

TYNWALD

Tinvaal



QUESTION PAPER

Pabyr Feyshtyn

DOUGLAS
15th November 2005
at 10.30 am

FOR ORAL ANSWER

1. The Hon Member for Michael (Mr Cannan) to ask the Chief Minister -

What is the estimated cost (including expenses) of the work of the Committee established by the Council of Ministers to undertake a Review of the Scope and Structure of the Isle of Man Government?

2. The Hon Member for Michael (Mr Cannan) to ask the Chief Minister -

Why did you not inform Members of Tynwald that in respect of the Manx Electricity Authority gas pipeline connection, the Council of Ministers provided a Letter of Comfort to Bord Gais Eireann that preceded the signature of the Agreement and included the following at paragraph 1 -

“a copy of the agreement in relation to the Isle of Man Pipeline connection between Bord Gais Eireann and the MEA has been provided to and read by the Council of Ministers”?

3. The Hon Member for Michael (Mr Cannan) to ask the Chief Minister -

Is it the policy of the Council of Ministers to introduce legislation which on receipt of Royal Assent, the Departmental Minister concerned, will refuse to make an Appointed Day Order and so prevent the fulfilment of the purpose of the legislation?

4. The Hon Member for Douglas North (Mr Houghton) to ask the Chief Minister -

- (1) How many warrants have been issued in contravention of sections 2 – 5 of the Interception of Communications Act 1988 since the Act came into force;
- (2) to how many persons do the contraventions apply;
- (3) what steps were taken by -
 - (a) yourself; and
 - (b) HM Attorney General

to safeguard any such contraventions at the time the application(s) were made;

- (4) were the applications made under oath;
- (5) will you issue a full public apology to the aggrieved persons; and
- (6) will you continue to issue warrants under the Act whilst utilising the current method of application?

5. The Hon Member for Peel (Mrs Hannan) to ask the Chief Minister -

- (1) Why have so many strategies been developed at the expense of the provision of services;
- (2) why have the personnel in your Office and the Chief Secretary's Office been increased at the expense of the provision of services to the public; and
- (3) will the Council of Ministers investigate ways of departments working together without being controlled from the centre, or do you consider that Ministers and political Members no longer have a part to play in the development of policies?

6. The Hon Member for Onchan (Mr Karran) to ask the Chief Minister -

Can you assure us that the IRIS project will not be handed over to the Water Authority to be funded through the water rates?

7. The Hon Member for Michael (Mr Cannan) to ask the Minister for the Treasury -

Will you confirm that as Minister for the Treasury and a Member of the Council of Ministers you were at all times fully informed of the terms and conditions of the Agreement between the Manx Electricity Authority and Bord Gais Eireann (BGE) in respect of the gas pipeline connection?

8. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Health and Social Security -

As your Department's Social Services Division makes arrangements for persons in receipt of benefits and pensions to receive a proportionate rise if their rents are increased, will you also make arrangements for this also to take place automatically for any further energy price increases, notwithstanding any annual uprating?

9. The Hon Member for Michael (Mr Cannan) to ask the Minister for Trade and Industry -

Will you confirm that as Minister for Trade and Industry and a Member of the Council of Ministers, you were at all times fully informed of the terms and conditions of the Agreement between the Manx Electricity Authority and Bord Gais Eireann (BGE) in respect of the gas pipeline connection?

10. The Hon Member for Douglas East (Mrs Cannell) to ask the Minister for the Tourism and Leisure -

Would you consider introducing a system whereby all those travelling to the Isle of Man, both by air and sea are required to fill out a card indicating the nature of their visit to our Island in order to provide a true figure of tourism visitor numbers?

11. The Hon Member for Peel (Mrs Hannan) to ask the Minister for Tourism and Leisure -

(1) What provision is there for 5-a-side football and other community sports; and

(2) are there any plans to provide more facilities, and, if so, where?

12. The Hon Member for Peel (Mrs Hannan) to ask the Minister for Agriculture, Fisheries and Forestry -

(1) Who is responsible for ensuring that the Weeds Act 1957 is enforced; and

(2) does your Department consider it is still relevant today?

13. The Hon Member for Peel (Mrs Hannan) to ask the Minister for Local Government and the Environment -

(1) Why was the study into Peel's conservation area not finalised and published; and

(2) will you promote its publication now?

14. The Hon Member for Onchan (Mr Karran) to ask the Minister for Local Government and the Environment -

Do you accept that -

- (a) as a matter of convention that in planning applications contrary to the land zoning approved by Tynwald, there is a strong presumption against approval;
- (b) decisions to overrule the land zoning approved by Tynwald, are, as a rule, only made in the "national interest"; and
- (c) that to overrule the recommendations of an independent inspector is a matter not to be taken lightly and that the reason for taking such action should be exceptional?

15. The Hon Member for Onchan (Mr Karran) to ask the Minister for Transport -

- (1) Before any more money is spent on the new phases of the IRIS project, can we have a technical audit; and
- (2) what costs will be put on your Department's revenue or taxpayers' rates?

16. The Hon Member for Onchan (Mr Karran) to ask the Chairman of the Manx Electricity Authority -

Can you ask the MEA Auditors to confirm that -

- (a) all business expenses, incurred by the former Chief Executive and Board members of the MEA during the period 1997 to 2005, and particularly during 2004, have been properly incurred and authorised in accordance with best business practice;
- (b) best business practice is to include the prior authorisation of all expenditure by the immediate superior of the person incurring the expenditure and, in the case of the Chairman, the Minister for the Department of Trade and Industry;
- (c) all business expenses claimed have been fully supported by documentation including the reason for the expenditure, the time and duration of all meetings and, in the case of entertainment, the person or persons entertained;
- (d) any expenses, not properly incurred and fully documented as above, will be recovered by the MEA from the recipient, through the courts if necessary; and
- (e) any expenses, even if properly authorised internally, but contrary to the Gas and Electricity Act 2003, for example expenditures on the unauthorised telecommunications business activities of the MEA will also be recovered as above?

17. The Hon Member for Onchan (Mr Karran) to ask the Chairman of the Manx Electricity Authority -

The draft accounts of the MEA for the year to 31st March 2005 show a deficit of £28.36M, can you confirm that -

- (a) the MEA can, by Statute, run a deficit of this magnitude year on year;
- (b) the MEA would have had to almost double its electricity charges to have balanced its books; and
- (c) by running such a large deficit you are condemning future generations of electricity consumers to far higher charges than they would otherwise have had to pay?

18. The Hon Member for Onchan (Mr Karran) to ask the Chairman of the Manx Electricity Authority -

The draft accounts of the MEA for the year to 31st March 2005 show telecommunications operating costs of £761,000 and for the year to 31st March 2004 of £1,065,000, can you confirm that -

- (a) these expenditures contravene the Gas and Electricity Act 2003 which requires that each of the MEA's businesses balance their books year on year; and
- (b) since the MEA had no telecommunications income for the year to 31st March 2005, and that the Department of Trade and Industry had not authorised the MEA entering into telecommunications business, that the £1,065,000 telecommunications charge for the year was illegal?

19. The Hon Member for Onchan (Mr Karran) to ask the Chairman of the Manx Electricity Authority -

The draft accounts for the MEA for the year to 31st March 2005 show an operating cost of £2.5M under the heading "Gas Supply" -

- (a) can you explain why it cost £2.5M to operate and maintain a 12 mile long buried pipeline; and
- (b) can you advise when you are going to ask Manx Gas to operate and maintain this pipeline at significantly lower cost?

20. The Hon Member for Onchan (Mr Karran) to ask the Chairman of the Manx Electricity Authority -

The draft accounts for the MEA for the year to 31st March 2005 show operating costs for "Electricity Supply" of £41.4M, can you breakdown these costs into the following categories -

- (a) gas purchase;
- (b) power generation;
- (c) power distribution; and
- (d) power purchase?

21. The Hon Member for Onchan (Mr Karran) to ask the Chairman of the Manx Electricity Authority -

The draft accounts for the MEA for the year to 31st March 2005 show a depreciation charge for the year of £11.8M giving an average asset life of 40 years. In view of the fact that generation equipment is depreciated over 20 years, can you explain how this figure was arrived at?

22. The Hon Member for Onchan (Mr Karran) to ask the Chairman of the Manx Electricity Authority -

The draft accounts for the MEA for the year to 31st March 2004 show "Tangible Assets" of £121.9M including £106M relating to the BGE Capacity Charge -

- (a) since the BGE Capacity Charge is essentially a leasing charge over a 20 year period, should this cost not have been expensed;
- (b) since the Capacity Charge does not confer ownership of the pipeline systems to the MEA how can this be a Tangible Asset; and
- (c) if this charge is a Capital Charge, how can it be depreciated over a 60 year period when the duration of the BGE contract is only 20 years?

23. The Hon Member for Onchan (Mr Karran) to ask the Chairman of the Manx Electricity Authority -

The draft accounts for the MEA for the year to 31st March 2004 show Generation Plant cost at 31st March 2004 of £161M and depreciation charge for the year of only £2.2M, giving an expected life of generation equipment of approximately 73 years, since generation equipment is depreciated over 20 years can you explain why the generation plant depreciation was not £8M and rather than £2.2M?

24. The Hon Member for Onchan (Mr Karran) to ask the Chairman of the Manx Electricity Authority -

The draft accounts for the MEA for the year to 31st March 2004 state - "...Authority is required to pay a Capacity Charge..." "...the Capacity Charge is based on Reserved Capacity as a percentage of the total Capacity of the Moffatt Distribution System..." - this statement is factually incorrect - are you going to correct it?

25. The Hon Member for Onchan (Mr Karran) to ask the Chairman of the Manx Electricity Authority -

The draft accounts for the MEA for the year to 31st March 2004 state that the financial liability of the MEA to Bord Gais "...Represents the present value of the expected future capacity payments discounted at an annual rate of 5.5% per annum" could you confirm this figure as my calculation indicates an annual rate of 7.5%, not 5.5%?

26. The Hon Member for Douglas North (Mr Henderson) to ask the Chief Minister -

When you have the results of the United Kingdom's pilot studies into "A Victim's Advocate System" will you direct your Government to extend an appropriate pilot study for the Isle of Man?

27. The Hon Member of the Council, Mr Lowey, to ask the Chief Minister -

In March of this year I asked what plans, immediate and long-term, were envisaged for the Old Rushen Abbey Hotel -

- (a) 8 months on what has happened, if anything;
- (b) this valuable site has lain unused for 8 years, is this value for the taxpayer; and
- (c) has the locality, Island and residents benefited from ownership of this asset?

FOR WRITTEN ANSWER

28. The Hon Member for Michael (Mr Cannan) to ask the Chief Minister -

In accordance with the Interception of Communications Acts the following warrants were issued - 2001 - 11 warrants, 2002 - 40 warrants, 2003 - 23 warrants, 2004 9 - warrants; in respect of the warrants issued how many relate to -

- (a) defence of the Realm;
- (b) internal security -
 - (i) in the Isle of Man;
 - (ii) external of the Isle of Man;
- (c) drug trafficking and related crime -
 - (i) in the Isle of Man;
 - (ii) external of the Isle of Man;
- (d) serious financial crime -
 - (i) in the Isle of Man;
 - (ii) external of the Isle of Man;
- (e) political activity -
 - (i) in the Isle of Man;
 - (ii) external of the Isle of Man;
- (f) any other purpose, please specify?

29. The Hon Member for Douglas North (Mr Henderson) to ask the Chief Minister -
- Has the Council of Ministers finished considering whether Tynwald Members' Departmental Indemnity insurance cover is adequate?
30. The Hon Member for Douglas North (Mr Henderson) to ask the Chief Minister -
- (1) Can you confirm the indemnity cover for Ministers; and
 - (2) that the cover which is provided to Members of Tynwald undertaking constituency duties is greater than any particular cover for Tynwald Members working within a Government Department?
31. The Hon Member for Onchan (Mr Karran) to ask HM Attorney General -
- (1) To whom, in the service of the public, does the judgment delivered by His Honour Deemster Corrin on 3rd October 1996, in the case between Sara Jill Pilling and the Department of Local Government and the Environment and Brian Sinden, apply; and
 - (2) from what date should those bodies or individuals, identified in the reply to the first part of the question, have applied Deemster Corrin's judgment in the course of their service to the public?
32. The Hon Member for Ramsey (Mrs Craine) to ask the Minister for the Treasury -
- How many original applications for Corporate Service Providers Licences still remain outstanding -
- (a) will you provide information as to why they remain outstanding after such a long period of time; and
 - (b) what action is being taken to either grant or refuse these Licence applications?
33. The Hon Member for Ramsey (Mrs Craine) to ask the Minister for the Treasury -
- (1) Do you accept that the implementation of the more onerous requirements of International Auditing Standards will result in large increases in audit fees for Isle of Man companies and charities;
 - (2) will you give urgent attention to raising the audit threshold for limited companies in the Isle of Man from a turnover of £45,000 whilst noting that in the UK the same threshold is £5.6M; and
 - (3) will you look at the position for exemption from audit for smaller charities?

34. The Hon Member for Douglas East (Mrs Cannell) to ask the Minister for Tourism and Leisure -
- What proportion of the 8,225 surveys undertaken during 2004 were -
- (a) period visitors in paid accommodation (excluding business people); and
 - (b) day trippers (excluding business people)?
35. The Hon Member for Douglas North (Mr Henderson) to ask the Chairman of the Office of Fair Trading -
- In 2000, 2001, 2002, 2003, and 2004 to date, what was the price of -
- (a) gas per unit;
 - (b) electricity per unit; and
 - (c) central heating oil per gallon/litre?
36. The Hon Member for Peel (Mrs Hannan) to ask the Chair of the Manx Electricity Authority -
- (1) What was the cost of the long service award presentation for 2005;
 - (2) what was the breakdown of each award; and
 - (3) is it an annual event?
37. The Hon Member for Peel (Mrs Hannan) to ask the Chair of the Manx Electricity Authority -
- (1) Will there be a Christmas party this year for the Board and workforce of the Manx Electricity Authority;
 - (2) who will organise it; and
 - (3) how will it be financed?