

TYNWALD Tinvaal



ORDER PAPER Claare Obbyr

DOUGLAS
Tuesday 17th January 2012
at 10.30 am

1. To lay before the Court -

European Communities (Isle of Man) Act 1973

[European Union \(Afghanistan Sanctions\) \(Application\) \(Amendment\) \(No 2\) Order 2011 \[SD No 1066/11\]](#)

[European Union \(Belarus Sanctions\) \(Application\) \(Amendment\) \(No 5\) Order 2011 \[SD No 1068/11\]](#)

[European Union \(Burma/Myanmar Sanctions\) \(Application\) \(Amendment\) Order 2011 \[SD No 1070/11\]](#)

[European Union \(Iran Sanctions\) \(Application\) \(No 2\) \(Amendment\) Order 2011 \[SD No 1072/11\]](#)

[European Union \(Libya Sanctions\) \(Application\) \(Amendment\) \(No 12\) Order 2011 \[SD No 1074/11\]](#)

[European Union \(Syria Sanctions\) \(Application\) \(Amendment\) \(No 7\) Order 2011 \[SD No 1076/11\]](#)

[European Union \(International Criminal Tribunal for the Former Yugoslavia Sanctions\) \(Revocation\) Order 2011 \[SD No 1078/11\]](#)

[European Union \(Iran Sanctions\) \(Application\) \(Amendment\) \(No 3\) Order 2011 \[SD No 1099/11\]](#)

[European Union \(Syria Sanctions\) \(Application\) \(Amendment\) \(No 8\) Order 2011 \[SD No 1101/11\]](#)

The Local Elections Act 1986

[Local Election \(Amendment\) Rules 2011 \[SD No 1082/11\]](#)

[Local Elections \(Fees\) Order 2011 \[SD No 1081/11\]](#)

The Local Elections Act 1986

The Representation of the People Act 1995

[Local Elections \(Absent Voters\) \(Amendment\) Regulations 2011 \[SD No 1083/11\]](#)

The Licensing and Registration of Vehicles Act 1985

[Vehicle Duty Order 2011 \[SD No 1102/11\]](#)

Social Security Act 2000

Social Security Contributions and Benefits Act 1992

[Employed Person's Allowance \(Transitional and Saving Provisions\) Regulations 2011 \[SD No 434/11\]](#)

Social Security Act 2000

[Social Security Legislation \(Benefits\) \(Application\) \(Amendment\) \(No 5\) Order 2011 \[SD No 987/11\]](#)

[Social Security Legislation \(Benefits\) \(Application\) \(Amendment\) \(No 6\) Order 2011 \[SD No 988/11\]](#)

[Social Security Act 2000 \(Amendment\) Order 2011 \[SD No 1079/11\]](#)

Social Security Contributions and Benefits Act 1992

[Income-Related Benefits \(Miscellaneous Amendments\) Regulations 2011 \[SD No 433/11\]](#)

[Employed Person's Allowance \(General\) Regulations 2011 \[SD No 431/11\]](#)

Pension Schemes Act 1995

[Pension Schemes Order 2011 \[SD No 1080/11\]](#)

Terrorism (Finance) Act 2009

[Financial Restrictions \(Iran\) Order 2011 \[SD No 1041/11\]](#)

Customs and Excise Act 1993

[Export Control \(Al-Qaida and Taliban Sanctions\) Regulations 2011 \(Application\) Order 2011 \[SD No 1027/11\]](#)

[Customs and Excise Acts \(Implementation of 1979 Agreement\) \(Amendment\) Order 2011 \[SD No 863/11\]](#)

Hydrocarbon Oil Duties Act 1986

[Hydrocarbon Oil Duties Act 1986 \(Amendment\) \(No 2\) Order 2011 \[SD No 1050/11\]](#)

Wildlife Act 1990

[Ramsey Bay \(Marine Nature Reserve\) \(No 2\) Byelaws 2011 \[SD No 1086/11\]](#)

Reports -

[Select Committee of Tynwald on the Television Licence Fee - Recommendations \[GD No 55/11\]](#)

[Council of Ministers Second Report on the Implementation of the Recommendations contained in the Second Report \(2010/11\) of the Select Committee of Tynwald Legal Aid in Family Matters \(Petition for Redress of Grievance\) \[GD No 54/11\]](#)

Note: The following items are not the subject of motions on the Order Paper

Documents subject to no procedure

European Communities (Isle of Man) Act 1973

[Afghanistan Sanctions \(Amendment\) \(No 2\) Regulations 2011 \[SD No 1067/11\]](#)

[Belarus Sanctions \(Amendment\) \(No 5\) Regulations 2011 \[SD No 1069/11\]](#)

[Burma/Myanmar Sanctions \(Amendment\) Regulations 2011 \[SD No 1071/11\]](#)

[Iran Sanctions \(No 2\) \(Amendment\) Regulations 2011 \[SD No 1073/11\]](#)

[Iran Sanctions \(Amendment\) \(No 3\) Regulations 2011 \[SD No 1100/11\]](#)

[Libya Sanctions \(Amendment\) \(No 12\) Regulations 2011 \[SD No 1075/11\]](#)

[Syria Sanctions \(Amendment\) \(No 7\) Regulations 2011 \[SD No 1077/11\]](#)

[Syria Sanctions \(Amendment\) \(No 8\) Order 2011 \[SD No 1102A/11\]](#)

Appointed Day Orders

[Public Sector Pensions Act 2011 \(Appointed Day\) Order 2011 \[SD No 1084/11\]](#)

European Community

[EU Secondary Legislation - December 2011 \[GC No 61/11\]](#)

Reports -

[Council of Ministers' Report on Recommendation 4 of the Report by the Standing Committee on Public Accounts on the Renewal of the Island's Infrastructure for the Collection and Treatment of Sewage \("IRIS"\), 1991 to 2007 \[GD No 51/11\]](#)

[Overseas Aid Committee of the Council of Ministers Annual Report 2010 - 2011 \[GD No 53/11\]](#)

2. Questions

See Question Paper

3. **Select Committee of Tynwald on the Television Licence Fee - Recommendations**

The Minister for Home Affairs to move -

That the [Report by the Council of Ministers on the Report of the Select Committee of Tynwald on the Television Licence Fee](#) be received and the following Recommendations be approved:

Recommendation 1

The position in respect of the priorities set out in Recommendation 2 approved by Tynwald in July 2011 should be noted, and that the Communications Commission should continue, as far as resources and responsibilities allow, to monitor and encourage further developments as appropriate.

Recommendation 2

The Commission should review its regulatory and other functions in respect of broadcasting and media policy, including policy advice, reporting back to the Council of Ministers by July 2012 with options for Council's consideration, including specific responsibility for implementing the approved recommendations arising out of the Select Committee's report.

Recommendation 3

At the present time the resources and responsibilities in respect of broadcasting and media policy should continue to rest with the Communications Commission.

Recommendation 4

The Minister for Home Affairs should continue to hold the position of Chair of the Commission at this time, with the legislative options in relation to the impartiality and autonomy of the Commission to be examined further by the Commission in consultation with the Attorney General's Chambers.

4. **Council of Ministers Second Report on the Implementation of the Recommendations contained in the Second Report (2010/11) of the Select Committee of Tynwald Legal Aid in Family Matters (Petition for Redress of Grievance)**

The Minister for the Treasury to move -

That the ["Second Report on the Implementation of the Recommendations contained in the Second Report \(2010/11\) of the Select Committee of Tynwald - Legal Aid in Family Matters \(Petition for Redress of Grievance\)"](#) be received and progress with achieving the objectives of the Select Committee's Recommendations be approved, as follows:

1. In relation to implementation of Recommendations 1 and 4, the Legal Aid (Amendment) Bill is scheduled to be read by the House of Keys during 2012, with the First Reading planned to take place in February 2012. Provisions contained in the Bill introduce:
 - (i) a new Legal Aid Appeals Tribunal whose jurisdiction can be prescribed but which could adjudicate on any appeal, whether brought by the assisted party or the opponent of an assisted party; and

- (ii) a reconstituted Legal Aid Committee with functions of prescribing general policy, overseeing the administration of legal aid and adjudicating on any complaints other than matters within the jurisdiction of the Tribunal about any certifying officer;
- 2. In relation to the implementation of Recommendation 2, a standard procedure for responding to complaints from the general public was adopted as an interim measure, prior to Tynwald's deliberations on 12th April 2011. Provisions included in the Bill will allow the reconstituted Legal Aid Committee to adjudicate on any complaints against the Legal Aid Certifying Officer or against his or her deputy; and it will be for the committee to consider whether the interim measure should continue permanently or a new procedure is adopted; and
- 3. In relation to the implementation of Recommendation 3, the administration of legal aid, carried out by officers working within the General Registry may be subject to an investigation carried out by the Tynwald Commissioner for Administration. This would include any administrative practices that are carried out by the General Registry and the Legal Aid Certifying Officer, jointly. Where the Legal Aid Certifying Officer is responsible for administrative practices that are separate to those carried out by the General Registry, any complaint in respect of those practices may be investigated by the reconstituted Legal Aid Committee.

5. European Communities (Isle of Man) Act 1973

The Chief Minister to move -

That the European Union (Afghanistan Sanctions) (Application) (Amendment) (No 2) Order 2011 be approved [\[SD No 1066/11\]](#)

6. European Communities (Isle of Man) Act 1973

The Chief Minister to move -

That the European Union (Belarus Sanctions) (Application) (Amendment) (No 5) Order 2011 be approved [\[SD No 1068/11\]](#)

7. European Communities (Isle of Man) Act 1973

The Chief Minister to move -

That the European Union (Burma/Myanmar Sanctions) (Application) (Amendment) Order 2011 be approved [\[SD No 1070/11\]](#)

8. European Communities (Isle of Man) Act 1973

The Chief Minister to move -

That the European Union (Iran Sanctions) (Application) (No 2) (Amendment) Order 2011 be approved [\[SD No 1072/11\]](#)

9. European Communities (Isle of Man) Act 1973

The Chief Minister to move -

That the European Union (Libya Sanctions) (Application) (Amendment) (No 12) Order 2011 be approved [\[SD No 1074/11\]](#)

10. European Communities (Isle of Man) Act 1973

The Chief Minister to move -

That the European Union (Syria Sanctions) (Application) (Amendment) (No 7) Order 2011 be approved [\[SD No 1076/11\]](#)

11. European Communities (Isle of Man) Act 1973

The Chief Minister to move -

That the European Union (International Criminal Tribunal for the Former Yugoslavia Sanctions) (Revocation) Order 2011 be approved [\[SD No 1078/11\]](#)

12. European Communities (Isle of Man) Act 1973

The Chief Minister to move -

That the European Union (Iran Sanctions) (Application) (Amendment) (No 3) Order 2011 be approved [\[SD No 1099/11\]](#)

13. European Communities (Isle of Man) Act 1973

The Chief Minister to move -

That the European Union (Syria Sanctions) (Application) (Amendment) (No 8) Order 2011 be approved [\[SD No 1101/11\]](#)

14. Local Elections Act 1986

The Minister for Infrastructure to move -

That the Local Election (Amendment) Rules 2011 be approved [\[SD No 1082/11\]](#)

**15. Local Elections Act 1986
Representation of the People Act 1995**

The Minister for Infrastructure to move -

That the Local Elections (Absent Voters) (Amendment) Regulations 2011 be approved [\[SD No 1083/11\]](#)

16. Local Elections Act 1986

The Minister for Infrastructure to move –

That the Local Elections (Fees) Order 2011 be approved [\[SD No 1081/11\]](#)

17. Licensing and Registration of Vehicles Act 1985

The Minister for Infrastructure to move –

That the Vehicle Duty Order 2011 be approved [\[SD No 1102/11\]](#)

18. Social Security Act 2000

The Minister for Social Care to move –

That the Social Security Legislation (Benefits) (Application) (Amendment) (No 5) Order 2011 be approved [\[SD No 987/11\]](#)

19. Social Security Contributions and Benefits Act 1992

The Minister for Social Care to move –

That the Employed Person's Allowance (General) Regulations 2011 be approved [\[SD No 431/11\]](#)

**20. Social Security Act 2000
Social Security Contributions and Benefits Act 1992**

The Minister for Social Care to move –

That the Employed Person's Allowance (Transitional and Saving Provisions) Regulations 2011 be approved [\[SD No 434/11\]](#)

21. Social Security Contributions and Benefits Act 1992

The Minister for Social Care to move –

That the Income-Related Benefits (Miscellaneous Amendments) Regulations 2011 be approved [\[SD No 433/11\]](#)

22. Social Security Act 2000

The Minister for Social Care to move –

That the Social Security Legislation (Benefits) (Application) (Amendment) (No 6) Order 2011 be approved [\[SD No 988/11\]](#)

23. Social Security Act 2000

The Minister for Social Care to move –

That the Social Security Act 2000 (Amendment) Order 2011 be approved [\[SD No 1079/11\]](#)

24. Pension Schemes Act 1995

The Minister for Social Care to move –

That the Pension Schemes Order 2011 be approved [\[SD No 1080/11\]](#)

25. Terrorism (Finance) Act 2009

The Minister for the Treasury to move –

That the Financial Restrictions (Iran) Order 2011 be approved [\[SD No 1041/11\]](#)

26. Customs and Excise Act 1993

The Minister for the Treasury to move –

That the Export Control (Al-Qaida and Taliban Sanctions) Regulations 2011 (Application) Order 2011 be approved [\[SD No 1027/11\]](#)

27. Customs and Excise Act 1993

The Minister for the Treasury to move –

That the Customs and Excise Acts (Implementation of 1979 Agreement) (Amendment) Order 2011 be approved [\[SD No 863/11\]](#)

28. Hydrocarbon Oil Duties Act 1986

The Minister for the Treasury to move –

That the Hydrocarbon Oil Duties Act 1986 (Amendment) (No 2) Order 2011 be approved [\[SD No 1050/11\]](#)

29. Wildlife Act 1990

The Minister for Environment, Food and Agriculture to move –

That the Ramsey Bay (Marine Nature Reserve) (No 2) Byelaws 2011 be approved [\[SD No 1086/11\]](#)

30. Housing Review

The Hon. Member for Douglas South (Mrs Beecroft) to move -

That Tynwald calls upon the Minister for Social Care to report no later than April 2012 on the housing review commissioned by Tynwald in July 2010; and that the report should include proposals for the creation of a part equity mortgage scheme initially to assist those who are over 40 and are tenants in local authority housing.

31. Retail Operation of the MEA

The Hon. Member for Douglas South (Mrs Beecroft) to move -

That Tynwald believes that in these difficult financial times Government should prioritise its operations and views with concern the loss-making retail operation of the MEA; and Tynwald calls for the cessation of this operation as soon as practical; and requests the Council of Ministers to report on progress towards that cessation no later than the March 2012 sitting of Tynwald.