

TYNWALD

Tinvaal



VOTES AND PROCEEDINGS **Reaghyssyn as daaltyn**

DOUGLAS
TUESDAY 10th DECEMBER 2002
WEDNESDAY 11th DECEMBER 2002

(The number before each motion refers to the number of the motion on the Order Paper)

Mr Louis Ronald Cretney -

Mr President paid tribute to the late Mr Louis Ronald Cretney. The Court stood in silence as a mark of respect.

1. Laid before the Court -

Tourist Act 1975 -

Tourist (General) (Fees) (Amendment) Regulations 2002
[SD No 756/02]

Cinematograph Act 1977 -

Cinematograph (Licence Fees) Order 2002 *[SD No 535/02]*

Local Elections Act 1986 -

Local Elections (Fees) Order 2002 *[SD No 730/02]*

Merchant Shipping (Masters and Seaman) Act 1979 -

Merchant Shipping (Manning and Training) (Amendment) Regulations
2002 *[SD No 757/02]*

Road Traffic Regulation Act 1985 -

Disabled Persons (Badges for Motor Vehicles) Regulations 2002
[SD No 790/02]

Fatal Accidents Act 1981 -

Damages for Bereavement (Variation of Sum) Order 2002
[SD No 663/02]

- Retirement Benefits Schemes Act 2000 -
Retirement Benefits Schemes (International Schemes) (Revised Vesting)
Amendment Regulations 2002 *[SD No 664/02]*
- Social Security Act 2000 -
Employment Act 2002 (Application) Order 2002 *[SD No 791/02]*
Social Security Act 2000 (Amendment) (No. 2) Order 2002
[SD No 792/02]
Social Security Legislation (Application) (No. 15) Order 2002
[SD No 793/02]
- Social Security Contributions and Benefits Act 1992 -
Family Income Supplement (General) (Amendment) (No. 3)
Regulations 2002 *[SD No 794/02]*
Income Support (General) (Isle of Man) (Amendment) (No. 5)
Regulations 2002 *[SD No 795/02]*
- Reports -
Report of the Select Committee on the Reduction of Standing
Committees.
Report of the Select Committee on the Petition for Redress of Grievance
of Helen Margaret Hyde.
Report of the Select Committee on Complaints of Maladministration by
Mrs A E S J Pilling.
Council of Ministers' Report: A Long Term Plan for the Nunnery
Estate.
Department of Tourism and Leisure: General Leisure Strategy for the
Isle of Man.
- Currency Act 1992 -
Currency (Princess of Wales Crowns) (No. 2) Order 2002
[SD No 751/02]
Currency (Olympic Games Crowns) (No. 2) Order 2002 *[SD No 750/02]*
- Customs and Excise Act 1986 -
Excise Goods, Beer and Tobacco Products (Amendment) Regulations
2002 *[SD No 762/02]*
- Food (Emergency Provisions) Act 1986 -
Food (Emergency Provisions) Marine Pollution Revocation Order 2002
[SD No 811/02]
- European Communities -
Amended List of Persons, Groups and Entities under the European
Communities (Al-Qaida and Taliban Sanctions) (Application) Order
2002 *[GC No 38/02]*
Updated List of Persons, Groups and Entities under the European
Communities (Terrorism Measures) Order 2002 *[GC No 39/02]*
Second Amendment to the List of Persons, Groups and Entities under
the European Communities (Al-Qaida and Taliban Sanctions)
(Application) Order 2002 *[GC No 42/02]*
European Communities Secondary Legislation November 2002
[GC 41/02]

Appointed Day Orders -

Licensing (Amendment) Act 2001 (Appointed Day) (Amendment)
Order 2002 [SD No 817/02]

Reports -

Office of the Data Protection Registrar: Annual Report for 2001-2002.
Report by the Chief Secretary on Complaints Against Government
Departments and Statutory Boards During the Year Ended
31st December 2001.

2. Bill Signed -

Data Protection Bill 2002.

Visit to the Isle of Man by the Lord Chancellor -

Statement made by the Chief Minister.

3. Questions -

Questions 1 to 19 were answered orally. Questions 20 to 35 were answered in writing.

15. Tourist Act 1975 -

Motion made -

That the Tourist (General) (Fees) (Amendment) Regulations 2002 be approved. [SD No 756/02]

Mr Cretney

Motion carried.

16. Cinematograph Act 1977 -

Motion made -

That the Cinematograph (Licence Fees) Order 2002 be approved.
[SD No 535/02]

Mr Bell

Motion carried.

17. Local Elections Act 1986 -

Motion made -

That the Local Elections (Fees) Order 2002 be approved. [SD No 730/02]

Mrs Crowe

Court divided.

Motion carried.

4. Commission of Inquiry into Mount Murray -

Motion made -

That Tynwald -

- (a) approves the expenditure of a further sum not exceeding £200,000 in addition to the £300,000 previously approved, to meet the costs of the Commission into Mount Murray, over and above the sum voted by Tynwald at its March 2002 sitting; and
- (b) approves the expenditure of a total sum not exceeding £200,000 from General Revenue for the year ending 31st March 2003.

Mr Corkill

Amendment moved -

At the end of the motion add -

“and

- (c) requests the Chairman of the Commission to provide Members with a statement of progress to date.”*

Mr Earnshaw

Adjournment moved -

That consideration of this Motion should be adjourned until the January 2003 sitting of this Honourable Court.

Mr Braidwood

Adjournment lost.

Court divided.

Amendment carried.

Court divided.

Motion as amended carried.

28. Announcement of Royal Assent to an Act -

Data Protection Act 2002.

5. Ramsey Police Station Redevelopment -

Motion made -

That Tynwald approves the expenditure of a sum not exceeding £530,000 for the refurbishment works at Ramsey Police Station.

[Reference: Item 6 under the heading “Home Affairs” on page 8 of the Isle of Man Budget 2002-2003, and as detailed in the Estimate of Capital Payments 2002-2003 to 2006-2007 (New Schemes - Ramsey Police Station Redevelopment) on page 113 of The Isle of Man Budget 2002-2003]

Mr Braidwood

Motion carried.

**6. Sewerage - IRIS Master Plan -
Transmission Main and Pumping Stations - Port Erin to Castletown -**

Motion made -

That Tynwald authorises the Department of Transport to undertake works for the construction of the sewage transmission main and pumping stations between Port Erin and Castletown for a sum not exceeding £12,915,000.

[Reference: Item No. 17 “IRIS Project Transmission Mains - construction: Port Erin - Castletown (railway)” under the heading “Transport” on page 10 of the Isle of Man Budget 2002-2003 and as detailed in the Capital Estimates 2002-2003 to 2006-2007 on page 118 of the Isle of Man Budget 2002-2003]

Mr Shimmin

Court divided.

Motion carried.

7. Manx Radio -

Motion made -

That the Report by Darwin Strategy Consulting Limited and Oliver and Ohlbaum Associates Limited on the Future Role, Structure and Funding of Manx Radio be received.

Mr Corkill

Amendment moved -

After the word “That” add “(1)” and, after the word “received” add “and its recommendations be approved;

and

(2) That Tynwald is of the opinion that statutory provision should be enacted to enable a ‘Statutory Charter’ for Manx Radio, as the Island’s National radio broadcaster, to be provided and that the Council of Ministers be requested to progress such legislation as soon as possible.”

Mr Speaker

Amendment moved -

Replace the word "received" with the word "approved" and add -

"on the basis that the conclusions and recommendations in the circulated paper entitled 'Alternative Proposals in Respect of Funding Options and Accountability' supersede the relevant sections of the Manx Radio Strategy Review Report where appropriate."

Mr Bell

Amendment moved -

After the word "That" insert the figure "(1)"; and

After the word "receive" delete the full stop and add -

"(2) the Council of Ministers report to Tynwald Court by the March 2003 sitting on the capability of senior management of Manx Radio to implement the proposed changes."

Mr Quine

Mr Speaker's amendment -

Paragraph 1 withdrawn.

Paragraph 2 carried.

Mr Quine's amendment -

Amendment lost.

Mr Bell's amendment -

Amendment carried.

Motion as amended by Mr Bell and Mr Speaker carried.

**DOUGLAS
WEDNESDAY 11TH DECEMBER 2002**

8. A Long-Term Plan for the Nunnery Estate -

Motion made -

That the Council of Ministers' Report "A Long Term Plan for the Nunnery Estate" be received.

Mr Corkill

Court divided.

Motion carried.

**9. Isle of Man Sport and Recreation Strategy 2002-2012 -
General Leisure Strategy for the Isle of Man -**

Motion made -

That Tynwald -

- (a) approves the Isle of Man Sport and Recreation Strategy 2002-2012; and
 - (b) approves the General Leisure Strategy for the Isle of Man.
- Mr Cretney

Amendment moved -

At the end of sub-paragraph (a) delete the word "and".

At the end of sub-paragraph (b) add the words "; and

- (c) *is of the opinion that in the interest of further developing sports and recreational facilities for young people through voluntary bodies, a scheme for the provision of financial assistance to such bodies to a maximum of £50,000 for each approved project, subject to the raising of funds on a pound for pound basis by the voluntary body, should be introduced by the Government."*

Mr Quine

Amendment carried.

Motion as amended carried.

10. Select Committee on the Reduction of Standing Committees -

Motion made -

That the Report of the Select Committee of Tynwald on the Reduction of Standing Committees be received and its recommendations approved.

Mr Speaker

Amendment moved -

That after the word "recommendations" the following be inserted -

"other than recommendation 5.1(f)."

Mr Gelling

Amendment moved -

After the words "recommendations approved" insert -

"but in 5.1 (h) (i) for "award" substitute "recommend to Tynwald"."

Mr Quayle

Mr Gelling's amendment -
Court divided.
Amendment lost.

Mr Quayle's amendment -
Amendment carried.

Motion as amended carried.

11. Select Committee on the Petition for Redress of Grievance of Helen Margaret Hyde -

Motion made -

That the Report of the Select Committee on the Petition for Redress of Grievance of Helen Margaret Hyde be received and its recommendation approved.

Mr Downie

Amendment moved -

Add -

“Further, that the Council of Ministers report on the issues raised in paragraph 5.2a of the Select Committee Report by the July 2003 sitting of Tynwald Court.”

Mr Quine

Amendment carried.
Motion as amended carried.

12. Select Committee on Complaints of Maladministration by Mrs A E S J Pilling -

Motion made -

That the Report of the Select Committee on Complaints of Maladministration made by Mrs A E S J Pilling be received and its recommendations approved.

Mr Singer

Amendment moved -

Delete the words “its recommendations approved” and substitute -

“its first recommendation be approved and that a select committee of five Members (not comprising any Member of the Council of Ministers) should undertake a full review of the current implementation of the Standardised Complaints Procedure, including the training of staff in its use, and the desirability or otherwise of moving to a complaints regime supervised by an independent Ombudsman, and to report to Tynwald in March 2003.”

Mr Karran

Amendment lost.
Motion carried.

13. Redundant Church Site at Pulrose -

Motion made -

- (a) That a select committee consisting of five Members be established to investigate and report on all the facts surrounding the decision to demolish the redundant church in Pulrose;
- (b) that the committee investigate the need for a community resource incorporating an arts centre and/or a theatre, for the Douglas and Onchan area;
- (c) further, to investigate the benefits of locating a media-training centre (Manx Media Centre) in that building; and
- (d) finally to report whether the Manx Media Centre could usefully be relocated to the redundant church in Pulrose, and make a detailed comparison regarding the projected costs of relocation and incorporation of the Manx Media Centre from its present location to any other.

The Committee to report to Tynwald at the February 2003 sitting.
Mr Karran

Court divided.

Motion lost.

14. Petition for the Redress of Grievance of Leslie Cook and Winifred Cook -

Motion made -

That a select committee of three Members be appointed to consider and report on the petition for redress of grievance of Leslie Cook and Winifred Cook presented at Tynwald assembled at St John's on 5th July 2002.

Mr Karran

Motion carried.

Mr Braidwood, Mrs Cannell, Mr Delaney, Mr Douglas, Mr Gill, Mr Houghton and Mr Karran were proposed and seconded.

After a ballot Mr Braidwood was elected.

After a third ballot Mrs Cannell and Mr Houghton were elected.

18. Merchant Shipping (Master and Seamen) Act 1979 -

Motion made -

That the Merchant Shipping (Manning and Training) (Amendment) Regulations 2002 be approved. *[SD No 757/02]*

Mr Downie

Motion carried.

19. Road Traffic Regulation Act 1985 -

Motion made -

That the Disabled Persons (Badges for Motor Vehicles) Regulations 2002 be approved. *[SD No 790/02]*

Mr Shimmin

Motion carried.

20. Fatal Accidents Act 1981 -

Motion made -

That the Damages for Bereavement (Variation of Sum) Order 2002 be approved. *[SD No 663/02]*

Mr Shimmin

Motion carried.

21. Retirement Benefits Schemes Act 2000 -

Motion made -

That the Retirement Benefits Schemes (International Schemes) (Revised Vesting) Amendment Regulations 2002 be approved. *[SD No 664/02]*

Mr Bell

Motion carried.

22. Social Security Act 2000 -

Motion made -

That the Employment Act 2002 (Application) Order 2002 be approved. *[SD No 791/02]*

Mrs Christian

Motion carried.

23. Social Security Act 2000 -

The Minister for Health and Social Security to move -

That the Social Security Act 2000 (Amendment) (No. 2) Order 2002 be approved. *[SD No 792/02]*

Mrs Christian

Motion carried.

24. Social Security Act 2000 -

Motion made -

That the Social Security Legislation (Application) (No. 15) Order 2002 be approved. *[SD No 793/02]*

Mrs Christian

Motion carried.

25. Social Security Contributions and Benefits Act 1992 -

Motion made -

That the Family Income Supplement (General) (Amendment) (No. 3) Regulations 2002 be approved. *[SD No 794/02]*

Mrs Christian

Motion carried.

26. Social Security Contributions and Benefits Act 1992 -

Motion made -

That the Income Support (General) (Isle of Man) (Amendment) (No. 5) Regulations 2002 be approved. *[SD No 795/02]*

Mrs Christian

Motion carried.

27. Isle of Man Corporate Plan -

Motion made -

That the Tynwald debate on the Isle of Man Corporate Plan, scheduled to go before the January 2003 sitting of Tynwald, be broadcast live on Manx Radio.

Mr Corkill

Motion carried.

The Court adjourned at 7.55 pm.

**The Hon Noel Quayle Cringle
President of Tynwald**