

TYNWALD

Tinvaal



ORDER PAPER

ClaareObbyr

DOUGLAS
TUESDAY 20th JANUARY 2004
at 10.30 am

1. To lay before the Court -

Trustee Act 2001 -

Methodist Church Trusts Order 2003 [*SD No 890/03*]

Road Traffic Act 1985 -

Breath Tests (Specified Offences) Order 2003 [*832/03*]

Payment of Members Expenses Act 1989 -

Members of Tynwald (Annual Sums) Order 2004 [*SD No 733/03*]

Registration of Electors Act 1984 -

Registration of Electors Regulations 2003 [*SD No 700/03*]

Jury Act 1980 -

Lists of Jurors Regulations 2004 [*SD No 8/04*]

Customs and Excise Act 1993 -

Customs and Excise Acts (Customs Penalties) (Application) Order 2003
[*SD No 843/03*]

Statistics of Trade (Customs and Excise) (Amendment)
Regulations 2003 (Application) Order 2003 [*SD No 884/03*]

Customs and Excise Acts (Export Regulations) (Application)
Order 2003 [*SD No 882/03*]

Value Added Tax 1996 -

Value Added Tax Act 1996 (Amendment) (No. 3) Order 2003
[*SD No 859/03*]

Health and Safety at Work Etc. Act 1974 -
Construction (Design and Management) Regulations 2003
[SD No 878/03]
Management of Health and Safety at Work Regulations 2003
[SD No 877/03]

Local Elections Act 1986 -
Local Election Rules 2003 *[SD No 888/03]*

Estate Agents Act 1975 -
Estate Agents (Amendment) Rules 2003 *[SD No 889/03]*

Reports -
Report of the Department of Local Government and the Environment
on the Implementation of Charges for Waste Disposal, October 2003
Second Report for the Session 2003-2004 of the Joint Committee on the
Emoluments of Certain Public Servants
Report of the Select Committee on Castletown and Ballasalla Sub Post
Offices
First Report of the Standing Committee on Economic Initiatives for the
session 2003-2004

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

Value Added Tax Act 1996 -
Value Added Tax (Amendment) (No. 6) Regulations 2003
[SD No 881/03]

National Health Service Act 2001 -
National Health Service (Appointment of Consultants)
Regulations 2003 *[SD No 861/03]*

Income Tax Extra Statutory Concession -
Shipping Activities - Zero Rate of Tax on Taxable Income *[GC No 35/03]*
Aircraft Operation - Zero Rate of Tax on Taxable Income *[GC No 36/07]*
Fund Activities - Zero Rate of Tax on Taxable Income *[GC No 37/03]*

Post Office Act 1993 -
Post Office (Inland Post) (Amendment No. 3) Scheme 2003
[SD No 692/03]
Post Office (Overseas Letter Post) (Amendment No. 2) Scheme 2003
[SD No 693/03]

Broadcasting -
Broadcasting (Isle of Man) Order 2003 *[SI 2003 No 3193]*

Electronic Communications Broadcasting -
Communications (Isle of Man) Order 2003 *[SI 2003 No 3198]*

Report -
Report of the Department of Agriculture, Fisheries and Forestry on
Animal Health Import Controls for Livestock
Manx Electricity Authority Annual Report 2002-2003

Appointed Day Orders -

Licensing (Amendment) Act 2001 (Appointed Day) (Amendment)
Order 2003 [SD No 886/03]
Companies Etc. (Amendment) Act 2003 (Appointed Day) (No. 1)
Order 2003 [SD No 883/03]

2. Questions -

See Question paper.

3. Public Inquiry -

Statement by the Chief Minister.

4. Policy Review on Ramsey and District Cottage Hospital -

Statement by the Minister for Health and Social Security.

5. Income Tax Act 1970 -

The Minister for the Treasury to move -

That, in accordance with section 119 of the Income Tax Act 1970, it is hereby resolved -

- (1) That in respect of the lower tax rates for companies under section 1A of that Act -
 - (a) the lower rate for companies in subsection 1(a) of that section shall be in respect of every pound of taxable income up to and including £100,000,000, at a rate of 10%;
- (2) That this resolution shall apply in respect of the income tax year commencing 6th April 2003 and subsequent years.

6. Auldyn Infants' School -

The Minister for Education to move -

That Tynwald -

- (1) authorises the Treasury to spend out of the Capital Transactions Account during the financial year 31st March 2004, a sum not exceeding £434,600 in connection with the construction of the new Infants school at Auldyn;
- (2) approves of and sanctions borrowings not exceeding £434,600 being made by Government, such borrowings to be repaid in a period of 30 years.

[Reference: Item No. 4 under the heading "Education" on page 7 of the Isle of Man Budget 2003-2004 and as detailed in the Estimate of Capital Payments 2003-04 to 2007-08 (new schemes - Auldyn School) on page 59 of the Isle of Man Budget 2003-04]

7. Ashley Hill Primary School -

The Minister for Education to move -

That Tynwald -

- (1) authorises the Treasury to spend out of the Capital Transactions Account during the financial year 31st March 2004, a sum not exceeding £99,700 on the second phase of refurbishment and extension to Ashley Hill Primary School;
- (2) approves of and sanctions borrowings not exceeding £99,700 being made by Government, such borrowings to be repaid in a period of 30 years

[Reference: Item No. 12 under the heading "Education" on page 7 of the Isle of Man Budget 2003-2004 and as detailed in the Estimate of Capital Payments 2003-04 to 2007-08 (new schemes - Ashley Hill School Extension Phase 2) on page 59 of the Isle of Man Budget 2003-04]

8. Implementation of Charges for Waste Disposal -

The Minister for Local Government and the Environment to move -

That the Report dated October 2003 on the implementation process regarding the charges for waste disposal be received.

9. Joint Committee on the Emoluments of Certain Public Servants -

The Hon Member for Castletown (Mr Speaker) to move -

That the Second Report for the Session 2003-2004 of the Joint Committee on the Emoluments of Certain Public Servants be received and its recommendation approved.

10. Select Committee on Castletown and Ballasalla Sub Post Offices -

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

That the Report of the Select Committee on Castletown and Ballasalla Sub Post Offices be received and its recommendations approved.

11. Standing Committee on Economic Initiatives -

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

That the First Report of the Standing Committee on Economic Initiatives for the session 2003-2004 be received and its recommendation approved.

12. Onchan District Act 1986 -

Debate to be resumed on the following motion (which was moved by Mr Houghton at the November Sitting and then subsequently adjourned to January 2004) -

That the Onchan District (Differential Rating) Order 2003 be approved.
[SD No 747/03]

13. Registration of Electors Act 1984 -

The Minister for the Treasury to move -

That the Registration of Electors Regulations 2003 be approved.
[SD No 700/03]

14. Jury Act 1980 -

The Minister for the Treasury to move -

That the Lists of Jurors Regulations 2004 be approved. *[SD No 8/04]*

15. Trustee Act 2001 -

The Chief Minister to move -

That the Methodist Church Trusts Order 2003 be approved. *[SD No 890/03]*

16. Road Traffic Act 1985 -

The Minister for Transport to move -

That the Breath Tests (Specified Offences) Order 2003 be approved.
[SD No 832/03]

[The Order, made under section 5B(9) of the Road Traffic Act 1985, was laid before December 2003 sitting of Tynwald in accordance with section 74(4) of that Act]

17. Payment of Members Expenses Act 1989 -

The Minister for the Treasury to move -

That the Members of Tynwald (Annual Sums) Order 2004 be approved.
[SD No 733/03]

18. Customs and Excise Act 1993 -

The Minister for the Treasury to move -

That the Customs and Excise Acts (Customs Penalties) (Application) Order 2003 be approved. *[SD No 843/03]*

19. Value Added Tax 1996 -

The Minister for the Treasury to move -

That the Value Added Tax Act 1996 (Amendment) (No. 3) Order 2003 be approved. *[SD No 859/03]*

20. Customs and Excise Act 1993 -

The Minister for the Treasury to move -

That the Statistics of Trade (Customs and Excise) (Amendment) Regulations 2003 (Application) Order 2003 be approved. *[SD No 884/03]*

21. Customs and Excise Act 1993 -

The Minister for the Treasury to move -

That the Customs and Excise Acts (Export Regulations) (Application) Order 2003 be approved. *[SD No 882/03]*

22. Health and Safety at Work Etc. Act 1974 -

The Minister for Local Government and the Environment to move -

That the Construction (Design and Management) Regulations 2003 be approved. *[SD No 878/03]*

23. Health and Safety at Work, Etc. Act 1974 -

The Minister for Local Government and the Environment to move -

That the Management of Health and Safety at Work Regulations 2003 be approved. *[SD No 877/03]*

24. Local Elections Act 1986 -

The Minister for Local Government and the Environment to move -

That the Local Election Rules 2003 be approved. *[SD No 888/03]*

25. Estate Agents Act 1975 -

The Minister for Local Government and the Environment to move -

That the Estate Agents (Amendment) Rules 2003 be approved. *[SD No 889/03]*

26. International Criminal Court Act 2001 -

The Chief Minister to move -

That Her Majesty be requested to direct by Order in Council that the provisions of the International Criminal Court Act 2001 shall extend to the Isle of Man with appropriate exceptions, adaptations and modifications.

27. Sale of Property at Dalby -

The Vice Chairman of the Manx Museum and National Trust (Mr. Speaker) to move -

That, in accordance with Section 25 (e) of the Manx Museum and National Trust Act 1959, Tynwald consents to the sale of the property Doarlish Mooar, Dalby and the sale or exchange of an adjacent parcel of land at Niarbyl, Dalby.

28. Petition for Redress of Grievance of Mr John Armstrong Maddrell -

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

That Tynwald appoint a Select Committee to examine the Petition for Redress of Grievance of Mr John Armstrong Maddrell presented at St John's on 7th July 2003 with powers to take written and oral evidence pursuant to sections 3 and 4 of the Tynwald Proceedings Act 1876 and to report with recommendations.

29. Possession of Cannabis as an Arrestable Offence -

The Hon Member of the Council (Mr Singer) to move -

That Tynwald calls upon the Government to take action without delay to ensure that the personal possession of Cannabis will remain an arrestable offence in the Isle of Man.

30. Adherence to Resolutions of the Court -

The Hon Member of the Council (Mr Singer) to move -

That Tynwald declares that a resolution of the Court on any matter of policy or the implementation of policy supersedes or supplements (as the case may be) any previous resolution on the same matter and must be adhered to by Members, Ministers and Departments.