



**HOUSE OF KEYS
Y Chiare as Feed**

**ORDER PAPER
Claare Obbyr**

**Douglas
Tuesday 29th October 2002
10.00 am**

1. QUESTIONS FOR ORAL ANSWER

- 1. The Hon Member for Douglas North (Mr Henderson) to ask the Chief Minister -**

Following a response from the Chairman of British Airways, circulated to all Members of Tynwald in relation to complaints made to him by you, what is your intended follow up action plan to minimise, as far as possible, the unacceptable standards faced by the travelling public, including the unacceptable effects on the Island's business and finance sector?

- 2. The Hon Member for Onchan (Mr Karran) to ask the Chief Minister -**

- (1) Will you consider the early introduction of legislation whereby the proceeds of the sale or conveyance of any office building, commercial property or residential property not occupied by an owner-occupier as his or her principal residence, is subject to a withholding tax of 25% on the sale value; this tax should be accounted for by the advocate handling such sale or conveyance to Treasury, and only be released to the vendor when (a) the beneficial ownership of the property is established to the satisfaction of the Financial Supervision Commission; and (b) the tax division of the Treasury issues a clearance certificate in relation to the tax affairs of the vendor; and**
- (2) will Treasury provide estimates of the benefit such a scheme would have for the Manx taxpayer, particularly those on PAYE?**

3. The Hon Member for Onchan (Mr Karran) to ask the Chief Minister -

- (1) Will you consider the early introduction of legislation whereby a progressive 20% withholding tax is introduced on all rents payable by Government and private sector, in respect of offices, commercial properties and private houses where the annual rent exceeds say £5,000 per annum;**
- (2) will Treasury and the Financial Supervision Commission provide certificates to facilitate the appropriate repayment of such tax to the landlord when -**
 - (a) the beneficial ownership of the property is established to the satisfaction of the Financial Supervision Commission;**
 - (b) the tax department of Treasury confirms the tax returns and liabilities of the landlord have been dealt with to their satisfaction; and**
- (3) will the Treasury provide estimates of the benefits such a scheme would have for the Manx taxpayer particularly those on PAYE?**

4. The Hon Member for Douglas North (Mr Houghton) to ask the Minister for Trade and Industry -

Does your Department engage a consultant based in North America?

If so -

- (1) for what purpose;**
- (2) what has the consultant advised;**
- (3) what was his remit;**
- (4) what is the annual cost; and**
- (5) what are the total costs paid since engagement?**

5. The Hon Member for Michael (Mr Cannan) to ask the Minister for Trade and Industry -

What progress is your Department making in establishing manufacturing industry on the Jurby Industrial Estate?

6. The Hon Member for Ramsey (Mr Singer) to ask the Member for Health and Social Security -

- (1) Is there to be a change in the doctor on duty system in Ramsey and the North of the Island; and, if so**
- (2) what are these changes;**
- (3) will there continue to be a doctor on call in the North of the Island for home visits and hospital attendance as at present?**

7. The Hon Member for Douglas North (Mr Houghton) to ask the Member for Health and Social Security -

With regard to the additional nursing staff required for the New Hospital, will your Department give an undertaking to engage Manx-born applicants who are currently employed in the UK in preference to other applicants?

8. The Hon Member for Glenfaba (Mr Anderson) to ask the Minister for Local Government and the Environment -

Given that this honourable House intended that the appropriate way to pursue matters concerning the health and welfare of children in cinemas should be by way of regulations made by your Department under Section 3 of the Cinematograph Act 1977, which under Section 5(1) of the Act bind the licensing court, do you propose to make such regulations to restore the original meaning of the 12 certificate?

9. The Hon Member for Ramsey (Mr Singer) to ask the Minister for Local Government and the Environment -

Why has Albert Tower never been given the status of a registered building?

10. The Hon Member for Ramsey (Mr Singer) to ask the Minister for Home Affairs -

What powers do you have to prevent known, convicted paedophiles from entering and settling in the Isle of Man?

2. QUESTIONS FOR WRITTEN ANSWER

1. The Hon Member for Douglas North (Mr Henderson) to ask the Member for Health and Social Security -

- (1) Can you give the numbers of trained nurses within the Health Service who are in line management rôles at grade F, G, H, I and above, on senior pay spines; and**
- (2) how many of these within each grade and pay spine as indicated have formally recognised UK management qualifications at recognised certificate diploma or at degree level from an accredited college, nurse training centre or university which also attracts CAT's points?**

2. The Hon Member for Ramsey (Mr Singer) to ask the Minister for Transport -

- (1) Since 1st September 202, how many cancellations have there been on the BA Citi Express flights from Birmingham to the Isle of Man and the Isle of Man to Birmingham; and**
- (2) please list the times and dates of reasons for these cancellations?**

3. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Home Affairs -

Can you confirm or deny that sex offenders, including paedophiles, are being re-housed to the Isle of Man from the UK either temporarily or permanently?

3. LEAVE TO INTRODUCE

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

That leave be given to introduce a Bill respecting the Conduct of Members and Officers of Tynwald, Government Departments and Statutory Boards and Bodies, and advisors or consultants thereto, in relation to conflicts of interest, and connected matters.

4. BILL FOR SECOND READING

1. Property Service Charges (Amendment) Bill

Mr Houghton

5. BILL FOR THIRD READING

1. Agriculture (Miscellaneous Provisions) Bill

Mr Rimington

6. BILL FOR CONSIDERATION OF CLAUSES

1. Matrimonial Proceedings Bill

Mrs Cannell

Tabled Amendments

Clause 139 (Mr Karran)

7. OTHER MOTIONS

1. The Hon Member for Ayre (Mr Quine) to move -

That in the interest of further developing sports and recreational facilities for young people through voluntary bodies, a scheme for the provision of financial assistance to such bodies to a maximum of £50,000 for each approved project, subject to the raising of funds on a pound for pound basis by the voluntary body, should be introduced by Government.

2. The Hon Member for Michael (Mr Cannan) to move -

That Standing Order 49 be suspended to allow the motion set out below to be moved.

3. The Hon Member for Michael (Mr Cannan) to move -

That the Report by Mr Speaker pursuant to the Resolution of the House of 11th July 2002 be received.

(This item is subject to the prior agreement of the House to suspend Standing Orders)

4. **The Hon Member for Ayre (Mr Quine) to move -**

That the Guidance to Departments on the Relationship between Ministers and their Departmental Colleagues issued by the Council of Ministers and dated 30th April 2002 be referred back to the Council of Ministers for further consideration.

The House may be asked to suspend Standing Orders to take further stages of the above Bills.

Unless the House otherwise determines, the above business will be considered in the order shown.

**Malachy Cornwell-Kelly
Secretary of the House**

MATRIMONIAL PROCEEDINGS BILL 2002

Amendments to be moved by Mr Karran -

CLAUSE 7

Page 5 line 31, at the end insert -

“(3) The Department of Health and Social Security shall make arrangements, in accordance with a scheme made by that Department, for making available to the parties to a marriage facilities for -

- (a) marriage counselling;
- (b) other marriage support services;
- (c) mediation; and
- (d) advice and assistance (other than legal advice and assistance) in connection with separation and divorce,

with a view to encouraging reconciliation between such parties.

(4) A scheme under subsection (3) shall not have effect unless it is approved by Tynwald.

(5) Rules of court shall provide that, except in such circumstances as may be prescribed, no application for a divorce order may be made unless there is lodged with the application such evidence as may be prescribed that the applicant has made use of facilities mentioned in subsection (3) (whether provided under that subsection or otherwise).”

CLAUSE 12

Page 8 line 12, at the end insert -

“(2A) For the purposes of subsection (1)(c) a party to a marriage who has by surgical means and hormone treatment undergone an apparent change from the male to the female sex shall be treated as female (and *vice versa*).”

CLAUSE 13

Page 8 line 16, after “13.” Insert “(1)”.

Page 8 line 29, at the end insert -

“(da) that, at the time of the marriage, he was subject to the notification requirements of Schedule 1 (sex offenders) to the Criminal Justice Act 2001 and had not, before the marriage, informed the applicant of the fact;”

Page 8 line 33, after paragraph (f) insert -

“(g) that, before the marriage, the respondent had not informed the applicant that he had by surgical means and hormone treatment undergone an apparent change from the male to the female sex (or *vice versa*).”

Page 8 line 33, after paragraph (g) insert -

“(2) For the purposes of subsection (1)(e) “venereal disease” includes any sexually transmitted disease which could lead to the applicant’s death.”

CLAUSE 18

Page 11 line 12, delete “7” and insert “5”.

CLAUSE 31

Page 23 line 16, insert -

“(6) A pension sharing order may not be made in relation to the rights of a person under a pension arrangement which are referable to any period before or after the subsistence of the marriage.”

Amendment to be moved by Mr Gill -

CLAUSE 32

Page 25 line 1 insert -

“(5) As regards the exercise of its powers under subsection (2)(G) above, the court shall in particular have regard to any allegation of abuse against a child made by one of the parties against the other which is found

to have been made maliciously or without any reasonable or probable basis.”

Amendment to be moved by Mr Karran -

CLAUSE 39

Page 33 line 21 insert -

“(8) Any person who contravenes or fails to comply with the provisions of an order made under section 38 shall on summary conviction be liable to a fine not exceeding £1,000 and to a further fine of £100 for each day on which the contravention or failure continues.”

Amendment to be moved by Mr Gill -

CLAUSE 61

Page 52 line 4 insert -

“(5) As regards the exercise of its powers under subsection (2)(g) above, the court shall in particular have regard to any allegation of abuse against a child made by one of the parties against the other which is found to have been made maliciously or without any reasonable or probable basis.”

Amendment to be moved by Mr Corkill

CLAUSE 67

Page 57 line 35, for subsection (2) substitute -

“(2) Where the court adjourns any proceedings under subsection (1), it may -

- (a) request the Department of Health and Social Security to arrange for a suitable person, or
- (b) request a probation officer,

to attempt to effect a reconciliation between the parties to the marriage, and where any such request is made, that person or the probation officer, as the case may be, shall report in writing to the court whether the attempt has been successful or not, but shall not include in that report any other information.”

Amendment to be moved by Mrs Hannan -

CLAUSE 67

Page 57 line 36

For -

“Department of Health and Social Security”

Substitute -

“Department of Home Affairs”

Amendment to be moved by Mr Gill -

CLAUSE 67

Page 57 line 36

After -

“it may request”

Insert -

“the Department of Home Affairs Probation Division, and or their agents or”

Amendment to be moved by Mr Karran

CLAUSE 139: SCHEDULE 4

Page 127, after paragraph 2(6) insert -

“(7) Section 12(2A) does not apply to a marriage celebrated before the commencement of section 12.

“(8) Section 13(1)(da) and (2) does not apply to a marriage celebrated before the commencement of section 13.”