



HOUSE OF KEYS

Y Chiare as Feed

VOTES AND PROCEEDINGS

Reaghyssyn as daaltyn

DOUGLAS
TUESDAY 15th APRIL 2003
at 10.00 am

PRESENT: Mr Speaker and 19 Members, Mr Duggan and Mr Rimington being absent with leave and there being a vacancies in the constituencies of Ramsey and of Rushen.

1. ORAL QUESTIONS

Questions 1-7 were answered orally.

2. ELECTION OF ONE PERSON TO SERVE AS MEMBER OF THE LEGISLATIVE COUNCIL FOR A PERIOD EXPIRING ON 28TH FEBRUARY 2005.

Nominee

Thomas St John Neville Bates
John Raymond Kniveton

Proposer

Hon R P Braidwood MHK
Hon J P Shimmin MHK

After a first ballot neither candidate gained 13 votes although Mr Kniveton gained a major of votes of those present and voting.

Therefore a second ballot was conducted voting on Mr Kniveton only. Mr Kniveton did not receive 13 votes and was not elected.

Mr Speaker called for fresh nominations by 5pm on Thursday 24th April 2003 and announced that a ballot to elect one person to fill the seat in the Legislative Council would take place at the sitting of the House already arranged for Tuesday 6th May 2003.

3. LEAVE TO WITHDRAW A BILL BEFORE THE HOUSE

Motion made - that leave of the House be given to withdraw the Amendments Bill 2002.

Mr Corkill

Motion carried.

4. BILL FOR CONSIDERATION OF COUNCIL AMENDMENTS

Motion not made.

5. BILL FOR SECOND READING

Local Government (Miscellaneous Provisions) Bill

Motion made - that the Bill be now read a second time.

Mr Earnshaw

Motion carried.

6. SUSPENSION OF STANDING ORDERS

Motion not made.

7. BILL FOR THIRD READING

Heath Burning Bill

Motion not made.

8. BILL FOR CONSIDERATION OF CLAUSES

Income Tax Bill

Mr Bell

Clause 1 ordered to stand part of the Bill.

Clause 2 -

Amendment moved -

Page 2: after line 8 insert new subsection -

“(2) Notwithstanding subsection (1), an individual is not qualified to claim credit under this Part if that individual’s capital exceeds £25,000.”,

and re-number subsequent subsection.

Mr Karran

House divided.
Amendment lost.

Clause 2 ordered to stand part of the Bill.

Clause 3 ordered to stand part of the Bill.

Clause 4 ordered to stand part of the Bill.

Clause 5 -

Amendment moved -

Page 3:	line 3	for “£6,000” substitute “£8,000”.
	line 4	for “£200” substitute “£500”.
	line 6	for “£8,000” substitute “£10,000”.
	line 8	for “£10” substitute “£4”.
	line 16	for “10” substitute “4”.

Mr Karran

House divided.
Amendment lost.

Clause 5 ordered to stand part of the Bill.

Clause 6 ordered to stand part of the Bill.

Clause 7 ordered to stand part of the Bill.

Clauses 8 to 24 ordered to stand part of the Bill.

New clause for agreement in principle -

Powers exercisable in support of environment.

[A]. (1) After section 31A(2) of the 1970 Act add -

“(3) The powers conferred by this section may be exercised for the purpose of promoting the conservation or enhancement of the environment.

“(4) The Treasury shall exercise the powers conferred on it under this section so as to provide for special deductions to be allowed in respect of payments for the purchase of biodiesel for use

exclusively in the course of such trades or professions as are prescribed by the order.”

- (5) *In subsection (4), “biodiesel” has the same meaning as in section 2AA of the Hydrocarbon Oils Duties Act 1986 [c38] and includes “bioblend” as defined in section 6AB(2) of that Act.”.*

- (2) After section 35B of the 1970 Act insert -

“Allowance for individuals in respect of environment friendly expenditure.

- 35C** (1) *Subject to the following provisions of this section, an individual shall be entitled, for the purpose of ascertaining taxable income, to a deduction from his total income if he proves that he has made payments wholly and exclusively in respect of environment friendly works or services.*
- (2) *The Treasury shall make such regulations as are necessary to give effect to this section and, but without prejudice to the generality of that power, regulations shall make provision as to*
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- (a) *the amount of deductions*
(b) *the method of calculation of deductions;*
(c) *whether deductions shall be made in the year in which the payment is made or in any other year;*
(d) *the conditions and restrictions which are applicable to the making of deductions.*
- (3) *In this section, “environment friendly works or services” means works or services that are classified in regulations as promoting the conservation or enhancement of the environment.*
- (4) *Regulations under this section shall not come into operation unless they are approved by Tynwald.”.*
- (3) *This section shall have effect in respect of the income tax year commencing on 6 April 2004 and subsequent years.”*

Mr Karran

House divided.

New Clause A lost.

New Clause for agreement in principle -

Manx language allowance.

[B]. (1) After section 35C of the 1970 Act insert -

“Allowance for individuals gaining Manx language qualifications.

35D. *Subject to the following provisions of this section, an individual shall be entitled, for the purpose of ascertaining taxable income, to a deduction of £100 from his total income if he proves that he has passed a General Certificate of Secondary Education examination in Manx language studies or an examination which the Assessor is satisfied is of an equivalent standard.*

(2) *This section shall have effect in respect of the income tax year commencing on 6 April 2004 and subsequent years.”.*

Mr Karran

House divided.
New Clause B lost.

New Clause for agreement in principle -

Deduction of tax from rental payments to non-residents.

[C]. (1) After section 71 of the 1970 Act insert -

“Deduction of tax from rental payment to non-residents.

71A. (1) *The Assessor shall exercise the powers conferred under section 71 in every case where a taxable payment represents rents of land in the Island.*

(2) *Any notice to be given under section 71(1) in respect of such a payment may, at the discretion of the Assessor, be given by means of a public notice printed in two newspapers published and circulating in the Isle of Man and shall have effect as if delivered personally to each person concerned.”.*

(2) *This section shall have effect in respect of the income tax year commencing on 6 April 2004 and subsequent years.*

Mr Karran

New Clause C lost.

Clause 25 -

House divided.
Clause 25 ordered to stand part of the Bill.

Clauses 26 to 31 ordered to stand part of the Bill.

9. OTHER MOTIONS

Primary Health Care Provisions -

Motion made - that this House calls upon the Minister for Health and Social Security to review the provision of primary health care to Island residents during the week nights, weekends and Bank Holiday nights and Saturday, Sunday and Bank Holiday days.

Mr Cannan

Amendment moved -

Delete the final full stop and add -

“, and make a statement to the sitting of Tynwald in May.”

Mr Gill

Motion made - that the debate be adjourned until the sitting of the House on 6th May 2003.

Mrs Cannell

Motion carried.

The House rose at 5.40pm.

Malachy Cornwell-Kelly
Secretary of the House

The House adjourned to the 6th May 2003