

TYNWALD

Tinvaal



ORDER PAPER

Claare Obbyr

DOUGLAS
TUESDAY 18TH MAY 2004
at 10.30 am

1. To lay before the Court -

Online Gambling Regulation Act 2001 -

Online Gambling (Licence Fees) Order 2004 [SD\No\309\04]

Corporate Service Providers Act 2000 -

Corporate Service Providers (Register) Regulations 2004
[SD\No\248\04]

Pension Schemes Act 1995 -

Pension Schemes Legislation (Application) (No. 2) Order 2004
[SD\No\319\04]

Social Security Act 2000 -

Social Security Legislation (Application) (No. 6) Order 2004
[SD\No\320\04]

Social Security Legislation (Application) (No. 7) Order 2004
[SD\No\321\04]

Social Security Legislation (Application) (No. 8) Order 2004
[SD\No\322\04]

Social Security Contributions and Benefits Act 1992 -

Income Support (General) (Isle of Man) (Amendment) (No. 4)
Regulations 2004 [SD\No\323\04]

Construction Contracts Act 2004 -

Construction Contracts Scheme Regulations 2004 [SD\No\328\04]

Employers' Liability (Compulsory Insurance) Act 1976 -

Employers' Liability (Compulsory Insurance) Regulations 2004
[SD\No\312\04]

Litter Act 1972 -
Litter Control Notices Regulations 2004 [SD No 299/04]

Dogs Act 1990 -
Malew Dog Control Byelaws 2004 [SD No 318/04]

European Communities (Isle of Man) Act 1973 -
European Communities (Zimbabwe Sanctions) (Application) Order
2004 [SD No 316/04]

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

Legal Aid 1986 -
Duty Advocate (Police Custody) (Amendment) Scheme 2004
[SD No 325/04]

Rating and Valuations Act 1953 to 1991 -
Port St Mary Village (Rate Collection) Order 2004 [SD No 253/04]

European Communities (Isle of Man) Act 1973 -
Zimbabwe Sanctions Regulations 2004 [SD No 317/04]

European Communities -
European Community Secondary Legislation April 2004 [GC No 17/04]

Report -
Annual Report on the Activities of the Industrial Relations Service
for 2003

Appointed Day Order -
Construction Contracts Act 2004 (Appointed Day) Order 2004
[SD No 329/04]

2. Questions -

See Question paper.

3. Animal Waste Processing Plant Richmond Hill -

Statement by a Member of the Department of Local Government and the
Environment.

4. Supplementary Capital Authorities -

The Minister for Treasury to move -

That Tynwald authorises the Treasury to expend in respect of the year ended
31st March 2004 from the Capital Transactions Account sums not exceeding
£16,654,800 in payment of the items set out in column 6 of the Schedule
hereto.

5. Ayres Restoration – Phase 2 -

The Minister for Local Government and the Environment to move -

That Tynwald approves expenditure of £572,054 on the second phase of restoration of landfill sites at The Ayres, Bride.

6. Classroom Scheme Phase 1-Sulby School Extension -

The Minister for Education to move -

That Tynwald approves of the Department of Education incurring expenditure not exceeding £667,200 on the extension to Sulby Primary School.

[Ref: Item No: 7 under the heading “Education” on page 7 of the Isle of Man Budget 2004-05 and as detailed in the Estimate of Capital Payments 2004-05 to 2008-9. (New Schemes Classroom Scheme Phase 1 Sulby School Extension) on page 58 of the Isle of Man Budget 2004-05]

7. Ballakermeen Medway Block - Phase 2 -

The Minister for Education to move -

That Tynwald approves of the Department of Education incurring expenditure not exceeding £371,600 on the Second Phase of the refurbishment of the Ballakermeen High School Medway Block.

[Ref: Item No: 12 under the heading “Education” on page 7 of the Isle of Man Budget 2004-05 and as detailed in the Estimate of Capital Payments 2004-05 to 2008-9. (New Schemes Ballakermeen Medway Block) on page 58 of the Isle of Man Budget 2004-05]

8. Standing Committee of Tynwald on Expenditure and Public Accounts -

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

That the Hon Member of the Council, Mr Kniveton, be discharged from the Committee, and that Tynwald elect a member to fill the vacancy.

9. Standing Committee of Tynwald on Expenditure and Public Accounts -

To elect one Member of Tynwald to serve during the life of the House of Keys in place of Mr Kniveton.

(The President, the Speaker of the House of Keys, any Member of the Council of Ministers and any Member of the Treasury are not eligible for election.)

10. Online Gambling Regulation Act 2001 -

The Minister for the Treasury to move -

That the Online Gambling (Licence Fees) Order 2004 be approved.
[SD No 309/04]

11. Corporate Service Providers Act 2000 -

The Minister for the Treasury to move -

To move that the Corporate Service Providers (Register) Regulations 2004 be approved. [SD No 248/04]

12. Pension Schemes Act 1995 -

The Minister for Health & Social Security to move -

That the Pension Schemes Legislation (Application) (No. 2) Order 2004 be approved. [SD No 319/04]

13. Social Security Act 2000 -

The Minister for Health & Social Security to move -

That the Social Security Legislation (Application) (No. 6) Order 2004 be approved. [SD No 320/04]

14. Social Security Act 2000 -

The Minister for Health & Social Security to move -

That the Social Security Legislation (Application) (No. 7) Order 2004 be approved. [SD No 321/04]

15. Social Security Act 2000 -

The Minister for Health & Social Security to move -

That the Social Security Legislation (Application) (No. 8) Order 2004 be approved. [SD No 322/04]

16. Social Security Contributions and Benefits Act 1992 -

The Minister for Health & Social Security to move -

That the Income Support (General) (Isle of Man) (Amendment) (No. 4) Regulations 2004 be approved. [SD No 323/04]

17. Construction Contracts Act 2004 -

The Minister for Trade and Industry to move -

That the Construction Contracts Scheme Regulations 2004 be approved. [SD\No\328\04]

18. Employers' Liability (Compulsory Insurance) Act 1976 -

The Minister for Trade and Industry to move -

That the Employers' Liability (Compulsory Insurance) Regulations 2004 be approved. [SD\No\312\04]

19. Litter Act 1972 -

The Minister for Local Government and the Environment to move -

That the Litter Control Notices Regulations 2004 be approved. [SD\No\299\04]

20. Dogs Act 1990 -

The Minister for Local Government and the Environment to move -

That the Malew Dog Control Byelaws 2004 be approved. [SD\No\318\04]

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

The Chief Minister to move -

That the European Communities (Zimbabwe Sanctions) (Application) Order 2004 be approved. [SD\No\316\04]

22. Redress for Mr & Mrs D Spadoni -

Debate to be resumed on the following motion (which was originally moved by Mr Rimington at the November 2003 Sitting and has been adjourned to May 2004) -

That Tynwald appoints a Select Committee of three Members with powers to take written and oral evidence pursuant to sections 3 and 4 of the Tynwald Proceedings Act 1876 to -

(a) investigate the circumstances of the *Suzanna D's* stability failure,

(b) investigate the role of the Isle of Man authorities, and

(c) seek a means of redress for Mr & Mrs Spadoni,

and report back with recommendations.

23. Scrutiny of Treaties and Secondary Legislation -

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

That the Standing Orders of the Court be amended as follows -

Renumber Standing Order 5.8A as 5.8B

Add new Order 5.8A -

5.8A

- (1) There shall be a Standing Committee on the Scrutiny of Treaties and Secondary Legislation.
- (2) The Committee shall be composed of five Members, not more than two of whom may be Ministers.
- (3) The Committee shall stand charged with the scrutiny of -
 - (i) all public documents or proposed public documents which have legislative effect in the Isle of Man,
 - (ii) any actual or proposed Treaties, International Agreements, Decisions, Directives or Regulations of the European Union which affect or may affect the Isle of Man, and
 - (iii) any actual or proposed Treaties or International Agreements entered into by the Government of the United Kingdom or the Government of the Isle of Man which affect or may affect the Isle of Man.
- (4) The Committee shall report to Tynwald, with or without recommendations, on such of the matters referred to in paragraph (3) as they may think fit.
- (5) The Committee shall have powers to take written and oral evidence pursuant to sections 3 and 4 of the Tynwald Proceedings Act 1876.

24. Port St Mary Commissioners -

The Hon Member for Rushen (Mr Gawne) to move -

That, in addition to the announced Department of Local Government and the Environment Inquiry under section 4(d) of the Local Government Act 1985, a Committee of three Members, with powers to take written and oral evidence pursuant to sections 3 and 4 of the Tynwald Proceedings Act 1876, be appointed to inquire into the conduct of the Treasury, the Auditors and the Department of Local Government and the Environment in relation to the affairs of Port St Mary Village Commissioners in the period from 1st April 1998 to 31st March 2004, having regard to their statutory and other responsibilities in relation thereto, and to report with findings and recommendations to the December 2004 sitting of the Court.

25. Port St Mary Inquiry -

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

That the Department of Local Government and the Environment revoke its appointment of Mr J F Kissack OBE to conduct the proposed public inquiry into Port St Mary Commissioners and appoint instead a person appropriately qualified and not connected with the Government.

26. Waiting Times for Medical Consultation and Treatment -

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

That Tynwald appoints a Committee of three Members, with powers to take written and oral evidence pursuant to sections 3 and 4 of the Tynwald Proceedings Act 1876, to investigate and report on the times which patients have to wait to obtain an appointment and receive treatment from a Medical Consultant, including the cause of any unreasonable delay and the adequacy of measures being taken by the Department of Health and Social Security to reduce such delay, and to report with recommendations to address any deficiencies or need for change, and report back by the January 2005 sitting of Tynwald.

27. Review of Health and Safety Legislation -

The Hon Member for Rushen (Mr Gill) to move -

That a Committee of five members be appointed, with powers to take written and oral evidence pursuant to sections 3 and 4 of the Tynwald Proceedings Act 1876, to investigate and review the current Health and Safety legislation and the powers and procedures of the Health and Safety Executive in undertaking its duties, and how they are impacting on community and business life in the Isle of Man, and to report to the Court with recommendations.

28. First Time Buyers' Houses, Shore Road, Kirk Michael -

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

Tynwald does not support the Department of Local Government and the Environment -

- (a) entering into any contract or agreement with Heritage Homes (Dandara Holdings Limited) for the purchase or development of first time buyers' houses or other property in the coast erosion zone (2.8 metres per annum) within the development site off Shore Road, Kirk Michael;

- (b) providing any financial support, mortgage or otherwise, to persons wishing to purchase homes in the coast erosion zone (2.8 metres per annum) within the Heritage Homes (Dandara Holdings Limited) development site off Shore Road, Kirk Michael.

29. Tourist Accommodation, Ballacain, Little Mill Road, Onchan -

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

That Tynwald appoint a Committee of three persons, with powers to take written and oral evidence pursuant to sections 3 and 4 of the Tynwald Proceedings Act 1876, to investigate -

- (a) all aspects of planning procedures and enforcement,
- (b) all aspects of Government financial grant aid,
- (c) any other relevant matters,

in respect of the development of tourist accommodation at Ballacain, Little Mill Road, Onchan, and report to the July 2004 sitting of Tynwald.