

TYNWALD

Tinvaal



ORDER PAPER

Claare Obbyr

DOUGLAS
TUESDAY 20th MARCH 2007
at 10.30 am

1. To lay before the Court -

Education Act 2001 -

Education (Student Awards) Regulations 2007 [*SD No 163/07*]

Social Security Act 2000 -

Social Security Administration Act 1992 (Application) (Amendment) (No. 2) Order 2007 [*SD 127/07*]

Social Security Contributions and Benefits Act 1992 (Application) (Amendment) (No. 2) Order 2007 [*SD No 129/07*]

Jobseekers Act 1995 (Application) (Amendment) Order 2007 [*SD No 130/07*]

Social Security Legislation (Application) (No. 4) Order 2007 [*SD No 131/07*]

Social Security Legislation (Application) (Amendment) Order 2007 [*SD No 132/07*]

Social Security Legislation (Application) (No. 5) Order 2007 [*SD No 134/07*]

Social Security Contributions and Benefits Act 1992

Social Security Administration Act 1992 -

Social Security Benefits Up-rating Order 2007 [*SD No 128/07*]

Social Security Contributions and Benefits Act 1992 -

Income Support (General) (Isle of Man) (Amendment) (No. 2) Regulations 2007 [*SD No 133/07*]

Benefits Schemes -

Benefits Schemes (Miscellaneous Amendments) Scheme 2007 [*GC No 4/07*]

- Pension Schemes Act 1995 -
 Pension Schemes Legislation (Application) (No. 3) Order 2007
[SD No 135/07]
 Pension Schemes Legislation (Application) (No. 4) Order 2007
[SD No 136/07]
- Social Security Act 1989 -
 Isle of Man War Pensions Committee (Amendment) Regulations 2007
[SD No 137/07]
- Gaming (Amendment) Act 1984 -
 Controlled Machines (Prescribed Amounts) Regulations 2007
[SD No 116/07]
- Sex Offenders Act 2006 -
 Sex Offenders Act 2006 (Sexual Offences Prevention) Order 2007
[SD No 158/07]
- Building Control Act 1991 -
 Building Regulations 2007 *[SD No 153/07]*
- Employment Act 2006 -
 Maternity Leave Regulations 2007 *[SD No 76/07]*
 Paternity Leave (Birth) Regulations 2007 *[SD No 78/07]*
 Adoption Leave Regulations 2007 *[SD No 77/07]*
 Suspension from Work on Maternity Grounds Order *[SD No 98/07]*
 Parental Leave (Disabled Child) Regulations 2007 *[SD No 97/07]*
 Flexible Working Regulations 2007 *[SD No 96/07]*
 Public Interest Disclosure (Prescribed Persons) Order 2007
[SD No 101/07]
 Annual Leave Regulations 2007 *[SD No 102/07]*
 Annual Leave (Agency Workers and Trainees) Order 2007
[SD No 103/07]
 Part-time Workers (Prevention of Less Favourable Treatment)
 Regulations 2007 *[SD No 104/07]*
- Merchant Shipping (Miscellaneous Provisions) Act 1996 -
 Merchant Shipping (Fees) Regulations 2007 *[SD No 143/07]*
- Electronic Transactions Act 2000 -
 Electronic Transactions Regulations 2007 *[SD No 157/07]*
- Road Traffic Act 1985 -
 Driving Licences and Tests Regulations 2007 *[SD No 161/07]*
 Road Vehicles (Construction, Lighting and Use) (Amendment)
 Regulations 2007 *[SD No 162/07]*
- Hydrocarbon Oil Duties Act 1986 -
 Excepted Vehicles (Amendment of Schedule 5 to the Hydrocarbon Oil
 Duties Act 1986) Order 2007 *[SD No 93/07]*

Payment of Members' Expenses Act 1989 -
 Statutory Boards (Annual Sums) (Amendment) Order 2007
 [SD No 99/07]

Companies Act 1931 -
 Companies (Audit Exemption) Regulations 2007 *[SD No 107/07]*

Income Tax Act 1970 -
 Income Tax (Distributable Profits Charge) (Mixed Income Companies)
 Regulations 2007 *[SD No 109/07]*
 Income Tax (Corporate Taxpayers) (Tax Credit Voucher) Regulations
 2007 *[SD No 138/07]*
 Income Tax (Deductions) (Prescribed Cases) (Amendment) Order 2007
 [SD No 139/07]
 Income Tax (Rates of Income Tax) (Resident and Non Resident
 Corporate Taxpayers) (Amendment) Order 2007 *[SD No 140/07]*

Witnesses' Allowances Act 1947 -
 Witnesses' Allowances (Amendment) Order 2007 *[SD No 119/07]*

Customs and Excise Act 1993 -
 Air Passenger Duty (Rate) (Qualifying Territories) (Application) Order
 2007 *[SD No 44/07]*
 Customs and Excise Acts (Air Passenger Duty) Order 2007
 [SD No 52/07]

Banking Act 1998 -
 Banking (Fees) Regulations 2007 *[SD No 110/07]*

Financial Supervision Act 1988 -
 Collective Investment Scheme (Fees) Regulations 2007 *[SD No 112/07]*

Fiduciary Services Acts 2000 and 2005 -
 Fiduciary Services (Fees) Regulations 2007 *[SD No 113/07]*

Investment Business Acts 1991 to 1993 -
 Investment Business (Fees) Regulations 2007 *[SD No 114/07]*

Sea-Fisheries Act 1971 -
 Sea-Fisheries (Satellite-Tracking Devices) (Isle of Man) Bye-Laws 2007
 [SD No 159/07]
 Sea-Fisheries (Whelk Licensing, Etc.) Bye-Laws 2007 *[SD No 160/07]*

Charities Registration Act 1989 -
 Charities Regulations 2007 *[SD No 94/07]*

Superannuation Act 1984 -
 National Health Service Superannuation Scheme 2007 *[SD No 144/07]*
 Superannuation (Supplemental) Scheme 2007 *[SD No 165/07]*
 Superannuation (Supplemental) (Contributory) Scheme 2007
 [SD No 166/07]
 Superannuation Transitional Amendment Scheme 2007 *[SD No 214/07]*

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

Wireless Telegraphy Act 2006 (of the United Kingdom Parliament) -
Wireless Telegraphy (Isle of Man) Order 2007 [*UK SI 2007 No 278*]

Burials Act 1986 -
Burial Grounds (Maximum Rate) Order 2007 [*SD No 193/07*]

High Court Act 1991 -
Rules of the High Court (Amendment) 2007 [*SD No 95/07*]

Building Control Act 1991 -
Building Control (Approved Documents) Order 2007 [*SD No 154/07*]

Building Societies Act 1986 -
Building Societies (Authorisation) (Fees) Regulations 2007
[*SD No 111/07*]

Social Security Pensions Act 1975 -
Pensions Increase (Annual Review) Order 2007 [*SD No 115/07*]

Insurance Act 1986 -
Insurance (Amendment) (Fees) Regulations 2007 [*SD No 120/07*]

Insurance Intermediaries (General Business) Act 1996 -
Insurance Intermediaries (General Business) (Amendment) (Fees)
Regulations 2007 [*SD No 121/07*]

Dogs Act 1990 -
Port Erin Dog Control Byelaws 2007 [*SD No 105/07*]

Immigration Act 1971 (of the United Kingdom Parliament) -
Statement of Changes in Immigration Rules [*SD No 871/06*]
Statement of Changes in Immigration Rules [*SD No 124/07*]

European Communities (Isle of Man) Act 1973 -
European Communities (Wire Transfers Regulation) (Application)
Order 2007 (*draft*)

Government Departments Act 1987 -
Appointment of Members of Departments Instrument 2007
[*GC No 6/07*]

Gaming, Betting and Lotteries Act 1988 -
Crown Green Bowling Festival (No. 1) Order 2007 [*SD No 122/07*]
Crown Green Bowling Festival (No. 2) Order 2007 [*SD No 123/07*]

European Community -
EC Secondary Legislation - February 2007 [*GC No 8/07*]

Appointed Day Orders -
Employment Act 2006 (Appointed Day) (Amendment) Order 2007
[*SD No 213/07*]

Reports -

Code of Practice on Access to Government Information - Initial Refusals and Review Decisions in respect of Written Requests for Information made under the Code during the year ended 31st August 2006 *[GR No 11/07]*

Annual Report of the Surveillance Commissioner 2006 to the Department of Home Affairs *[R No 012/07]*

2. Questions -

See Question Paper.

3. Recommendations of the Select Committee on the Petition for Redress of Grievance of Roy Redmayne -

Statement by the Minister for Home Affairs.

4. Ramsey New Junior School Scheme -

The Minister for Education to move -

That Tynwald approves the Department of Education incurring expenditure not exceeding £6,921,600 on the Ramsey New Junior School Scheme.

[Reference Item No 20 under the heading 'Education' on page 7 of the 2007-08 Budget and as detailed in the Estimate of Capital Payments 2007-08 to 2011-12 on page 61 of the 2007-08 Budget].

5. Community Care Support Service -

The Minister for Health and Social Security to move -

That Tynwald approves the Department of Health and Social Security incurring expenditure not exceeding the sum of £5,500,000 in respect of a computer based, business change process to improve health and social care for patients and clients by creating an Island wide record system which can be shared with Acute, Primary Care and Social Services.

6. Jurby Refurbishment Phase 4 – Stage 6 Report -

The Minister for Local Government and the Environment to move -

That Tynwald approves the expenditure of a sum not exceeding £1,792,964.00 for the provision of new kitchens and bathrooms, electrical upgrades and the installation of additional insulation at 62 properties at The Bretney, Jurby.

[Reference: Item No. 4 under the heading 'Local Government and the Environment' on page 9 of the Isle of Man Budget 2007-08 and as detailed in the Estimates of Capital Payments 2007-08 to 2011-12 under the heading 'Committed Schemes: Bretney Refurbishment – Construction' on page 64 of the Isle of Man Budget 2007-08].

7. Continuation of the planned maintenance programme to the Department's Public Sector Housing Stock -

The Minister for Local Government and the Environment to move -

That Tynwald approves the expenditure of a sum not exceeding £4,500,000 for the continuation of the planned maintenance programme to the Department's Public Sector Housing Stock.

[Reference: Under the heading 'Local Government and the Environment' in the Detailed Capital Estimates 2007-08 within the Isle of Man Budget 2007-08 and under the heading 'Local Government and the Environment' in the Estimates of Capital Payments 2007-08 to 2011-12 in the Isle of Man Budget 2007-08]

8. Education Act 2001 -

The Minister for Education to move -

That the Education (Student Awards) Regulations 2007 be approved
[SD No 163/07]

9. 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 2007 be approved *[SD 127/07]*

**10. 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 2007 be approved
[SD No 128/07]

11. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Social Security Contributions and Benefits Act 1992 (Application) (Amendment) (No. 2) Order 2007 be approved *[SD No 129/07]*

12. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Jobseekers Act 1995 (Application) (Amendment) Order 2007 be approved *[SD No 130/07]*

13. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Social Security Legislation (Application) (No. 4) Order 2007 be approved [*SD No 131/07*]

14. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Social Security Legislation (Application) (Amendment) Order 2007 be approved [*SD No 132/07*]

15. 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. 2) Regulations 2007 be approved [*SD No 133/07*]

16. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Social Security Legislation (Application) (No. 5) Order 2007 be approved [*SD No 134/07*]

17. Pension Schemes Act 1995 -

The Minister for Health and Social Security to move -

That the Pension Schemes Legislation (Application) (No. 3) Order 2007 be approved [*SD No 135/07*]

18. Pension Schemes Act 1995 -

The Minister for Health and Social Security to move -

That the Pension Schemes Legislation (Application) (No. 4) Order 2007 be approved [*SD No 136/07*]

19. Department of Health and Social Security -

The Minister for Health and Social Security to move -

That the Benefits Schemes (Miscellaneous Amendments) Scheme 2007 be approved [*GC No 4/07*]

20. Social Security Act 1989 -

The Minister for Health and Social Security to move -

That the Isle of Man War Pensions Committee (Amendment) Regulations 2007 be approved [*SD No 137/07*]

21. Gaming (Amendment) Act 1984 -

The Minister for Home Affairs to move -

That the Controlled Machines (Prescribed Amounts) Regulations 2007 be approved [*SD No 116/07*]

22. Sex Offenders Act 2006 -

The Minister for Home Affairs to move -

That the Sex Offenders Act 2006 (Sexual Offences Prevention) Order 2007 be approved [*SD No 158/07*]

23. Building Control Act 1991 -

The Minister for Local Government and the Environment to move -

That the Building Regulations 2007 be approved [*SD No 153/07*]

24. Employment Act 2006 -

The Minister for Trade and Industry to move -

That the Maternity Leave Regulations 2007 be approved [*SD No 76/07*]

25. Employment Act 2006 -

The Minister for Trade and Industry to move -

That the Paternity Leave (Birth) Regulations 2007 be approved [*SD No 78/07*]

26. Employment Act 2006 -

The Minister for Trade and Industry to move -

That the Adoption Leave Regulations 2007 be approved [*SD No 77/07*]

27. Employment Act 2006 -

The Minister for Trade and Industry to move -

That the Suspension from Work on Maternity Grounds Order be approved
[SD No 98/07]

28. Employment Act 2006 -

The Minister for Trade and Industry to move -

That the Parental Leave (Disabled Child) Regulations 2007 be approved
[SD No 97/07]

29. Employment Act 2006 -

The Minister for Trade and Industry to move -

That the Flexible Working Regulations 2007 be approved *[SD No 96/07]*

30. Employment Act 2006 -

The Minister for Trade and Industry to move -

That the Public Interest Disclosure (Prescribed Persons) Order 2007 be approved *[SD No 101/07]*

31. Employment Act 2006 -

The Minister for Trade and Industry to move -

That the Annual Leave Regulations 2007 be approved *[SD No 102/07]*

32. Employment Act 2006 -

The Minister for Trade and Industry to move -

That the Annual Leave (Agency Workers and Trainees) Order 2007 be approved *[SD No 103/07]*

33. Employment Act 2006 -

The Minister for Trade and Industry to move -

That the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2007 be approved *[SD No 104/07]*

34. Merchant Shipping (Miscellaneous Provisions) Act 1996 -

The Minister for Trade and Industry to move -

That the Merchant Shipping (Fees) Regulations 2007 be approved
[SD No 143/07]

35. Electronic Transactions Act 2000 -

The Minister for Trade and Industry to move -

That the Electronic Transactions Regulations 2007 be approved *[SD No 157/07]*

36. Road Traffic Act 1985 -

The Minister for Transport to move -

That the Driving Licences and Tests Regulations 2007 be approved
[SD No 161/07]

37. Road Traffic Act 1985 -

The Minister for Transport to move -

That the Road Vehicles (Construction, Lighting and Use) (Amendment) Regulations 2007 be approved *[SD No 162/07]*

38. Hydrocarbon Oil Duties Act 1986 -

The Minister for the Treasury to move -

That the Excepted Vehicles (Amendment of Schedule 5 to the Hydrocarbon Oil Duties Act 1986) Order 2007 be approved *[SD No 93/07]*

39. Payment of Members' Expenses Act 1989 -

The Minister for the Treasury to move -

That the Statutory Boards (Annual Sums) (Amendment) Order 2007 be approved *[SD No 99/07]*

40. Companies Act 1931 -

The Minister for the Treasury to move -

That the Companies (Audit Exemption) Regulations 2007 be approved
[SD No 107/07]

41. Income Tax Act 1970 -

The Minister for the Treasury to move -

That the Income Tax (Distributable Profits Charge) (Mixed Income Companies) Regulations 2007 be approved [*SD No 109/07*]

42. Income Tax Act 1970 -

The Minister for the Treasury to move -

That the Income Tax (Corporate Taxpayers) (Tax Credit Voucher) Regulations 2007 be approved [*SD No 138/07*]

43. Income Tax Act 1970 -

The Minister for the Treasury to move -

That the Income Tax (Deductions) (Prescribed Cases) (Amendment) Order 2007 be approved [*SD No 139/07*]

44. Income Tax Act 1970 -

The Minister for the Treasury to move -

That the Income Tax (Rates of Income Tax) (Resident and Non Resident Corporate Taxpayers) (Amendment) Order 2007 be approved [*SD No 140/07*]

45. Witnesses' Allowances Act 1947 -

The Minister for the Treasury to move -

That the Witnesses' Allowances (Amendment) Order 2007 be approved [*SD No 119/07*]

46. Customs and Excise Act 1993 -

The Minister for the Treasury to move -

That the Air Passenger Duty (Rate) (Qualifying Territories) (Application) Order 2007 be approved [*SD No 44/07*]

47. Customs and Excise Act 1993 -

The Minister for the Treasury to move -

That the Customs and Excise Acts (Air Passenger Duty) Order 2007 be approved [*SD No 52/07*]

48. Banking Act 1998 -

The Minister for the Treasury to move -

That the Banking (Fees) Regulations 2007 be approved [*SD No 110/07*]

49. Financial Supervision Act 1988 -

The Minister for the Treasury to move -

That the Collective Investment Scheme (Fees) Regulations 2007 be approved [*SD No 112/07*]

50. Fiduciary Services Acts 2000 and 2005 -

The Minister for the Treasury to move -

That the Fiduciary Services (Fees) Regulations 2007 be approved [*SD No 113/07*]

51. Investment Business Acts 1991 to 1993 -

The Minister for the Treasury to move -

That the Investment Business (Fees) Regulations 2007 be approved [*SD No 114/07*]

52. Sea-Fisheries Act 1971 -

The Minister for Agriculture, Fisheries and Forestry to move -

That the Sea-Fisheries (Satellite-Tracking Devices) (Isle of Man) Bye-Laws 2007 be approved [*SD No 159/07*]

53. Sea-Fisheries Act 1971 -

The Minister for Agriculture, Fisheries and Forestry to move -

That the Sea-Fisheries (Whelk Licensing, Etc.) Bye-Laws 2007 be approved [*SD No 160/07*]

54. Charities Registration Act 1989 -

HM Attorney General to move -

That the Charity Regulations 2007 be approved [*SD No 94/07*]

55. Superannuation Act 1984 -

The Chairman of the Civil Service Commission to move -

That the National Health Service Superannuation Scheme 2007 be approved
[SD No 144/07]

56. Superannuation Act 1984 -

The Chairman of the Civil Service Commission to move -

That the Superannuation (Supplemental) Scheme 2007 be approved
[SD No 165/07]

57. Superannuation Act 1984 -

The Chairman of the Civil Service Commission to move -

That the Superannuation (Supplemental) (Contributory) Scheme 2007 be approved
[SD No 166/07]

58. Superannuation Act 1984 -

The Chairman of the Civil Service Commission to move -

That the Superannuation Transitional Amendment Scheme 2007 be approved
[SD No 214/07]

59. Investigation into energy prices -

The Hon Member for Douglas North (Mr Henderson) to move -

That in relation to the “Investigation into Energy Prices - A Report by the Council of Ministers” laid before Tynwald in February 2007, Tynwald:-

- (a) notes the Report as an interim measure, and notes that a section 19 investigation is underway;
- (b) directs that any future reports be moved for debate in Tynwald;
- (c) requests the Council of Ministers to transmit, when and where appropriate, the parliamentary feeling of this debate to the section 19 investigation and to Manx Gas;
- (d) directs that when all investigations have been concluded, unless such a scheme is already provided for in any recommendations, the Council of Ministers through relevant agencies should work up and develop as far as practicable with Manx Gas a new House Users’ Tariff to assist people, or identified groups of people, more effectively than current or planned rationalised tariffs or pricing regimes may do.

60. Road Traffic Licensing Committee -

The Hon Member for Douglas North (Mr Henderson) to move -

That Standing Order 3.11(1) be suspended and that Tynwald is of the opinion that the current incumbents of the Road Transport Licensing Committee should be discharged from their duties and the Department of Transport - who regulate the Road Transport Act 2001 and associated matters with the Road Transport Licensing Committee - enter into negotiations with interested parties and representatives from the Isle of Man taxi trade in developing a viable, alternative option that all parties can agree on, which will include the functions of any such alternatives and dealing with issues of "Taxi Plates" in an approved and acceptable way, agreeable to the Department and taxi trade.

61. Corporate Leadership Group -

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

That Tynwald Court requests the Chief Minister to arrange a joint presentation, before 30th March 2007, to Hon Members by the Civil Service Commission and the Government Officers' Association/Prospect about the process leading up to the introduction of the Corporate Leadership Group.

62. International E-Commerce Commercial Court -

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

That Tynwald is of the opinion that, in order to help to diversify the Manx economy, the Department of Trade and Industry should set up a working party to carry out consultations with the Business Community in the Island, the Law Society and the Attorney General's Chambers regarding the feasibility of setting up an International E-Commerce Commercial Court which could:

- a. adjudicate on e-commerce contracts using international forms of contract incorporating standard terms and conditions established in the Isle of Man;
- b. set up a purchaser protection scheme to which merchants using these forms of contract could subscribe; and
- c. set up an electronic small claims commercial transaction dispute arbitration service (again using standard Isle of Man terms and conditions); and

report back on these and other relevant issues to Tynwald in October 2007.