

TYNWALD

Tinvaal



QUESTION PAPER

Pabyr Feyshtyn

DOUGLAS
21st October 2008
at 10.30 am

FOR ORAL ANSWER

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

What is the benefit to the good governance of the Isle of Man by replacing the Minister for Tourism and Leisure with the Minister for Home Affairs and replacing the Minister for Home Affairs with the Minister for Tourism and Leisure?
2. The Hon Member for Michael (Mr Cannan) to ask the Chief Minister –
 - (a) Is it appropriate for senior civil servants to give media interviews on Departmental policy and executive decisions; and
 - (b) why are his Ministers and Departmental members reluctant to accept full responsibility for Departmental policy and executive decisions?
3. The Hon Member for Michael (Mr Cannan) to ask the Chief Minister –
 - (a) Whether the Council of Ministers has made a decision to permit Askett Hawk Developments Limited to proceed with the Douglas Quayside Development Scheme (redevelopment of the Lord Street site); and
 - (b) whether the Council of Ministers is satisfied that Askett Hawk Developments Limited can raise the required funding (development capital of £70M)?

4. The Hon Member for Michael (Mr Cannan) to ask the Chief Minister –
- Does the Council of Ministers support the recommendation of the Deputy Chief Constable that 16 year old persons be permitted to consume alcohol in licensed premises?
5. The Hon Members for Douglas North (Messrs Henderson and Houghton) to ask the Chief Minister –
- (a) Did any officials, politicians or other parties enter into any dialogue with the Government prior to the UK Government announcing its intention to terminate the Reciprocal Agreement relating to health services; and
- (b) has he arranged a delegation to attend the UK to make formal representations to the UK Government regarding the withdrawal of the NHS bilateral agreement?
6. The Hon Member for Rushen (Mr Gill) to ask the Chief Minister –
- Bearing in mind the financial constraints Government is increasingly facing, what plans he has to reconsider the necessity for the proposed developments at the Quarterbridge roundabout?
7. The Hon Member for Douglas North (Mr Henderson) to ask the Chief Minister –
- (a) What representations he has made to the UK Government in relation to the failed Singer and Friedlander (IOM) Bank;
- (b) what he has asked officials to do and what have they agreed to do on the Isle of Man's behalf; and
- (c) whether he has made representations directly to Iceland in this matter?
8. The Hon Member for Onchan (Mr Karran) to ask the Chief Minister -
- Will he consult with the Minister for the Treasury, the Financial Supervision Commission and HM Attorney General with a view to proceedings being commenced against those persons who have been named in a letter to him privately so as to disqualify those persons from being a director of an Isle of Man company in the light of their failure to exercise due diligence in performing their duties as directors?

9. The Hon Member for Onchan (Mr Karran) to ask the Chief Minister -
- (a) Whether the amount of money owed to Kaupthing Singer & Friedlander (Isle of Man) Limited from sister and parent entities in the UK and Iceland amounts to about £500 million;
 - (b) whether this money owed to the Isle of Man is equivalent to approximately £15,000 per household on the Island;
 - (c) what plans he has to pursue this debt vigorously at a political level in both the UK and Iceland, including extensive use of the media and public relations; and
 - (d) what his government has done so far to help secure repayment of this debt?

10. The Hon Member for Douglas North (Mr Henderson) to ask the Minister of the Treasury -

What plans he has to make a full and detailed statement on any effects or perceived effects that the current credit crunch or banking collapses may have for the Isle of Man and the extent to which there have been any noticeable investment or deposit movements in or out of the Island?

11. The Hon Member for Rushen (Mr Watterson) to ask the Minister of the Treasury -

Why have the personnel figures been removed from the latest edition of the Council of Ministers' quarterly report on the economy?

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

In respect of Kaupthing Singer and Friedlander (Isle of Man) Limited -

- (a) What is the number of individuals who had cash deposits at the above bank;
- (b) are all these individuals able to claim against the Depositors' Compensation Scheme 1991;
- (c) what is the total amount eligible for compensation in terms of the 1991 Scheme;
- (d) what is the current balance in the 1991 Depositors' Compensation Scheme bank account;
- (e) in the event of the October 2008 Compensation Scheme being made retrospective to 7th October 2008, what is the total amount eligible for compensation?

13. The Hon Member for Rushen (Mr Watterson) to ask the Minister of the Treasury –

(a) Was it his intention deliberately to exclude the following categories from the definition of “eligible depositors” in the Depositors’ Compensation Scheme –

- (1) companies;
- (2) charities;
- (3) government;
- (4) beneficiaries of a bare trust;
- (5) client accounts; and

(b) what immediate plans he has to include any or all of the groups in a revised scheme?

14. The Hon Member for Rushen (Mr Watterson) to ask the Minister of the Treasury –

Has the total potential liability of Kaupthing Singer and Friedlander been quantified in terms of –

- (a) “eligible depositors”;
- (b) companies;
- (c) charities;
- (d) government;
- (e) beneficiaries of a bare trust; and
- (f) client accounts?

15. The Hon Member for Rushen (Mr Watterson) to ask the Minister of the Treasury –

Has the total potential liability under the Depositors’ Compensation Scheme 2008 been quantified in terms of the “average bank scenario” as defined in the Financial Supervisions Commission’s Consultation Document on depositors protection, for –

- (a) “eligible depositors”;
- (b) companies;
- (c) charities;
- (d) government;
- (e) beneficiaries of a bare trust; and
- (f) client accounts?

16. The Hon Member for Rushen (Mr Watterson) to ask the Minister of the Treasury –

How was the upper cap on contributions to the Depositors' Compensation Scheme determined?

17. The Hon Member for Rushen (Mr Watterson) to ask the Minister of the Treasury –

(a) Will the cover provided by the Depositors' Compensation Scheme be increased on an annual basis to ensure that the 95% coverage of accounts is maintained; and, if not

(b) what will the rationale for any increases be?

18. The Hon Member for Rushen (Mr Watterson) to ask the Minister of the Treasury –

(a) Is the Treasury Minister able to commit the Depositors' Compensation Scheme Manager to a maximum repayment period to eligible depositors; and, if not

(b) will he consider amending the scheme to permit this?

19. The Hon Member for Rushen (Mr Watterson) to ask the Minister of the Treasury –

What licensed banks or subsidiaries of licensed banks are companies incorporated under the Companies Act 2006?

20. The Hon Member for Rushen (Mr Watterson) to ask the Minister of the Treasury –

What is the maximum amount that can be called up from participating banking licence holders under the Depositors' Compensation Scheme 2008 in one year?

21. The Hon Member for Rushen (Mr Watterson) to ask the Minister of the Treasury –

What is the rationale for managers of a bank, having previously not been eligible depositors under the Depositors' Compensation Scheme 1991, now becoming eligible under the Depositors' Compensation Scheme 2008?

22. The Hon Member for Rushen (Mr Watterson) to ask the Minister of the Treasury –

What is the net debt of Kaupthing Singer and Friedlander's Isle of Man operations?

23. The Hon Member for Rushen (Mr Watterson) to ask the Minister of the Treasury –

What are the implications of the failure of Kaupthing Singer and Friedlander on the investment management of Government assets?

24. The Hon Member for Rushen (Mr Watterson) to ask the Minister of the Treasury –

(a) How much of Kaupthing Singer and Friedlander's deposits are currently frozen in the UK; and

(b) what assurances have the Financial Supervision Commission sought over the company's legal title to them?

25. The Hon Member for Rushen (Mr Watterson) to ask the Minister of the Treasury –

To what extent do the recent assurances by the UK and Irish Governments relating to depositors' guarantees extend to Manx depositors?

26. The Hon Member for Douglas North (Mr Houghton) to ask the Minister of the Treasury –

What plans has he to move an amendment scheme in respect of the recently approved Depositors' Compensation Scheme which will –

(a) include all institutions who hold a banking licence on the Island; and

(b) cover those matters raised in Tynwald during the debate on 9th October 2008?

27. The Hon Member for Douglas North (Mr Henderson) to ask the Minister of the Treasury –

Will he make a clear and categoric statement that –

(a) the collapse of Singer and Friedlander (IOM) was due to no fault of anything local; and

(b) that the new Depositors' Compensation Scheme approved at the recent urgent Tynwald meeting will cover depositors of the failed Singer and Friedlander (IOM) Bank?

28. The Hon Member for Douglas North (Mr Henderson) to ask the Minister of the Treasury –

(a) Whether at the recent sitting of Tynwald on 9th October 2008 two officers from the Financial Supervision Commission were observing proceedings and whether they had legal counsel with them; and

(b) how much did the legal counsel cost to sit with these staff throughout the four hour debate?

29. The Hon Member for Douglas North (Mr Henderson) to ask the Minister of the Treasury –

What the Financial Supervision Commission has been doing to assist the public and businesses alike in respect of the ‘credit crunch’?

30. The Hon Member for Onchan (Mr Karran) to ask the Minister of the Treasury -

In view of the apparent failure of the Financial Supervision Commission (FSC) to comply with their mission statement with regard to the regulation of Kaupthing Singer & Friedlander (Isle of Man) Limited (KSF) specifically, “*To protect the public interest by providing effective regulation and supervision within the Island's financial services sector*” will he arrange for the immediate dismissal without compensation of anyone working in the FSC or elsewhere who had responsibility for the regulation of KSF?

31. The Hon Member for Onchan (Mr Karran) to ask the Minister of the Treasury -

(a) Is the “John Cashen”, listed as a member of the Board of Commissioners of the Financial Supervision Commission (FSC) on the FSC website, the same person (or related to) the “John Alfred Cashen OBE” listed as a director of Kaupthing Singer & Friedlander (Isle of Man) Limited (KSF), on the KSF Annual Return filed at the Company Registry; and

(b) is it appropriate for a member of the board of the regulatory authority to be also a director of a company being regulated by that authority?

32. The Hon Member for Onchan (Mr Karran) to ask the Minister of the Treasury -

(a) Why did the Financial Supervision Commission (FSC) fail to ensure that the parental guarantee given to Kaupthing Singer & Friedlander (Isle of Man) Limited (KSF) and lodged with the FSC was fit for purpose; and

(b) what plans he has as a matter of urgency, in conjunction with the FSC, to investigate with deposit takers on the Island which are subsidiaries of UK or foreign parent companies, ways to ‘ring-fence’ deposits made in the Manx subsidiary from any financial difficulties that may be experienced by their parent company; and to investigate how this could be achieved by modifying any ‘parental guarantees’ etc, as necessary, so that deposits made in the Manx subsidiary have priority over deposits made with the parent company; and to report back to the December sitting of Tynwald with the outcome?

33. The Hon Member for Onchan (Mr Quirk) to ask the Minister of the Treasury –

What progress has his Department made on the new Bemahague School in Onchan?

34. The Hon Member of the Council, Mr Callister, to ask HM Attorney General –
What legal obligation there is on a Member of the Legislative Council to resign his (or her) seat before seeking election to the House of Keys?
35. The Hon Member for Onchan (Mr Karran) to ask HM Attorney General -
What are the legal responsibilities and priorities of the directors of Isle of Man subsidiaries of UK or foreign parent companies, such as Kaupthing Singer & Friedlander (Isle of Man) Limited, if and when the interests of the Isle of Man company of which they are a director is in conflict with the interests of or instructions from the parent entity?
36. The Hon Member for Onchan (Mr Quirk) to ask the Minister for Education –
Can the Minister make a statement on the new Bemahague School?
37. The Hon Member for Michael (Mr Cannan) to ask the Minister for Health and Social Security –
What plans he has to permit National Health Service patients to purchase cancer drugs and treatment which are not available on the National Health Service and to continue as National Health Service patients?
38. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Health and Social Security –
Will the UK Government’s announcement that it is terminating the ‘Bilateral Agreement’ (Reciprocal Agreement) have any effects to any relevant pension or benefit arrangements?
39. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Health and Social Security –
- (a) If he will make a full and detailed statement relating to his press release of 3rd of this month where he states that the United Kingdom is to terminate its reciprocal agreement with the Isle of Man;
 - (b) what are the estimated effects this will have for the Island both in average patient numbers having to be treated in the United Kingdom and an estimate of the new financial burden this may put on the DHSS budget; and
 - (c) how long he has known that this was going to happen?
40. The Hon Member for Douglas East (Mrs Cannell) to ask the Minister for Health and Social Services –
What policies and procedures will be put in place by managers at Nobles Hospital following the untimely death of a patient who underwent colon cancer surgery, where the coroner found that ‘there were serious shortcomings generally at Nobles Hospital’?

41. The Hon Member for Rushen (Mr Gill) to ask the Minister for Home Affairs –
Who is responsible for the development of policy in relation to –
- (a) the legal age for drinking in public houses; and
 - (b) other legal affairs in the remit of the Department of Home Affairs?
42. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Local Government and the Environment –
What plans he has to reserve the ‘Old Isle of Man Prison Site’ for the sole use of sheltered housing and or a 1st time buyer scheme, in keeping with the area?
43. The Hon Member for Douglas East (Mr Braidwood) to ask the Minister for Tourism and Leisure –
In the light of the gridlock experienced in Douglas on the evening of Wednesday, 27th August causing frustration and annoyance to members of the public, what plans he has to suggest to the organising committee of the TT and Manx Grand Prix that where races are delayed and may run into the evening, racing be suspended between the times of 5.00 pm and 6.15 pm to enable commuters to travel home between races?
44. The Hon Member for Rushen (Mr Watterson) to ask the Minister for Tourism and Leisure –
Will he make a statement on the development of Port St Mary railway station?
45. The Hon Member for Peel (Mr Crookall) to ask the Minister for Tourism and Leisure –
Will the Minister make a statement on the “Askett Hawk” development of the Lord Street site in Douglas?
46. The Hon Member for Douglas East (Mrs Cannell) to ask the Minister for Trade and Industry –
Can he advise whether a person undertaking paid employment in the Isle of Man, but contracted to do so by an off-Island agency, is protected under the Island’s employment legislation to the same extent as Isle of Man workers?
47. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Transport –
Whether the current arrangements for the TT Access Road during road closures are adequate in the event that an Ambulance requires to use that route when the roads are closed, and the TT Access Road is completely clogged with traffic?

48. The Hon Member of the Council, Mr Lowey, to ask the Chairman of the Office of Fair Trading –
- (1) Does the Office of Fair Trading regard the present practice of airlines advertising a very small number of seats on flights at low prices, when the vast majority of seats are at least four to five times and more, as misleading;
 - (2) does the Office of Fair Trading believe that the current practice of a £30 service charge and a £7.99 per suitcase charge (if not pre-booked) is justified; and
 - (3) is the Office of Fair Trading satisfied that the travelling public is being treated fairly by the remaining flight operators?
49. The Hon Member for Rushen (Mr Watterson) to ask the Chairman of the Office of Fair Trading –
- What further progress has been made to prevent airlines charging for the use of credit cards on a per person, per sector basis?
50. The Hon Member for Onchan (Mr Quirk) to ask the Chairman of the Office of Fair Trading –
- (a) Can the Chairman of the Office of Fair Trading make a statement on the high cost of domestic and road fuels on the Island; and
 - (b) what action has he taken in respect of these?
51. The Hon Member for Malew and Santon (Mr Cregeen) to ask the Chairman of Fair Trading –
- How many independent petrol retailers operate on the Isle of Man?
52. The Hon Member of the Council, Mr Lowey, to ask a Member of Manx National Heritage (Mr Turner) –
- (a) What is the total cost of production and printing of the “6 Year Review and Annual Reports” of Manx National Heritage; and
 - (b) how many copies were printed and what was the intended audience or market for the publications?

FOR WRITTEN ANSWER

53. The Hon Member for Michael (Mr Cannan) to ask the Chief Minister –
- (a) Can you confirm that it is the policy of the Council of Ministers that civil servants are being sent on seminars “An introduction to Islam and the Muslim Culture”;
 - (b) to what extent are such seminars organised by
 - (i) AKSAA Ltd;
 - (ii) the Island Muslim community; and
 - (iii) Government;
 - (c) what has been the frequency of these seminars during the past 12 months and how many civil servants have been required to attend these seminars; and
 - (d) whether civil servants are being sent on similar seminars to appraise themselves of other religious beliefs?
54. The Hon Member for Rushen (Mr Watterson) to ask the Chief Minister –
- Would he be in favour of proposals for senior civil service appointments to be scrutinised by a Committee of Tynwald before a post is formally offered?
55. The Hon Member for Rushen (Mr Watterson) to ask the Chief Minister –
- Since the passing of the Civil Service Amendment Act 2007, how many directions has he given to the Commission?
56. The Hon Member for Rushen (Mr Watterson) to ask the Chief Minister –
- What processes and procedures are in place to manage senior civil service vacancies, and is he happy with the operation of the present system?
57. The Hon Member for Rushen (Mr Gill) to ask the Minister of the Treasury –
- What is the appropriate response from the Companies Registry to an allegation or indication of a possible fraudulent entry or return to the register?
58. The Hon Member for Michael (Mr Cannan) to ask the Minister of the Treasury –
- (a) As at 1st April 2008 what was the total amount in each of the Government Reserve Funds; and
 - (b) as at 10th October 2008 what is the total amount in each of the Government Reserve Funds?

59. The Hon Member for Rushen (Mr Gill) to ask the Minister for Education –
- (a) How many prosecutions for non-attendance of pupils has her Department taken against parents for each of the past five years; and
 - (b) what criteria does her Department apply in deciding to prosecute?

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

When the In Patient Drug and Alcohol facility within the Ard Aalin building at the new Nobles Hospital site will be functioning?

61. Hon Member of the Council, Mr Turner, to ask the Minister for Home Affairs –

- (a) What plans are in place to deal with a major incident involving a vessel running aground on the Manx Coast (such as a cargo or oil tanker); and
- (b) where would the funding come from?

62. The Hon Member for Rushen (Mr Watterson) to ask the Minister for Transport –

In 2008 what are the punctuality statistics for Isle of Man Steam Packet Company, on the basis of -

- (a) number of sailings scheduled for the months of -

- (1) July;
- (2) August;
- (3) September;

- (b) number of sailings on time for the months of -

- (1) July;
- (2) August;
- (3) September;

- (c) number of sailings arrived late for the months of -

- (1) July;
- (2) August;
- (3) September;

- (d) number of sailings cancelled for the months of –

- (1) July;
- (2) August; and
- (3) September?

63. The Hon Member for Rushen (Mr Watterson) to ask the Minister for Transport –

Will he publish the scheduled road maintenance programme for the next six months and any further works that will mean digging up the roads?

64. The Hon Member for Douglas North (Mr Houghton) to ask the Minister for Transport –

(a) Why was the road leading from Church Road Marina to Finch Road closed to traffic during rush hour on Friday evening 10th October 2008, which caused gridlock in the area; and

(b) will action be taken against those responsible?

65. The Hon Member for Rushen (Mr Watterson) to ask the Chairman of the Communications Commission?

Why has the Communication Commission budgeted for a surplus in excess of £100,000 and how does this comply with current Treasury policy in relation to restrictions on public expenditure?

66. The Hon Member for Rushen (Mr Watterson) to ask the Chairman of the Water Authority –

Will he publish the programme for the next six months of works which will involve digging up the roads?

67. The Hon Member for Rushen (Mr Watterson) to ask the Chairman of the Manx Electricity Authority –

Will he publish the programme for the next six months of works which will involve digging up the roads?