector and was not supported it would be bankrupt?

Mr Crowe: No, I would disagree with that, because I have visited the meat plant, I have found the staff and management there running a very good business. I think it is very easy to criticise people doing a very difficult job in difficult circumstances and I think wild remarks such as this -

Mr Delaney: I did not make a remark, Mr President. He said it was a business.

Mr Crowe: - do no favours to the industry. I think your accusations of a bankrupt business are not helping the industry in any way.

The President: Thank you, hon. member.

Mr Lowey: Can I thank the hon. member for his reply, sir.

Statistics Bill – Third Reading Approved

The President: We turn to item 3 on the agenda paper and I call upon the hon. Mr Radcliffe to take the third reading of the Statistics Bill.

Mr Radcliffe: Thank you, Mr President, I am obliged. Before I just formally move the reading of the Bill, the hon. member Mr Crowe raised a query last week and I had to reply to him that in all honesty I did not know the answer to it, which was about time limits for data to be retained. Now, however, I can say I do know. *(Laughter)* This very frantic scurrying through the notes I had, I did not have the information last week, but can I assure the hon. member that the data given, once it has been used for the statistical purposes, whatever they may be, the papers are then shredded as confidential waste. The returns are shredded as confidential waste, so they are not retained probably any longer than two to three months, just for the statistics to be prepared. The information then will be totally untraceable once it has gone through the confidential shredder. The only data which will be retained are the names of the businesses which have been involved in giving information, purely the names, and that is in order that the same businesses are not being asked over and over again to submit returns. So the load is spread.

After giving that assurance to the hon. member I would just say formally that the principal objects of the Bill are to repeal and replace the Revenue Returns Act of 1894 and to confer new powers on the Treasury for the collection of economic data.

The Bill has been closely examined both here and in another place and found to be acceptable and I therefore beg to move that the Statistics Bill 1998 be now read a third time and do pass.

Mr Lowey: I will support the third reading of the Bill. Can I have an assurance from the hon. member that the disposal of what I would call the data in written form is in conformity with

what I would call the normal practice of such, because if you having statistics and there is a doubt cast on those statistics, normally people can then refer back to the subject matter and reconfirm independently if needs be that the data is correct. Is this the standard procedure of holding it, getting the information and then destroying it after two or three months or is this a unique Isle of Man experience?

Mrs Christian: Whilst supporting the Bill I think I would just like to comment on I think a comment made by the mover at an earlier reading that there would be no or limited expenditure on manpower from a government perspective. However, I think he also said that it did not impinge very much on people who provide the information and I think then we do have to recognise that this is an additional burden on those people who are asked for statistical information. I think it is a reasonable thing for government to seek, but it does have to be recognised that in doing this we are putting yet further burdens on those who will be asked to provide statistics to the government.

Mr Waft: Could I just ask if the member is satisfied that sufficient information with regard to this Bill will be obtained from those sectors of business life wherewith they have not had information in the past and it will eventually give a more accurate idea of the average wages throughout the Isle of Man?

The President: May I call on the mover to reply.

Mr Radcliffe: Thank you, Mr President. Well, in answer to the hon. member Mr Lowey, as I understand it, this is the norm for the data which is given. The way it is disposed of of course means that it is totally untraceable anyway and I am assured by the department involved especially that if they are required to keep data for any length of time they will require another building to do so in, so that is another thing we do not want, is a spread of information held and paperwork held.

The hon. member on my right, Mrs Christian - I think, regarding the question of how much time is going to be involved in giving these returns, we will not be looking for awfully detailed information. As I understand it, it is a sort of yardstick of wages paid and so on and again, as I understand it, the questions asked will be relatively simple, no more detail required really than what is given in the appropriate form as a tax return. We will not be delving into every little detail of what the employer may or may not be paying in one way or another, so it is a general picture that we are after.

The hon. member Mr Waft asked are we going to be satisfied that the information will be sufficient. Well, what we are looking for is averages here. We are not delving into every little detail, but certainly the information that we will have will be a truer picture, that is for sure, because some of those asked for information who totally disregard it at the moment, totally disregard that request, will now be required to give that information, so there will not be, hopefully, the same uproar when these statistics are issued, saying that one person in a hundred is receiving those sorts of wages and the other 99 per cent are way below that. So it is in order to have a much truer picture for all sectors of the working population.

I think that has answered the queries raised, Mr President, so I would just formally move that the Statistics Bill be now read a third time and do pass, sir.

The President: I will put the resolution, hon.

members, -

Mr Radcliffe: Could I be rude and ask have I a seconder for that, Mr President?
(*Laughter*) Have I got a seconder?

Mr Waft: I will second that, Mr Waft.

The President: Mr Lowey, as I understood it, seconded.

Mr Radcliffe: I am sorry, sir, yes, I missed that.

The President: Thank you.

Mr Radcliffe: Thank you.

The President: Anyway, the resolution, hon. members is that the Statistics 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.

Now, hon. members, that concludes our business for the day and the adjournment will be to the Tynwald sitting commencing 16th March and thereafter to 23rd March in this chamber at 10.30. Thank you, hon. members.

The Council adjourned.