

# TYNWALD Tinvaal



## VOTES AND PROCEEDINGS Reaghyssyn as daaltyn

**DOUGLAS**  
**Tuesday 21st June 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, Mrs Sharpe.

### IN THE KEYS

**PRESENT** Deputy Speaker of the House of Keys, Dr Allinson, Mr Ashford, Mr Cannan, 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, Mrs Poole-Wilson,\* Mr Peters, Mr Smith, Mr Thomas, Mr Wannenburg.

**ABSENT WITH LEAVE** Speaker of the House of Keys, Mrs Barber, Mrs Christian, Mr Mercer.

The Members marked \* participated by audio link for some or all of the sitting.

#### **Bill Signed**

Manx Care (Amendment Bill) 2022

#### **1. Laid before the Court –**

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

Social Security Act 2000

Social Security Contributions and Benefits Act 1992 (Application) (Amendment)  
(No. 2) Order 2022 [\[SD 2022/0120\]](#) [\[MEMO\]](#)

Jobseekers Act 1995 (Application) (Amendment) Order 2022 [\[SD 2022/0121\]](#)  
[\[MEMO\]](#)

Social Security Legislation (Benefits) (Application) (Amendment) (No. 3) Order 2022 [\[SD 2022/0122\]](#) [\[MEMO\]](#)

Social Security Legislation (Benefits) (Application) (Amendment) (No. 4) Order 2022 [\[SD 2022/0160\]](#) [\[MEMO\]](#)

#### Local Government Act 1985

Parish of Marown (Feeding of Animals and Birds) Byelaws 2022 [\[SD 2022/0118\]](#)  
[\[MEMO\]](#)

#### Value Added Tax Act 1996

Value Added Tax Act 1996 (Amendment) (No. 2) Order 2022 [\[SD 2022/0130\]](#)  
[\[MEMO\]](#)

#### Customs and Excise Act 1993

Customs and Excise Act (Disclosure of Tax Avoidance Schemes) (Application) (Amendment) Order 2022 [\[SD 2022/0132\]](#) [\[MEMO\]](#)

Customs and Excise (1979 Agreement) Order 2022 [\[SD 2022/0140\]](#) [\[MEMO\]](#)

#### European Union and Trade Act 2019

Russia Sanctions (Application) (No. 5) Regulations 2022 [\[SD 2022/0139\]](#) [\[MEMO\]](#)

Russia Sanctions (Application) (No. 6) Regulations 2022 [\[SD 2022/0161\]](#) [\[MEMO\]](#)

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

Control of Asbestos (Application) Order 2022 [\[SD 2022/0034\]](#) [\[MEMO\]](#)

Health and Safety at Work (Managing and Working with Asbestos Code of Practice) (Application) Order 2022 [\[SD 2022/0036\]](#) [\[MEMO\]](#)

#### Medicines Act 2003

Medicines (Prescription and General Sale) (Amendment) Regulations 2022 [\[SD 2022/0148\]](#) [\[MEMO\]](#)

#### Weights and Measures Act 1989

Weights and Measures (Intoxicating Liquor) (Amendment) Order 2022 [\[SD 2022/0164\]](#) [\[MEMO\]](#)

#### Harbours Act 2010

Harbour (Dues and Charges) (Amendment) Regulations 2022 [\[SD 2022/0002\]](#)  
[\[MEMO\]](#)

Harbour (Miscellaneous Provisions) (Amendment) Bye-laws 2022 [\[SD 2022/0003\]](#)  
[\[MEMO\]](#)

Registration of Pleasure Craft (No.2) (Amendment) Regulations 2022 [\[SD 2022/0089\]](#) [\[MEMO\]](#)

Harbour Limits Order 2022 [\[SD 2022/0049\]](#) [\[MEMO\]](#)

Harbour (Amendment) Bye-laws 2022 [\[SD 2022/0048\]](#) [\[MEMO\]](#)

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

Misuse of Drugs Act 1976

Misuse of Drugs (Cannabis Licences) (Data Processing) Regulations 2022

[\[SD 2022/0202\]](#) [\[MEMO\]](#)

**Reports**

Department of Environment, Food and Agriculture Plan 2022 [\[GD 2022/0044\]](#)

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

**Documents subject to negative resolution**

Interpretation Act 2015

Harbour (Fees) Order 2022 [\[SD 2022/0001\]](#) [\[MEMO\]](#)

Immigration Act 1971

Statement of Changes in Immigration Rules [\[SD 2022/0155\]](#) [\[MEMO\]](#)

Value Added Tax Act 1996

Value Added Tax (Disclosure of Avoidance Schemes) (Amendment) Regulations 2022 [\[SD 2022/0131\]](#) [\[MEMO\]](#)

Value Added Tax Act (Amendment) (No. 3) Order 2022 [\[SD 2022/0138\]](#) [\[MEMO\]](#)

Finance (No. 2) Act 2017

Indirect Taxes (Disclosure of Avoidance Schemes) (Amendment) Regulations 2022 [\[SD 2022/0133\]](#) [\[MEMO\]](#)

Hydrocarbon Oil Duties Act 1986 Customs and Excise Management Act 1986

Hydrocarbon Oil Duties (Miscellaneous Amendments) Regulations 2022

[\[SD 2022/0145\]](#) [\[MEMO\]](#)

Taxation (Cross-border Trade) Act 2018

Customs (Import and Export Declarations) (Amendment) Regulations 2022

[\[SD 2022/0137\]](#) [\[MEMO\]](#)

Interpretation Act 2015

Control of Asbestos (Licence Application Fees) Regulations 2022 [\[SD 2022/0035\]](#)

[\[MEMO\]](#)

Fisheries Act 2012

Sea Fisheries (Licensing) (Recreational Crab and Lobster) Regulations 2022

[\[SD 2022/0141\]](#) [\[MEMO\]](#)

Hydrocarbon Oil Duties Act 1986

Other Fuel Substitutes (Rates of Excise Duty etc) (Amendment) Order 2022  
[\[SD 2022/0144\]](#) [\[MEMO\]](#)

***Document subject to no procedure***

Currency Act 1992

Currency (TT Races Collection) £2 Coin Order 2022 [\[SD 2022/0154\]](#)

***Appointed Day Order***

Climate Change Act 2021

Climate Change Act 2021 (Appointed Day) (No.1) Order 2022 [\[SD 2022/0135\]](#)

***Reports***

Tynwald Commissioner for Administration Report on Case TCA 2003 [\[TCA-2003\]](#)

Isle of Man Ferry Terminal at Liverpool - Budget Breakdown: February 2019, July 2019, July 2021, December 2021 [\[GD 2022/0027\]](#)

Treasury Procurement Policy Review March 2022 [\[GD 2022/0042\]](#)

Criminal Injuries Compensation Scheme Annual Report for 2020/21 [\[GD 2021/0023\]](#)

2021 Isle of Man Census Report Part II [\[GD 2022/0047\]](#)

Our Island Plan: Interim Update June 2022 [\[GD 2022/0045\]](#)

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

***Documents subject to no procedure***

Council of Ministers Act 1990

Assignment of Ministers Instrument 2022 [\[GC 2022/0003\]](#)

***Reports***

Manx Care Required Outcomes Framework [\[GD 2022/0049\]](#)

Department of Health and Social Care Mandate to Manx Care 2022-23 [\[GD 2022/0048\]](#)

Report on the Accounts of Local Authorities, Burial Authorities, Elderly Persons' Housing Committees and Joint Boards [\[GD 2022/0040\]](#)

## 2. Questions

Questions 1 to 5 and 7 to 17 were asked and answered orally. Question 6 was deferred to the House of Keys on 28 June 2022.

## 3. Department of Environment, Food and Agriculture Plan 2022

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

Motion not made.

## 4. Employed Person's Allowance

Motion made –

That Tynwald is of the opinion that the changes to the Employed Persons' Allowance which were agreed to in May 2019 should not be implemented.

Ms Faragher

Amendment moved –

*To leave out all words after "That Tynwald" and add: "supports Treasury reviewing the changes to the Employed Persons' Allowance which were agreed to in May 2019 and requests an update for the July 2022 sitting."*

Dr Allinson

Amendment carried.

Amended motion –

That Tynwald supports Treasury reviewing the changes to the Employed Persons' Allowance which were agreed to in May 2019 and requests an update for the July 2022 sitting.

Amended motion carried.

## 5. Gas extraction

Motion not made.

## 6. Manx Care Mandate (General Debate)

A General Debate proposed by Mr Hooper and seconded by Dr Haywood took place on the preparation of a three-year Mandate for Manx Care covering the period 2023-2026.

Motions made –

**7. Social Security Act 2000**

That the Social Security Contributions and Benefits Act 1992 (Application) (Amendment) (No. 2) Order 2022 [\[SD 2022/0120\]](#) [\[MEMO\]](#) be approved.

Dr Allinson

**8. Social Security Act 2000**

That the Jobseekers Act 1995 (Application) (Amendment) Order 2022 [\[SD 2022/0121\]](#) [\[MEMO\]](#) be approved.

Dr Allinson

Motions carried.

**9. Social Security Act 2000**

Motion made –

That the Social Security Legislation (Benefits) (Application) (Amendment) (No. 3) Order 2022 [\[SD 2022/0122\]](#) [\[MEMO\]](#) be approved.

Dr Allinson

Motion carried.

**10. Local Government Act 1985**

Motion made –

That the Parish of Marown (Feeding of Animals and Birds) Byelaws 2022 [\[SD 2022/0118\]](#) [\[MEMO\]](#) be approved.

Mr Thomas

Motion carried.

**11. Social Security Act 2000**

Motion made –

That the Social Security Legislation (Benefits) (Application) (Amendment) (No. 4) Order [\[SD 2022/0160\]](#) [\[MEMO\]](#) be approved.

Dr Allinson

Motion carried.

**12. Value Added Tax Act 1996**

Motion made –

That the Value Added Tax Act 1996 (Amendment) (No. 2) Order 2022 [\[SD 2022/0130\]](#) [\[MEMO\]](#) be approved.

Dr Allinson

Motion carried.

**13. Customs and Excise Act 1993**

Motion made –

That the Customs and Excise Act (Disclosure of Tax Avoidance Schemes) (Application) (Amendment) Order 2022 [\[SD 2022/0132\]](#) [\[MEMO\]](#) be approved.

Dr Allinson

Motion carried.

**14. Customs and Excise Act 1993**

Motion made –

That the Customs and Excise (1979 Agreement) Order 2022 [\[SD 2022/0140\]](#) [\[MEMO\]](#) be approved.

Dr Allinson

Motion carried.

Motions made –

**15. European Union and Trade Act 2019**

That the Russia Sanctions (Application) (No. 5) Regulations 2022 [\[SD 2022/0139\]](#) [\[MEMO\]](#) be approved.

Dr Allinson

**16. European Union and Trade Act 2019**

That the Russia Sanctions (Application) (No. 6) Regulations 2022 [\[SD 2022/0161\]](#) [\[MEMO\]](#) be approved.

Dr Allinson

Item 15 –

Motion carried.

Item 16 –

Motion carried.

Leave given under Standing Order 3.23A for items 17 and 18 to be moved by Dr Haywood on behalf of Mrs Barber.

Motions made –

**17. Health and Safety at Work, Etc., Act 1977**

That the Control of Asbestos (Application) Order 2022 [\[SD 2022/0034\]](#) [\[MEMO\]](#) be approved.

Dr Haywood

**18. Health and Safety at Work, Etc., Act 1977**

That the Health and Safety at Work (Managing and Working with Asbestos Code of Practice) (Application) Order 2022 [\[SD 2022/0036\]](#) [\[MEMO\]](#) be approved.

Dr Haywood

Item 17 –

Motion carried.

Item 18 –

Motion carried.

**19. Medicines Act 2003**

Motion made –

That the Medicines (Prescription and General Sale) (Amendment) Regulations 2022 [\[SD 2022/0148\]](#) [\[MEMO\]](#) be approved.

Mr Hooper

Motion carried.

**20. Weights and Measures Act 1989**

Motion made –

That the Weights and Measures (Intoxicating Liquor) (Amendment) Order 2022 [\[SD 2022/0164\]](#) [\[MEMO\]](#) be approved.

Mr Wannenburgh

Court divided –

**In the Keys – Ayes 15, Noes 6**

For: Dr Allinson, Mr Ashford, Mr Cannan, Mr Crookall, Deputy Speaker, Ms Edge, Dr Haywood, Mr Hooper, Mr Johnston, Ms Lord-Brennan, Mr Peters, Mrs Poole-Wilson, Mr Smith, Mr Thomas, Mr Wannenburgh.



Against: Mr Callister, Mrs Corlett, Ms Faragher, Mr Glover, Mrs Maltby, Mr Moorhouse.

**In the Council – Ayes 6, Noes 2**

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

Against: Mr Craine, Mr Henderson.

Motion carried.

Motions made –

**Harbours Act 2010**

21. That the Harbour (Dues and Charges) (Amendment) Regulations 2022 [\[SD 2022/0002\]](#) [\[MEMO\]](#) be approved.
22. That the Harbour (Miscellaneous Provisions) (Amendment) Bye-laws 2022 [\[SD 2022/0003\]](#) [\[MEMO\]](#) be approved.
23. That the Registration of Pleasure Craft (No.2) (Amendment) Regulations 2022 [\[SD 2022/0089\]](#) [\[MEMO\]](#) be approved.

Mr Thomas

Item 21 –  
Motion carried.

Item 22 –  
Motion carried.

Item 23 –  
Motion carried.

**Harbours Act 2010**

Motions made –

24. That the Harbour Limits Order 2022 [\[SD 2022/0049\]](#) [\[MEMO\]](#) be approved.
25. That the Harbour (Amendment) Bye-laws 2022 [\[SD 2022/0048\]](#) [\[MEMO\]](#) be approved.

Mr Thomas

Item 24 –  
Motion carried

Item 25 –  
Motion carried

**26. Misuse of Drugs Act 1976**

*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 Misuse of Drugs (Cannabis Licences) (Data Processing) Regulations 2022 [\[SD 2022/0202\]](#) [\[MEMO\]](#) be approved.

Dr Allinson

Motion carried.

**Announcement of Royal Assent**

Manx Care (Amendment) Act 2022

Marriage Measure (Isle of Man) 2022

Safeguarding (Code of Practice) Measure (Isle of Man) 2022

**Supplementary Order Paper No.1**

**1. Constitutional and Legal Affairs and Justice Committee**

To elect a Member to replace Mr Thomas

*The other Members were Miss August-Hanson (chair) and Mr Peters.*

Mr Ashford and Mr Moorhouse were proposed and seconded.

**Ballot results**

Mr Ashford 23

Mr Moorhouse 6

**Mr Ashford:** Dr Allinson, Mr Ashford, Miss August-Hanson, Mr Cannan, Mrs Corlett, Mr Craine, Deputy Speaker, Ms Edge, Ms Faragher, Mr Greenhill, Dr Haywood, Mr Hooper, Mr Johnston, Mrs Kelsey, The Lord Bishop, Mrs Maltby, Mrs Maska, Mr Moorhouse, Mr Peters, Mrs Poole-Wilson, Mrs Sharpe, Mr Smith, Mr Thomas.

**Mr Moorhouse:** Mr Callister, Mr Crookall, Mr Glover, Mr Henderson, Ms Lord-Brennan, Mr Wanninburgh.

Mr Ashford was elected.

## **Supplementary Order Paper No.2**

### **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 Hooper

Motion carried.

### **2. Laid before the Court –**

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

Manx Care Act 2021

National Health Service Act 2001 (Amendment) Regulations 2022

Social Services Act 2011 (Amendment) Regulations 2022

Children and Young Persons Act 2001 (Amendment) Regulations 2022

Motions made –

### **3. Manx Care Act 2021**

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

That the National Health Service Act 2001 (Amendment) Regulations 2022 be approved.

Mr Hooper

### **4. Manx Care Act 2021**

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

That the Social Services Act 2011 (Amendment) Regulations 2022 be approved.

Mr Hooper

### **5. Manx Care Act 2021**

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

That the Children and Young Persons Act 2001 (Amendment) Regulations 2022 be approved.

Mr Hooper

Motions carried.

The Court adjourned at 5.35pm

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