

TYNWALD

Tinvaal



VOTES AND PROCEEDINGS

Reaghyssyn as daaltyn

DOUGLAS - VIRTUAL SITTING
Tuesday 21st April 2020
at 10.30 pm

IN THE COUNCIL

PRESENT President of Tynwald, The Lord Bishop, HM Attorney General, Miss August-Hanson, Mr Greenhill, Mr Henderson, Mrs Lord-Brennan, Mrs Maska, Mr Mercer, Mrs Poole-Wilson, Mrs Sharpe

IN THE KEYS

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

1. Suspension of Standing Orders (virtual sitting)

Motion made –

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

Mr Speaker

Motion carried.

2. Laid before the Court –

Public Health Act 1990

Health Protection (Notification) Regulations 2020 [[SD No 2020/0146](#)] [[MEMO](#)]

Pension Schemes Act 1995

Pension Schemes Act 1993 (Application) (Amendment) Order 2020
[\[SD No 2020/0054\]](#) [\[MEMO\]](#)

Pension Schemes Legislation (Application) (Amendment) Order 2020
[\[SD No 2020/0055\]](#) [\[MEMO\]](#)

Social Security Act 2000

Social Security Legislation (Benefits) (Application) (Amendment) (No. 3) Order 2020
[\[SD No 2020/0151\]](#) [\[MEMO\]](#)

Social Security Contributions and Benefits Act 1992

Employed Person's Allowance (General) (Amendment) Regulations 2020
[\[SD No 2020/0153\]](#) [\[MEMO\]](#)

Tobacco Products Duty Act 1986

Customs and Excise Management Act 1986

Tobacco Products Duty Act 1986 (Amendment) Order 2020 [\[SD No 2020/0169\]](#)
[\[MEMO\]](#)

Tribunals Act 2006

Flood Risk Management Tribunal Rules 2020 [\[SD No 2020/0230\]](#) [\[MEMO\]](#)

Charities Tribunal Rules 2020 [\[SD No 2020/0229\]](#) [\[MEMO\]](#)

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

Documents subject to no procedure

Gaming Betting and Lotteries Act 1988

Crown Green Bowling Festival Order 2020 [\[SD No 2020/0016\]](#)

Crown Green Bowling Festival (No. 2) Order [\[SD No 2020/0017\]](#)

Social Security Pensions Act 1975 (as extended to the Isle of Man)

Pensions Increase (Annual Review) Order 2020 [\[SD No 2020/0170\]](#)

Notice by Treasury - Coronavirus (Covid-19) - Relevant Sectors for the Purposes of:
Social Security Contributions and Benefits Act 1992 (Application) (Amendment)
(No.2) Order 2020 and the Coronavirus Business Support Scheme 2020
[\[GC No 2020/0006\]](#)

Item subject to Negative Resolution

Value Added Tax Act 1996

Value added Tax (Section 55A) (Specified Services and Excepted Supplies) Order 2020
[\[SD No 2020/0128\]](#) [\[MEMO\]](#)

Interpretation Act 2015

Licensing Fees and Duties Order 2020 [[SD No 2020/0132](#)] [[MEMO](#)]

Music and Dancing Fees and Duties Order 2020 [[SD No 2020/0133](#)] [[MEMO](#)]

Immigration Act 1971 (as extended to the Isle of Man)

Statement of Changes in Immigration Rules [[SD No 2020/0140](#)] [[MEMO](#)]

Regulation of Care Act 2013

Regulation of Care (Registration Grace Period) Regulations 2020
[[SD No 2020/0112](#)] [[MEMO](#)]

Insurance Act 2008

Insurance (Protected Cell Companies and Limited Partnerships) Amendment
Regulation 2020 [[SD No 2020/0144](#)] [[MEMO](#)]

Reports

Standing Orders Committee of Tynwald First Report for the Session 2019-20: Evolving
Practice [[PP No 2020/0068](#)]

Urgent Questions

Mr Hooper asked an Urgent Question under Standing Order 3.5(4) that was answered
orally by the Minister for Policy and Reform:

If the Minister will make a statement about support available for employees when
employers need to make adjustments during the coronavirus pandemic?

Mrs Caine asked an Urgent Question under Standing Order 3.5(4) that was answered
orally by the Chief Minister:

When he will publish the Arup report on the Laxey flood of 1st October 2019?

3. Questions

Question 1 to 4 were answered orally. Questions 5 to 7 were answered in writing.

4. Coronavirus

Statement made by the Chief Minister.

5. Standing Orders Committee of Tynwald

Motion made –

That the Standing Orders Committee of Tynwald First Report for the Session 2019-20: Evolving Practice [[PP No 2020/0068](#)] be received and the following recommendations be approved:

Recommendation 1

That the list in Standing Order 2.2(4) be replaced with the following list:

- “(a) statements by the President;
- (b) signing of Bills noted on the Order Paper or, with the consent of the Court, circulated on the instructions of the President;
- (c) announcement to Tynwald of Royal Assent to Acts;
- (d) papers presented to Tynwald by command of the Governor;
- (d1) laying of other papers;
- (e) Questions;
- (f) statements by Members ~~acting in a governmental capacity;~~
- (g) motions for the levying of taxes;
- (h) motions for the voting of money;
- (i) motions relating to reports presented to Tynwald by the Council of Ministers, Departments, Statutory Boards, Commissions or committees;
- (j) motions relating to reports of committees of Tynwald;
- ~~(k) motions relating to reports of Commissions appointed by the Governor;~~
- (l) other motions;
- (l1) general debates;
- (m) public petitions;
- (n) private petitions;
- (o) other private business.”

Recommendation 2

That Standing Orders 3.11(6)–(8) be removed and Standing Order 3.11(9) be replaced with the words: “Where any report or other document is before the Court on a motion for approval the motion itself shall indicate the particular items for which approval is being sought”.

Recommendation 3

That Standing Order 3.23(7) be amended to read as follows:

“Unless it is of such a nature that its publication would be inconsistent with the public interest, no document may be referred to until a copy has been distributed to all Members by the Clerk of Tynwald with the consent of the President.”

Recommendation 4

That Standing Order 5.1(2) be amended to read as follows:

The President shall not be eligible for membership of any committee of the Court, except the Standing Orders Committee, the Tynwald Ceremony Arrangements Committee (of which the President is chairman ex officio) and the Tynwald Management Committee, ~~the Tynwald Honours Committee and the Tynwald Members’ Pension Scheme Management Committee.~~

Recommendation 5

That Standing Orders be amended to insert in III: General Rules of Procedure a new section:

4A General Debates

3.20B (1) Two Members (a Proposer and Seconder) may put down a matter for General Debate.

(2) No motion or amendment shall be moved in General Debate, with the exception of a motion for Closure of Debate (see paragraph 9 below), and no resolution shall be agreed to at the end of any such General Debate.

(3) Subject to paragraphs (4) and (5), a Member may speak only once in a General Debate.

(4) The Proposer may reply to the General Debate.

(5) A Member who has spoken in a General Debate may speak again, with the leave of the President, to explain some material point but, in doing so, may not introduce any new matter.

(6) No General Debate shall anticipate a matter already tabled for consideration of Tynwald, except by leave of Tynwald supported by a quorum of each Branch.

(7) No General Debate shall be permitted at any time on a matter tabled for consideration by a Branch, except by leave of Tynwald supported by a quorum of each Branch.

(8) The subject matter of a General Debate shall not refer to any matter which is *sub judice*, subject to the discretion of the President. In the course of a General Debate no reference shall be made to a matter which is *sub judice*, subject to the discretion of the President.

(9) During a General Debate, a motion for Closure of Debate may be made: "That the General Debate be now concluded", no amendment or debate being allowed.

(10) Unless it appears to the President that such motion is an abuse of the rules of Tynwald or an infringement of the rights of the minority, it shall be put forthwith.

(11) If such motion is decided in the affirmative by a quorum of each Branch, the President shall call upon the mover of the General Debate to reply, after which the General Debate shall end.

Mr Speaker

Motion carried.

6. Public Appointment – Culture Vannin

Motion made –

That in accordance with the Manx Heritage Foundation Act 1982, Tynwald approves the appointment, by the Council of Ministers, of Mrs Clare Kilgallon to Culture Vannin for a term of five years. [[MEMO](#)]

Mr Quayle

Motion carried.

7. Public Health Act 1990

Motion made –

That the Health Protection (Notification) Regulations 2020 [[SD No 2020/0146](#)] [[MEMO](#)] be approved.

Mr Boot

Motion carried.

8. Pension Schemes Act 1995

Motion made –

That the Pension Schemes Act 1993 (Application) (Amendment) Order 2020 [[SD No 2020/0054](#)] [[MEMO](#)] be approved.

Mr Cannan

Motion carried.

9. Pension Schemes Act 1995

Motion made –

That the Pension Schemes Legislation (Application) (Amendment) Order 2020 [[SD No 2020/0055](#)] [[MEMO](#)] be approved.

Mr Cannan

Motion carried.

10. Social Security Act 2000

Motion made –

That the Social Security Legislation (Benefits) (Application) (Amendment) (No. 3) Order 2020 [[SD No 2020/0151](#)] [[MEMO](#)] be approved.

Mr Cannan

Motion carried.

11. Social Security Contributions and Benefits Act 1992

Motion made –

That the Employed Person's Allowance (General) (Amendment) Regulations 2020 [[SD No 2020/0153](#)] [[MEMO](#)] be approved.

Mr Cannan

Motion carried.

**12. Tobacco Products Duty Act 1986
Customs and Excise Management Act 1986**

Motion made –

That the Tobacco Products Duty Act 1986 (Amendment) Order 2020 [[SD No 2020/0169](#)] [[MEMO](#)] be approved.

Mr Cannan

Motion carried.

13. Tribunals Act 2006

Motion made –

That Tynwald approves the Flood Risk Management Tribunal Rules 2020 [[SD No 2020/0230](#)] [[MEMO](#)].

HM Attorney General

Motion carried.

14. Tribunals Act 2006

Her Majesty's Attorney General to move –

That Tynwald approves the Charities Tribunal Rules 2020 [[SD No 2020/0229](#)] [[MEMO](#)].

HM Attorney General

Motion carried.

Supplementary Order Paper No. 1

1. Suspension of Standing Orders

Motion made –

That Standing Orders be suspended to the extent necessary to allow items 2 to 8 on Supplementary Order Paper No 1 to be taken.

Mr Quayle

Motion carried.

2. To lay before the Court –

Emergency Powers Act 1936

Emergency Powers (Coronavirus) (Suspension of Regular Service Licences) Regulations 2020 [[SD No 2020/0223](#)]

Emergency Powers (Coronavirus) (Events and Gatherings) (Amendment) Regulations 2020 [[SD No 2020/0248](#)]

Emergency Powers (Coronavirus) (Fixed Penalty) Regulations 2020 [[SD No 2020/0258](#)]

Social Security Act 2000

Social Security Legislation (Benefits) (Application) (Amendment) (No. 7) Order 2020 [[SD No 2020/0256](#)] [[MEMO](#)]

Financial Provisions and Currency Act 2011

COVID 19 Salary Support (Amendment) (No.2) Scheme [[SD No 2020/0257](#)]
[MEMO]

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

Document subject to no procedure

Emergency Powers Act 1936

Proclamation by the Governor in Council [[SD No 2020/0250](#)]

Appointed Day Order

Emergency Powers Act 1936

Emergency Powers (Amendment) Act 2020 (Appointed Day) Order 2020
[[SD No 2020/0249](#)]

3. Emergency Powers Act 1936

Motion made –

That, having regard to the Proclamation of Emergency made by the Governor in Council on 15th April 2020, the Regulations made under the Emergency Powers Act 1936 which were in operation when the Proclamation of Emergency made by the Governor in Council on 16th March 2020 ceased to have effect, be approved and continue in effect.

Mr Quayle

Motion carried.

4. Emergency Powers Act 1936

Motion made –

That Tynwald approves the continuance of The Emergency Powers (Coronavirus) (Suspension of Regular Service Licences) Regulations 2020 [[SD No 2020/0223](#)].

Mr Quayle

Motion carried.

5. Emergency Powers Act 1936

Motion made –

That Tynwald approves the continuance of The Emergency Powers (Coronavirus) (Events and Gatherings) (Amendment) Regulations 2020 [[SD No 2020/0248](#)].

Mr Quayle

Motion carried.

6. Emergency Powers Act 1936

Motion made –

That Tynwald approves the continuance of The Emergency Powers (Coronavirus) (Fixed Penalty) Regulations 2020 [[SD No 2020/0258](#)].

Mr Quayle

Court divided.

In the Keys – Ayes 20, Noes 3

For: Mr Ashford, Dr Allinson, Mr Baker, Mrs Barber, Mr Boot, Mrs Caine, Mr Callister, Mr Cannan, Mrs Corlett, Mr Cregeen, Ms Edge, Mr Harmer, Mr Moorhouse, Mr Peake, Mr Perkins, Mr Quayle, Mr Robertshaw, Mr Shimmins, Mr Skelly, Mr Thomas

Against: Miss Costain, Mr Hooper, Mr Speaker

In the Council – Ayes 8, Noes 1

For: Mr Greenhill, Mr Henderson, The Lord Bishop, Mrs Lord-Brennan, Mrs Maska, Mr Mercer, Mrs Poole-Wilson, Mrs Sharpe

Against: Miss August-Hanson

Motion carried.

7. Social Security Act 2000

Motion made –

That the Social Security Legislation (Benefits) (Application) (Amendment) (No. 7) Order 2020 [[SD No 2020/0256](#)] [[MEMO](#)] be approved.

Mr Cannan

Motion carried.

8. Financial Provisions and Currency Act 2011

Motion made –

That the COVID 19 Salary Support (Amendment) (No.2) Scheme [[SD No 2020/0257](#)] [[MEMO](#)] be approved.

Mr Cannan

Motion carried.

The Court adjourned at 1.20 pm.

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