

TYNWALD

Tinvaal



ORDER PAPER

Claare Obbyr

DOUGLAS
TUESDAY 12th JULY 2005
at 10.30 am

1. To lay before the Court -

Historic Buildings Conservation Scheme -
Historic Buildings Conservation Scheme 2005 be approved. *[GC 19/05]*

Minimum Wage Act 2001 -
Minimum Wage (Young Workers Etc.) Regulations 2005 *[SD 465/05]*
Minimum Wage (Single Hourly Rate) Regulations 2005 *[SD 466/05]*

Licensing and Registration of Vehicles Act 1985 -
Vehicle Duty Order 2005 *[SD 457/05]*

Payment of Members Expenses Act 1989 -
Attendance Allowances (Amendment) Order 2005 *[SD 291/05]*

Partnership Act 1909 -
Limited Partnerships (Collective Investment Schemes) (Exemption)
Regulations 2005 *[SD 411/05]*
Partnership (Fees) Rules 2005 *[SD 215/05]*

Fiduciary Services Acts 2000 & 2005 -
Fiduciary Services (Fees) Regulations 2005 *[SD 468/05]*
Fiduciary Services (General Requirements) Regulatory Code 2005
[SD 469/05]
Fiduciary Services (Clients' Money and Trust Money) Regulatory Code
2005 *[SD 470/05]*

Wild Animals (Restriction on Importation, Etc.) Act 1980 -
Wild Animals (Film Industry) Order 2005 *[SD 250/05]*

Farm and Horticultural Improvement (Amendment) Scheme 2005 -
Farm and Horticultural Improvement (Amendment) Scheme 2005
[GC 18/05]

Education Act 2001 -
Employment of Children Regulations 2005 [SD 355/05]

Pension Schemes Act 1995 -
Pension Schemes Legislation (Application) (No. 3) Order 2005
[SD 436/05]
Pension Schemes Legislation (Application) (No. 4) Order 2005
[SD 437/05]
Pensions Schemes Act 1993 (Application) (Amendment) Order 2005
[SD 441/05]
Pensions Schemes Act 1995 (Application) (Amendment) (No. 2) Order
2005 [SD 442/05]
Welfare Reform and Pensions Act 1999 (Application) (Amendment)
(No. 2) Order 2005 [SD 443/05]
Pensions Schemes Legislation (Application) (Amendment) (No. 2)
Order 2005 [SD 444/05]

Social Security Act 2000 -
Social Security Legislation (Application) (No. 5) Order 2005
[SD 438/05]
Social Security Legislation (Application) (No. 6) Order 2005
[SD 439/05]
Social Security Legislation (Application) (No. 7) Order 2005
[SD 440/05]
Social Security Legislation (Application) (Amendment) (No. 3) Order
2005 [SD 445/05]

Social Security Contributions and Benefits Act 1992 -
Social Security Administration Act 1992 -
Social Security Benefits Up-rating Order 2005 (Amendment) (No. 2)
Order 2005 [SD 462/05]

Rehabilitation of Offenders Act 2001 -
Rehabilitation of Offenders Act 2001 (Exceptions) (Amendment) Order
2005 [SD 366/05]

Weights and Measures Act 1989 -
Weights and Measures (Testing Fees) Regulations 2005 [SD 410/05]

Superannuation Act 1984 -
Hospice Care Superannuation (Amendment) Scheme 2005 [SD 376/05]

Reports -

Report of the Tynwald Management Committee on Electronic Voting in Tynwald Court
Second Report of the Tynwald Honours Committee 2004-2005
Report of the Select Committee of Tynwald on the Compensation Claim - Mount Murray Residents
Report of the Select Committee of Tynwald on Port St Mary Commissioners
Report of the Standing Committee of Tynwald on Economic Initiatives Port Erin Marine Laboratory: Future Proposals - Position Statement
Review of the Functions of the Lieutenant Governor under Acts of Tynwald - Report by the Council of Ministers
Report on the Basis of Introducing a Government House Purchase Assistance Scheme for People who are 45 Years of Age or Older
Strategy for Children and Young People 2005-2110
Report on the Recommendations of the Select Committee appointed to investigate the Petition for Redress of Grievance of John Armstrong Maddrell

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

Air Navigation (No. 2) Order 1995 -

Air Navigation (Restriction of Flying) British-Irish Council Meeting) Regulations 2005 [*SD No 104/05*]
Air Navigation (Restriction of Flying) (Emergency Evacuation) Regulations 2005 [*SD No 405/05*]
Air Navigation (Restriction of Flying) (Exhibition of Flying) Regulations 2005 [*SD No 406/05*]
Air Navigation (Restriction of Flying) (Tynwald Day) Regulations 2005 [*SD No 407/05*]

Child Custody Act 1987 -

Child Abduction and Custody (Parties to Conventions) Order 2005 [*SD No 488/05*]

Merchant Shipping Act 1985 -

Merchant Shipping (Distress Signals and Prevention of Collisions) (Amendment) Regulations 2005 [*SD No 176/05*]

European Community -

EC Secondary Legislation June 2005 [*GC No 20/05*]

Appointed Day Order -

Fiduciary Services Act 2005 (Appointed Day) Order 2005 [*SD No 467/05*]

Reports -

Isle of Man Government Accounts for the year ended 31st March 2005
Twentieth Report of the Public Lottery Trust for the year ended
31st January 2005
Housing Policy Progress Report July 2005
Environmental Protection Strategy Document 2005
Department of Home Affairs Policing Plan 2005-2006

2. Bill for Signing -

Housing (Multi Occupancy) Bill 2005

3. Questions -

See Question Paper.

4. Strategic Direction Isle of Man Post Office -

Statement by the Chief Minister.

5. Low Income Working Group -

Statement by Treasury Minister.

6. Department of Transport's proposals for a Passenger Traffic Development Initiative in relation to the Isle of Man Steam Packet Company -

Statement by the Minister for Transport.

7. Refurbishment of Legislative Buildings -

Statement by Mr Speaker.

8. Solway Harvester -

Statement by HM Attorney General

9. Janet's Corner Refurbishment/Redevelopment, Castletown -

The Minister for Local Government and the Environment to move -

That Tynwald approves expenditure of a sum not exceeding £2,333,000 for the refurbishment of 58 No. properties, the demolition of 26 No. properties, and pre-tender costs for the development of new housing units at Janet's Corner, Castletown.

[Ref: Item 4 under the heading "Local Government & the Environment" on page 9 of the Isle of Man Budget 2005-06 and as detailed in the Estimates of Capital Payments 2005-06 to 2009-10 [New Schemes – Janet's Corner – Replacement/Refurbishment (182 units) – Construction] on page 62 of the Isle of Man Budget 2005-06]

10. Elderly Persons' Bungalows – The Bretney, Jurby -

The Minister for Local Government and the Environment to move -

That Tynwald approves expenditure of a sum not exceeding £307,710 for the construction of 3 No. Elderly Persons' Bungalows, The Bretney, Jurby.

[Ref: Item 16 under the heading "Local Government & the Environment" on page 9 of the Isle of Man Budget 2005-06 and as detailed in the Estimates of Capital Payments 2005-06 to 2009-10 [New Schemes – Elderly Persons' Housing] on page 62 of the Isle of Man Budget 2005-06]

11. Jurby Housing Refurbishment Phase II – Central Heating Installation -

The Minister for Local Government and the Environment to move -

That Tynwald approves the expenditure of a sum not exceeding £363,000 for the installation of central heating and ancillary works in 62 properties at The Bretney, Jurby.

[Ref: Item 6 under the heading "Local Government & the Environment" on page 9 of the Isle of Man Budget 2005-06 and as detailed in the Estimates of Capital Payments 2005-06 to 2009-10 under the heading "Committed Schemes: Jurby [64 units] – Construction" on page 62 of the Isle of Man Budget 2005-06]

12. Demolition of Summerland -

The Minister for Tourism and Leisure to move -

That Tynwald -

- (1) approves of the Department of Tourism and Leisure incurring expenditure not exceeding £1,876,000 on Phase 2 of the demolition of the Summerland Complex (including the Aquadrome);
- (2) authorises the Treasury to spend out of the Capital Transactions Account during the financial year ended 31st March 2006 a sum not exceeding £573,000 in respect of the additional expenditure; and
- (3) approves of and sanctions borrowings not exceeding £573,000 being made by Government, such borrowings to be repaid within a period of 20 years.

[Reference Item 11 under the heading "Tourism and Leisure" on page 9 of the Isle of Man Budget 2005/6 and as detailed in the Estimate of Capital Payments 2005/6 to 2009/10 under the heading "New Schemes" on page 63 of the Isle of Man Budget 2005.]

13. Ramsey Grammar School Post 16/Medway Block replacement Scheme -

The Minister for Education to move -

That Tynwald -

- (1) approves of the Department of Education incurring expenditure not exceeding £59,137 on advance demolition works in respect of the proposed Ramsey Grammar School Post 16/Medway Block replacement scheme;
- (2) authorises the Treasury to spend out of the Capital Transactions Account during the financial year ending 31st March 2006 a sum not exceeding £59,137 being made by Government to meet the cost of (1) above; and
- (3) approves of and sanctions borrowings not exceeding £59,137 being made by Government, such borrowings to be repaid in a period of 30 years.

[Reference: Item No. 22 under the heading "Education" on page 7 of the Isle of Man Budget 2005-2006, and as detailed in the Estimate of Capital Payments 2005-2006 to 2009-2010 (new schemes – Ramsey Grammar Post 16/Medway) on page 59 of the Isle of Man Budget 2006-2006.]

14. Supplementary Vote - Tourism and Leisure

The Minister for Tourism and Leisure to move -

That Tynwald authorises the Treasury in respect of the year ended 31st March 2005, to apply from general revenue surplus receipts totalling £426,346 of the Department of Tourism and Leisure, the sum of £267,577 in payment of excess expenditure.

15. Supplementary Vote - Trade and Industry

The Minister for Trade and Industry to move -

That Tynwald authorises the Treasury in respect of the year ended 31st March 2005, to apply from the General Revenue surplus receipts totalling £115,411 of the Department of Trade and Industry the sum of £50,474 in payment of excess expenditure.

16. Supplementary Vote - Transport

The Minister for Transport to move -

That Tynwald authorises the Treasury in respect of the year ended 31st March 2005, to apply from General Revenue the sum of £432,506 in payment of excess expenditure in respect of the Department of Transport of £405,787 and shortfall of receipts of £26,719.

17. Supplementary Vote - Health and Social Security

The Minister for Health and Social Security to move -

That Tynwald authorises the Treasury to apply from General Revenue in respect of the year ended 31 March 2005 -

- (a) surplus receipts totalling £2,272,898 of the Department of Health & Social Security; and
- (b) the sum of £4,790,770 in payment of excess expenditure by the Department of Health & Social Security.

18. Port Erin Marine Laboratory -

The Chief Minister to move -

That Tynwald receives the Report from the Council of Ministers entitled "Port Erin Marine Laboratory: Future Proposals – Position Statement".

19. Report by the Council of Ministers - Review of the Functions of the Lieutenant Governor under Acts of Tynwald -

The Chief Minister to move -

That the Report of the Council of Ministers on the Review of the Functions of the Lieutenant Governor under Acts of Tynwald be received and the following recommendations be approved:

- (i) The proposals set out in sections 10, 11 and 12 of this Report should be progressed either by a Transfer of Functions (Governor in Council) Order, a Transfer of Governor's Functions Bill or by an amendment to primary legislation, as appropriate. This legislation should be prepared and progressed as soon as practical;
- (ii) The Tynwald Library should identify all functions of the Governor or the Governor in Council included in all current secondary legislation made under Acts of Tynwald, following which the Council of Ministers should consider whether any functions identified under such legislation could be appropriately transferred.

20. Report from Council of Ministers on the Basis of Introducing a Government House Purchase Assistance Scheme for People who are 45 years of age or older -

The Chief Minister to move -

That Tynwald receives the Report by the Council of Ministers on the Basis for Introducing a Government House Purchase Assistance Scheme for people who are 45 years of age and approves its recommendation.

21. Chief Minister's Strategy for Children and Young People 2005-2010 -

The Chief Minister to move -

That the Chief Minister's Strategy for Children and Young People 2005 – 2010 be received.

22. Report on the Recommendations of the Select Committee appointed to investigate the Petition of Redress of Grievance of John Armstrong Maddrell -

The Minister for Local Government and the Environment to move -

That Tynwald receives the Report dated June 2005 on the Recommendations of the Select Committee appointed to investigate the Petition for Redress of Grievance of John Armstrong Maddrell and approves its recommendations.

23. Report of the Tynwald Management Committee on Electronic Voting in Tynwald Court -

Notice given at the sitting of Tynwald in June 2005 by the Chairman of the Committee (Mr Speaker) to move this Motion again at the sitting of Tynwald in July 2005 under the provisions of Standing Order 3.19.

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

That the Report of the Tynwald Management Committee on Electronic Voting in Tynwald Court be received and its recommendation approved.

24. Tynwald Honours Committee -

The Deputy President of Tynwald (Mr Speaker) to move -

That the Second Report of the Tynwald Honours Committee 2004-2005 be received, and the recommendations of that Report be approved as follows:

With respect to the Tynwald Honour -

- 1.1 That an honour, to be known as the Tynwald Honour, should be awarded to suitable recipients.
- 1.2 That the design for the Tynwald Honour should be that detailed in paragraph 2.4.5 and illustrated in Appendix 2 of this Report.
- 1.3 That the Tynwald Honour be cast in sterling silver, with recipients also receiving a vellum certificate.
- 1.4 That nominations for the Tynwald Honour should be made to the President of Tynwald, in confidence, for consideration by your Committee.
- 1.5 That, to ensure Tynwald Court remains the final arbiter of public honours and to avoid public debate about particular nominations in Tynwald Court:
 - (a) The Committee should advise all Members of Tynwald in confidence and in writing, one calendar month in advance of any report being made to Tynwald Court recommending the award of the Tynwald Honour, so that Members can make any observations they may have, in confidence and in writing, to your Committee.
 - (b) The Standing Orders Committee of Tynwald should give consideration to amending to Standing Order 5.18, so that when a report making a recommendation for the award of the Tynwald Honour is laid before Tynwald, a Member may at that sitting move, without debate and without prior notice under Standing Order 2.4, that the report be referred back to the Committee for further consideration with 17 votes being required for such a motion to carry.

- 1.6 That, under normal circumstances, the Honour be conferred, by the President of Tynwald, on Tynwald Day in the Royal Chapel during the Captioning Ceremony.

With respect to the Manx Patriots' Roll of Honour that the following persons should be approved by Tynwald Court for inclusion in the Manx Patriots' Roll of Honour -

- 2.1 Rt Rev Isaac Barrow DD;
- 2.2 John Christian Curwen;
- 2.3 Captain John Quilliam;
- 2.4 Sir William Hillary;
- 2.5 Miss Eleanor Brennan;
- 2.6 Henry Bloom Noble;
- 2.7 Sir James Gell CVO JP;
- 2.8 Thomas Edward Brown;
- 2.9 Arthur William Moore;
- 2.10 Sir Thomas Henry Hall Caine;
- 2.11 Mrs Marion Shimmin;
- 2.12 Sir Joseph Davidson Qualtrough CBE;
- 2.13 Sir William Percy Cowley CBE JP;
- 2.14 Miss Mona Douglas MBE;
- 2.15 Major Robert Henry Cain VC; and
- 2.16 Sir Henry Charles Kerruish OBE LLD (hc) CP.

25. Select Committee on Mount Murray Residents Compensation Claim -

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

That the Report of the Select Committee on Mount Murray Residents Compensation Claim be received and its recommendations be approved.

26. Select Committee on Port St Mary Commissioners -

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

That the Report of the Select Committee on Port St Mary Commissioners be received and its recommendations be approved.

27. Standing Committee on Economic Initiatives -

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

That the Report of the Committee for the Session 2004-05 be received and the following recommendations approved -

- (i) that the Minister for the Treasury should make every endeavour to ensure that the first reading of the Bill to reform the companies legislation is moved in the Keys at the first sitting of the House in the Session 2005-06;
- (ii) that the Council of Ministers report to Tynwald no later than the sitting in December 2005 on the steps being taken to support business in relation to the provision of additional public car parking facilities and the general improvement of standards in the Island's hospitality industry;
- (iii) that the Council of Ministers Report to Tynwald no later than the sitting in December 2005 with proposals to light the unused fibre optic cable linking the Isle of Man with Great Britain;
- (iv) that the functions of the Director of E-Commerce be located within the Department of Trade and Industry.

28. Proposed Use of Development Orders to Secure the Provision of Development Land -

The Minister for Local Government and the Environment to move -

That Tynwald is of the opinion that -

- (1) in advance of full Area Plan coverage of the Island or in response to specific circumstances, the Department of Local Government and the Environment should bring forward Development Orders in accordance with Section 8 of the Town & Country Planning Act 1999 to ensure adequate provision of development land for the needs of housing, business and community purposes as may arise from time to time;

- (2) any proposals for the release of un-zoned land, for whatever purpose, should be considered by the Department against the policies of the Strategic Plan and any other relevant social and economic factors; and
- (3) any such Order should be subject to full public consultation and public inquiry prior to the Order being made by the Department, subject to Tynwald approval.

29. Provision of Affordable Housing -

The Minister for Local Government and the Environment to move -

That Tynwald, mindful of the difficulties facing first time buyers and conscious of the need to increase the supply of affordable housing, is of the opinion that, in granting planning permission on land zoned for residential development or in predominantly residential areas, the Department of Local Government and the Environment should normally require that 25% of provision should be made up of affordable housing in cases where the development proposals relate to 8 dwellings or more.

30. Energy Policy -

The Minister for Local Government and the Environment to move -

That Tynwald -

- (a) endorses the need to develop a long-term, sustainable energy policy for the Isle of Man;
- (b) supports the work being undertaken by the Energy Committee of the Council of Ministers;
- (c) agrees that any energy policy should reflect the requirements -
 - (i) to understand and plan for the impacts on the Island of Climate Change;
 - (ii) to promote measures for the reduction of greenhouse gas emissions;
 - (iii) to ensure the security and sustainability of energy supplies; and
 - (iv) to promote the development of a competitive energy market, increasing the fuel options available for consumer choice whilst ensuring the Island obtains best value for money;
- (d) agrees that the Council of Ministers, following further investigation and consultation by its Energy Committee, should develop an energy policy for the Island and bring the same to Tynwald for approval no later than July 2006.

- 31. Historic Buildings Conservations Scheme 2005 -**
The Minister for Local Government and the Environment to move -
That the Historic Buildings Conservation Scheme 2005 be approved.
[GC 19/05]
- 32. Minimum Wage Act 2001 -**
The Minister for Trade and Industry to move -
That the Minimum Wage (Young Workers Etc.) Regulations 2005 be approved. *[SD 465/05]*
- 33. Minimum Wage Act 2001 -**
The Minister for Trade and Industry to move -
That the Minimum Wage (Single Hourly Rate) Regulations 2005 be approved.
[SD 466/05]
- 34. Licensing and Registration of Vehicles Act 1985 -**
The Minister for Transport to move -
That the Vehicle Duty Order 2005 be approved. *[SD 457/05]*
- 35. Payment of Members' Expenses Act 1989 -**
The Minister for the Treasury to move -
That the Attendance Allowances (Amendment) Order 2005 be approved.
[SD 291/05]
- 36. Partnership Act 1909 -**
The Minister for the Treasury to move -
That the Limited Partnerships (Collective Investment Schemes) (Exemption) Regulations 2005 be approved. *[SD 411/05]*
- 37. Partnership Act 1909 -**
The Minister for the Treasury to move -
That the Partnership (Fees) Rules 2005 be approved. *[SD 215/05]*

38. Fiduciary Services Acts 2000 & 2005 -

The Minister for the Treasury to move -

That the Fiduciary Services (Fees) Regulations 2005 be approved. *[SD 468/05]*

39. Fiduciary Services Acts 2000 & 2005 -

The Minister for the Treasury to move -

That the Fiduciary Services (General Requirements) Regulatory Code 2005 be approved. *[SD 469/05]*

40. Fiduciary Services Acts 2000 & 2005 -

The Minister for the Treasury to move -

That the Fiduciary Services (Clients' Money and Trust Money) Regulatory Code 2005 be approved. *[SD 470/05]*

41. Wild Animals (Restriction on Importation, Etc.) Act 1980 -

The Minister for the Department of Agriculture Fisheries and Forestry to move -

That the Wild Animals (Film Industry) Order 2005 be approved. *[SD 250/05]*

42. Farm and Horticultural Improvement (Amendment) Scheme 2005 -

The Minister for the Department of Agriculture Fisheries and Forestry to move -

That the Farm and Horticultural Improvement (Amendment) Scheme 2005 be approved. *[GC 18/05]*

43. Education Act 2001 -

The Minister for Education to move -

That the Employment of Children Regulations 2005 be approved. *[SD 355/05]*

44. Pension Schemes Act 1995 -

The Minister for Health and Social Security to move -

That the Pension Schemes Legislation (Application) (No. 3) Order 2005 be approved. [SD 436/05]

45. Pension Schemes Act 1995 -

The Minister for Health and Social Security to move -

That the Pension Schemes Legislation (Application) (No. 4) Order 2005 be approved. [SD 437/05]

46. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Social Security Legislation (Application) (No. 5) Order 2005 be approved. [SD 438/05]

47. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Social Security Legislation (Application) (No. 6) Order 2005 be approved. [SD 439/05]

48. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Social Security Legislation (Application) (No. 7) Order 2005 be approved. [SD 440/05]

49. Pension Schemes Act 1995 -

The Minister for Health and Social Security to move -

That the Pensions Schemes Act 1993 (Application) (Amendment) Order 2005 be approved. [SD 441/05]

50. Pension Schemes Act 1995 -

The Minister for Health and Social Security to move -

That the Pensions Schemes Act 1995 (Application) (Amendment) (No. 2) Order 2005 be approved. [SD 442/05]

51. Pension Schemes Act 1995 -

The Minister for Health and Social Security to move -

That the Welfare Reform and Pensions Act 1999 (Application) (Amendment) (No. 2) Order 2005 be approved. [SD 443/05]

52. Pension Schemes Act 1995 -

The Minister for Health and Social Security to move -

That the Pensions Schemes Legislation (Application) (Amendment) (No. 2) Order 2005 be approved. [SD 444/05]

53. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Social Security Legislation (Application) (Amendment) (No. 3) Order 2005 be approved. [SD 445/05]

**54. Social Security Contributions and Benefits Act 1992 -
Social Security Administration Act 1992 -**

The Minister for Health and Social Security to move -

That the Social Security Benefits Up-rating Order 2005 (Amendment) (No. 2) Order 2005 be approved. [SD 462/05]

55. Rehabilitation of Offenders Act 2001 -

The Minister for Home Affairs to move -

That the Rehabilitation of Offenders Act 2001 (Exceptions) (Amendment) Order 2005 be approved. [SD 366/05]

56. 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 2005 be approved.
[SD 410/05]

57. Superannuation Act 1984 -

The Chairman of the Civil Service Commission to move -

That the Hospice Care Superannuation (Amendment) Scheme 2005 be approved. [SD 376/05]

58. Reserve Forces and Cadet Association North West and Isle of Man Committee -

To elect one Member to serve as the Tynwald Representative on the Reserve Forces and Cadet Association North West and Isle of Man Committee during the life of the House of Keys.

(Mr Delaney was the Tynwald Representative on the Reserve Forces and Cadet Association North West and Isle of Man Committee and is eligible to stand)

59. Manx Electricity Authority -

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

That this Honourable Court has no confidence in the Government's conduct of matters in relation to the affairs of the Manx Electricity Authority and now resolves -

- (i) that a Commission of Inquiry be appointed by His Excellency the Lieutenant Governor pursuant to section 1 of the Inquiries (Evidence) Act 2003 to establish the true and correct position with regard to the Authority's affairs and the responsibility of the Government, in particular the Treasury and the Department of Trade and Industry, in regard to them; and
- (ii) further resolves that the powers conferred by the Inquiries (Evidence) Act 2003 shall be exercisable by such Commission of Inquiry.

60. 5 The Parade Castletown -

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

That a Committee of three 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 all matters relating to the removal of the roof and the continuation of the exposure of the structure, and therefore its vulnerability to adverse weather conditions, of the Registered Property known as 5 The Parade, Castletown, the actions of the Department of Local Government and the Environment, Castletown Town Commissioners, Auctor Limited, the beneficial owners of that company, and any advisers and agents who have been or are acting for any party, and to report with findings and recommendations on the case, and on whether legislative changes should be made, to Tynwald no later than January 2006.

61. Constituency Boundaries -

The Hon Member for Middle (Mr Quayle) to move -

That the following resolution of the Court, made at the sitting in July 2004, be rescinded:

Tynwald directs that, save for the requirement to appoint a committee, the Governor in Council defer their implementation of the resolution of Tynwald dated 21 April 2004, for that committee to review the number and boundaries of the constituencies for elections to the House of Keys, until such time as the Constitution (Legislative Council) Bill 2004 either -

- (a) receives Royal Assent (in which case a further resolution of Tynwald will be required) or,*
- (b) fails, (in which case the resolution of Tynwald of 21 April 2004 can be fully implemented).*

Note:

The resolution made in April 2004, which would be revived by this motion, was:

That pursuant to section 11(5) of the Representation of the People Act 1995, the Governor in Council do appoint a committee to review the number and boundaries of the constituencies for elections to the House of Keys and to report thereon to Tynwald as soon as may be.

62. Repeated Planning Applications -

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

That the Department of Local Government and the Environment report to Tynwald by December 2005 with proposals to discourage or prevent the abusive practice of property owners seeking to circumvent local or official opposition to development proposals by submitting more than one further application for planning permission following the refusal of a prior application for a similar project.

63. Announcement of Royal Assent to Act -

Housing (Multi Occupancy) Act 2004

(subject to Royal Assent being notified)