

TYNWALD

Tinvaal



ORDER PAPER

Claare Obbyr

DOUGLAS

TUESDAY 21st JANUARY 2003

at 10.30 am

1. To lay before the Court -

European Communities (Isle of Man) Act 1973 -

European Communities (Burma/Myanmar Sanctions) (Application)
(Amendment) Order 2002 *[SD No 844/02]*

Children and Young Persons Act 2001 -

Secure Accommodation Regulations 2002 *[SD No 871/02]*

Children's Home Regulations 2002 *[SD No 872/02]*

Placement of Children with Parents etc. Regulations 2002
[SD No 873/02]

Placement of Children (General) Regulations 2002 *[SD No 874/02]*

Private Fostering (Notification) Regulations 2002 *[SD No 875/02]*

Disqualification for Caring for Children Regulations 2002
[SD No 876/02]

Remands to Accommodation Provided by the Department Regulations
2002 *[SD No 877/02]*

Social Security Act 2000 -

Social Security Act 1998 (Application) (Amendment) Order 2002
[SD No 879/02]

Social Security Contributions and Benefits Act 1992 (Application)
(Amendment) (No. 3) Order 2002 *[SD No 880/02]*

Social Security Administration Act 1992 (Application) (Amendment)
(No. 3) Order 2002 *[SD No 881/02]*

Social Security Legislation (Application) (No. 16) Order 2002
[SD No 883/02]

Pension Schemes Act 1995 -

Pension Schemes Act 1993 (Application) (Amendment) Order 2002
[SD No 882/02]

Social Security Contributions and Benefits Act 1992 -
Income Support (General) (Isle of Man) (Amendment) (No. 6)
Regulations 2002 *[SD No 884/02]*

Merchant Shipping Act 1985 -
Merchant Shipping (Safety Provisions) Application Order 2002
[SD No 865/02]

Legal Aid Act 1986 -
Criminal Legal Aid Order 2002 *[SD No 852/02]*

Custody Act 1995 -
Secure Care Home Custody Rules 2002 *[SD No 853/02]*

Advocates Act 1995 -
Notaries (Amendment) Regulations 2002 *[SD No 850/02]*

Reports -
Isle of Man Government Plan 2003-2004.

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

Government Departments Act 1987 -
Appointment of Members of Departments (No. 2) Instrument 2002
[GC No 43/02]
Transfer of Functions (Bona Vacantia) Order 2002 *[SD No 862/02]*

Superannuation Act 1984 -
Superannuation (Clerk of Tynwald's Department) Determination
(No. 5) 2002 *[SD No 842/02]*

Road Traffic Act 1985 -
Road Vehicles (Authorisation of Special Types) (Amendment) Order
2002 *[SD No 755/02]*

Post Office Act 1993 -
Post Office (Overseas Letter Post) (Amendment No. 2) Scheme 2002
[SD No 717/02]

Advocates Act 1976 -
Advocates (Disciplinary) (Amendment) Rules 2002 *[SD No 841/02]*

High Court Act 1991 -
Rules of the High Court of Justice (Amendment) 2002 *[SD No 732/02]*

Summary Jurisdiction Act 1989 -
Summary Jurisdiction Rules 2002 *[SD No 733/02]*

Value Added Tax Act 1996 -
Value Added Tax (Amendment) (No. 3) Regulations 2002
[SD No 836/02]
Value Added Tax (Reduced Rate) (Amendment) Order 2002
[SD No 677/02]

Fees and Duties Act 1989 -

Extra-Statutory Concession (Amendment) 2002 [*SD No 835/02*]

Advocates Act 1995 -

Advocates (Prescribed Fees) Regulations 2002 [*SD No 851/02*]

Custody Act 1995 -

Custody (Designation of Institutions) Order 2002 [*SD No 854/02*]

Appointed Day Order -

Road Traffic (Amendment) Act 2001 (Appointed Day) (No. 3) Order 2002 [*SD No 834/02*]

National Health Service Act 2001 (Appointed Day) (No. 2) Order 2002 [*SD No 818/02*]

Public Health (Amendment) Act 2000 (Appointed Day) (No. 3) Order 2002 [*SD No 866/02*]

European Communities -

European Communities Secondary Legislation December 2002 [*GC No 1/03*]

International Agreements -

International Agreements which the Isle of Man Government has requested be extended to the Isle of Man during the period 1st January to 31st March 2002 -

Second Additional Protocol to the Council of Europe Convention on Extradition.

International Agreements which the Isle of Man Government has requested **not** to be extended to the Isle of Man during the period 1st January to 31st March 2002 -

None.

International Agreements which the Isle of Man Government has requested to be extended to the Isle of Man during the period 1st April to 30th June 2002 -

None.

International Agreements which the Isle of Man Government has requested **not** to be extended to the Isle of Man during the period 1st April to 30th June 2002 -

None.

International Agreements which the Isle of Man Government has requested be extended to the Isle of Man during the period 1st July to 30th September 2002 -

Protocol 13 to the European Convention for the Protection of Human Rights and Fundamental Freedoms, concerning the Abolition of the Death Penalty in All Circumstances.

United Kingdom Bilateral Agreement on the Transfer of Sentenced Persons with the Philippines.

United Kingdom Bilateral Agreement on the Transfer of Sentenced Persons with Barbados.

United Kingdom Bilateral Agreement on the Transfer of Sentenced Persons with Guyana.
United Kingdom Bilateral Agreement on the Transfer of Sentenced Persons with Surinam.
Kyoto Protocol to the United Nations Framework Convention on Climate Change.
United Nations Convention against Transnational Organised Crime.
United Nations Convention for the Suppression of Terrorist Bombings.

International Agreements which the Isle of Man Government has requested **not** to be extended to the Isle of Man during the period 1st July to 30th September 2002 -

Agreement between the United Kingdom and Belarus on Adoption.

International Agreements which the Isle of Man Government has requested to be extended to the Isle of Man during the period 1st October to 31st December 2002 -

USA-Isle of Man Exchange of Information Agreement *
IMO International Convention on the Control of Harmful Anti-Fouling Systems on Ships.

(* signed by the Isle of Man Government in its own right following the issue of a letter of entrustment by HM Government.)

International Agreements which the Isle of Man Government has requested **not** to be extended to the Isle of Man during the period 1st October to 31st December 2002 -

None.

Reports -

Report of the Isle of Man Delegation to the General Assembly of the Conference of Peripheral Maritime Regions of Europe - 2002.

2. Questions -

See Question Paper.

3. Commission of Inquiry into Mount Murray -

The Chief Minister to move -

That Tynwald -

- (a) approves the expenditure of a further sum not exceeding £200,000, in addition to the £500,000 previously voted, to meet the continuing costs of the Commission of Inquiry into Mount Murray; and
- (b) approves the expenditure of a total sum not exceeding £200,000 from General Revenue for the year ending 31st March 2003.

4. Commission of Inquiry into Mount Murray -

The Minister for the Treasury to move -

That Tynwald -

- (a) approves the expenditure of a sum not exceeding £100,000 to meet the additional legal costs arising from the Commission of Inquiry into Mount Murray; and
- (b) approves the expenditure of a total sum of £100,000 from General Revenue for the year ending 31st March 2003.

5. Demolition of Properties at Westmoreland Road -

The Minister for Local Government and the Environment to move -

That Tynwald -

- (1) approves the Department of Local Government and the Environment incurring expenditure not exceeding £63,216 for:
 - demolition of garage properties on Westmoreland Road and Workshops to the rear of Parr Street;
 - pre-contract costs for the development of 18 flats at Westmoreland Road;
- (2) authorises the Treasury to spend out of the Capital Transactions Account during the financial year ending 31st March 2003, a sum not exceeding £63,216 with the unspent balance being carried over to the financial year ending 31st March 2004;
- (3) approves of and sanctions borrowings not exceeding £63,216 being made by Government, such borrowings to be repaid within a period of 30 years; and
- (4) approves the transfer of £63,216 from the Housing Reserve fund to the Capital Transactions Account during the year ending 31st March 2003.

[Reference: Item 13 under the heading 'Local Government and the Environment' on page 9 of the Isle of Man Budget 2002-03 and as detailed in the Estimate of Capital Payments 2002-03 to 2006-07 on page 114 of the Isle of Man Budget 2002-03]

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

The Chief Minister to move -

That the European Communities (Burma/Myanmar Sanctions) (Application) (Amendment) Order 2002 be approved. *[SD No 844/02]*

7. Children and Young Persons Act 2001 -

The Minister for Health and Social Security to move -

That the Secure Accommodation Regulations 2002 be approved.
[SD No 871/02]

8. Children and Young Persons Act 2001 -

The Minister for Health and Social Security to move -

That the Children's Home Regulations 2002 be approved. *[SD No 872/02]*

9. Children and Young Persons Act 2001 -

The Minister for Health and Social Security to move -

That the Placement of Children with Parents etc. Regulations 2002 be approved. *[SD No 873/02]*

10. Children and Young Persons Act 2001 -

The Minister for Health and Social Security to move -

That the Placement of Children (General) Regulations 2002 be approved.
[SD No 874/02]

11. Children and Young Persons Act 2001 -

The Minister for Health and Social Security to move -

That the Private Fostering (Notification) Regulations 2002 be approved.
[SD No 875/02]

12. Children and Young Persons Act 2001 -

The Minister for Health and Social Security to move -

That the Disqualification for Caring for Children Regulations 2002 be approved. *[SD No 876/02]*

13. Children and Young Persons Act 2001 -

The Minister for Health and Social Security to move -

That the Remands to Accommodation Provided by the Department Regulations 2002 be approved. *[SD No 877/02]*

14. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Social Security Act 1998 (Application) (Amendment) Order 2002 be approved. *[SD No 879/02]*

15. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Social Security Contributions and Benefits Act 1992 (Application) (Amendment) (No. 3) Order 2002 be approved. *[SD No 880/02]*

16. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Social Security Administration Act 1992 (Application) (Amendment) (No. 3) Order 2002 be approved. *[SD No 881/02]*

17. Pension Schemes Act 1995 -

The Minister for Health and Social Security to move -

That the Pension Schemes Act 1993 (Application) (Amendment) Order 2002 be approved. *[SD No 882/02]*

18. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Social Security Legislation (Application) (No. 16) Order 2002 be approved. *[SD No 883/02]*

19. Social Security Contributions and Benefits Act 1992 -

The Minister for Health and Social Security to move -

That the Income Support (General) (Isle of Man) (Amendment) (No. 6) Regulations 2002 be approved. *[SD No 884/02]*

20. Merchant Shipping Act 1985 -

The Minister for Trade and Industry to move -

That the Merchant Shipping (Safety Provisions) Application Order 2002 be approved. *[SD No 865/02]*

21. Legal Aid Act 1986 -

The Minister for the Treasury to move -

That the Criminal Legal Aid Order 2002 be approved. *[SD No 852/02]*

22. Custody Act 1995 -

The Minister for Home Affairs to move -

That the Secure Care Home Custody Rules 2002 be approved. *[SD No 853/02]*

23. Advocates Act 1995 -

HM Attorney General to move -

That the Notaries (Amendment) Regulations 2002 be approved. *[SD No 850/02]*

24. Isle of Man Government Plan 2003-06 -

The Chief Minister to move -

That Tynwald approves the Isle of Man Government Plan 2003-06 and endorses, as a general strategy, the priorities and objectives contained therein.

25. Management of the Business of Tynwald Court -

Mr Houghton to move -

That the Tynwald Standing Orders Committee be requested to examine the options for the better management of business of this Honourable Court and to report with recommendations by the May 2003 sitting.

26. Petitions for the Redress of Grievance -

Mr Rimington to move -

That Tynwald Standing Orders Committee be requested to propose an amendment to Standing Order 5.10 to provide that a select committee appointed to investigate a Petition for Redress of Grievance presented at St John's shall, unless there are exceptional reasons for not doing so, hear evidence from the petitioner in public, and for such evidence to be recorded and transcribed.

27. National Anthems -

Mr Speaker to move -

- (1) the 'Manx National Anthem' should be known as the Island's National Anthem and that it should be used at all official occasions and within our schools; and that the Anthem 'God Save the Queen' should be known within the Island as the 'Royal Anthem' and should only be used on official occasions when Her Majesty, Members of the Royal Family or His Excellency the Lieutenant Governor are present; and
- (2) that the Government should forthwith take the necessary and appropriate action to implement Tynwald's decision.

28. Waste Disposal Charges -

Mrs Hannan to move that -

Tynwald is of the opinion that the Minister for Local Government and the Environment should explain the proposed charges to be levied on local authorities for waste disposal on both domestic properties and commercial properties and how the local authorities would pass on the charges.