

TYNWALD

Tinvaal



VOTES AND PROCEEDINGS

Reaghyssyn as daaltyn

DOUGLAS
Tuesday 15th February 2022
at 10.30am

IN THE COUNCIL

PRESENT President of Tynwald, The Lord Bishop, HM Solicitor General, Miss August-Hanson, Mr Craine, Mr Greenhill, Mr Henderson, Mrs Kelsey, Mrs Maska, Mr Mercer, Mrs Sharpe.

IN THE KEYS

PRESENT Speaker of the House of Keys, Dr Allinson, Mr Ashford, Mrs Barber, Mr Cannan, Mrs Caine, Mr Callister, Mrs Christian, Mrs Corlett, Mr Crookall, Ms Edge, Ms Faragher, Mr Glover, Dr Haywood, Mr Hooper, Mr Johnston, Ms Lord-Brennan, Mrs Maltby, Mr Moorhouse, Mr Peters, Mrs Poole-Wilson, Mr Smith, Mr Thomas, Mr Wannenburg.

Order Paper No 2

1. Laid before the Court –

The Isle of Man Budget 2022-23 [[GD 2022/0006](#)]

Social Security Act 2000

Social Security Administration Act 1992 (Application) (Amendment) Order 2022
[[SD 2022/0004](#)]

Pension Supplement (Amendment) Order 2022 [[SD 2022/0024](#)] [[MEMO](#)]

Pension (Top-up) (Amendment) Order 2022 [[SD 2022/0025](#)] [[MEMO](#)]

Social Security Contributions and Benefits Act 1992

Social Security (Contributions) (Amendment) Regulations 2022 [[SD 2022/0005](#)]

Income Support (General) (Isle of Man) (Amendment) Regulations 2022 [[SD 2022/0026](#)] [[MEMO](#)]

Social Security Administration Act 1992

Social Security Legislation (Contributions) (Amendment) Order 2022 [[SD 2022/0006](#)]

Social Security Benefits Up-rating Order 2022 [[SD 2022/0022](#)]

Income Tax Act 1970

Income Tax (Allowance for Disabled Persons) (Temporary Taxation) Order 2022 [[SD 2022/0007](#)]

Income Tax (T.T. Homestay Scheme Allowance) (Temporary Taxation) (No.2) Order 2022 [[SD 2022/0051](#)]

Social Security Contributions and Benefits Act 1992, Social Security Administration Act 1992 and Pensions Act 2014

Social Security Benefits Up-rating Regulations 2022 [[SD 2022/0023](#)] [[MEMO](#)]

Main Order Paper

1. Laid before the Court –

Items subject to motion that had had 6 weeks on the Register of Business:

Health and Safety at Work, Etc., Act 1977

Gas Safety (Installation, Use and Management) (Application) Order 2021 [[SD 2021/0363](#)] [[MEMO](#)]

Civil Aviation Act 1982 (of Parliament)

Civil Aviation (Charges) Scheme 2022 [[SD 2021/0373](#)] [[MEMO](#)]

Items subject to motion that had not had 6 weeks on the Register of Business:

Minimum Wage Act 2001

Minimum Wage (Single Hourly Rate) Regulations 2022 [[SD 2021/0389](#)] [[MEMO](#)]

Minimum Wage (Young Workers Etc) Regulations 2022 [[SD 2021/0390](#)] [[MEMO](#)]

Items not subject to motion that had had 6 weeks on the Register of Business:

Documents subject to negative resolution

Immigration Act 2014 (of the UK Parliament)

Immigration (Fees) (No.2) (Amendment) Regulations 2021 [[SD 2021/0279](#)] [[MEMO](#)]

Taxation (Cross-border Trade) Act 2018

Customs and Excise (Miscellaneous Amendments) (No. 2) Regulations 2021

[\[SD 2021/0378\]](#) [\[MEMO\]](#)

Appointed Day Order

Elections (Keys and Local Authorities) Act 2020

Elections (Keys and Local Authorities) (Appointed Day) (Amendment) Order

[\[SD 2021/0386\]](#)

Reports

Report of Susie Alegre, Interception of Communications Commissioner for the year ended 31st December 2020 [\[GD 2021/0096\]](#)

Department of Health and Social Care report to Tynwald on Health and Social Care Complaints 2020-2021 [\[GD 2022/0001\]](#)

Council of Ministers Tynwald Policy Decisions Report 2021 [\[GD 2021/0088\]](#)

Items not subject to motion that had not had 6 weeks on the Register of Business:

Appointed Day Orders

Road Traffic Legislation (Amendment) Act 2021

Road Traffic Legislation (Amendment) Act 2021 (Appointed Day) (No.1) Order 2022 [\[SD 2022/0020\]](#)

Communications Act 2021

Communications Act 2021 (Appointed Day) (No.1) Order 2022 [\[SD 2022/0016\]](#)
[\[MEMO\]](#)

Reports

Minimum Wage Committee Recommendations 2021 [\[GD 2022/0005\]](#)

Order Paper No. 2

2. Budget for the year 2022-23

Motion made –

That the Budget proposals [\[GD 2022/0006\]](#) for the year ending 31st March 2023 be received and necessary action be taken to give effect thereto.

Mr Ashford

Court divided.

In the Keys – Ayes 23, Noes 1

For: Dr Allinson, Mr Ashford, Mrs Barber, Mr Cannan, Mrs Caine, Mr Callister, Mrs Corlett, Mr Crookall, Ms Edge, Ms Faragher, Mr Glover, Dr Haywood, Mr Hooper, Mr Johnston, Ms Lord-Brennan, Mrs Maltby, Mr Moorhouse, Mr Peters, Mrs Poole-Wilson, Mr Smith, Mr Speaker, Mr Thomas, Mr Wannenburg.

Against: Mrs Christian.

In the Council – Ayes 9, Noes 0

For: Miss August-Hanson, Mr Craine, Mr Greenhill, Mr Henderson, Mrs Kelsey, The Lord Bishop, Mrs Maska, Mr Mercer, Mrs Sharpe.

Motion carried.

3. General Revenue

Motion made –

- (1) That the Treasury be authorised to expend during the year ending 31st March 2023 sums not exceeding those set out in the column headed 'Net Expenditure/(Income)' of Table 12 on page 24 of the Isle of Man Budget, being the amounts required by the Revenue Funded Government Departments and Other Bodies after deduction of the receipts of the said Government Departments and Other Bodies estimated at the sums set out opposite their names in the column headed 'Gross Income' totalling £186,724,000 for 'Departmental Targets' to enable those Departments and Other Bodies to expend sums not exceeding £847,430,000 for 'Departmental Targets' being the estimated 'Gross Expenditure' for the purpose of carrying into effect the services approved by Tynwald.
- (2) That the Treasury be authorised during the year ending 31st March 2023 to expend sums not exceeding £16,742,000 from its own revenue contingency funds (labelled 'Government Contingency' in Table 49 on page 85) by way of transfer to Government Departments and Other Bodies for the purpose only of financing their additional budgetary costs that cannot, to the satisfaction of Treasury, be otherwise funded from within any such Government Departments and Other Bodies own approved estimates with the exception of any transfers from the Government Contingency Budget to Treasury itself save where any such transfer has received the approval of the Council of Ministers.

Mr Ashford

Motion carried.

4. Capital Payments

Motion made –

- (1) That the Treasury be authorised in respect of ‘discrete’ schemes, to expend, from the Capital Financing Reserve shown on table 19A page 37, the balance of expenditure required to complete schemes totalling £281,710,000 of which existing approvals of £246,400,000 are to remain and new approvals of £41,127,000 are sought; and in respect of ‘rolling’ schemes, to expend from the Capital Financing Reserve during the year ended 31st March 2023 £52,367,000 of which additional approvals of £40,590,000 are sought.
- (2) That the Treasury be authorised to expend during the year ending 31st March 2023, from the Capital Transactions Account, sums not exceeding those set out in Column C1 to C4 of the Capital Estimates of ‘Other Bodies’ on Table 19C on page 39 of the Isle of Man Budget, totalling £12,173,000 in C1 (being expenditure on projects already approved by Tynwald), the expenditure detailed in Column C2 of sums not exceeding £11,883,000 (being expenditure to be approved by Tynwald as part of the Budget), those set out in Column C3, totalling £9,400,000 (being those that will be presented to Tynwald during 2022-23) and those set out in Column C4 totalling £49,533,000 such borrowings to be repaid within the appropriate period as set out in Column C5.
- (3) That the Treasury be permitted to authorise expenditure up to a maximum of £500,000 in excess of the approved capital budget per capital scheme in any financial year where the Treasury is satisfied that such expenditure is a variation in the timing of the profiled expenditure and the Treasury is permitted to authorise expenditure where the scheme expenditure is in excess of approved Tynwald funds up to the lesser of 10% of the total cost of the scheme or £100,000. This will be funded through the Capital Contingency Scheme.

Mr Ashford

Motion carried.

5. Investments and Reserves

Motion made –

- (1) That Tynwald approves the transfers to and from the General Revenue Operating Account to the External and Internal Funds of the amounts set out in column 2 of Table 22 on page 45 of the Isle of Man Budget totalling £56,236,000.
- (2) That Tynwald approves the transfer to the General Revenue Operating Account, the Capital Account and Internal Funds and Other Expenses set out in the columns 5 and 6 totalling £345,300,000 and £3,485,000 respectively of the Projected

Income and Expenditure of Reserves for 2021- 22, on Table 22 page 45 of the Isle of Man Budget.

- (3) That Tynwald approves the transfers from the General Revenue Operating Account to the External and Internal Funds of the amounts set out in column 2 of Table 23 page 46 of the Isle of Man Budget totalling £32,443,000.
- (4) That Tynwald approves the transfer to the General Revenue Operating Account, the Capital Account and Internal Funds and Other Expenses set out in the columns 5 and 6 totalling £133,072,000 and £10,324,000 respectively of the Projected Income and Expenditure of Reserves for 2022- 23, on Table 23 page 46 of the Isle of Man Budget.
- (5) That the Treasury be authorised to expend from the General Revenue Account and Capital Transactions Account the amounts transferred into those accounts as set out in paragraphs 5(1) and 5(2).
- (6) That Tynwald authorises the Treasury to replenish internal or external reserves from the General Revenue Operating Account by an overall amount not exceeding £5,000,000 in any one year, and to expend such sums arising from those transfers.
- (7) That Tynwald authorises the Treasury to transfer funding between reserves (whether internal or external, other than transfers out of the Reserve Fund) by an overall amount not exceeding £5,000,000 in any one year, and to expend such sums arising from those transfers.

Mr Ashford

Motion carried.

6. Income Tax Act 1970

Motion made –

That in accordance with section 119 of the Income Tax Act 1970, it is hereby resolved –

- (1) That the personal allowance -
 - (a) in respect of two persons who are spouses or civil partners of each other under subsection (1) of section 35 of that Act shall be £29,000;
 - (b) in respect of individuals under each of paragraphs (a), (b), (ba), and (c) of subsection (3) of that section shall be £14,500.
- (2) That this resolution shall apply in respect of the income tax year commencing 6th April 2022 and subsequent years.

Mr Ashford

Motion carried.

7. Social Security Act 2000

Motion made –

That the Social Security Administration Act 1992 (Application) (Amendment) Order 2022 [[SD 2022/0004](#)] be approved.

Mr Ashford

Court divided.

In the Keys – Ayes 22, Noes 2

For: Dr Allinson, Mr Ashford, Mrs Barber, Mr Cannan, Mrs Caine, Mr Callister, Mrs Christian, Mrs Corlett, Mr Crookall, Ms Edge, Ms Faragher, Mr Glover, Dr Haywood, Mr Hooper, Mr Johnston, Ms Lord-Brennan, Mrs Maltby, Mr Moorhouse, Mr Peters, Mrs Poole-Wilson, Mr Smith, Mr Wannenburg.

Against: Mr Speaker, Mr Thomas

In the Council – Ayes 9, Noes 0

For: Miss August-Hanson, Mr Craine, Mr Greenhill, Mr Henderson, Mrs Kelsey, The Lord Bishop, Mrs Maska, Mr Mercer, Mrs Sharpe.

Motion carried.

8. Social Security Contributions and Benefits Act 1992

Motion made –

That the Social Security (Contributions) (Amendment) Regulations 2022 [[SD 2022/0005](#)] be approved.

Mr Ashford

Motion carried.

9. Social Security Administration Act 1992

Motion made –

That the Social Security Legislation (Contributions) (Amendment) Order 2022 [[SD 2022/0006](#)] be approved.

Mr Ashford

Motion carried.

10. Income Tax Act 1970

Motion made –

That the Income Tax (Allowance for Disabled Persons) (Temporary Taxation) Order 2022 [[SD 2022/0007](#)] be approved.

Mr Ashford

Motion carried.

11. Income Tax Act 1970

Motion made –

That the Income Tax (T.T. Homestay Scheme Allowance) (Temporary Taxation) (No.2) Order 2022 [[SD 2022/0051](#)] be approved.

Mr Ashford

Motion carried.

Motions made –

12. Social Security Administration Act 1992

That the Social Security Benefits Up-rating Order 2022 [[SD 2022/0022](#)] be approved.

13. Social Security Contributions and Benefits Act 1992, Social Security Administration Act 1992 and Pensions Act 2014

That the Social Security Benefits Up-rating Regulations 2022 [[SD 2022/0023](#)] [[MEMO](#)] be approved.

14. Social Security Act 2000

That the Pension Supplement (Amendment) Order 2022 [[SD 2022/0024](#)] [[MEMO](#)] be approved.

15. Social Security Act 2000

That the Pension (Top-up) (Amendment) Order 2022 [[SD 2022/0025](#)] [[MEMO](#)] be approved.

16. Social Security Contributions and Benefits Act 1992

That the Income Support (General) (Isle of Man) (Amendment) Regulations 2022 [[SD 2022/0026](#)] [[MEMO](#)] be approved.

Mr Ashford

Item 12 –
Motion carried.

Item 13 –
Motion carried.

Item 14 –
Motion carried.

Item 15 –
Motion carried.

Item 16 –
Motion carried.

Main Order Paper

2. Questions

Mr Moorhouse asked an Urgent Question under Standing Order 3.5(4) that was answered orally by the Minister for Infrastructure.

Questions 1 to 11 were answered orally.

3. Public Appointment - Gambling Supervision Commission

Motion made –

That Tynwald approves, in accordance with Paragraph 1 (1) of Schedule 1 to the Gambling Supervision Act 2010, the Treasury's appointment of Mr Giles Day as a member of the Isle of Man Gambling Supervision Commission for a period of five years.

[\[MEMO\]](#)

Mr Ashford

Motion carried.

4. Public Appointments - Isle of Man Post Office

This item had not completed 6 weeks on the Register of Business

Consent of the Court under Standing Order 2.4AA(1) -

Court divided.

In the Keys – Ayes 24, Noes 0

For: Dr Allinson, Mr Ashford, Mrs Barber, Mr Cannan, Mrs Caine, Mr Callister, Mrs Christian, Mrs Corlett, Mr Crookall, Ms Edge, Ms Faragher, Mr Glover, Dr Haywood, Mr Hooper, Mr Johnston, Ms Lord-Brennan, Mrs Maltby, Mr Moorhouse, Mr Peters, Mrs Poole-Wilson, Mr Smith, Mr Speaker, Mr Thomas, Mr Wannenburgh.

In the Council – Ayes 8, Noes 1

For: Miss August-Hanson, Mr Craine, Mr Greenhill, Mr Henderson, Mrs Kelsey, The Lord Bishop, Mrs Maska, Mrs Sharpe.

Against: Mr Mercer

Consent given.

Motion made –

That, in accordance with Section 1 of the Post Office Act 1993, Tynwald approves the appointment of the following persons, by the Council of Ministers, as members of the Isle of Man Post Office for a term of five years:

John David Hollis;
Christopher Mitchell; and
Christopher Allen. [\[MEMO\]](#)

Mr Cannan

Motion carried.

5. Public Appointments - Road Transport Licensing Committee

This item had not completed 6 weeks on the Register of Business

Consent of the Court under Standing Order 2.4AA(1) -

Court divided.

In the Keys – Ayes 24, Noes 0

For: Dr Allinson, Mr Ashford, Mrs Barber, Mr Cannan, Mrs Caine, Mr Callister, Mrs Christian, Mrs Corlett, Mr Crookall, Ms Edge, Ms Faragher, Mr Glover, Dr Haywood, Mr Hooper, Mr Johnston, Ms Lord-Brennan, Mrs Maltby, Mr Moorhouse, Mr Peters, Mrs Poole-Wilson, Mr Smith, Mr Speaker, Mr Thomas, Mr Wannenburgh.

In the Council – Ayes 9, Noes 0

For: Miss August-Hanson, Mr Craine, Mr Greenhill, Mr Henderson, Mrs Kelsey, The Lord Bishop, Mrs Maska, Mr Mercer, Mrs Sharpe.

Consent given.

Motion made –

That, in accordance with Section 1 of the Road Transport Act 2001, Tynwald approves the appointment of the following persons, by the Council of Ministers, to the Road Transport Licensing Committee for a term of five years:

Mr Graham Curphey as Chairperson;
Miss Michelle Norman as Vice Chairperson;
Mr Matthew Devereau; and
Mr John McBride. [\[MEMO\]](#)

Mr Cannan

Motion carried.

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

This item had not completed 6 weeks on the Register of Business

Consent of the Court under Standing Order 2.4AA(1) -

Court divided.

In the Keys – Ayes 24, Noes 0

For: Dr Allinson, Mr Ashford, Mrs Barber, Mr Cannan, Mrs Caine, Mr Callister, Mrs Christian, Mrs Corlett, Mr Crookall, Ms Edge, Ms Faragher, Mr Glover, Dr Haywood, Mr Hooper, Mr Johnston, Ms Lord-Brennan, Mrs Maltby, Mr Moorhouse, Mr Peters, Mrs Poole-Wilson, Mr Smith, Mr Speaker, Mr Thomas, Mr Wannenburg.

In the Council – Ayes 9, Noes 0

For: Miss August-Hanson, Mr Craine, Mr Greenhill, Mr Henderson, Mrs Kelsey, The Lord Bishop, Mrs Maska, Mr Mercer, Mrs Sharpe.

Consent given.

Motion made –

That, in accordance with Section 1.3(2) of the Board of Consumer Affairs Act 1981, Tynwald approves the appointment, by the Council of Ministers, of Mr Leslie Wong to the Board of the Isle of Man Office of Fair Trading for a term of five years. [\[MEMO\]](#)

Mr Cannan

Motion carried.

7. Tynwald Commissioner for Administration

Motion made –

That, in accordance with the Tynwald Commissioner for Administration Act 2011 and pursuant to its resolution of 19th February 2019, Tynwald approves the re-appointment of Ms Angela Main Thompson OBE as Tynwald Commissioner for Administration for a period ending on 31st October 2023.

Mr Speaker

Court divided.

Ayes 32, Noes 1

For: Dr Allinson, Mr Ashford, Miss August-Hanson, Mrs Barber, Mr Cannan, Mrs Caine, Mrs Christian, Mrs Corlett, Mr Craine, Mr Crookall, Ms Edge, Ms Faragher, Mr Glover, Mr Greenhill, Dr Haywood, Mr Henderson, Mr Hooper, Mr Johnston, Mrs Kelsey, Ms Lord-Brennan, The Lord Bishop, Mrs Maltby, Mrs Maska, Mr Mercer, Mr Moorhouse, Mr Peters, Mrs Poole-Wilson, Mrs Sharpe, Mr Smith, Mr Speaker, Mr Thomas, Mr Wannenburg.

Against: Mr Callister.

Motion carried.

8. Minimum Wage Act 2001

This item had not completed 6 weeks on the Register of Business

Consent of the Court given under Standing Order 2.4AA(1).

Motion made –

That the Minimum Wage (Young Workers Etc) Regulations 2022 [\[SD 2021/0390\]](#) [\[MEMO\]](#) be approved.

Dr Allinson

Motion carried.

9. Minimum Wage Act 2001

This item had not completed 6 weeks on the Register of Business

Consent of the Court given under Standing Order 2.4AA(1).

Motion made –

That the Minimum Wage (Single Hourly Rate) Regulations 2022 [\[SD 2021/0389\]](#) [\[MEMO\]](#) be approved.

Dr Allinson

Motion carried.

10. Health and Safety at Work, Etc., Act 1977

Motion made –

That the Gas Safety (Installation, Use and Management) (Application) Order 2021 [\[SD 2021/0363\]](#) [\[MEMO\]](#) be approved.

Mrs Barber

Motion carried.

11. Civil Aviation Act 1982 (of the UK Parliament)

Motion made –

That the Civil Aviation (Charges) Scheme 2022 [\[SD 2021/0373\]](#) [\[MEMO\]](#) be approved.

Dr Allinson

Motion carried.

Supplementary Order Paper No 1

1. Suspension of Standing Orders

Motion made –

That Standing Orders 2.3(1), 2.4(1), 10.9(1) and 10.12A(4) be suspended to allow items 2 and 3 on Supplementary Order Paper No. 1 to be taken.

Mr Cannan

Motion carried.

2. Laid before the Court –

Item subject to motion that has not had 6 weeks on the Register of Business:

Public Health Act 1990

Public Health Protection (Coronavirus) (Amendment) (No. 23) Regulations 2022
[\[SD 2022/0062\]](#) [\[MEMO\]](#)

3. Public Health Act 1990

This item had not completed 6 weeks on the Register of Business

Motion made –

That the Public Health Protection (Coronavirus) (Amendment) (No. 23) Regulations 2022 be approved [\[SD 2022/0062\]](#) [\[MEMO\]](#).

Mr Cannan

Motion carried.

The Court adjourned at 7.20pm.

**The Hon Laurence David Skelly
President of Tynwald**