

TYNWALD

Tinvaal



ORDER PAPER

Claare Obbyr

DOUGLAS
TUESDAY 10th JULY 2001
at 10.30 am

1. Election of the President of Tynwald in accordance with the Constitution Act 1990

2. To lay before the Court –

Weights and Measures Act 1989 -

Weights and Measures (Testing Fees) Regulations 2001
[SD No 377/01]

Social Security Act 2000 -

Child Support, Pensions and Social Security Act 2000 (Application)
Order 2001 *[SD No 378/01]*
Social Security Legislation (Application) (No. 12) Order 2001
[SD No 380/01]

Pension Schemes Act 1995 -

Child Support, Pensions and Social Security Act 2000 (Application)
(No. 2) Order 2001 *[SD No 379/01]*
Pension Schemes Legislation (Application) (No. 2) Order 2001
[SD No 381/01]

National Health Service (Isle of Man) Act 1948 -

National Health Service (Isle of Man) (General Medical and
Pharmaceutical Services) (Amendment) (No. 2) Regulations 2001
[SD No 335/01]

National Health Service (Isle of Man) (General Dental Services)
(Amendment) Regulations 2001 *[SD No 124/01]*

Licensing Act 1995 -
Licensing (Notification of Hours) Regulations 2001 [SD No 364/01]
Drinking in Public Places (Designated Places) (Castletown) Order 2001
[SD No 358/01]

Casino Act 1986 -
Casino (Amendment) Regulations 2001 [SD No 360/01]

Food Act 1996 -
Specified Risk Material Regulations 2001 [SD No 112/01]
Slaughter Regulations 2001 [SD No 348/01]
Beef Labelling (Enforcement) Application Order 2001 [SD No 349/01]
Drinking Water in Containers Regulations 2001 [SD No 159/01]

Public Health Act 1990 -
Transport of Specified Risk Material Regulations 2001 [SD No 350/01]

Cremation Act 1957 -
Cremation (Fees) Regulations 2001 [SD No 351/01]

Dangerous Goods Act 1928 -
Explosives (Carriage by Road) (Consequential Provisions) Order 2001
[SD No 363/01]

Local Government (Miscellaneous Provisions) Act 1984 -
Removal and Disposal of Vehicles Regulations 2001 [SD No 407/01]

Town and Country Planning Acts 1934 to 1991 -
Town and Country Planning (Permitted Development) (Statutory
Undertakings) (Amendment) Order 2001 [SD No 399/01]
Braddan (Middle Farm) Planning Scheme (Amendment) (No. 2) Order
2001 [SD No 401/01]

Tourist Act 1975 -
Tourist (General) (Amendment) Regulations 2001 [SD No 361/01]

Department of Tourism and Leisure -
Tourism and Leisure Support Scheme 2001 [GC No 34/01]

Oil Pollution Act 1986 -
Merchant Shipping (Intervention Convention) Order 2001
[SD No 383/01]

Electricity Act 1996 -
Electricity Generation (Pulrose Gas Turbine Power Station) Order 2001
[SD No 400/01]

Industry Board Act 1981 -
Industry Board Act (Amendment) Order 2001 [SD No 398/01]

Road Traffic Act 1985 -
Road Vehicles Carrying Explosives (Maintenance and Use)
Regulations 2001 [SD No 384/01]

Highways Act 1986 -
 Highway Extinguishment (Slieau Curn Park, Kirk Michael) Order 2001
[SD No 402/01]

Investment Business Acts 1991 to 1993 -
 Investment Business (Exemption) (Miscellaneous) Regulations 2001
[SD No 333/01]

Hydrocarbon Oil Duties Act 1986 -
 Hydrocarbon Oil Duties Act 1986 (Amendment) Order 2001
[SD No 272/01]

Betting Act 1970 -
 Betting Act 1970 (Amendment) Order 2001 *[SD No 273/01]*

Value Added Tax Act 1996 -
 Value Added Tax Act 1996 (Amendment) Order 2001 *[SD No 270/01]*

Payment of Members' Expenses Act 1989 -
 Attendance Allowances (Amendment) Order 2001 *[SD No 347/01]*

Income Tax Act 1970 -
 Income Tax (Capital Relief) (Commercial Buildings Allowance)
 (Ramsey) Order 2001 *[SD No 391/01]*

Representation of the People Act 1995 -
 Election Fees Order 2001 *[SD No 392/01]*

Animal Health Act 1996 -
 Foot and Mouth Disease (Importation) (Temporary Prohibition)
 (Amendment) Order 2001 *[SD No 325/01]*

High Court Act 1991 -
 High Court (Costs) (Amendment) Rules 2001 *[SD No 284/01]*
 Rules of the High Court of Justice (Amendment) 2001 *[SD No 324/01]*

High Court Act 1991 : Judicature (Matrimonial Causes) Act 1976 -
 Matrimonial Causes (Amendment) Rules 2001 *[SD No 326/01]*

Reports –
 The Chief Constable's Annual Report 2000-2001
 Empty Property Initiative Committee Interim Report, June 2001
 Report of the Ecclesiastical Committee of Tynwald on the Church
 (Miscellaneous Provisions) Measure (Isle of Man) 2001
 Interim Report of the Select Committee on Complaints of
 Maladministration made by Mrs A E S J Pilling

Harbours (Isle of Man) Act 1961 -
 Ramsey Harbour Facilities Order 2001 *[SD No 310/01]*
 Proposal for the Sale and Letting of the Inner Harbour of Ramsey
 Harbour in connection with the Development of a Yachting Marina
 2001 *[GC No 26/01]*

Petitions -

Petition of Ramsey Town Commissioners

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

European Communities (Isle of Man) Act 1973 -

Dual-Use Items (Export Control) (Amendment) (No. 2)
Regulations 2001 [*SD No 403/01*]

Bank Holidays Act 1989 -

Bank Holidays (2002) Order 2001 [*SD No 340/01*]

Payment of Members' Expenses Act 1989 -

Payment of Members' Expenses (Specified Bodies) (Amendment)
Order 2001 [*SD No 346/01*]

Criminal Justice Act 2001 -

Curfew Monitoring (Responsible Persons) Order 2001 [*SD No 365/01*]

Road Traffic Act 1985 -

Road Vehicles (Authorisation of Special Types) (Amendment) Order
2001 [*SD No 353/01*]

Companies Act 1931 -

Companies (Fees and Duties) (Amendment) Order 2001
[*SD No 295/01*]

Appointed Day Orders -

Matrimonial Proceedings Act 2001 (Appointed Day) Order 2001
[*SD No 404/01*]

Licensing (Amendment) Act 2001 (Appointed Day) Order 2001
[*SD No 366/01*]

Criminal Justice Act 2001 (Appointed Day) (No. 2) Order 2001
[*SD No 367/01*]

Reports -

Department of Health and Social Security Annual Report to Tynwald on
Hospital Activity and Waiting Lists

Sixteenth Annual Report and Statement of Accounts of the Public
Lottery Trust for the year ended 31st January 2001

Annual Report of the Standing Committee on Economic Initiatives,
June 2001

International Agreements –

International Agreements which the Isle of Man Government has
requested to be extended to the Isle of Man during the period
1st April 2001 to 30th June 2001 –

Agreement on Conservation of Albatrosses and Petrels

International Agreements which the Isle of Man Government has requested **not** to be extended to the Isle of Man during the period 1st April 2001 to 30th June 2001 –

Council of Europe Framework Convention for the Protection of National Minorities
Treaty Concerning a European Vehicle and Driving Licence Information System (EUCARIS)

3. Questions -

See Question Paper.

4. Manx Radio –

Resumption of debate on the following motion which was moved by Mr Corkill at the June 2001 sitting of Tynwald -

That Tynwald -

- (a) approves the expenditure of a sum not exceeding £395,000 to enable Radio Manx Limited to undertake a review of the threats and opportunities facing Radio Manx Limited in the light of technological and other changes in the media and communications sectors worldwide and on the Island and present the findings, implications and costs of that review to Tynwald and to the Directors of Radio Manx Limited, in order to determine recommendations for the future operation and structure of the Company, and
- (b) approves the expenditure of a sum not exceeding £300,000 from general revenue for the year ended 31st March 2002.

5. Weights and Measures Act 1989 -

The Chairman of the Isle of Man Office of Fair Trading to move -

That the Weights and Measures (Testing Fees) Regulations 2001 [SD No 377/01] be approved.

6. Education - Revenue Accounts 2000/01 -

The Minister for Education to move -

That Tynwald authorises the Treasury to apply from the General Revenue in respect of the year ended 31st March 2001 -

- (a) surplus receipts totalling £476,202 of the Department of Education in payment of excess expenditure; and
- (b) the sum of £1,302,111 in payment of excess expenditure of the Department of Education.

7. St. John's Primary School -

The Minister for Education to move -

That Tynwald approves of the Department of Education incurring expenditure not exceeding £4,911,000 on the construction of the new St John's Primary School.

[Reference: Item No. 12 under the heading "Education" on page 8 of the Isle of Man Budget 2001-2002 and as detailed in the Estimate of Capital Payments 2001-02 to 2005-06 (new schemes - St. Johns School Replacement) on page 112 of the Isle of Man Budget 2001-2002]

8. Villa Marina Refurbishment -

The Minister for Tourism and Leisure to move -

That Tynwald approves of the Department of Tourism and Leisure incurring expenditure not exceeding £13,371,242 on the refurbishment and redevelopment of the Villa Marina.

[Reference: Item No. 8 under the heading "Tourism and Leisure" on page 9 of the Isle of Man Budget 2001-02 and as detailed in the Estimate of Capital Payments 2001-02 to 2005-06 under the heading "New Schemes" on page 116 of the Isle of Man Budget 2001/02]

9. Isle of Man Loans Act 1974 -

The Minister for the Treasury to move:

That Tynwald sanctions Treasury borrowings not exceeding £185,000,000, such borrowings to be repaid within 35 years.

10. Emergency Services Joint Control Room -

The Chairman of the Communications Commission to move -

That Tynwald approves the expenditure of a sum not exceeding £1,475,000 on the construction works for the Emergency Services Joint Control Room.

[Reference: Item No. 8 under the heading "Statutory Boards - Communications Commission" on page 11 of the Isle of Man Budget 2001-2002 and on page 122 of the Isle of Man Budget 2001-2002]

11. Sound Cafe Redevelopment -

Hon A F Downie, Member of the Manx Museum and National Trust, to move -

That Tynwald approves Manx National Heritage incurring expenditure not exceeding £695,000 on the construction of new visitor facilities at the Sound.

[Reference: Item No. 6 (Sound Cafe Redevelopment) under the heading "Manx National Heritage" on page 11 of the Isle of Man Budget 2001-02 and as detailed in Manx National Heritage's Estimates of Capital Payments 2001-02 to 2005-06 (New Schemes - Sound Cafe Refurbishment) on page 121 of the Isle of Man Budget 2001-02]

12. Expenses of the Legislature -

The Chairman of the Tynwald Management Committee (Mr Speaker) to move -

That Tynwald authorises Treasury in respect of the year ended 31st March 2001 to apply from General Revenue the sum of £87,009 in payment of excess expenditure by the Expenses of the Legislature.

13. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Child Support, Pensions and Social Security Act 2000 (Application) Order 2001 [*SD No 378/01*] be approved.

14. Pension Schemes Act 1995 -

The Minister for Health and Social Security to move -

That the Child Support, Pensions and Social Security Act 2000 (Application) (No. 2) Order 2001 [*SD No 379/01*] be approved.

15. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Social Security Legislation (Application) (No. 12) Order 2001 [SD No 380/01] be approved.

16. Pension Schemes Act 1995 -

The Minister for Health and Social Security to move -

That the Pension Schemes Legislation (Application) (No. 2) Order 2001 [SD No 381/01] be approved.

17. 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) (General Medical and Pharmaceutical Services) (Amendment) (No. 2) Regulations 2001 [SD No 335/01] be approved.

18. 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) (General Dental Services) (Amendment) Regulations 2001 [SD No 124/01] be approved.

19. Licensing Act 1995 -

The Minister for Home Affairs to move -

That the Licensing (Notification of Hours) Regulations 2001 [SD No 364/01] be approved.

20. Licensing Act 1995 -

The Minister for Home Affairs to move -

That the Drinking in Public Places (Designated Places) (Castletown) Order 2001 [SD No 358/01] be approved.

21. Casino Act 1986 -

The Minister for Home Affairs to move -

That the Casino (Amendment) Regulations 2001 [SD No 360/01] be approved.

22. Food Act 1996 -

The Minister for Local Government and the Environment to move -

That the Specified Risk Material Regulations 2001 [SD No 112/01] be approved.

23. Food Act 1996 -

The Minister for Local Government and the Environment to move -

That the Slaughter Regulations 2001 [SD No 348/01] be approved.

24. Food Act 1996 -

The Minister for Local Government and the Environment to move -

That the Beef Labelling (Enforcement) Application Order 2001 [SD No 349/01] be approved.

25. Public Health Act 1990 -

The Minister for Local Government and the Environment to move -

That the Transport of Specified Risk Material Regulations 2001 [SD No 350/01] be approved.

26. Cremation Act 1957 -

The Minister for Local Government and the Environment to move -

That the Cremation (Fees) Regulations 2001 [SD No 351/01] be approved.

27. Food Act 1996 -

The Minister for Local Government and the Environment to move -

That the Drinking Water in Containers Regulations 2001 [SD No 159/01] be approved.

28. Dangerous Goods Act 1928 -

The Minister for Local Government and the Environment to move -

That the Explosives (Carriage by Road) (Consequential Provisions) Order 2001 [SD No 363/01] be approved.

29. Local Government (Miscellaneous Provisions) Act 1984 -

The Minister for Local Government and the Environment to move -

That the Removal and Disposal of Vehicles Regulations 2001 [SD No 407/01] be approved.

30. Town and Country Planning Acts 1934 to 1991 -

The Minister for Local Government and the Environment to move -

That the Town and Country Planning (Permitted Development) (Statutory Undertakings) (Amendment) Order 2001 [SD No 399/01] be approved.

31. Town and Country Planning Acts 1934 to 1991 -

Hon J A Brown, MHK, authorised by the Minister for Local Government and the Environment to exercise the functions of the Department under Section 3(2) of the Government Departments Act 1987, to move -

That the Braddan (Middle Farm) Planning Scheme (Amendment) (No. 2) Order 2001 [SD No 401/01] be approved.

32. Tourist Act 1975 -

The Minister for Tourism and Leisure to move -

That the Tourist (General) (Amendment) Regulations 2001 [SD No 361/01] be approved.

33. Department of Tourism and Leisure -

The Minister for Tourism and Leisure to move -

That the Tourism and Leisure Support Scheme 2001 [GC No 34/01] be approved.

34. Oil Pollution Act 1986 -

The Minister for Trade and Industry to move -

That the Merchant Shipping (Intervention Convention) Order 2001 [SD No 383/01] be approved.

35. Electricity Act 1996 -

The Minister for Trade and Industry to move -

The Electricity Generation (Pulrose Gas Turbine Power Station) Order 2001 [SD No 400/01] be approved.

36. Industry Board Act 1981 -

The Minister for Trade and Industry to move -

That the Industry Board Act (Amendment) Order 2001 [SD No 398/01] be approved.

37. Road Traffic Act 1985 -

The Minister for Transport to move -

That the Road Vehicles Carrying Explosives (Maintenance and Use) Regulations 2001 [SD No 384/01] be approved.

38. Highways Act 1986 -

The Minister for Transport to move -

That the Highway Extinguishment (Slieau Curn Park, Kirk Michael) Order 2001 [SD No 402/01] be approved.

39. Investment Business Acts 1991 to 1993 -

The Minister for the Treasury to move -

That the Investment Business (Exemption) (Miscellaneous) Regulations 2001 [SD No 333/01] be approved.

40. Hydrocarbon Oil Duties Act 1986 -

The Minister for the Treasury to move -

That the Hydrocarbon Oil Duties Act 1986 (Amendment) Order 2001 [SD No 272/01] be approved.

41. Betting Act 1970 -

The Minister for the Treasury to move -

That the Betting Act 1970 (Amendment) Order 2001 [SD No 273/01] be approved.

42. Value Added Tax Act 1996 -

The Minister for the Treasury to move -

That the Value Added Tax Act 1996 (Amendment) Order 2001 [SD No 270/01] be approved.

43. Payment of Members Expenses Act 1989 -

The Minister for the Treasury to move -

That the Attendance Allowances (Amendment) Order 2001 [SD No 347/01] be approved.

44. Income Tax Act 1970 -

The Minister for the Treasury to move -

That the Income Tax (Capital Relief) (Commercial Buildings Allowance) (Ramsey) Order 2001 [SD No 391/01] be approved.

45. Representation of the People Act 1995 -

The Minister for the Treasury to move -

That the Election Fees Order 2001 [*SD No 392/01*] be approved.

46. Animal Health Act 1996 -

The Minister for Agriculture, Fisheries and Forestry to move -

That the Foot and Mouth Disease (Importation) (Temporary Prohibition) (Amendment) Order 2001 [*SD No 325/01*] be approved.

47. High Court Act 1991 -

HM Attorney General to move -

That the High Court (Costs) (Amendment) Rules 2001 [*SD No 284/01*] be approved.

48. High Court Act 1991 -

HM Attorney General to move -

That the Rules of the High Court of Justice (Amendment) 2001 [*SD No 324/01*] be approved.

49. High Court Act 1991 : Judicature (Matrimonial Causes) Act 1976 -

HM Attorney General to move -

That the Matrimonial Causes (Amendment) Rules 2001 [*SD No 326/01*] be approved.

50. Annual Report of the Chief Constable -

The Minister for Home Affairs to move -

That the Chief Constable's Annual Report 2000-2001 be received.

51. Empty Property Initiative -

The Minister for Local Government and the Environment to move -

That Tynwald notes the Report of the Empty Property Initiative Committee and agrees that the Department of Local Government and the Environment should incorporate the Report's general proposals in its future policies on housing.

52. Harbours (Isle of Man) Act 1961 -

The Minister for Transport to move -

That the Ramsey Harbour Facilities Order 2001 [*SD No 310/01*] be approved.

53. Harbours (Isle of Man) Act 1961 - Ramsey Harbour -

The Minister for Transport to move -

That Tynwald approves of the disposal of land at the inner harbour within the limits of Ramsey Harbour indicated on a plan incorporated in Government Circular No 26/01 as follows:

- (a) disposal by sale at nominal consideration to the Department of Local Government and the Environment of land delineated by a bold blank line and marked " 1 " on the plan; and
- (b) disposal by a letting for 125 years at nominal rental to Messrs. Dean and Dyball Ramsey Marina Limited of land delineated by a bold black line and marked "2" on the plan [*GC No 26/01*]

54. The Chairman of the Ecclesiastical Committee (Mr Speaker) to move -

That -

- (1) the Report of the Ecclesiastical Committee of Tynwald on the Church (Miscellaneous Provisions) Measure (Isle of Man) 2001 be received; and
- (2) the Church (Miscellaneous Provisions) Measure (Isle of Man) 2001 in the form laid before Tynwald be presented to Her Majesty for Her Royal Assent, as required by Schedule 1 to the Church Legislation Procedure Act 1993.

55. Select Committee on Complaints of Maladministration made by Mrs A E S J Pilling –

The Chairman of the Committee (Mr Singer) to move -

That the Interim Report of the Select Committee on Complaints of Maladministration made by Mrs A E S J Pilling be received and its observations noted.

56. Select Committee on the Petition for Redress of Grievance of Albert Edward Ansfield and Geoffrey Sheard Sanders -

Statement by the Chairman.

PETITIONS

57. Petition of the Ramsey Town Commissioners -

The Minister for Local Government and the Environment to move -

Whereas, in accordance with the Local Government Act 1985, s 25(2), the Department of Local Government and the Environment has received an application from Ramsey Town Commissioners dated 20th June 2001 for consent to the sale of land to the Department and, under the discretionary power vested in it by s 25(5) of the Act, the Department has made a direction, dated 20th June, 2001, that the application be referred to Tynwald -

That the application by Ramsey Town Commissioners for consent to the sale of the land specified in the application to the Department of Local Government and the Environment be approved.