

TYNWALD

Tinvaal



ORDER PAPER No. 1

Claare Obbyr

DOUGLAS
15TH FEBRUARY 2005
at 10.30 am

1. To lay before the Court -

Value Added Tax Act 1996 -

Value Added Tax (Gas and Electricity) Order 2004 [*SD No 905/04*]

Value Added Tax (Food) Order 2005 [*SD No 04/05*]

Customs and Excise Act 1993 -

Statistics of Trade (Customs and Excise) (Amendment) Regulations
2004 (Application) Order 2005 [*SD No 14/05*]

Partnership Act 1909 -

Partnership (Forms) Rules 2004 [*SD No 762/04*]

Registration of Business Names Acts 1918 and 1954 -

Business Names (Forms) Rules 2004 [*SD No 811/04*]

Land Registration Act 1982 -

Land Registry (Designation of Compulsory Area) Order 2005
[*SD No 18/05*]

Harbours (Isle of Man) Act 1961 -

Harbour Dues (Merchant Vessels) Regulations 2005 [*SD No 05/05*]

Harbour Dues (Fishing Vessels, Work Boats and Construction Barges)
Regulations 2005 [*SD No 06/05*]

Harbour Dues (Pleasure Vessels and House Boats) Regulations 2005
[*SD No 07/05*]

Superannuation Act 1984 -

Judicial Pension (Amendment) Scheme 2005 [*SD No 02/05*]

Reports -

Second Report of the Tynwald Standing Orders Committee 2004-05
Report by the Council of Ministers on Manx Radio

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

Value Added Tax Act 1996 -

Value Added Tax (Place of Supply of Goods) Order 2004 [*SD No 906/04*]

Merchant Shipping Act 1995 -

Merchant Shipping (Oil Pollution Compensation Limits) Order 2005
[*SD No 03/05*]

Companies Acts 1931-2004 -

Companies (Forms) (No. 3) Regulations 2004 [*SD No 754/04*]

Limited Liability Companies Act 1996 -

Limited Liability Companies (Forms) Regulations 2004 [*SD No 745/04*]

Pastoral Measure 1983 -

St Jude's Andreas Pastoral Scheme 2004 [*SD No 37/05*]

Police Act 1993 -

The Isle of Man Police (Amendment) Regulations 2005 [*SD No 19/05*]

European Communities (Isle of Man) Act 1973 -

European Communities (Customs Action Against Goods Infringing Intellectual Property Rights) (Application) Order 2005 [*draft*]

European Community -

European Community Secondary Legislation January 2005
[*GC No 06/05*]

Reports -

Report by the Chief Secretary under the Code of Practice on Access to Government Information - Initial Refusals and Review Decisions in respect of Written Requests for Information under the Code for the year ended 31st August 2004

Report of the Public Auditors on the Accounts of Local Authorities, Burial Authorities, Elderly Persons' Housing Committees and Joint Boards for Financial Year ended 31st March 2004

Isle of Man Government. Financial Information and Miscellaneous Accounts. Year ended 31st March 2004

2. Questions -

See Question Paper.

3. Select Committee on Port St Mary Commissioners -

Statement by the Chairman of the Committee (Mr Gawne).

4. Petitions for Redress of Grievance of Mr David Arthur Newton -

The Minister for the Treasury to move -

That Tynwald authorises the Treasury to apply from General Revenue during the year ending 31st March 2005 the sum of £172,198 to enable the Treasury to pay to Mr David Arthur Newton ("Mr Newton"), in accordance with the recommendation of the Select Committee on the Petitions for the Redress of Grievance of Mr Newton ("the Select Committee"), the amount of production income lost by Mr Newton as referred to in paragraph 34 of the Select Committee's Report, the Treasury having determined that there are no appropriate deductions which should be made on account of payments received by Mr Newton or his family in connection with the loss of his livelihood and that there are and were no steps which Mr Newton could reasonably be expected to have taken to mitigate his loss.

5. Winter Bonus 2005 -

The Minister for Health and Social Security to move -

That Tynwald authorises the Treasury to apply from General Revenue during the year ending 31 March 2005, a sum not exceeding £180,000 being the additional amount required by the Department of Health and Social Security to finance a £100 enhancement to the 2005 Winter Bonus.

6. Isle of Man (Ronaldsway) Airport – Apron, Aircraft Stands and Taxiway Improvement Works (Construction) -

The Minister for Transport to move -

That Tynwald approves the Department of Transport incurring expenditure not exceeding the sum of £3,480,000 in respect of works for the repair and improvements to the apron, aircraft stands and taxiway at the Isle of Man (Ronaldsway) Airport.

[Reference Item No. 4 under the heading "Transport" on page 10 of the Isle of Man Budget 2004-05, and under Item 32 on page 10 of the Isle of Man Budget 2005-06 and as detailed in the Estimates of Capital Payments 2004-05 to 2008-09 on page 65 of the Isle of Man Budget 2004-05 and the Isle of Man Budget 2005-06.]

7. Report by the Council of Ministers on Manx Radio -

The Chief Minister to move -

That the Report by the Council of Ministers on Manx Radio pursuant to a resolution of the Tynwald Court on 10th December 2002 be approved.

8. Tynwald Standing Orders Committee -

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

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

(i) Add a new subparagraph to Standing Order 5.8 as follows -
“(3A) No matter shall be considered under (3) above which concerns words used in proceedings in Tynwald, or the meaning or implication of such words, unless -

- (i) immediate objection to them has been taken under Standing Order 3.32(1) by the Member about whom the words have been used, or
- (ii) whether or not immediate objection has been taken, the President, after receiving a request from that Member, has decided in all the circumstances that it is appropriate exceptionally to bring the matter to the Committee’s attention. “

(ii) Amend Standing Order 1.2(2) & (3) to read -

“(2) The business of the day shall terminate not later than 8.00 pm.

(3) A suspension of paragraph (2) shall only take place if approved by the votes of at least 22 Members, Tynwald voting as one body.”

(iii) Amend Standing Order 3.17(4) to read -

“(4) If a motion or amendment is divided into parts as provided for under Standing Order 3.12, the President shall put the parts separately but if the motion is rejected as a whole, its parts, even if already agreed to, shall be rejected also.”

(iv) Amend Standing Order 2.2(6) to read -

“(6) No other business, except matters raised under Standing Order 2.6, shall be considered.”

9. Standing Committee on Economic Initiatives -

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

That the Hon Member of the Council Mr Gelling be discharged from service on the Court’s Standing Committee on Economic Initiatives.

10. Standing Committee on Economic Initiatives -

[This motion is subject to the motion at item 9 being carried]

To elect one Member of Tynwald in place of Mr Gelling.

(The existing Members of the Committee are Mr Quayle (Chairman), Mrs Cannell, Mrs Craine and Mr Speaker)

11. British/Irish Parliamentary Body -

To elect one Member of Tynwald to be the Tynwald representative on British/Irish Parliamentary Body in place of Mr Gelling; and to elect one Member of Tywnald to be the alternate Tynwald representative on the British/Irish Parliamentary body in place of Mr Quine.

12. Value Added Tax Act 1996 -

The Minister for the Treasury to move -

That the Value Added Tax (Gas and Electricity) Order 2004 be approved. [SD No 905/04]

13. Value Added Tax Act 1996 -

The Minister for the Treasury to move -

That the Value Added Tax (Food) Order 2005 be approved. [SD No 04/05]

14. Customs and Excise Act 1993 -

The Minister for the Treasury to move -

That the Statistics of Trade (Customs and Excise) (Amendment) Regulations 2004 (Application) Order 2005 be approved. [SD No 14/05]

15. Partnership Act 1909 -

The Minister for the Treasury to move -

That the Partnership (Forms) Rules 2004 be approved. [SD No 762/04]

16. The Registration of Business Names Acts 1918 and 1954 -

The Minister for the Treasury to move -

That the Business Names (Forms) Rules 2004 be approved. [SD No 811/04]

17. The Land Registration Act 1982 -

The Minister for Local Government and the Environment to move -

That the Land Registry (Designation of Compulsory Area) Order 2005 be approved. [SD No 18/05]

18. Harbours (Isle of Man) Act 1961-

The Minister for Transport to move -

That the Harbour Dues (Merchant Vessels) Regulations 2005 be approved.
[SD No 05/05]

19. Harbours (Isle of Man) Act 1961-

The Minister for Transport to move -

That the Harbour Dues (Fishing Vessels, Work Boats and Construction Barges) Regulations 2005 be approved. [SD No 06/05]

20. Harbours (Isle of Man) Act 1961 -

The Minister for Transport to move -

That the Harbour Dues (Pleasure Vessels and House Boats) Regulations 2005 be approved. [SD No 07/05]

21. The Superannuation Act 1984 -

The Chairman of the Civil Service Commission to move -

That the Judicial Pension (Amendment) Scheme 2005 be approved.
[SD No 02/05]

22. Income Tax Extra-Statutory Concessions -

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

That Tynwald expresses approval of the following Income Tax Extra-statutory Concessions -

- (a) Insurance Activities - Zero Rate of Tax on Taxable Income [GC No 43/04];
- (b) Key Employees [GC No 44/04];
- (c) Permanent Health Insurance and Income Protection Plans - Exemption [GC No 45/04]; and
- (d) Space Activities - Zero Rate of Tax on Taxable Income. [GC No 47/04]

23. International Monetary Fund and World Bank -

The Hon Member for Peel (Mrs Hannan) to move -

That Tynwald is of the opinion that the move for parliamentarians to have a democratic oversight of the International Monetary Fund and World Bank initiated by the World Development Movement should be supported and brought to the attention of the United Kingdom Parliament by the President of Tynwald.