

TYNWALD

Tinvaal



ORDER PAPER

Claare Obbyr

DOUGLAS - VIRTUAL SITTING
Tuesday 19th January 2021
at 10.30 am

1. Suspension of Standing Orders (virtual sitting)

Mr Speaker to move –

That Standing Orders be suspended to the extent necessary to take this sitting virtually.

2. To lay before the Court –

European Union and Trade Act 2019

European Union and Trade Act 2019 (Deficiencies) (DEFA) (No. 3) Regulations 2020 [[SD No 2020/0593](#)] [[MEMO](#)]

European Union and Trade Act 2019 (Deficiencies) (Customs) Regulations 2020 [[SD No 2020/0569](#)] [[MEMO](#)]

Misappropriation Sanctions (Application) Regulations 2020 [[SD No 2020/0582](#)] [[MEMO](#)]

Unauthorised Drilling in the Eastern Mediterranean Sanctions (Application) Regulations 2020 [[SD No 2020/0583](#)] [[MEMO](#)]

Libya Sanctions (Application) Regulations 2020 [[SD No 2020/0584](#)] [[MEMO](#)]

European Union and Trade Act 2019 (UK-EU Trade Agreement) Regulations 2020 [[SD No 2020/0602](#)] [[MEMO](#)]

Employment Act 2006

Public Interest Disclosure (Prescribed Persons) Order 2021
[\[SD No 2021/0001\]](#) [\[MEMO\]](#)

National Health Service Act 2001

National Health Service (Charges for Drugs and Appliances) (Amendment) Regulations 2020 [\[SD No 2020/0586\]](#) [\[MEMO\]](#)

Medicines Act 2003

National Health Service Act 2001 (Amendment) Regulations 2020
[\[SD No 2020/0587\]](#) [\[MEMO\]](#)

Misuse of Drugs Act 1976

Misuse of Drugs (Cannabis) Regulations 2020 [\[SD No 2020/0581\]](#) [\[MEMO\]](#)

Credit Unions Act 1993

Credit Unions (Ordinary Shares) Order 2020 [\[SD No 2020/0435\]](#) [\[MEMO\]](#)

Social Security Act 2000

Social Security Contributions and Benefits Act 1992 (Application) (Amendment) (No. 13) Order 2020 [\[SD No 2020/0543\]](#) [\[MEMO\]](#)

Social Security Contributions and Benefits Act 1992 (Application) (Amendment) (No. 12) Order 2020 [\[SD No 2020/0512\]](#) [\[MEMO\]](#)

Jobseekers Act 1995 (Application) (Amendment) (No. 3) Order 2020
[\[SD No 2020/0513\]](#) [\[MEMO\]](#)

Social Security Legislation (Benefits) (Application) (Amendment) (No. 12) Order 2020 [\[SD No 2020/0514\]](#) [\[MEMO\]](#)

Customs and Excise Act 1993

Customs (Consequential Amendments) (EU Exit) Regulations 2019 (Application) Order 2020 [\[SD No 2020/0577\]](#) [\[MEMO\]](#)

Reports

Department of Education, Sport and Culture's Interim Organisational Framework Implementation Plan [\[GD No 2020/0073\]](#)

The remaining items are not the subject of motions or debates on the Order Paper

Items subject to negative resolution

Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020

Immigration and Social Security Co-ordination (EU Exit) (Consequential Provisions) Regulations 2020 [\[SD No 2020/0573\]](#) [\[MEMO\]](#)

Immigration Act 1971

Immigration (Control of Entry through Republic of Ireland) (Amendment) (No.2) Order 2020 [[SD No 2020/0578](#)] [[MEMO](#)]

Fisheries Act 2012

Sea Fishing Licensing (Amendment) (No.2) Regulations 2020 [[SD No 2020/0600](#)]

Customs and Excise Management Act 1986

Customs and Excise Management Act 1986 (Importation and Exportation of Cash) Order 2020 [[SD No 2020/0564](#)] [[MEMO](#)]

Value Added Tax Act 1996

Value Added Tax Act 1996 (Reduced Rate) (Amendment) Order 2020 [[SD No 2020/0571](#)] [[MEMO](#)]

Taxation (Cross-border Trade) Act 2018

Customs (Export) Regulations 2020 [[SD No 2020/0565](#)] [[MEMO](#)]

European Communities (Isle of Man) Act 1973

Seed Marketing (Amendment) Regulations 2020 [[SD No 2020/0594](#)] [[MEMO](#)]

Organic Products Regulations 2020 [[SD No 2020/0580](#)] [[MEMO](#)]

Wine Regulations 2020 [[SD No 2020/0595](#)] [[MEMO](#)]

Sea-Fisheries (Registration of Fish Buyers and Sellers) (Isle of Man) (Amendment) Regulations 2020 [[SD No 2020/0597](#)] [[MEMO](#)]

Official Controls (Plant Protection Products and Genetically Modified Organisms) Regulations 2020 [[SD No 2020/0520](#)] [[MEMO](#)]

Sea Fish (Marketing Standards) Regulations 2020 [[SD No 2020/0596](#)] [[MEMO](#)]

Documents subject to no procedure

Police Act 1993

Police (Special Constables) Regulations 2020 [[SD No 2020/0585](#)] [[MEMO](#)]

Immigration and Social Security (EU Withdrawal) Act 2020

Immigration (Isle of Man) (Amendment) (No.3) Order 2020 [[SI 2020/1576](#)] [[MEMO](#)]

Appointed Day Orders

Tynwald Auditor General Act 2011

Tynwald Auditor General Act 2011 (Appointed Day) Order 2020
[\[SD No 2020/0590\]](#)

Immigration (Isle of Man) (Amendment) (No.3) Order 2020

Immigration (Isle of Man) (Amendment) (No.3) Order 2020 (Appointed Day)
Order 2020 [\[SD No 2020/0572\]](#)

Reports

Criminal Injuries Compensation Scheme Report for 2019/20 [\[GD No 2020/0044\]](#)

Council of Ministers Response to the Tynwald Social Affairs Policy Review
Committee Report on Grandparents' Rights [\[GD No 2020/0076\]](#)

Department of Health and Social Care 2019/20 Annual Report
[\[GD No 2020/0078\]](#)

Report of the Interception of Communications Commissioner for the year ended
31 December 2019 [\[GD No 2020/0080\]](#)

Standing Committee of Tynwald on Public Accounts Emergency Scrutiny First
Report for the Session 2019-20: Returning Residents - Volume 2
[\[PP No 2020/0094\(2\)\]](#)

Standing Committee of Tynwald on Public Accounts Emergency Scrutiny Second
Report for the Session 2019-20: Business Support Schemes - Volume 2
[\[PP No 2020/100\(2\)\]](#)

Standing Committee of Tynwald on Public Accounts Emergency Scrutiny Third
Report for the Session 2019-20: Macro Economic Effect of the Emergency and
Financial Support Schemes - Volume 2 [\[PP No 2020/0107\(2\)\]](#)

Standing Committee of Tynwald on Public Accounts Emergency Scrutiny Fourth
Report for the Session 2019-20: Decision Making, Risk and Exiting the Emergency
- Volume 2 [\[PP No 2020/0118\(2\)\]](#)

Standing Committee of Tynwald on Public Accounts Emergency Scrutiny Fifth
Report for the Session 2019-20: Education during the Emergency Volume 2
[\[PP No 2020/0134\(2\)\]](#)

3. Questions

See Question Paper.

4. Housing

The Minister for Policy and Reform to make a Statement.

5. Interim Organisational Framework Implementation Plan

The Minister for Education, Sport and Culture to move –

That the Department of Education, Sport and Culture's Interim Organisational Framework Implementation Plan [[GD No 2020/0073](#)] be noted as a general framework for the development of DESC; and further notes that the Implementation Plan will be reviewed after 12 months to assess and measure its progress and will be modified accordingly if required.

6. Public Appointment – Isle of Man Office of Fair Trading

The Chief Minister to move –

That in accordance with Section 3(2) of the Board of Consumer Affairs Act 1981, Tynwald approves the appointment, by the Council of Ministers, of Mr Michael Bathgate to the Board of the Isle of Man Office of Fair Trading for a term of five years. [[MEMO](#)]

7. Social Affairs Policy Review Committee: Grandparents' Rights

The Chairman of the Social Affairs Policy Review Committee (Ms Edge) to move –

That the Social Affairs Policy Review Committee's First Report for the Session 2020-21:

Grandparents' Rights (Petition for Redress of Grievance) [[PP No 2019/0189](#)] be received and the following recommendations be approved:

Recommendation 1

That the Children and Young Persons Act 2001 be amended to entitle grandparents and other extended family members to apply directly to the courts for orders under section 11 of the Act.

Recommendation 2

That the Council of Ministers review public awareness and accessibility of mediation services for family matters and report to Tynwald by April 2021; and that as part of the review the Council of Ministers should consider and report on whether the Manx Industrial Relations Service system already in place for employment matters could be extended to cover family matters.

[[GD No 2020/0076](#)] is relevant to this item.

8. Tynwald Standards and Members' Interests Committee: Report (Members' Interests)

The Chairman of the Tynwald Standards and Members' Interests Committee (Mr Speaker) to move –

That the First Report of the Tynwald Standards and Members' Interests Committee for the Session 2020-2021 [[PP No 2020/0215](#)] be received and the following recommendations be approved:

Recommendation 1

That the draft amendments to the Register of Members' Interests Rules set out at Annex 1 of this report be approved by Tynwald.

Recommendation 2

That the proposed revision to paragraph 4.7 to the Schedule of Tynwald Standing Orders at Annex 3 to this Report be made.

9. European Union and Trade Act 2019

The Chief Minister to move –

That the European Union and Trade Act 2019 (UK-EU Trade Agreement) Regulations 2020 [[SD No 2020/0602](#)] [[MEMO](#)] be approved.

10. Employment Act 2006

The Minister for Enterprise to move –

That the Public Interest Disclosure (Prescribed Persons) Order 2021 [[SD No 2021/0001](#)] [[MEMO](#)] be approved.

11. European Union and Trade Act 2019

The Minister for Environment, Food and Agriculture to move –

That the European Union and Trade Act 2019 (Deficiencies) (DEFA) (No.3) (Amendment) Regulations 2020 [[SD No 2020/0602](#)] [[MEMO](#)] be approved.

12. National Health Service Act 2001

The Minister for Health and Social Care to move –

That the National Health Service (Charges for Drugs and Appliances) (Amendment) Regulations 2020 [[SD No 2020/0586](#)] [[MEMO](#)] be approved.

13. Medicines Act 2003

The Minister for Health and Social Care to move –

That the National Health Service Act 2001 (Amendment) Regulations 2020 [[SD No 2020/0587](#)] [[MEMO](#)] be approved.

14. Misuse of Drugs Act 1976

A Member of the Treasury (Mr Peake) to move –

That the Misuse of Drugs (Cannabis) Regulations 2020 [[SD No 2020/0581](#)] [[MEMO](#)] be approved.

15. Credit Unions Act 1993

The Minister for the Treasury to move –

That the Credit Unions (Ordinary Shares) Order 2020 [[SD No 2020/0435](#)] [[MEMO](#)] be approved.

16. Social Security Act 2000

The Minister for the Treasury to move –

That the Social Security Contributions and Benefits Act 1992 (Application) (Amendment) (No. 13) Order 2020 [[SD No 2020/0543](#)] [[MEMO](#)] be approved.

17. Social Security Act 2000

A Member of the Treasury (Mr Peake) to move –

That the Social Security Contributions and Benefits Act 1992 (Application) (Amendment) (No. 12) Order 2020 [[SD No 2020/0512](#)] [[MEMO](#)] be approved.

18. Social Security Act 2000

A Member of the Treasury (Mr Peake) to move –

That the Jobseekers Act 1995 (Application) (Amendment) (No. 3) Order 2020 [[SD No 2020/0513](#)] [[MEMO](#)] be approved.

19. Social Security Act 2000

A Member of the Treasury (Mr Peake) to move –

That the Social Security Legislation (Benefits) (Application) (Amendment) (No. 12) Order 2020 [[SD No 2020/0514](#)] [[MEMO](#)] be approved.

20. European Union and Trade Act 2019

The Minister for the Treasury to move –

That the European Union and Trade Act 2019 (Deficiencies) (Customs) Regulations 2020 [[SD No 2020/0569](#)] [[MEMO](#)] be approved.

21. European Union and Trade Act 2019

The Minister for the Treasury to move –

That the Misappropriation Sanctions (Application) Regulations 2020 [[SD No 2020/0582](#)] [[MEMO](#)] be approved.

22. European Union and Trade Act 2019

The Minister for the Treasury to move –

That the Unauthorised Drilling in the Eastern Mediterranean Sanctions (Application) Regulations 2020 [[SD No 2020/0583](#)] [[MEMO](#)] be approved.

23. European Union and Trade Act 2019

The Minister for the Treasury to move –

That the Libya Sanctions (Application) Regulations 2020 [[SD No 2020/0584](#)] [[MEMO](#)] be approved.

24. Customs and Excise Act 1993

The Minister for the Treasury to move –

That the Customs (Consequential Amendments) (EU Exit) Regulations 2019 (Application) Order 2020 [[SD No 2020/0577](#)] [[MEMO](#)] be approved.

25. Reserved Accommodation

The Hon Member for Arbory, Castletown and Malew (Mr Moorhouse) to move –

That Tynwald is of the opinion that the All-Island review of housing should examine:

1. The sufficiency of the existing first time buyer option, with particular consideration of:
 - the ease of access to the option for those who satisfy the residency criteria as currently defined in the Shared Equity Purchase Assistance scheme;
 - eligibility thresholds;
 - payment terms; and
 - increased flexibility in paying off loans; and
2. The feasibility of a second time purchase offering.

26. Coronavirus

The Hon. Member from Douglas Central (Mr Thomas) to move –

That Tynwald:

1. commends the Council of Ministers for having brought forward the Public Health (Coronavirus) (Amendment) Regulations 2020 under the powers contained in sections 51B, 51C, 51F, 51PA and 51Q(3) of the amended Public Health Act 1990;
2. welcomes the introduction of a new and evolving regime for testing within the isolation period and continuing exploration of additional options to manage infection risks and other considerations;
3. reaffirms the Covid-19 Stay Safe Medium-term response principles as follows:
 - a. Protection of life;
 - b. Maintenance of critical national infrastructure;
 - c. Maintenance of public safety, confidence & welfare; and
 - d. Support for a controlled return to normality, balancing social, economic & health impacts;
4. reiterates its call for regular and continuing review by Tynwald of the Borders and Stay Responsible policy frameworks and the Government's approach to living with COVID-19, considering the risks and different scenarios arising from the evolving local and global COVID-19 pandemic situations; and
5. requires a report by the Council of Ministers at the February sitting on the establishment of the Emergency Advisory Group including details of the

broad advice and input this group has provided to support decision making in a collaborative and transparent manner.

The following documents are relevant to this item.

Public Health (Coronavirus) (Amendment) Regulations 2020 [[SD No 2020/0599](#)]

Stay Safe Isle of Man Government medium-term response to COVID-19 [[GD No 2020/0013](#)]

Isle of Man Borders Framework 2020 [[NN No 2020/0047](#)]

Stay Responsible: the Isle of Man Government's long term framework for COVID19 [[NN No 2020/0048](#)]

27. UK – EU Trade and Cooperation Agreement

The Hon. Member from Douglas Central (Mr Thomas) to move –

That Tynwald:

1. endorses the Isle of Man Government's approval of the principles governing the future relationship of the UK with the EU consequent on the withdrawal of the UK from the EU insofar as they relate to the Isle of Man;
2. requests publication of all correspondence between the Isle of Man and UK Governments regarding the Isle of Man's agreement of the final text of the Agreement as it relates to the Isle of Man; and
3. requires the Council of Ministers to lay for debate by March 2021 a report on how the Isle of Man's strategic objectives for the UK's departure from the EU have been met and which identifies what questions remain open, which challenges need meeting, and which provides any other information that should be brought to the attention of Tynwald and the public concerning the Political Declaration on Harmful Tax Regimes and GDPR adequacy decisions; and
4. notes the legislative changes which need to be made under the urgent negative resolution procedure set out in the European and Trade Act 2019.

[[SD No 2020/0602](#)] is relevant to this item.

The following document is relevant to this item.

European Union and Trade Act 2019 (Deficiencies) (DEFA) (No. 8) Regulations 2019 [[SD No 2019/0374](#)]

28. Telecommunications

The Hon. Member from Douglas Central (Mr Thomas) to move –

That Tynwald requires the Council of Ministers to review where telecommunications development has been permitted under the Town and Country Planning (Telecommunications) Order 2019, with special reference to a) the extent of use of such permitted development and b) the visual impact on the character and appearance of affected areas; and to report back to Tynwald by June 2021 with proposals.

The following document is relevant to this item.

Town and Country Planning (Telecommunications) Development Order 2019
[\[SD No 2019/0393\]](#)

29. Tynwald Commissioner for Administration

The Hon. Member from Douglas Central (Mr Thomas) to move –

That a Committee of three Members of the Legislative Council be appointed to review the working of the Tynwald Commissioner for Administration Act, with special reference to i) governance; ii) scope of duties; iii) adequacy of financing; iv) operations; v) system for reporting; vi) cooperation from bodies which are investigated and vii) follow up by listed authorities of investigations and reports of the Tynwald Commissioner for Administration; and, notwithstanding the provisions of Standing Order 5.5(2), that the members of the Committee continue beyond the Dissolution of the House of Keys in 2021 and that the Committee report with recommendations by January 2022.

The following documents are relevant to this item.

Tynwald Commissioner for Administration Third Annual Report July 2020
[\[PP No 2020/0153\]](#)

Tynwald Commissioner for Administration Second Annual Report July 2019
[\[PP No 2019/0104\]](#)

Tynwald Commissioner for Administration First Annual Report July 2018
[\[PP No 2018/0119\]](#)

Tynwald Commissioner for Administration Report on a Complaint made against the Department of the Environment, Food and Agriculture [\[TCA1801\]](#)

Response to Tynwald Commissioner Case TCA1801 [\[GD No 2019/0036\]](#)

Tynwald Commissioner for Administration Report on Case 1806 [\[TCA1806\]](#)

Tynwald Commissioner for Administration Refusal to investigate a Complaint – Statement of Reasons [\[TCA 1810\]](#)

30. Public registers of conflicts of interests

The Hon. Member for Onchan (Ms Edge) to move –

That Tynwald is of the opinion that every public body subject to Isle of Man Government Financial Regulations should publish in real time every conflict register which it holds as required by Financial Direction A2.4; and that equivalent registers should be published in real time by the Treasury, by the Clerk of Tynwald's Office, and by any public body to which individual Financial Regulations apply.

31. Trading Relationship with Europe

The Chief Minister to move a General Debate on a new trading relationship with Europe and beyond.