

TYNWALD Tinvaal



VOTES AND PROCEEDINGS Reaghyssyn as daaltyn

DOUGLAS
Tuesday 18th June 2019

IN THE COUNCIL

PRESENT President of Tynwald, Lord Bishop, HM Attorney General, Miss August-Hanson, Mr Cretney, Mr Crookall, Mr Henderson, Mrs Hendy, Mrs Lord-Brennan, Mrs Poole-Wilson, Mrs Sharpe

IN THE KEYS

PRESENT Speaker of the House of Keys, Dr Allinson, Mr Ashford, Mr Baker, Mrs Beecroft, Miss Bettison, Mr Boot, Mr Cannan, Mrs Caine, Mr Callister, Mrs Corlett, Mr Cregeen, Ms Edge, Mr Harmer, Mr Hooper, Mr Malarkey, Mr Moorhouse, Mr Peake, Mr Perkins, Mr Quayle, Mr Robertshaw, Mr Shimmins, Mr Skelly, Mr Thomas

1. Laid Before the Court –

Oil Pollution Act 1986

Merchant Shipping (MARPOL Annex I - Prevention of Pollution by Oil)
Order 2019 [[SD No 2019/0239](#)] [[MEMO](#)]

Copyright Act 1991

Copyright and Performances (Application to Other Countries) Order 2019
[[SD No 2019/0251](#)] [[MEMO](#)]

Minimum Wage Act 2001

Minimum Wage (Single Hourly Rate) Regulations 2019 [[SD No 2019/0252](#)]
[[MEMO](#)]

Minimum Wage (Young Workers Etc) Regulations 2019 [[SD No 2019/0253](#)]
[[MEMO](#)]

Electronic Transactions Act 2000
Electronic Transactions (General) (Amendment) Regulations 2019
[\[SD No 2019/0141\]](#) [\[MEMO\]](#)

Highways Act 1986
Heritage Trail Public Path Order 2019 [\[SD No 2019/0244\]](#) [\[MEMO\]](#)

Insider Dealing Act 1998
Insider Dealing (Regulated Markets) Order 2019 [\[SD No 2019/0224\]](#)
[\[MEMO\]](#)

Alcoholic Liquor Duties Act 1986
Alcoholic Liquor Duties Act 1986 (Amendment) (No. 2) Order 2019
[\[SD No 2019/0245\]](#) [\[MEMO\]](#)

Designated Businesses (Registration and Oversight) Act 2015
Designated Businesses (Amendment) Order 2019 [\[SD No 2019/0203\]](#)
[\[MEMO\]](#)

European Union and Trade Act 2019
Customs and Excise (Transit) (Amendment) (No. 2) Regulations 2019
[\[SD No 2019/0217\]](#) [\[MEMO\]](#)
European Union and Trade Act 2019 (Modification) (Statistics of Trade)
(No. 2) Regulations 2019 [\[SD No 2019/0218\]](#) [\[MEMO\]](#)
European Union and Trade Act 2019 (Modification) (Sanctions) Regulations
2019 [\[SD No 2019/0221\]](#) [\[MEMO\]](#)
European Union and Trade Act 2019 (Modification) (Sanctions) (No. 2)
Regulations 2019 [\[SD No 2019/0222\]](#) [\[MEMO\]](#)

The remaining items were not the subject of motions on the Order Paper

Documents subject to negative resolution

Control of Employment Act 2014
Control of Employment (Amendment) Regulations 2019
[\[SD No 2019/0225\]](#) [\[MEMO\]](#)

Customs and Excise Management Act 1986
Alcoholic Liquor Duties Act 1986
Tobacco Products Duty Act 1986
Excise Goods (Holding, Movement and Duty Point) (Amendment Etc.)
Regulations 2019 [\[SD No 2019/0175\]](#)

Insurance Act 2008

Insurance (Group Supervision) Regulations 2019 [[SD No 2019/0255](#)]
[[MEMO](#)]

Value Added Tax Act 1996

Value Added Tax (Finance) Order 2019 [[SD No 2019/0228](#)] [[MEMO](#)]

Documents subject to no procedure

Insurance Act 2008

Corporate Governance Code of Practice for Designated Insurers
[[SD No 2019/0254](#)]

Currency Act 1992

Currency (Tourist Trophy) (£2 Coins) Order 2019 [[SD No 2019/0233](#)]

Draft Order

Proceeds of Crime Act 2008

Proceeds of Crime Act (Compliance with International Standards) (No. 2)
Order 2019 [[SD No 2019/0263](#)] [[MEMO](#)]

Appointed Day Order

Central Registry Act 2018

Central Registry Act 2018 (Appointed Day) (No. 1) Order 2019
[[SD No 2019/0223](#)] [[MEMO](#)]

Reports

Minimum Wage Committee Recommendation 2019 [[GD No 2019/0035](#)]

Manx Industrial Relations Service Annual Report 2018 [[GD No 2019/0029](#)]

Progress Report in Relation to the November 2018 Tynwald Resolution of The
Development of Unoccupied Urban Sites [[GD No 2019/0033](#)]

Programme for Government – Review of Committees and Quasi-Autonomous
Entities – Executive Summary [[GD No 2019/0032](#)]

Report of the Select Committee on Accommodation for Vulnerable Young
People 2018-19 [[PP No 2019/0088](#)]

Bills signed –

Dormant Assets Bill 2018

Highways (Amendment) Bill 2019

2. Questions

Questions 1 to 20 were answered orally. Questions 21 to 32 were answered in writing.

3. Future Role of the Tynwald Commissioner for Administration

Statement made by the Minister for Policy and Reform.

4. Smart Services Framework

Statement made by the Minister for Policy and Reform.

5. Oil Pollution Act 1986

Motion made –

That the Merchant Shipping (MARPOL Annex I - Prevention of Pollution by Oil) Order 2019 [[SD No 2019/0239](#)] [[MEMO](#)] be approved.

Mr Skelly

Motion carried.

6. Copyright Act 1991

Motion made –

That the Copyright and Performances (Application to Other Countries) Order 2019 [[SD No 2019/0251](#)] [[MEMO](#)] be approved.

Mr Skelly

Motion carried.

Minimum Wage Act 2001

Motions made –

7. That the Minimum Wage (Single Hourly Rate) Regulations 2019 [[SD No 2019/0252](#)] [[MEMO](#)] be approved.

8. That the Minimum Wage (Young Workers Etc) Regulations 2019 [[SD No 2019/0253](#)] [[MEMO](#)] be approved.

Mr Skelly

Item 7 –
Motion carried.

Item 8 –
Motion carried.

9. Electronic Transactions Act 2000

Motion made –

That the Electronic Transactions (General) (Amendment) Regulations 2019 [[SD No 2019/0141](#)] [[MEMO](#)] be approved.

Mr Skelly

Motion carried.

Motions made –

10. Terrorism and Other Crime (Financial Restrictions) Act 2014

That the draft Terrorism and Other Crime (Financial Restrictions) Act (Section 69A) Order 2019 [[SD No 2019/0205](#)] [[MEMO](#)] be approved.

11. Proceeds of Crime Act 2008

That the draft Proceeds of Crime Act (Compliance with International Standards) Order 2019 [[SD No 2019/0206](#)] [[MEMO](#)] be approved.

Mr Malarkey

Item 10 –
Motion carried.

Item 11 –
Motion carried.

12. Highways Act 1986

Motion made –

That the Heritage Trail Public Path Order 2019 [[SD No 2019/0244](#)] [[MEMO](#)] be approved.

Mr Harmer

Motion carried.

13. Insider Dealing Act 1998

Motion not made.

14. Alcoholic Liquor Duties Act 1986

Motion made –

That the Alcoholic Liquor Duties Act 1986 (Amendment) (No. 2) Order 2019 [[SD No 2019/0245](#)] [[MEMO](#)] be approved.

Mr Cannan

Motion carried.

15. Designated Businesses (Registration and Oversight) Act 2015

Motion made –

That the Designated Businesses (Amendment) Order 2019 [[SD No 2019/0203](#)] [[MEMO](#)] be approved.

Mr Cannan

Motion carried.

16. European Union and Trade Act 2019

Motion made –

That the Customs and Excise (Transit) (Amendment) (No. 2) Regulations 2019 [[SD No 2019/0217](#)] [[MEMO](#)] be approved.

Mr Cannan

Motion carried.

17. European Union and Trade Act 2019

Motion made –

That the European Union and Trade Act 2019 (Modification) (Statistics of Trade) (No. 2) Regulations 2019 [[SD No 2019/0218](#)] [[MEMO](#)] be approved.

Mr Cannan

Motion carried.

18. European Union and Trade Act 2019

Motion made –

That the European Union and Trade Act 2019 (Modification) (Sanctions) Regulations 2019 [[SD No 2019/0221](#)] [[MEMO](#)] be approved.

Mr Cannan

Motion carried.

19. European Union and Trade Act 2019

Motion made –

That the European Union and Trade Act 2019 (Modification) (Sanctions) (No. 2) Regulations 2019 [[SD No 2019/0222](#)] [[MEMO](#)] be approved.

Mr Cannan

Motion carried.

20. Environmental Protection (Combined vote under Standing Order 3.19(1))

(Extract from the May 2019 Votes and Proceedings)

Motion made –

That Tynwald believes that the Isle of Man faces an environmental and climate emergency; and is of the opinion that the Government should allocate the necessary resources to take urgent and significant action.

Mrs Caine

Amendment moved –

To leave out the words after “That Tynwald” and to insert the words:

“welcomes the Chief Minister’s statement that the Government recognises the climate change emergency that is facing the planet and is committed to immediate action on this; welcomes the proposed introduction in the next legislative year of a Climate Change Bill which would require this Government and future administrations to achieve net zero carbon emissions by 2050; and calls upon the Government to lay its Climate Change Action Plan before Tynwald by December 2019.”

Mr Boot

Amendment moved –

To leave out all the words after the words “That Tynwald” and to insert the words:

“is of the opinion that the world is in the midst of a climate emergency that will have a significant impact on the Isle of Man and which will require sustained and committed action to address; welcomes the continuing work by the Council of Ministers to develop an ambitious climate change mitigation strategy and the commitment to introduce a Climate Change Bill; and is further of the opinion that:

(a) *the Isle of Man should aim to achieve net zero carbon emissions by 2035; and*

(b) *the Council of Ministers should publish, as part of its new climate change strategy and action plan, a climate impact assessment on the proposals it sets out.”*

Mr Hooper

Amendment moved –

To add at the end the words:

“; and that Tynwald calls on the Council of Ministers to set up an independent dedicated climate emergency transformation team, to drive change across Government to achieve the Tynwald approved climate change goals.”

Mr Peake

Mr Boot’s amendment –

Court divided.

In the Keys – Ayes 13, Noes 5

For: Dr Allinson, Mr Ashford, Mr Baker, Mr Boot, Mr Cannan, Mrs Corlett, Mr Cregeen, Mr Harmer, Mr Moorhouse, Mr Peake, Mr Quayle, Mr Robertshaw, Mr Thomas

Against: Miss Bettison, Mrs Caine, Mr Hooper, Mr Shimmins, Mr Speaker

In the Council – Ayes 1, Noes 8

For: The Lord Bishop

Against: Miss August-Hanson, Mr Cretney, Mr Crookall, Mr Henderson, Mrs Lord-Brennan, Mrs Maska, Mrs Poole-Wilson, Mrs Sharpe

Mr Boot gave notice under Standing Order 3.19(1) that he intended to move his amendment for a combined vote at the next sitting.

Amendment moved for a combined vote under Standing Order 3.19.

Mr Boot

Amendment to Mr Boot’s amendment moved –

As an Amendment to Mr Boot’s Amendment, to leave out all the words after the words “welcomes” and to insert the words:

“and concurs with the Chief Minister’s statement that the Government recognises the climate change emergency that is facing the planet and is committed to immediate action on this; and:

- 1) *is of the opinion that the Island should aim to achieve net zero carbon emissions by 2035; and*
- 2) *calls upon the Government to set up an independently chaired cross department working group tasked with developing and overseeing:*
 - a) *a Climate Change Action Plan to be laid before Tynwald in January 2020, including Climate Impact Assessments of the proposals it sets out; and*
 - b) *statutory emission targets to be included in the Climate Change Bill proposed for the next legislative year.*

Mr Hooper

Amendment to Mr Boot's amendment moved –

As an Amendment to Mr Boot's Amendment, to leave out all the words after the words "committed to immediate action on this" and to insert the words:

"welcomes further related measures and policy initiatives; and calls on the Council of Ministers to set up a dedicated climate emergency transformation team, led by an independent Chair with relevant expertise, to develop the climate change action plan to include ambitious target options for achieving net zero carbon emissions with interim targets and a climate impact assessment of proposals; in order to inform any statutory target obligations included in the proposed Climate Change Bill being introduced in the next legislative year; and calls upon the Government to lay its Climate Change Action Plan before Tynwald by January 2020."

Mr Peake

Announcement of Royal Assent –

Dormant Assets Act 2019

Highways (Amendment) Act 2019

Debate resumed.

Mr Hooper's amendment to Mr Boot's amendment –

Court divided.

Ayes 10, Noes 23

For: Dr Allinson, Miss August-Hanson, Mrs Beecroft, Miss Bettison, Mrs Caine, Mr Callister, Mr Cretney, Mr Crookall, Mr Hooper, Mr Speaker

Against: Mr Ashford, Mr Baker, Mr Boot, Mr Cannan, Mrs Corlett, Mr Cregeen, Ms Edge, Mr Harmer, Mr Henderson, The Lord Bishop, Mrs Lord-Brennan, Mr Malarkey, Mrs Maska, Mr Moorhouse, Mr Peake, Mr Perkins, Mrs Poole-Wilson, Mr Quayle, Mr Robertshaw, Mrs Sharpe, Mr Shimmins, Mr Skelly, Mr Thomas

Amendment lost.

Mr Peake's amendment to Mr Boot's amendment –
Court divided.

Ayes 33, Noes 0

For: Dr Allinson, Mr Ashford, Miss August-Hanson, Mr Baker, Mrs Beecroft, Miss Bettison, Mr Boot, Mrs Caine, Mr Callister, Mr Cannan, Mrs Corlett, Mr Cregeen, Mr Cretney, Mr Crookall, Ms Edge, Mr Harmer, Mr Henderson, Mr Hooper, The Lord Bishop, Mrs Lord-Brennan, Mr Malarkey, Mrs Maska, Mr Moorhouse, Mr Peake, Mr Perkins, Mrs Poole-Wilson, Mr Quayle, Mr Robertshaw, Mrs Sharpe, Mr Shimmins, Mr Skelly, Mr Speaker, Mr Thomas

Amendment unanimously carried.

Mr Boot's amendment, as amended –
Amendment carried.

Amended motion –

That Tynwald welcomes the Chief Minister's statement that the Government recognises the climate change emergency that is facing the planet and is committed to immediate action on this; welcomes further related measures and policy initiatives; and calls on the Council of Ministers to set up a dedicated climate emergency transformation team, led by an independent Chair with relevant expertise, to develop the climate change action plan to include ambitious target options for achieving net zero carbon emissions with interim targets and a climate impact assessment of proposals; in order to inform any statutory target obligations included in the proposed Climate Change Bill being introduced in the next legislative year; and calls upon the Government to lay its Climate Change Action Plan before Tynwald by January 2020.

Court divided.

In the Keys – Ayes 24, Noes 0

For: Dr Allinson, Mr Ashford, Mr Baker, Mrs Beecroft, Miss Bettison, Mr Boot, Mrs Caine, Mr Callister, Mr Cannan, Mrs Corlett, Mr Cregeen, Ms Edge, Mr Harmer, Mr Hooper, Mr Malarkey, Mr Moorhouse, Mr Peake, Mr Perkins, Mr Quayle, Mr Robertshaw, Mr Shimmins, Mr Skelly, Mr Speaker, Mr Thomas

In the Council – Ayes 9, Noes 0

For: Miss August-Hanson, Mr Cretney, Mr Crookall, Mr Henderson, The Lord Bishop, Mrs Lord-Brennan, Mrs Maska, Mrs Poole-Wilson, Mrs Sharpe

Amended motion unanimously carried.

Supplementary Order Paper No. 1

1. Suspension of Standing Orders –

Motion made –

That Standing Orders be suspended to the extent necessary to allow the business on the Supplementary Order Paper to be taken.

Mr Cannan

Motion carried.

2. Laid Before the Court –

Proceeds of Crime Act 2008

Terrorism and Other Crime (Financial Restrictions) Act 2014

Anti-Money Laundering and Countering the Financing of Terrorism (Civil Penalties) Regulations 2019 [[SD No 2019/0201](#)] [[MEMO](#)]

3. Proceeds of Crime Act 2008

Terrorism and Other Crime (Financial Restrictions) Act 2014

Motion made –

That the Anti-Money Laundering and Countering the Financing of Terrorism (Civil Penalties) Regulations 2019 [[SD No 2019/0201](#)] [[MEMO](#)] be approved.

Mr Cannan

Motion carried.

Honour awarded to Mr President

Mr Speaker paid tribute to Mr President, who had been awarded an OBE.

The Court adjourned at 5.37 pm.

**The Hon Stephen Charles Rodan
President of Tynwald**