

Order of the Day

4. CONSIDERATION OF CLAUSES

4.1. Local Government (Amendment) Bill 2021 – Clauses considered

Mr Baker to move.

1265 **The Speaker:** Item 4, Consideration of Clauses, the Local Government (Amendment) Bill 2021, and I call on Mr Baker to move.

Mr Baker: Thank you, Mr Speaker.

1270 I would firstly like to start by thanking all Hon. Members for supporting – those Hon. Members who did support – this Bill at the Second Reading. I recall it was unanimous.

I will now move the clauses in more detail.

Mr Speaker, I would like, with your consent, to take clauses 1 and 2 together.

Clause 1 gives the Act resulting from the Bill its short title.

1275 Clause 2 makes provision for a number of provisions to come into operation on the announcement of Royal Assent, whilst the remaining provisions will come into operation by an Appointed Day Order.

Mr Speaker, I beg to move that clauses 1 and 2 do stand part of the Bill.

The Speaker: Mr Callister.

1280 **Mr Callister:** Thank you, Mr Speaker. I beg to second.

The Speaker: I put the question that clauses 1 and 2 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 3, Mr Baker.

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Mr Baker: Thank you, Mr Speaker.

Clause 3 introduces the amendments to the Local Government Act 1985, which I will refer to as the 1985 Act during the consideration of these clauses.

Mr Speaker, I beg to move that clause 3 stand part of the Bill.

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The Speaker: Thank you. Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

1295 **The Speaker:** I put the question that clause 3 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 4, Mr Baker.

1300 **Mr Baker:** Mr Speaker, clause 4 amends section 4 of the 1985 Act so as to include the ability for a relevant Department – that is, the Department of Environment, Food and Agriculture, the Department of Infrastructure and the Department of Health and Social Care – to hold an inquiry in relation to the functions of a joint board and to insert provisions regarding the conduct of such an inquiry, including the requirement for a panel and independent chairperson, appointed by the Governor, and the application of the Inquiries Evidence Act 2003.

1305 Mr Speaker, I beg to move that clause 4 stand part of the Bill.

The Speaker: Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

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The Speaker: I put the question that clause 4 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 5, Mr Baker.

1315 Mr Baker: Mr Speaker, clause 5 inserts a new section 5A into the 1985 Act, by subsection (1) of which the boundaries of each of the districts is specified by reference to maps to be deposited at the Tynwald Library and makes provision for the amendment of subsection (1) by order, subject to Tynwald approval.

Mr Speaker, I beg to move that clause 5 stand part of the Bill.

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The Speaker: Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

1325 **The Speaker:** I put the question that clause 5 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 6, Mr Baker.

1330 **Mr Baker:** Clause 6 amends section 6 of the 1985 Act to insert a power for the Department of Infrastructure to make regulations in relation to the process by which a local authority may apply to alter its district boundaries. Section 71(2) applies and specifies that such regulations require Tynwald approval.

Mr Speaker, I beg to move that clause 6 stand part of the Bill.

1335 **The Speaker:** Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

1340 **The Speaker:** I put the question that clause 6 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 7, Mr Baker.

1345 **Mr Baker:** Mr Speaker, clause 7 amends section 6A of the 1985 Act to add reference to amending a district boundary map, under new section 5A, to the matters for which an order merging local authorities may provide

Mr Speaker, I beg to move that clause 7 stand part of the Bill.

The Speaker: Mr Callister.

1350 **Mr Callister:** Thank you, Mr Speaker. I beg to second.

The Speaker: I put the question that clause 7 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 8, Mr Baker.

1355 **Mr Baker:** Mr Speaker, clause 8 substitutes section 7(3) of the 1985 Act, which included the matters for which an order establishing a joint board may provide. The substituting subsection introduces new Schedule A1, which specifies the various matters which must and may be provided for in such an order.

Mr Speaker, I beg to move that clause 8 stand part of the Bill.

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The Speaker: Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

1365 **The Speaker:** I put the question that clause 8 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 9, Mr Baker.

1370 **Mr Baker:** Mr Speaker, clause 9 amends section 9 of the 1985 Act so as to standardise the process by which a local authority may make a scheme in relation to its district and the process by which the Department of Infrastructure may make an order to give effect to such a scheme. The amendments also insert regulation-making powers by which the Department may make provision in relation to a local authority scheme and a Department order made under section 9. Section 71(2) applies and specifies that such regulations require Tynwald approval. The
1375 amendments made by clause 9 replace the obligation for the Department to hold an inquiry before making an order under section 9, with a discretionary power.

Mr Speaker, I beg to move that clause 9 stand part of the Bill.

The Speaker: Mr Callister.

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Mr Callister: Thank you, Mr Speaker. I beg to second.

The Speaker: I put the question that clause 9 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

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Clause 10, Mr Baker.

Mr Baker: Clause 10 inserts a division heading before section 10 – proceedings and allowances of the 1985 Act.

Mr Speaker, I beg to move that clause 10 stand part of the Bill.

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The Speaker: Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

1395 **The Speaker:** I put the question that clause 10 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 11, Mr Baker.

Mr Baker: Thank you, Mr Speaker.

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Clause 11 repeals sections 11 to 15 of the 1985 Act and inserts sections 15A to 15H. It should be noted the new provisions are derived from section 27 to 34 of the Localism Act 2011 of Parliament.

New section 15A imposes a duty on every local authority to promote and maintain high standards of conduct, in particular through the adoption of a code of conduct.

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New section 15B makes provision regarding such codes of conduct, including a requirement that a code is consistent with the Nolan Principles and in particular that a code must provide for

the registration of interests and make provision with regard to a failure to comply with the provisions of a code and the investigations of such allegations.

1410 New section 15C makes provision for the register of members' interests which must be established by a local authority.

New section 15D makes provision for and defines 'disclosable relevant interests', which are to be disclosed on taking office.

New section 15E makes provision for the disclosure by a local authority member, of a disclosable relevant interest which has not yet been entered into the authority's register.

1415 New section 15F makes provision regarding interests which may or may not be disclosable, but which are sensitive and the disclosure of which may expose the member or a person connected with the member, to violence or intimidation.

1420 New section 15G provides that on a written application from the clerk, in specified circumstances, a local authority may issue a dispensation from the restrictions on participation and voting on a matter in which the member has a disclosable relevant interest.

1425 New section 15H specifies the provisions in sections 15A to 15G which, if breached, constitute a criminal offence for which the maximum penalty, on summary prosecution, is a fine of level 4 on the standard scale, but also that, subject to time limits, a court may disqualify a person from being a local authority member. Any prosecution may only be brought by or on behalf of the Attorney General.

Mr Speaker, I beg to move that clause 11 stand part of the Bill.

The Speaker: Mr Callister.

1430 **Mr Callister:** Thank you, Mr Speaker. I beg to second.

The Speaker: I put the question that clause 11 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 12, Mr Baker.

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Mr Baker: Mr Speaker, clause 12 amends section 17(2) of the 1985 Act to correct a grammatical error.

Mr Speaker, I beg to move that clause 12 stand part of the Bill.

1440 **The Speaker:** Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

1445 **The Speaker:** I put the question that clause 12 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 13, Mr Baker.

Mr Baker: Thank you, Mr Speaker.

1450 Clause 13 inserts a new section 17A – Arrangements for discharge of functions – supplemental – into the 1985 Act by which, where a local authority makes arrangements for its functions to be exercised by a committee or sub-committee, two or more local authorities or an officer to whom the functions are delegated, references to the local authority in relation to those functions are to be construed as references to the body, bodies or person exercising that function.

Mr Speaker, I beg to move that clause 13 stand part of the Bill.

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The Speaker: Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

1460 **The Speaker:** I put the question that clause 13 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
Clause 14, Mr Baker.

1465 **Mr Baker:** Clause 14 amends section 20(2) – disqualification for membership of committees and disabilities for voting – of the 1985 Act. The amendments are consequential, due to the repeal of sections 11 to 14 and the insertion of section 15A to 15H.
Mr Speaker, I beg to move that clause 14 stand part of the Bill.

The Speaker: Mr Callister.

1470 **Mr Callister:** Thank you, Mr Speaker. I beg to second.

1475 **The Speaker:** I put the question that clause 14 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
Clause 15, Mr Baker.

Mr Baker: Mr Speaker, clause 15 amends section 23 – disclosure by officers of interest in contracts – of the 1985 Act. The amendments are consequential due to the repeal of sections 11 to 14 and the insertion of sections 15A to 15H.
Mr Speaker, I beg to move that clause 15 stand part of the Bill.

1480 **The Speaker:** Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

1485 **The Speaker:** I put the question that clause 15 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
Clause 16, Mr Baker.

1490 **Mr Baker:** Clause 16 amends section 27 – standing orders – of the 1985 Act so as to substitute ‘relevant interest’ for a reference to pecuniary interests and inserts a requirement for local authorities to consult the Department of Infrastructure before making standing orders under that section.
Mr Speaker, I beg to move that clause 16 stand part of the Bill.

1495 **The Speaker:** Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

1500 **The Speaker:** I put the question that clause 16 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
Clause 17, 20, 23 and 24 please, Mr Baker.

Mr Baker: Thank you, Mr Speaker.
Clauses 17, 20, 23 and 24 substitute the cross-heading before sections 28 – byelaws for good rule and government, etc; 31 – notices, etc; 35 – powers to enter on land; and 38 – power to execute works on behalf of owners – of the 1985 Act, respectively.
Mr Speaker, I beg to move that clauses 17, 20, 23 and 24 do stand part of the Bill.

The Speaker: Mr Callister.

1510 **Mr Callister:** Thank you, Mr Speaker. I beg to second.

The Speaker: I put the question that clauses 17, 20, 23 and 24 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
Clause 18, Mr Baker.

1515 **Mr Baker:** Clause 18 amends section 29 – making of byelaws by Department – of the 1985 Act by setting out that byelaws made by the Department require Tynwald approval.
Mr Speaker, I beg to move that clause 18 stand part of the Bill.

1520 **The Speaker:** Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

1525 **The Speaker:** I put the question that clause 18 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
Clause 19, Mr Baker.

1530 **Mr Baker:** Mr Speaker, clause 19 substitutes sections 30(4), (5) and (6) – procedure, etc for byelaws – of the 1985 Act, so as to require any byelaws made by a local authority to be approved by the Department and be laid before Tynwald.
Mr Speaker, I beg to move that clause 19 stand part of the Bill.

The Speaker: Mr Callister.

1535 **Mr Callister:** Thank you, Mr Speaker. I beg to second.

The Speaker: Mr Hooper.

1540 **Mr Hooper:** Thanks very much, Mr Speaker.
During Second Reading, I raised the question around timescales for this. The legislation says that where byelaws have been withheld, where approval has been withheld by the Department, a local authority can come to Tynwald directly. The question I asked the Minister during Second Reading was: what if the Department does not withhold permission, but actually just pocket vetoes the byelaws and says, 'Well, we'll do them later, I'll put it on my desk and forget about it
1545 for six months or 12 months'? I am concerned that this can happen with things the Department needs to approve: whether it is petitions to extend a boundary, whether it is byelaws, whatever it is, there is no timescale built in here within which, if the Department has chosen not to act, a local authority could instead directly approach Tynwald.

1550 In the Minister's letter that he circulated last week, the only response was 'Well, if they have not withheld permission, then it has not been withheld. There are loads of reasons why there might be a delay to approval' – which does not answer the question at all, actually. It does not provide me with any comfort that the Department will actually act in an expeditious manner to support local authorities when they are trying to change their byelaws.

1555 So my question to the Minister is why has he not made any changes to this clause? Why does he think it is acceptable for there to be a completely open-ended power for the Department to just ignore a local authority, if it wants to change its byelaws. and why there is not an obligation in here or at least a timescale that says, actually, if you have not acted within 12 months, the local authorities could instead come directly to Tynwald for permission to approve their byelaws?

1560 **The Speaker:** Mover to reply.

Mr Baker: Thank you, Mr Speaker.

1565 It is certainly not the Department's intention to filibuster local authorities. If local authorities have a genuine reason to bring forward byelaws, part of the Department's duty is to support the Local Government Unit to support local authorities. Whilst it is impossible to cover every base on something like this, certainly my Department would expect to be responsive to local authorities. It feels like an unnecessarily prescriptive approach.

1570 However, if the Hon. Member feels that there ought to be amendments, I am more than happy to engage with him and my officers to discuss those and perhaps there is something that may be picked up by Legislative Council in due course.

Personally, I am not convinced that any amendments are required, which is why there are no amendments being made at this stage, but I certainly am happy to engage further if appropriate.

The Speaker: I put the question that clause 19 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 21, Mr Baker.

Mr Baker: Thank you, Mr Speaker.

1580 Clause 21 amends section 32 of the 1985 Act as it will, by the time the resulting Act comes into operation, have been amended by the Elections and Meetings (Local Authorities) Act 2021) so as to clarify the methods by which public notices may be served and documents made available for copying or inspection by a local authority.

Mr Speaker, I beg to move that clause 21 stand part of the Bill.

1585 **The Speaker:** Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

1590 **The Speaker:** I put the question that clause 21 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 22, Mr Baker.

1595 **Mr Baker:** Mr Speaker, clause 22 substitutes section 34 – inspection of minutes – of the 1985 Act and for the existing provisions which relate to the inspection of documents, substitutes Schedule 3A which provides for access to the meetings and to the documents of a local authority.

Mr Speaker, I beg to move that clause 22 stand part of the Bill.

The Speaker: Mr Callister.

1600 **Mr Callister:** Thank you, Mr Speaker. I beg to second.

The Speaker: I put the question that clause 22 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 25, Mr Baker.

1605 **Mr Baker:** Thank you, Mr Speaker.

Clause 25 repeals section 68 and Schedule 3 on the date on which section 25 and Schedule A1 of the resulting Act come into operation and makes provision for joint boards which exist on the date on which the repeals take effect.

1610 Mr Speaker, I beg to move that clause 25 stand part of the Bill.

The Speaker: Mr Callister.

1615 **Mr Callister:** Thank you, Mr Speaker. I beg to second.

The Speaker: I put the question that clause 25 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
Clause 26, Mr Baker.

1620 **Mr Baker:** Mr Speaker, clause 26 amends section 72 – interpretation – of the 1985 Act so as in subsection (1) to substitute the definitions of ‘chairman’ and ‘member’ and to insert definitions of ‘clerk’, ‘co-opted member’, ‘Corporation’ and ‘substitute member’ and provides that the subsection (1) may be amended by order, subject to Tynwald approval.
Mr Speaker, I beg to move that clause 26 stands part of the Bill.

1625 **The Speaker:** Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

1630 **The Speaker:** I put the question that clause 26 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
Clause 27 and Schedule 1, Minister.

1635 **Mr Baker:** Thank you, Mr Speaker.
Clause 27 inserts new Schedule A1 into the 1985 Act as set out in Schedule 1 of this Bill. Schedule A1 is introduced in amended section 7 of the 1985 Act.
Schedule 1 specifies the various matters which must and may be provided for in an order under section 7 of the 1985 Act.
Mr Speaker, I beg to move that clause 27 and Schedule 1 do stand part of the Bill.

1640 **The Speaker:** Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

1645 **The Speaker:** I put the question that clause 27 and Schedule 1 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
Clause 28, Mr Baker.

1650 **Mr Baker:** Clause 28 amends Schedule 1 to the 1985 Act by inserting a new subparagraph 4(6) which provides that notice of a meeting may be served on a member by electronic means and amends paragraph 9 of that Schedule so as to provide for the signing and storing of minutes from a meeting at which members attend remotely.
Mr Speaker, I beg to move that clause 28 stand part of the Bill.

1655 **The Speaker:** Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

1660 **The Speaker:** I put the question that clause 28 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
Clause 29 and Schedule 2 please, Mr Baker.

1665 **Mr Baker:** Thank you, Mr Speaker.
Clause 29 and Schedule 2 substitute Schedule 2 – attendance and travelling allowance – to the 1985 Act with the Schedule set out in Schedule 2 to this Bill and replaces the existing provisions

regarding travel and attendance allowances, with general allowance provisions derived from section 18 of the Local Government and Housing Act 1989 of Parliament, which provide that the Department of Infrastructure may make regulations authorising or requiring local authorities to make schemes for the payment of allowances to its members. Section 71(2) applies and specifies that such regulations require Tynwald approval.

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Mr Speaker, I beg to move that clause 29 and Schedule 2 do stand part of the Bill.

The Speaker: Mr Callister.

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Mr Callister: Thank you, Mr Speaker. I beg to second.

The Speaker: I put the question that clause 29 and Schedule 2 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 30 and Schedule 3 please, Mr Baker.

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Mr Baker: Thank you, Mr Speaker.

Clause 30 inserts a new Schedule 3A, as set out in Schedule 3 of the Bill into the 1985 Act, which is introduced by amended section 34 of the 1985 Act – see clause 22.

Schedule 3 sets out the requirements relating to access to the meetings and to the documents of a local authority, which is to be inserted into the 1985 Act.

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Mr Speaker, I beg to move that clause 30 and Schedule 3 do stand part of the Bill.

The Speaker: Mr Callister.

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Mr Callister: Thank you, Mr Speaker. I beg to second.

The Speaker: I put the question that clause 30 and Schedule 3 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 31, Mr Baker.

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Mr Baker: Thank you, Mr Speaker.

Clause 31 amends paragraph 4 of Schedule 4 – transitional arrangements – to the 1985 Act and the references to the provisions which do not apply to certain local authority minutes.

Mr Speaker, I beg to move that clause 31 stand part of the Bill.

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The Speaker: Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

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The Speaker: I put the question that clause 31 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 32, Mr Baker.

Mr Baker: Mr Speaker, clause 32 amends section 12(1)(a) – vesting of open space in local authority – of the Local Government Act (Miscellaneous Provisions) 1984, known as the ‘1984 Act’, by omitting ‘pursuant to a development order’ from the provision.

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The clause also inserts a new section 12A in the 1984 Act. The new section makes provision for the disposal of land which has been dedicated as, or vested in, a local authority as open space. The section is derived from section 123 of the Local Government Act 1972 of Parliament, and provides that, subject to a requirement to serve public notice in accordance with regulations to be made by the Department, a local authority may: (1) grant a short tenancy, of less than seven years, for the best consideration that can reasonably be obtained; (2) with the consent of the

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1720 Department, grant a medium tenancy of seven to 21 years, for the best consideration that can reasonably be obtained; or (3) with the consent of Tynwald, dispose of the open space by way of a disposal other than a short tenancy or a medium tenancy. The provision also inserts a definition of open space into the 1984 Act.

Mr Speaker, I beg to move that clause 32 stand part of the Bill.

1725 **The Speaker:** Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

The Speaker: Mr Hooper.

1730 **Mr Hooper:** Just a very quick one for the Minister: what about situations where a local authority may decide to dispose of a piece of land by way of three short leases that add up to a total of 21 years or, in a case I am aware of quite recently, just less than the full period of 21 years? What controls and systems are there in place to actually stop that from happening? The way this is structured it almost seems like there is a massive loophole that I can drive a cart and horses
1735 through.

The Speaker: Minister to reply.

Mr Baker: Thank you very much.

1740 Obviously, Mr Hooper is pointing out a theoretical risk if local authorities were to behave in that way of manipulating the lease situation. As drafted, it sets out three very distinct categories: short leasehold, short tenancies less than seven years ... and if the Hon. Member could explain a little more what he is thinking might happen, I would be happy to discuss that further.

May I give way to Mr Hooper on this?

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The Speaker: Mr Hooper?

1750 **Mr Hooper:** Yes, thank you. It was quite simply that if I was a local authority and I wanted to avoid going to the Department, I would simply issue three six-year leases, which I would be perfectly able to do so under this piece of legislation without needing to go to the Department. So that is a six-year lease, with a consecutive six-year lease and another six-year lease. In total, you are still getting up to 21 years, but actually because of the way this is structured at no point would I have to come and ask your permission to do so.

1755 So I am just curious as to whether there is something somewhere that says to local authorities either that is perfectly acceptable or that it is not. I am not sure what the Department's view is.

The Speaker: Minister.

1760 **Mr Baker:** I am very happy to pick up the detail with Mr Hooper and with officers, to make sure there is no exploitation avoidance by any misbehaving local authorities. I would hope that the standards of probity from our local authorities would be much higher than perhaps Mr Hooper is envisaging in this particular situation. I am sure he is not referring to any particular local authority in this particular situation. Of course, if there was to be such manipulation, then I would expect the public interest to speak up and as we know in the Isle of Man, there is a quite vociferous
1765 section of the community who may well step forward and highlight any untoward behaviour.

But I think it is best to continue that discussion separately and if an amendment is required in the other place, then I am more than happy to consider that.

1770 But the principle of this Bill is to improve the standard of behaviour of local authorities and to make them more accountable for their behaviour and their conduct and more accountable to their ratepayers. If we can tighten it further with Mr Hooper's help, I am happy to do that.

The Speaker: I put the question that clause 32 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

1775 Clause 33, Mr Baker.

Mr Baker: Thank you, Mr Speaker.

1780 Clause 33 amends section 6(1) – functions of the PSPA – and substitutes section 17(3) – transitional provisions, amendments, and repeals – of the Public Sector Pensions Act 2011 to add to the matters for which the Public Sector Pensions Authority has the *vires*. The additional function is the provision of assistance to the Department of Infrastructure, in relation to a pension scheme to which section 8 of the Superannuation Act 1984 applies, for which, subject to consulting the Scheme administrator, the Authority may recover its reasonable costs, where the provisions of any such Scheme allow for administration and maintenance expenses to be paid out of the Scheme.

1785 Despite the repeal of the Superannuation Act 1984, certain provisions by which the Department of Infrastructure may make schemes for the payment of superannuation were saved. The clause also amends the transitional provisions in the 2011 Act as they apply to those saved provisions of the Superannuation Act 1984.

1790 Mr Speaker, I beg to move that clause 33 stand part of the Bill.

The Speaker: Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

1795 **The Speaker:** I put the question that clause 33 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 34, Mr Baker.

1800 **Mr Baker:** Mr Speaker, clause 34 amends the Elections (Keys and Local Authorities) Act 2020 so as to include provision for remote attendance at local authority meetings, in terms which are consistent with those included in the Elections and Meetings (Local Authorities) Act 2021.

Mr Speaker, I beg to move that clause 34 stand part of the Bill.

1805 **The Speaker:** Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

1810 **The Speaker:** I put the question that clause 34 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 35.

Mr Baker: Mr Speaker, clause 35 amends section 19 of the Elections and Meetings (Local Authorities) Act 2021.

Mr Speaker, I beg to move that clause 35 stand part of the Bill.

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The Speaker: Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

1820 **The Speaker:** I put the question that clause 35 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
Clauses 36 to 45 inclusive, Mr Baker.

Mr Baker: Thank you, Mr Speaker.
1825 Clauses 36 to 45 amend various amendments that make provision for local authority byelaws. The effect of the proposed amendments will result in byelaws that are made by local authority will require my Department's approval before they have any effect. This is to replace the current requirement that local authority byelaws require Tynwald approval before they can have any effect.

1830 In respect of clause 40, this clause also clarifies where penalties should be credited and the procedure for local authority and Department byelaws.
Mr Speaker, I beg to move that clauses 36 to 45 do stand part of the Bill.

The Speaker: Mr Callister.

1835 **Mr Callister:** Thank you, Mr Speaker. I beg to second.

The Speaker: I put the question that clauses 36 to 45 inclusive stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
1840 Clause 46, Mr Baker.

Mr Baker: Mr Speaker, clause 46 repeals the Douglas Market Act 1956.
Mr Speaker, I beg to move that clause 46 stand part of the Bill.

1845 **The Speaker:** Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

The Speaker: I put the question that clause 46 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
1850 Clause 47, Mr Baker.

Mr Baker: Clause 47 repeals the entry relating to section 48 of the Housing Act 1955 in Schedule 1 – exceptions and modifications of Part IV of the Act of 1955 in its application to housing provided by the Department – of the Housing (Miscellaneous Provisions) Act 1976.
1855 Mr Speaker, I beg to move that clause 47 stand part of the Bill.

The Speaker: Mr Callister.

1860 **Mr Callister:** Thank you, Mr Speaker. I beg to second.

The Speaker: I put the question that clause 47 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
1865 Clauses 48 and 49, Mr Baker.

Mr Baker: Mr Speaker, clauses 48 and 49 repeal the entries relating to the Douglas Market Act 1956 in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1976 and Schedule 1 to the Fines Act 1986.
1870 Mr Speaker, I beg to move that clauses 48 and 49 do stand part of the Bill.

The Speaker: Mr Callister.

Mr Callister: Thank you, Mr Speaker. I beg to second.

1875 **The Speaker:** I put the question that clauses 48 and 49 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
Clause 50 and Schedule 4, Mr Baker.

1880 **Mr Baker:** Mr Speaker, clause 50 amends Schedule 2 to the Garff (Local Government District) Order 2015 by substituting the map as set out in Schedule 4 to this Bill.
Mr Speaker, I beg to move that clause 50 and Schedule 4 do stand part of the Bill.

The Speaker: Mr Callister.

1885 **Mr Callister:** Thank you, Mr Speaker. I beg to second.

The Speaker: I put the question that clause 50 and Schedule 4 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
Clause 51, Mr Baker.

1890 **Mr Baker:** Mr Speaker, clause 51 repeals and revokes, in whole or in part, specified enactments as listed in the clause.
Mr Speaker, I beg to move that clause 51 stand part of the Bill.

The Speaker: Mr Callister.

1895 **Mr Callister:** Thank you, Mr Speaker. I beg to second.

1900 **The Speaker:** I put the question that clause 51 stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
Now, that concludes consideration of clauses.