

TYNWALD

Tinvaal



ORDER PAPER

Claare Obbyr

DOUGLAS
18TH JANUARY 2005
at 10.30 am

1. To lay before the Court -

Value Added Tax Act 1996 -

Value Added Tax Act 1996 (Amendment) (No. 2) Order 2004
[SD No 571/04]

Value Added Tax (Insurance) Order 2004 [SD No 892/04]

Income Tax Act 1970 -

Income Tax (Disclosure of Information) (Enforcing Authority) Order
2004 [SD No 800/04]

Customs and Excise Act 1993 -

Customs and Excise (Community Instruments) (Application) (No. 2)
Order 2004 [SD No 827/04]

Customs and Excise (Community Instruments) (Application) (No. 3)
Order 2004 [SD No 855/04]

Hydrocarbon Oil Duties Act 1986 -

Excise Duties (No. 2) Order 2004 [SD No 903/04]

Sea-Fisheries Act 1971 -

Sea-Fisheries (Experimental Area) (Amendment) Bye-Laws 2004
[SD No 844/04]

Social Security Act 2000 -

Social Security Act 2000 (Amendment) (No. 3) Order 2004
[SD No 873/04]

Gender Recognition Act 2004 (Application) Order 2004 [SD No 875/04]

Social Security Administration Act 1992 (Application) (Amendment) (No. 2) Order 2004 [SD No 877/04]
Social Security Legislation (Application) (Amendment) (No. 10) Order 2004 [SD No 882/04]
Social Security Legislation (Application) (No. 5) Order 1992 (Amendment) Order 2004 [SD No 884/04]

Pension Schemes Act 1995 -

Gender Recognition Act 2004 (Application) (No. 2) Order 2004 [SD No 876/04]
Pension Schemes Order 2004 [SD No 874/04]
Pension Schemes Legislation (Application) (Amendment) (No. 2) Order 2004 [SD No 883/04]

Social Security Administration Act 1992 -

Exceptional Needs Grants and Budgeting Loans (Claims and Payments) Regulations 2004 [SD No 878/04]
Budgeting Loans (Recovery by Deductions from Benefits) Regulations 2004 [SD No 879/04]

Social Security Contributions and Benefits Act 1992 -

Income Support and Jobseeker's Allowance (Exceptional Needs Grants and Budgeting Loans) (Amendment) (No. 2) Regulations 2004 [SD No 880/04]
Income Support (General) (Isle of Man) (Amendment) (No. 7) Regulations 2004 [SD No 881/04]

Social Security Act 1989 -

Isle of Man War Pensions Committee (Amendment) Regulations 2004 [SD No 885/04]

Food Act 1996 -

Meat Products Regulations 2004 [SD No 919/04]
Fish Labelling Regulations 2004 [SD No 918/04]

European Communities (Isle of Man) Act 1973 -

European Communities (Burma/Myanmar Sanctions) (Application) (Amendment) Order 2004 [SD No 893/04]
European Communities (International Criminal Tribunal for the former Yugoslavia Sanctions) (Application) Order 2004 [SD No 895/04]

Superannuation Act 1984 -

Superannuation Act 1984 (Amendment) Order 2004 [SD No 782/04]

Report -

First Report of the Standards and Members' Interests Committee for the Session 2004-2005

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

Welfare Codes -

Department of Agriculture, Fisheries and Forestry: Welfare Code - Pigs
[GC No 36/04]

Department of Agriculture, Fisheries and Forestry: Welfare
Code - Sheep [GC No 34/04]

Employment Act 1991 -

Employment Tribunal Act 1991 Appointment of Members of the
Employment Tribunal [SD No 854/04]

Income Tax Extra Statutory Concession -

Insurance Activities - Zero Rate of Tax on Taxable Income
[GC No 43/04]

Key Employees [GC No 44/04]

Permanent Health Insurance and Income Protection Plans - Exemption
[GC No 45/04]

Space Activities - Zero Rate of Tax on Taxable Income [GC No 47/04]

Value Added Tax Act 1996 -

Value Added Tax (Amendment) (No. 5) Regulations 2004
[SD No 904/04]

European Communities (Isle of Man) Act 1973 -

International Criminal Tribunal for the Former Yugoslavia (Freezing of
Funds and Economic Resources) Regulations 2004 [SD No 896/04]

Burma/Myanmar (Freezing of Funds and Economic Resources)
(Amendment) Regulations 2004 [SD No 894/04]

European Community -

European Communities Secondary Legislation December 2004
[GC No 48/04]

Appointed Day Orders -

Income Tax Act 2003 (Appointed Day) Order 2004 [SD No 796/04]

Water Pollution Act 1993 (Appointed Day) (No. 3) Order 2004
[SD No 870/04]

Report -

Overseas Aid Committee Annual Report 2003-2004

2. Questions -

See Question paper.

3. Public Sector Housing Waiting Lists - Uniform Criteria -

Statement by the Minister for Local Government and the Environment.

4. Crowe EPH -

Statement by the Vice-Chair of the Standing Committee on Expenditure and Public Accounts (Mrs Hannan).

5. Southern Community Healthcare Development Phase 2 - Community Healthcare Facility -

The Minister for Health and Social Security to move -

That Tynwald approves of the Department of Health and Social Security incurring expenditure not exceeding £1,244,928 for the provision of a Community Healthcare Facility.

[Reference Item No. 6 under the heading "Health and Social Security" on page 8 of the Isle of Man Budget 2004-2005 and as detailed in the Capital Estimates 2004-2005 to 2008-2009 on page 59 of the Isle of Man Budget 2004-2005].

6. Jurby Housing Refurbishment Phase 1 -

The Minister for Local Government and the Environment to move -

That Tynwald approves the expenditure of a sum not exceeding £238,780 for the installation of uPVC windows and doors at numbers 1 to 46 The Bretney and numbers 35 to 48 The Threshold, Jurby."

[Reference: Item No. 12 under the heading "Local Government and the Environment" on page 9 of the Isle of Man Budget 2004-05 and as detailed in the Estimates of Capital Payments 2004-05 to 2008-09 under the heading "New Schemes: Jurby - Construction" on page 61 of the Isle of Man Budget 2004-05]

7. Department of Local Government and the Environment Supplementary Vote -

The Minister for Local Government and the Environment to move -

That Tynwald authorises the Treasury to apply from General Revenue during the year ending 31st March 2005, a sum not exceeding £800,000 in payment of net expenditure of the Department of Local Government and the Environment, to meet a forecast shortfall in receipts of £315,000 and increased payments of £485,000 for 2004-05.

8. Effectiveness of Local Government Structure -

The Minister for Local Government and the Environment to move -

That the Report of the Department of Local Government and the Environment on the Effectiveness of the present Local Government Structure on the Island and the Department's Supervisory Powers be received, and its recommendation that -

“The Department of Local Government and the Environment, after appropriate consultation, should introduce a new Local Government Bill to the House of Keys by January 2006, reflecting a new structure of local government consisting of four regional areas plus Douglas, and the existing Local Authorities be retained as Community Councils”.

be approved.

9. Standing Committee on Standards and Members’ Interests -

The Chairman of the Standing Committee on Standards and Members’ Interests (Mr Speaker) to move -

That the First Report of the Standards and Members’ Interests Committee for the Session 2004-2005 be received and the following recommendations approved -

- (i) Tynwald confirms the decision that Standing Order 5.8(3) does not require the Standing Committee on Standards and Members’ Interests to investigate the complaint made to them by Hon J Rimington MHK on 3rd April 2004;
- (ii) Standing Orders be amended to exclude from consideration by the Standing Committee on Standards and Members’ Interests any words spoken in the course of debate unless -
 - (a) they have first been the subject of immediate objection under Standing Order 3.32(1), and
 - (b) the Presiding Officer decides, exceptionally, that the objection should be investigated by the Standing Committee on Standards and Members’ Interests.

10. Select Committee on Douglas Corporation Policy on Villa Marina Staff -

The Chairman of the Select Committee on Douglas Corporation Policy on Villa Marina Staff (Mr Houghton) to move -

That after the word ‘Government’ in the existing remit, the following words be inserted -

“and to investigate the fees charged for legal and consultancy services provided to Douglas Corporation in this matter;”

For the information of Members the existing remit of this Committee is -

“to investigate the reasons behind Douglas Corporation’s denial to settle outstanding pay due to its employees, following the transfer of the Villa Marina to Government, with powers to take written and oral evidence pursuant to sections 3 and 4 of the Tynwald Proceedings Act 1876.”

11. Select Committee on the Petition for Redress of Grievance of Moorhouse Farm Ltd -

The Chairman of the Select Committee on the Petition for Redress of Grievance of Moorhouse Farm Ltd (Mrs Craine) to move -

That the Hon Member for Douglas South (Mr Duggan), be discharged from service on the Select Committee of the Court on the Petition for Redress of Grievance of Moorhouse Farm Ltd.

12. Select Committee on the Petition for Redress of Grievance of Moorhouse Farm Ltd -

[This motion is subject to the motion standing at Item 11 being carried.]

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

(The existing Members of the Committee are Mrs Craine (Chairman) and Mr Teare).

13. Value Added Tax Act 1996 -

The Minister for the Treasury to move -

That the Value Added Tax Act 1996 (Amendment) (No. 2) Order 2004 be approved. *[SD No 571/04]*

14. Income Tax Act 1970 -

The Minister for the Treasury to move -

That the Income Tax (Disclosure of Information) (Enforcing Authority) Order 2004 be approved. *[SD No 800/04]*

15. Customs and Excise Act 1993 -

The Minister for the Treasury to move -

That the Customs and Excise (Community Instruments) (Application) (No. 2) Order 2004 be approved. *[SD No 827/04]*

16. Customs and Excise Act 1993 -

The Minister for the Treasury to move -

That the Customs and Excise (Community Instruments) (Application) (No. 3) Order 2004 be approved. *[SD No 855/04]*

17. Value Added Tax Act 1996 -

The Minister for the Treasury to move -

That the Value Added Tax (Insurance) Order 2004 be approved.
[SD No 892/04]

18. Hydrocarbon Oil Duties Act 1986 -

The Minister for the Treasury to move -

That the Excise Duties (No. 2) Order 2004 be approved. [SD No 903/04]

19. Sea-Fisheries Act 1971 -

The Minister for Agriculture, Fisheries and Forestry to move -

That the Sea-Fisheries (Experimental Area) (Amendment) Bye-Laws 2004 be approved. [SD No 844/04]

20. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Social Security Act 2000 (Amendment) (No. 3) Order 2004 be approved. [SD No 873/04]

21. Pension Schemes Act 1995 -

The Minister for Health and Social Security to move -

That the Pension Schemes Order 2004 be approved. [SD No 874/04]

22. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Gender Recognition Act 2004 (Application) Order 2004 be approved.
[SD No 875/04]

23. Pension Schemes Act 1995 -

The Minister for Health and Social Security to move -

That the Gender Recognition Act 2004 (Application) (No. 2) Order 2004 be approved. [SD No 876/04]

24. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Social Security Administration Act 1992 (Application) (Amendment) (No. 2) Order 2004 be approved. *[SD No 877/04]*

25. Social Security Administration Act 1992 -

The Minister for Health and Social Security to move -

That the Exceptional Needs Grants and Budgeting Loans (Claims and Payments) Regulations 2004 be approved. *[SD No 878/04]*

26. Social Security Administration Act 1992 -

The Minister for Health and Social Security to move -

That the Budgeting Loans (Recovery by Deductions from Benefits) Regulations 2004 be approved. *[SD No 879/04]*

27. Social Security Contributions and Benefits Act 1992 -

The Minister for Health and Social Security to move -

That the Income Support and Jobseeker's Allowance (Exceptional Needs Grants and Budgeting Loans) (Amendment) (No. 2) Regulations 2004 be approved. *[SD No 880/04]*

28. 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. 7) Regulations 2004 be approved. *[SD No 881/04]*

29. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Social Security Legislation (Application) (Amendment) (No. 10) Order 2004 be approved. *[SD No 882/04]*

30. Pension Schemes Act 1995 -

The Minister for Health and Social Security to move -

That the Pension Schemes Legislation (Application) (Amendment) (No. 2) Order 2004 be approved. *[SD No 883/04]*

31. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Social Security Legislation (Application) (No. 5) Order 1992 (Amendment) Order 2004 be approved. *[SD No 884/04]*

32. Social Security Act 1989 -

The Minister for Health and Social Security to move -

That the Isle of Man War Pensions Committee (Amendment) Regulations 2004 be approved. *[SD No 885/04]*

33. Food Act 1996 -

The Minister for Local Government and the Environment to move -

That the Meat Products Regulations 2004 be approved. *[SD No 919/04]*

34. Food Act 1996 -

The Minister for Local Government and the Environment to move -

That the Fish Labelling Regulations 2004 be approved. *[SD No 918/04]*

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

The Chief Minister to move -

That the European Communities (Burma/Myanmar Sanctions) (Application) (Amendment) Order 2004 be approved. *[SD No 893/04]*

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

The Chief Minister to move -

That the European Communities (International Criminal Tribunal for the former Yugoslavia Sanctions) (Application) Order 2004 be approved. *[SD No 895/04]*

37. Superannuation Act 1984 -

The Chairman of the Civil Service Commission to move -

That the Superannuation Act 1984 (Amendment) Order 2004 be approved. *[SD No 782/04]*

38. Character References -

The Hon Member for Douglas North (Mr Houghton) 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 whether the issuing of character references for staff by persons or businesses holding contracts from the Department of Health and Social Security to undertake functions on their behalf takes place on a fair and satisfactory basis and reflects the standards expected of a public authority.

39. Members' Remuneration -

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

That Tynwald calls upon the Joint Committee on the Emoluments of Certain Public Servants to examine, in the course of their current review of Members' remuneration, the options for the full ordinary remuneration of Members otherwise than by reference to membership of Departments, and the possibility of taking into account service on committees of the Court and the Branches.

40. Manx Radio -

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

That Tynwald requests the Managing Director of Manx Radio to reinstate the Mannin Line to a minimum of three programmes per week as part of the Manx Radio commitment to public service broadcasting.