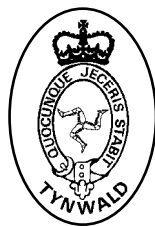


# TYNWALD

## Tinvaal



### VOTES AND PROCEEDINGS

#### Reaghyssyn as daaltyn

DOUGLAS  
TUESDAY 11<sup>th</sup> DECEMBER 2007

**1. Laid before the Court -**

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

Banking Act 1998 -  
Banking (General Practice) Regulatory (Amendment) Code 2007  
*[SD No 927/07]*

Financial Services (Inward Investment) Assistance (Amendment) Scheme  
2007 -  
Financial Services (Inward Investment) Assistance (Amendment)  
Scheme 2007 *[GC No 70/07]*

Income Tax Act 1995 -  
Income Tax (Attributed Profits) (Temporary Taxation) Order 2007  
*[SD No 928/07]*

Registration of Electors Act 2006 -  
Registration of Electors (Jury Lists) Regulations 2007 *[SD No 935/07]*

Education Act 2001 -  
Education (Student Awards) (Amendment) (No 2) Regulations 2007  
*[SD No 958/07]*

Animal Health Act 1996 -  
Foot and Mouth Disease (Importation) (Temporary Prohibition) (No. 2)  
Order 2007 *[SD No 924/07]*  
Pigs (Records, Identification and Movement) Order 2007  
*[SD No 925/07]*

Sea-Fisheries Act 1971 -  
Sea-Fisheries (Experimental Area) Byelaws 2006 (Amendment)  
Byelaws 2007 *[SD No 926/07]*

Local Government Act 1985 -  
Drumgold Street (Off-Street Car Park) Byelaws 2007 [*SD No 931/07*]

Road Transport Act 2001 -  
Public Passenger Vehicles (Drivers' Licences) (Exemption) Regulations  
2007 [*SD No 936/07*]

Value Added Tax Act 1996 -  
Value Added Tax (Amendment) (No 8) Regulations 2007  
[*SD No 872/07*]  
Value Added Tax (Special Provisions) (Amendment) Order 2007  
[*SD No 873/07*]

Town and Country Planning Act 1999 -  
Douglas (Athol and Victoria Streets) Conservation Area Order 2007  
[*SD No 950/07*]

European Communities (Isle of Man) Act 1973 -  
EC Wire Transfers Regulation (Enforcement) Regulations 2007  
[*SD No 956/07*]

European Community -  
EC Secondary Legislation - November 2007 [*GC No 73/07*]

Appointed Day Order -  
Broadcasting (Amendment) Act 2007 (Appointed Day) Order 2007  
[*SD No 957/07*]

Reports -  
First Report of the Standing Orders Committee for the Session 2007-08  
[*PP116/07*]  
Annual Report of the Standing Committee on Public Accounts for the  
Session 2006-2007 [*PP121/07*]  
Manx Electricity Authority Annual Reports for 2006/07, 2005/06,  
2004/05 and 2003/04.  
Code of Practice on Access to Government Information: Initial  
Refusals and Review of Decisions in respect of Written Requests for  
Information made under the Code during the year ended  
31<sup>st</sup> August 2007 [*GR No 043/07*]

**2. Questions -**

Questions 1 to 17 answered orally.  
Questions 18 to 26 answered in writing.

**3. OFT Inquiry into Energy Prices -**

Statement made by the Chief Minister.

**Emergency Aid Donation -**

Statement made by the Chief Minister.

**4. Manx Electricity Authority -**

Statement made by the Chairman of the Authority.

**15. Education Act 2001 -**

Motion made -

That the Education (Student Awards) (Amendment) (No 2) Regulations 2007 be approved [SD No 958/07]

Mrs Craine

Motion carried.

**International E-Commerce Commercial Court -**

Statement made by the Minister for Trade and Industry.

**Langness Peninsula -**

Statement made by the Minister for Transport.

**9. Standing Orders Committee -**

Motion made -

That the First Report of the Standing Orders of the Committee for the Session 2007-08 be received and the following recommendations approved:

(i) add to Standing Order 11.4:-

“After the sitting of the Court in February 2008 for the remainder of the Session 2007-08, ‘Quorum’ in relation to the Council shall be three members.”

(ii) amend Standing Order 6.11(c) by inserting the words in italics:-

“(c) *not relate to any specific case which could be or has been adjudicated upon by the High Court or any tribunal or arbitration, or any formal officially recognised complaints procedure, unless the petition shows that in the circumstances it is not reasonable to expect the petitioner to resort, or have resorted, to such remedy;*”

(iii) in Standing Order 7.5 delete the words:-

”on receipt by the Clerk of Tynwald”.

Mr Speaker

Motion made –

That Standing Order 3.12(1)(b) be applied.

Mr Brown

Motion carried.

Amendment moved -

*Delete subparagraph (i) and substitute:*

*“(i) After the sitting of the Court in February 2008, ‘Quorum’ in relation to the Council shall be an absolute majority of its voting Members.”*

Mr Watterson

Court divided.

Amendment lost.

Part (i) of motion -

Court divided.

Part (i) carried.

Part (ii) of motion -

Court divided.

Part (ii) carried.

Part (iii) of motion -

Court divided.

Part (iii) unanimously carried.

Motion carried.

**5. Supplementary Vote -**

Motion made -

That Tynwald -

- (1) approves the Department of Agriculture, Fisheries and Forestry incurring additional expenditure not exceeding £272,000 in order to continue the Agricultural Credits Act, the Agricultural Holdings and the Fishing Vessel (Financial Assistance) Schemes;
- (2) authorises the Treasury to spend out of the Capital Transactions Account during the year ending 31 March 2008 a sum not exceeding £272,000 in respect of the additional expenditure; and
- (3) approves and sanctions borrowings not exceeding £272,000 being made by Government, such borrowings to be repaid within a period of 30 years.

Mr Gawne

Motion carried.

**6. Refurbishment Cushag House, Four Roads, Port St Mary -**

Motion made -

That Tynwald approves the Department of Health and Social Security incurring expenditure not exceeding the sum of £299,000 for the refurbishment of the existing Cushag House, Four Roads, Port St Mary to provide accommodation for adults with learning difficulties.

Mr Teare

Motion carried.

**7. Chief Constable's Annual Report 2006/07 -**

Motion made -

That the Chief Constable's Annual Report 2006/07 be received.  
*[GR No 038/07]*

Mr Quayle

Motion carried.

**8. Langness Peninsula Footpaths -**

Motion not made.

**10. European Communities (Isle of Man) Act 1973 -**

Motion made -

That the European Communities (Wire Transfers Regulation) (Application) (Amendment) Order 2007 *[draft]* be approved

Mr Brown

Motion carried.

**11. Banking Act 1998 -**

Motion made -

That the Banking (General Practice) Regulatory (Amendment) Code 2007 be approved *[SD No 927/07]*

Mr Bell

Motion carried.

**12. The Financial Services (Inward Investment) Assistance (Amendment) Scheme 2007 -**

Motion made -

That the Financial Services (Inward Investment) Assistance (Amendment) Scheme 2007 be approved *[GC No 70/07]*

Mr Bell

Motion carried.

**13. Income Tax Act 1995 -**

Motion made -

That the Income Tax (Attributed Profits) (Temporary Taxation) Order 2007 be approved *[SD No 928/07]*

Mr Bell

Motion carried.

**14. Registration of Electors Act 2006 -**

Motion made -

That the Registration of Electors (Jury Lists) Regulations 2007 be approved  
*[SD No 935/07]*

Mr Bell

Motion carried.

**16. Animal Health Act 1996 -**

Motion made -

That the Foot and Mouth Disease (Importation) (Temporary Prohibition)  
(No. 2) Order 2007 be approved *[SD No 924/07]*

Mr Gawne

Motion carried.

**17. Animal Health Act 1996 -**

Motion made -

That the Pigs (Records, Identification and Movement) Order 2007 be  
approved *[SD No 925/07]*

Mr Gawne

Motion carried.

**18. Sea-Fisheries Act 1971 -**

Motion made -

That the Sea-Fisheries (Experimental Area) Byelaws 2006 (Amendment)  
Byelaws 2007 be approved *[SD No 926/07]*

Mr Gawne

Motion carried.

**19. Local Government Act 1985 -**

Motion made -

That the Drumgold Street (Off-Street Car Park) Byelaws 2007 be approved  
*[SD No 931/07]*

Mr Shimmin

Motion carried.

**20. Road Transport Act 2001 -**

Motion made -

The Public Passenger Vehicles (Drivers' Licences) (Exemption) Regulations  
2007 *[SD No 936/07]*

Mr Anderson

Motion carried.

**21. Management of Government owned property interests -**

Motion made -

That Tynwald requests the Council of Ministers to investigate whether all real property owned or leased by Government Departments or Statutory Boards should be vested in and controlled by a single body or Department, and to report to the Court no later than November 2008.

Mr Cregeen

Motion carried.

**22. Isle of Man Post Office Employee Survey 2007 -**

Motion made -

That Tynwald requests the Isle of Man Post Office distributes a copy of the "IOM Post Office Employee Survey 2007" to all Members of Tynwald.

Mrs Cannell

Court divided.

Motion lost.

**23. Isle of Man Post Office Employee Survey review -**

Motion not made.

**24. Peel Bay Festival -**

Motion made -

(1) That Tynwald notes the Peel Bay Festival 2007 -

(a) attracted an attendance of some 25,000 spectators and received a high level of acclaim as to the nature and quality of the event from persons both on and off the Island; and

(b) has the potential to be developed into an annual music festival attracting greater numbers of spectators, particularly from off-Island, and to make a significant contribution to the economic and social wellbeing of the Island; and

(2) requests the Department of Tourism and Leisure to -

(a) investigate with the Festival promoters proposals for the future development of the Festival from 2009 onwards to achieve the aims at (1)(a) above; and

(b) agree a 3 year business plan to include appropriate levels of marketing grant, event guarantee or other form of financial assistance; and

report to Tynwald.

Mr Speaker

Amendments moved -  
*In paragraphs:-*

*(1) delete all the words from "2007" to "(b)", and in (1)(b) for the word "makes" substitute "to make";*

*(2)(a) insert after "Festival" where it occurs the second time-  
"as a public/private sector partnership"*

*and delete the words "to achieve the aims at (1)(a) above;"*

*(2)(b) delete the words "agree a 3" and substitute "draft a 5",  
and delete "appropriate" and substitute "proposed".*

Mr Turner

Amendments moved -  
*In paragraph:-*

*(2)(b) for "agree a 3" substitute "propose a 3-5",*

*and after "assistance" insert-*

*“, with a designated official of Government as part of the management team and a Government veto on all significant aspects of the undertaking”*

Mr Karran

Motion made -

That the motion be now “put”.

Mr Watterson

Court divided.  
Motion that the motion be “put” carried.

Mr Turner’s amendment -  
Court divided.  
Amendment carried.

Mr Karran’s amendment -  
Court divided.  
Amendment lost.

Court divided.  
Amended motion carried.

The Court adjourned at 9.25 pm.

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