

TYNWALD

Tinvaal



ORDER PAPER

Claare Obbyr

DOUGLAS
TUESDAY 19th OCTOBER 1999
at 10.30 am

1. To lay before the Court –

Policy Review 1999

Banking Act 1998 -

Banking (Fees) (No. 2) Regulations 1999 *[SD No 514/99]*

Maintenance Orders (Reciprocal Enforcement) Act 1995 -

Maintenance Orders (Reciprocal Enforcement) Act 1995 (Amendment)
Order 1999 *[SD No 450/99]*

European Communities (Isle of Man) Act 1973 -

European Communities (Libya) (Application) Order 1999 *[draft]*

Social Security Act 1982 -

Social Security Contributions and Benefits Act 1992 (Application)
(Amendment) (No. 2) Order 1999 *[SD No 537/99]*

Social Security Administration Act 1992 (Application) (Amendment)
(No. 2) Order 1999 *[SD No 538/99]*

Social Security Legislation (Application) (No. 12) Order 1999
[SD No 539/99]

Social Security Legislation (Application) (No. 13) Order 1999
[SD No 540/99]

Social Security Legislation (Application) (No. 14) Order 1999
[SD No 541/99]

Pension Schemes Act 1995 -

Pension Schemes Legislation (Application) (No. 4) Order 1999
[SD No 542/99]

- Supplementary Benefits Act 1976 -
 Supplementary Benefit (Miscellaneous Amendments) Regulation 1999
[SD No 543/99]
- Social Security Contributions and Benefits Act 1992 -
 Family Income Supplement (General) (Amendment) (No.3)
 Regulations 1999 *[SD No 544/99]*
- National Health Service (Isle of Man) Act 1948 -
 National Health Service (Isle of Man) (Charges) (Amendment)
 Regulations 1999 *[SD No 566/99]*
- Recreation and Leisure Act 1998 -
 Recreation and Leisure (Western Districts) Order 1999 *[SD No 573/99]*
- Local Government Act 1985 -
 Western Swimming Pool Board Order 1999 *[SD No 574/99]*
 Castletown and Malew Elderly Persons Housing Board Order 1999
[SD No 393/99]
- Cremation Act 1957 -
 Cremation (Fees) Regulations 1999 *[SD No 534/99]*
- Merchant Shipping Registration Act 1991 -
 Merchant Shipping (Demise Charter Register) (Amendment)
 Regulations 1999 *[SD No 552/99]*
- Road Traffic Act 1985 -
 Road Vehicles (Maintenance and Use) (Amendment) Regulations
 1999 *[SD No 553/99]*
 Road Vehicles (Construction, Equipment and Weights) (Amendment)
 Regulations 1999 *[SD No 554/99]*
 Driving Licences (Amendment) (No. 2) Regulations 1999
[SD No 567/99]
 Driving Licences (Foreign Licences) Regulations 1999 *[SD No 568/99]*
- Payment of Members' Expenses Act 1989 -
 Attendance Allowances Order 1999 *[SD No 449/99]*
 Members of Statutory Boards (Annual Sums) Order 1999
[SD No 447/99]
 Members of Statutory Boards (Annual Sums) (No. 2) Order 1999
[SD No 448/99]
 Manx Electricity Authority (Annual Sum) Order 1999 *[SD No 446/99]*
- Customs and Excise Duties (General Reliefs) Act 1986 -
 Excise Duties (Personal Reliefs) (Amendment) Order 1999
[SD No 409/99]
- Legal Aid Act 1986 -
 Criminal Legal Aid Order 1999 *[SD No 562/99]*

Customs and Excise Management Act 1986 -
Customs and Excise Management Act 1986 (Amendment) Order 1999
[SD No 498/99]

Hydrocarbon Oil Duties Act 1986 -
Hydrocarbon Oil Duties Act 1986 (Amendment) Order 1999
[SD No 499/99]

Value Added Tax Act 1996 -
Value Added Tax (Sport, Sports Competitions and Physical Education)
Order 1999 *[SD No 502/99]*

Customs and Excise Act 1993 -
Export of Goods (Control) (Amendment No. 3) (Application) Order
1999 *[SD No 504/99]*
Dual-Use and Related Goods (Export Control) (Amendment No. 2)
Regulations 1999 (Application) Order 1999 *[SD No 505/99]*
Customs and Excise (Community Instruments) (Application)
(Amendment) (No. 2) Order 1999 *[SD No 506/99]*
Customs and Excise Acts (Application) Order 1999 *[SD No 507/99]*

Customs and Excise Act 1993: National Lottery Act 1999 -
Customs and Excise Acts (National Lottery) (Application) Order 1999
[SD No 508/99]

Value Added Tax Act 1996 -
Value Added Tax Act 1996 (Amendment) (No. 2) Order 1999
[SD No 503/99]

Subsistence Allowances -
Subsistence Allowances *[GC No 41/99]*

Superannuation Act 1984 -
Isle of Man Post Office Superannuation Scheme 1999 *[SD No 575/98]*
Isle of Man Post Office Superannuation (Amendment) Scheme 1999
[SD No 550/99]

Department of Health and Social Security -
Jobseeker's Enhanced Allowance Scheme 1996 (Amendment)
Scheme 1999 *[GC No 40/99]*

Reports -
Report of the Free Bus Transport Working Party
Council of Ministers' Report on a Statutory Minimum Wage
Report of the Select Committee on the Equalisation of the Pension
Age and Future State Pension Policy of the Isle of Man
Report of the Select Committee on Ministerial Government

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

Merchant Shipping Act 1985 –
 Merchant Shipping (Lifesaving Appliances) Regulations 1999
[SD No 431/99]
 Merchant Shipping (Distress Messages) Regulations 1999
[SD No 474/99]

Child Custody Act 1987 –
 Child Abduction and Custody (Parties to Conventions) (Amendment)
 Order 1999 *[SD No 497/99]*

Police Act 1993 –
 Isle of Man Police (Amendment) Regulations 1999 *[SD No 515/99]*

Maintenance Orders (Reciprocal Enforcement) Act 1995 –
 Maintenance Orders (Reciprocal Enforcement) (Hague Convention
 Countries) Order 1999 *[SD No 451/99]*

Finance Act 1993 –
 Lottery Duty Regulations 1999 *[SD No 509/99]*

Currency Act 1992 –
 Currency (Battle of Britain Crowns) Order 1999 *[SD No 547/99]*
 Currency (Explorers Crowns) Order 1999 *[SD No 548/99]*
 Currency (Decimal Coins) (No.2) Order 1999 *[SD No 549/99]*

Geneva Conventions –
 Geneva Conventions Act (Isle of Man) Order 1999 *[1999 No. 1743]*

European Communities (Isle of Man) Act 1973 –
 European Communities (Federal Republic of Yugoslavia Sanctions)
 (Application) Order 1999 *[draft]*
 Federal Republic of Yugoslavia (Supply, Sale and Export of Petroleum
 and Petroleum Products) Regulations 1999 *[SD No 445/99]*
 Patents (Plant Protection Products) Order 1999 *[draft]*

Reports and Accounts -
 Code of Practice on Access to Government Information: Report of the
 Commissioner for the year ended 31st August 1999
 Manx Electricity Authority: Annual Report and Accounts for the year
 1998/1999
 Report of the Chief Secretary concerning complaints made against
 Departments of Government and Statutory Boards for the year ending
 31st December 1998: Supplementary Note
 Depositors' Compensation Scheme: Annual Report and Accounts of
 the Scheme Manager for the year ended 31st March 1999
 Isle of Man Water Authority: Annual Report and Accounts 1998/1999
 Isle of Man Water Authority: Drinking Water Quality Report 1998/1999
 Laxey Glen Mills Limited: Financial Statements for the year ended
 31st March 1999

Radio Manx Limited: Financial Statements for the year ended
31st March 1999
General Report of the Standing Committee on Expenditure and Public
Accounts 1998-1999

European Communities -

European Communities Instruments circulated during June 1999
[GC No 34/99], July 1999 [GC No 38/99] and August 1999 [GC No
43/99]

2. Questions -

See Question Paper

3. Visit of Lord Bassam of Brighton -

Statement by the Chief Minister

4. Falcon Cliff Lift -

Statement by the Minister for Tourism and Leisure

5. Policy Review 1999 -

The Chief Minister to move -

That Tynwald approves the Review as a statement of policies and endorses,
as a general strategy, the provisional programme of legislation, revenue and
capital expenditure and other initiatives contained therein.

6. Banking Act 1998 -

The Minister for the Treasury to move -

That the Banking (Fees) (No. 2) Regulations 1999 [SD No 514/99] be
approved.

7. Revenue Accounts 1998/99 -

The Minister for Education to move -

That Tynwald authorises the Treasury in respect of the year ended 31st
March 1999, to apply surplus receipts totalling £117,494 of the Department of
Education in payment of excess expenditure.

8. Extension to Kirk Michael and Marown Primary Schools -

The Minister for Education to move -

That Tynwald -

- (i) approves of the Department of Education incurring expenditure not exceeding £32,000 on pre-contract design fees, being £20,000 in respect of the extension to Kirk Michael School and £12,000 on the extension to Marown Primary School;
- (ii) authorises the Treasury to spend out of the Capital Transactions Account during the financial year 31 March 2000 a sum not exceeding £32,000 to meet the cost of (i) above;
- (iii) approves of and sanctions borrowing not exceeding £32,000 being made by Government, such borrowing to be repaid in a period of 30 years.

[Reference: Page 39 of the Isle of Man Budget 1999/2000]

9. Highways - Douglas Transport Plan - Outer Link (Phase 1), Braddan School Road (Construction) -

The Minister for Transport to move -

That Tynwald authorises the Department of Transport to undertake works for the reconstruction of Braddan School Road for a sum not exceeding £1,187,500.

[Reference: Item No. 17 under the heading "Transport" on page 10 of the Isle of Man Budget 1999/2000, and as detailed in the Capital Estimates 1999/2000 to 2003/2004 on page 103 of the Isle of Man Budget 1999/2000]

10. Sewerage - Transmission Main, Union Mills to Quarterbridge (Construction) -

The Minister for Transport to move -

That Tynwald authorises the Department of Transport to undertake works for the construction of the sewerage transmission main from Union Mills to Quarterbridge for a sum not exceeding £1,486,000.

[Reference: Item No. 11 under the heading "Transport" on page 10 of the Isle of Man Budget 1999/2000, and as detailed in the Capital Estimates 1999/2000 to 2003/04 on page 103 of the Isle of Man Budget 1999/2000]

11. Manx National Heritage Land Acquisition -

Mr Downie, Member for the Manx Museum and National Trust, to move -

That Tynwald -

- (i) approves the Manx Museum and National Trust incurring additional expenditure of £170,000 above the sum allocated to it in the Executive Government vote for the acquisition of two properties in Cregneash; and
- (ii) authorises the Treasury to expend during the year ending 31 March 2000, from the Capital Transaction Account a sum not exceeding £170,000 in respect of the additional expenditure.

[Reference: page 11 of the Isle of Man Budget 1999/2000]

12. Maintenance Orders (Reciprocal Enforcement) Act 1995 -

The Chief Minister to move -

That the Maintenance Orders (Reciprocal Enforcement) Act 1995 (Amendment) Order 1999 [SD No 450/99] be approved.

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

The Chief Minister to move -

That the European Communities (Libya) (Application) Order 1999 [draft] be approved.

14. Social Security Act 1982 -

The Minister for Health and Social Security to move -

That the Social Security Contributions and Benefits Act 1992 (Application) (Amendment) (No. 2) Order 1999 [SD No 537/99] be approved.

15. Social Security Act 1982 -

The Minister for Health and Social Security to move -

That the Social Security Administration Act 1992 (Application) (Amendment) (No. 2) Order 1999 [SD No 538/99] be approved.

16. Social Security Act 1982 -

The Minister for Health and Social Security to move -

That the Social Security Legislation (Application) (No. 12) Order 1999 [SD No 539/99] be approved.

17. Social Security Act 1982 -

The Minister for Health and Social Security to move -

That the Social Security Legislation (Application) (No. 13) Order 1999 [SD No 540/99] be approved.

18. Social Security Act 1982 -

The Minister for Health and Social Security to move -

That the Social Security Legislation (Application) (No. 14) Order 1999 [SD No 541/99] be approved.

19. Pension Schemes Act 1995 -

The Minister for Health and Social Security to move -

That the Pension Schemes Legislation (Application) (No. 4) Order 1999 [SD No 542/99] be approved.

20. Supplementary Benefits Act 1976 -

The Minister for Health and Social Security to move -

That the Supplementary Benefit (Miscellaneous Amendments) Regulations 1999 [SD No 543/99] be approved.

21. Social Security Contributions and Benefits Act 1992 -

The Minister for Health and Social Security to move -

That the Family Income Supplement (General) (Amendment) (No.3) Regulations 1999 [SD No 544/99] be approved.

22. National Health Service (Isle of Man) Act 1948 -

The Minister for Health and Social Security to move -

That the National Health Service (Isle of Man) (Charges) (Amendment) Regulations 1999 [SD No 566/99] be approved.

23. Recreation and Leisure Act 1998 -

The Minister for Local Government and the Environment to move -

That the Recreation and Leisure (Western Districts) Order 1999 [SD No 573/99] be approved.

24. Local Government Act 1985 -

The Minister for Local Government and the Environment to move -

That the Western Swimming Pool Board Order 1999 [SD No 574/99] be approved.

25. Local Government Act 1985 -

The Minister for Local Government and the Environment to move -

That the Castletown and Malew Elderly Persons Housing Board Order 1999 [SD No 393/99] be approved.

26. Cremation Act 1957 -

The Minister for Local Government and the Environment to move -

That the Cremation (Fees) Regulations 1999 [SD No 534/99] be approved.

27. Merchant Shipping Registration Act 1991 -

The Minister for Trade and Industry to move -

That the Merchant Shipping (Demise Charter Register) (Amendment) Regulations 1999 [SD No 552/99] be approved.

28. Road Traffic Act 1985 -

The Minister for Transport to move -

That the Road Vehicles (Maintenance and Use) (Amendment) Regulations 1999 [SD No 553/99] be approved.

29. Road Traffic Act 1985 -

The Minister for Transport to move -

That the Road Vehicles (Construction, Equipment and Weights) (Amendment) Regulations 1999 [SD No 554/99] be approved.

30. Road Traffic Act 1985 -

The Minister for Transport to move -

That the Driving Licences (Amendment) (No. 2) Regulations 1999 [SD No 567/99] be approved.

31. Road Traffic Act 1985 -

The Minister for Transport to move -

That the Driving Licences (Foreign Licences) Regulations 1999 [SD No 568/99] be approved.

32. Payment of Members' Expenses Act 1989 -

The Minister for the Treasury to move -

That the Attendance Allowances Order 1999 [SD No 449/99] be approved.

33. Payment of Members' Expenses Act 1989 -

The Minister for the Treasury to move -

That the Members of Statutory Boards (Annual Sums) Order 1999 [SD No 447/99] be approved.

34. Payment of Members' Expenses Act 1989 -

The Minister for the Treasury to move -

That the Members of Statutory Boards (Annual Sums) (No. 2) Order 1999 [SD No 448/99] be approved.

35. Payment of Members' Expenses Act 1989 -

The Minister for the Treasury to move -

That the Manx Electricity Authority (Annual Sum) Order 1999 [SD No 446/99] be approved.

36. Customs and Excise Duties (General Reliefs) Act 1986 -

The Minister for the Treasury to move -

That the Excise Duties (Personal Reliefs) (Amendment) Order 1999 [SD No 409/99] be approved.

37. Legal Aid Act 1986 -

The Minister for the Treasury to move -

That the Criminal Legal Aid Order 1999 [*SD No 562/99*] be approved.

38. Customs and Excise Management Act 1986 -

The Minister for the Treasury to move -

That the Customs and Excise Management Act 1986 (Amendment) Order 1999 [*SD No 498/99*] be approved.

39. Hydrocarbon Oil Duties Act 1986 -

The Minister for the Treasury to move -

That the Hydrocarbon Oil Duties Act 1986 (Amendment) Order 1999 [*SD No 499/99*] be approved.

40. Value Added Tax Act 1996 -

The Minister for the Treasury to move -

That the Value Added Tax (Sport, Sports Competitions and Physical Education) Order 1999 [*SD No 502/99*] be approved.

41. Customs and Excise Act 1993 -

The Minister for the Treasury to move -

That the Export of Goods (Control) (Amendment No. 3) (Application) Order 1999 [*SD No 504/99*] be approved.

42. Customs and Excise Act 1993 -

The Minister for the Treasury to move -

That the Dual-Use and Related Goods (Export Control) (Amendment No. 2) Regulations 1999 (Application) Order 1999 [*SD No 505/99*] be approved.

43. Customs and Excise Act 1993 -

The Minister for the Treasury to move -

That the Customs and Excise (Community Instruments) (Application) (Amendment) (No. 2) Order 1999 [SD No 506/99] be approved.

44. Customs and Excise Act 1993 -

The Minister for the Treasury to move -

That the Customs and Excise Acts (Application) Order 1999 [SD No 507/99] be approved.

45. Customs and Excise Act 1993: National Lottery Act 1999 -

The Minister for the Treasury to move -

That the Customs and Excise Acts (National Lottery) (Application) Order 1999 [SD No 508/99] be approved.

46. Value Added Tax Act 1996 -

The Minister for the Treasury to move -

That the Value Added Tax Act 1996 (Amendment) (No. 2) Order 1999 [SD No 503/99] be approved.

47. Subsistence Allowances -

The Minister for the Treasury to move -

That the Subsistence Allowances [GC No 41/99] be approved.

48. Superannuation Act 1984 -

The Chairman of the Isle of Man Post Office to move -

That the Isle of Man Post Office Superannuation Scheme 1999 [SD No 575/98] be approved.

49. Superannuation Act 1984 -

The Chairman of the Isle of Man Post Office to move -

That the Isle of Man Post Office Superannuation (Amendment) Scheme 1999 [SD No 550/99] be approved.

50. Department of Health and Social Security -

The Minister for Health and Social Security to move -

That the Jobseeker's Enhanced Allowance Scheme 1996 (Amendment) Scheme 1999 [GC No 40/99] be approved.

51. Local Authority Housing Deficiency Arrangements -

The Minister for Local Government and the Environment to move -

That whereas section 52 of the Housing Act 1955 provides that the Treasury shall, out of moneys provided by Tynwald make, or undertake to make, such contributions to local authorities for the purposes of that Act as the Department of Local Government and the Environment shall, subject to the approval of Tynwald, determine, to be either by way of a grant or by annual contributions of such amounts for such periods and subject to such conditions as may be determined by the Department and approved by Tynwald;

That Tynwald approves for the financial year 2000/01 and subsequent years contributions to expenditure for the provision of housing by local authorities under Part IV of the Housing Act 1955 by way of grants in aid or annual contributions amounting to the whole of the deficiency incurred and to be incurred by those authorities;□

And that Tynwald approves the following conditions for payment of such contributions for the financial year 2000/01 and subsequent years, to be complied with by each local authority -

- (a) the authority shall participate in membership of the Department's Housing Advisory Committee;
- (b) the authority shall implement such all-Island policy for the provision of housing as is determined by the Department after consultation with all local authorities concerned;
- (c) the authority shall operate such uniform basis for acceptance on to its housing list and for allocation of its housing as is determined by the Department after consultation with all local authorities concerned;
- (d) the authority shall not operate any rent structure unless it has been approved by the Department;
- (e) the authority shall operate a standard form of housing revenue account determined by the Department;
- (f) the authority shall not charge to the housing revenue account any item of expenditure of a description which has not been approved by the Department for the purpose;
- (g) the authority shall not borrow any money for the purpose of carrying out any capital scheme except on terms approved by the Treasury;

- (h) in carrying out any capital scheme the authority shall comply with all procedural requirements from time to time required by the Treasury;
- (i) the authority shall have its annual revenue and capital estimates for expenditure under Part IV of the Housing Act 1955 approved by the Department;
- (j) the authority shall not commit itself to any expenditure for or in relation to any such capital scheme without the prior approval of the Department to the content and cost of the scheme;
- (k) the Department may disallow, for the purposes of contributions -
 - (i) any expenditure on revenue account of a description which is not approved under paragraph (f);
 - (ii) any expenditure on a capital scheme which appears to the Department to result from unreasonable delay by the authority, or which is not included in the content of the scheme as approved by the Department under paragraph (j).

52. Free Bus Transport Working Party -

The Minister for Tourism and Leisure to move -

That the Report of the Free Bus Transport Working Party be received and the Chief Minister be called upon to establish an Integrated Transport Strategy Steering Committee to report back to the October 2000 sitting of Tynwald on a sustainable all-Island transport policy.

53. Statutory Minimum Wage -

The Minister for Trade and Industry to move -

That the Council of Ministers' Report on a Statutory Minimum Wage be received and the recommendation therein be approved.

54. Select Committee of Tynwald on the Equalisation of the Pension Age and Future State Pension Policy of the Isle of Man -

Mr Speaker to move -

That the Report of the Select Committee on the Equalisation of the Pension Age and Future State Pension Policy of the Isle of Man be received and its recommendations be approved.

55. Select Committee of Tynwald on Ministerial Government -

Mr Speaker to move -

That the Report of the Select Committee on Ministerial Government be received and its recommendations be approved.