

Statutory Document No. 2015/0089

*Electronic Transactions 2000*

## **ELECTRONIC TRANSACTIONS (GENERAL) (AMENDMENT) REGULATIONS 2015**

*Approved by Tynwald:* 17 March 2015  
*Coming into Operation:* 31 March 2015

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The Department of Economic Development makes the following Regulations under sections 1(3), 2(8) and 8(1) of the Electronic Transactions 2000.

### **1 Title**

These Regulations are the Electronic Transactions (General) (Amendment) Regulations 2015.

### **2 Commencement**

If approved by Tynwald, these Regulations come into operation on 31 March 2015.

### **3 Amendment of Regulation 6 of the Electronic Transactions (General) (No. 2) Regulations 2013**

In Regulation 6(4) of the Electronic Transactions (General) (No. 2) Regulations 2013, for "1<sup>st</sup> April 2015" substitute **aa** 1<sup>st</sup> April 2016 **bb**.

### **4 Amendment of Schedule to the Electronic Transactions (General) (No. 2) Regulations 2013**

For the Schedule to the Electronic Transactions (General) (No. 2) Regulations 2013 substitute the Schedule contained in the Schedule to these Regulations.

**MADE 16 FEBRUARY 2015**

**LAURENCE SKELLY**

*Minister for Economic Development*



**SCHEDULE**

[Regulation 4]

**▣ SCHEDULE**

[Regulation 6(2)]

**TRANSACTIONS EXCLUDED FROM EXEMPTION UNDER REGULATION 6**

<i>Exempt Body</i>	<i>Transaction</i>
Department of Economic Development	<p><i>Aircraft Registry</i></p> <p>The submission of any document required under civil aviation legislation in the Isle of Man.</p> <p><i>Employment &amp; Skills Group</i></p> <ol style="list-style-type: none"> <li>1. Submission of an application, together with associated documentation, in accordance with the Control of Employment Regulations 1993, made under the Control of Employment Act 1975.</li> <li>2. Payment of any fees in respect of work permits issued under the Control of Employment Act 1975.</li> <li>3. Submission of an application, together with associated documentation, under the Overseas Student Scheme 2006.</li> <li>4. Payment of any fees in respect of the Overseas Student Scheme 2006.</li> <li>5. Submission of an application, together with associated documentation, relating to Tiers 2 and 5 of the Points Based System, under relevant Immigration legislation.</li> <li>6. Payment of any fees in respect of applications under Tiers 2 and 5 of the Points Based System.</li> <li>7. Submission of an application, together with associated documentation, and change of details notifications, under the Employment Agencies</li> </ol>

	<p>Act 1975.</p> <p>8. Payment of any fees in respect of the Employment Agencies Act 1975.</p> <p>9. Documentation required by a Warranted Inspector or Officer of the Department, for the purposes of:</p> <ol style="list-style-type: none"> <li>a. Section 9 of the Control of Employment Act 1975;</li> <li>b. Section 8 of the Employment Agencies Act 1975;</li> <li>c. Employers Liability (Compulsory Insurance) Act 1976;</li> <li>d. Section 20 of the Employment Act 2006;</li> <li>e. Section 10 of the Minimum Wage Act 2001.</li> </ol> <p><i>Shipping Registry</i></p> <p>The submission of any document required under merchant shipping legislation except the following:</p> <ol style="list-style-type: none"> <li>a. the Merchant Shipping Registration Act 1991 and Regulations made under the Act;</li> <li>b. the Merchant Shipping (Registration) Act 1984 and Regulations made under the Act.</li> </ol>
Department of Environment, Food and Agriculture	<p><i>Agriculture and Fisheries</i></p> <ol style="list-style-type: none"> <li>1. Application for a fishing licence under the Inland Fisheries Regulations 2011.</li> <li>2. Application for, and issue of, a horse import licence under the Equine (Importation) Order 1973.</li> </ol>
Department of Home Affairs	<ol style="list-style-type: none"> <li>1. The submission of an application for a Charitable Collections Licence form as required under the Charitable Collections (Regulations) 1939.</li> <li>2. The submission of an application for a Scrap</li> </ol>

	<p>Metal Dealers Licence required under the Dealers in Old Metal Act 1952.</p> <ol style="list-style-type: none"><li>3. The submission of an application to store dangerous goods (other than petroleum spirit) required under The Dangerous Goods Act 1928 to 1954 and Dangerous Goods Orders 1928 to 1955.</li><li>4. The submission of an appeal against a fixed penalty ticket form as a statutory requirement by the Isle of Man Constabulary.</li><li>5. The submission, to a constable or customs officer serving (in either case) with the Financial Crime Unit of the Isle of Man Constabulary, of a disclosure under sections 142, 143, 144 or 154 of the Proceeds of Crime Act 2008 in the form and manner prescribed in an order made under section 155 of that Act.</li></ol>
Department of Infrastructure	<p><i>Highway Services Division</i></p> <ol style="list-style-type: none"><li>1. The payment of vehicle duty, with effect from the coming into force of this order.</li><li>2. The submission of forms, applications and payment of fees if applicable, in respect of:<ol style="list-style-type: none"><li>a. the registration of a vehicle;</li><li>b. change of vehicle ownership;</li><li>c. exporting a vehicle;</li><li>d. the purchase of registration numbers including cherished numbers;</li><li>e. change of vehicle particulars;</li><li>f. the request for duplicate documents;</li><li>g. a vehicle test;</li><li>h. a vehicle licence;</li><li>i. a declaration of a vehicle being kept off-road;</li></ol></li></ol>

	<p>j. a declaration regarding the end of life of a vehicle or scrapping a vehicle;</p> <p>k. trade licences,</p> <p>as prescribed by the Licensing and Registration of Vehicles Act 1985 and the Licensing and Registration of Vehicles Regulations 2004 or subsequent regulations.</p> <p>3. The submission of forms, applications and payment of fees, if applicable, in respect of:</p> <p>a. a driving licence;</p> <p>b. provisional driving licence;</p> <p>c. driving test or theory and hazard perception test;</p> <p>d. notification of a medical condition;</p> <p>e. supply of additional information regarding driving licence.</p> <p>4. Notification by the Chief Registrar to the Department of Infrastructure of an order of a court under Part II (disqualification and endorsement of driving licences) of Schedule 3 to the Road Traffic Act 1985.</p> <p>5. The submission of forms, applications and payment of fees, if applicable, in respect of:</p> <p>a. an Approved Driving Instructor licence;</p> <p>b. trainee instructor licence;</p> <p>c. duplicate licence;</p> <p>d. test to become an Approved Driving Instructor;</p> <p>e. notification of a medical condition;</p> <p>f. notification of change of address or contact details;</p> <p>g. supply of additional information regarding driving licence;</p>
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	<p>h. renewal of Approved Driving Instructor licence,</p> <p>under Schedule 4 of the Road Traffic Act 1985 and the Motor Cars (Approved Driving Instructor) Regulations 2007.</p> <p>6. The submission of forms, applications and payment of fees, if applicable, in respect of:</p> <ul style="list-style-type: none"><li>a. Compulsory Basic Training Instructor's licence;</li><li>b. trainee instructor licence;</li><li>c. duplicate licence ;</li><li>d. test to become a Compulsory Basic Training Instructor;</li><li>e. notification of medical condition;</li><li>f. notification of change of address or contact details;</li><li>g. supply of additional information regarding driving licence;</li><li>h. renewal of Compulsory Basic Training licence,</li></ul> <p>under Schedule 3 of the Road Traffic Act 1985 and the Motor Bicycles (Approved Training Courses for Drivers) Regulations 2002.</p> <p>7. The submission of forms, applications, appeals or payments in respect of fixed penalty offences issued under Schedule 5A or s33 or s33A of the Road Traffic Regulation Act 1985.</p> <p>8. The issue of parking permits.</p> <p>9. The receipt of applications and fees for parking permits under the Road Traffic Regulation Act 1985 Section 14(3) (b) and 39(1).</p>
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	<p>10. The submission of forms, applications, appeals or payment in respect of:</p> <ul style="list-style-type: none"> <li>a. fixed penalty offences issued by the Department under the Road Traffic Regulation Act 1985;</li> <li>b. car parking or excess charges specified,</li> </ul> <p>under the Road Traffic Regulation Act 1985.</p> <p><i>Ports Division</i></p> <ol style="list-style-type: none"> <li>1. The submission of payments for invoices issued in respect of car parking charges or excess charges specified under provisions contained in the Road Traffic Regulation Act 1985.</li> <li>2. Notification of changes in details of a pleasure craft and its owner under regulations made under the Registration of Pleasure Craft Act 1974.</li> <li>3. Declaration of the particulars and security status of a vessel in advance of its arrival in accordance with the International Ship and Port Security Code 2004 (ISPS).</li> <li>4. The submission of forms, applications and payment of harbour dues under the: <ul style="list-style-type: none"> <li>a. Harbour Dues (Fishing Vessels, Work Boats and Construction Barges) Regulations 2012;</li> <li>b. Harbour Dues (Merchant Vessels) Regulations 2012;</li> <li>c. Harbour Dues (Pleasure Boats, House Boats, Large Commercial Yachts and Tall Ships) Regulations 2012.</li> </ul> </li> <li>5. The submission of forms, applications and payment</li> </ol>
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	<p>of fees if applicable, in respect of:</p> <ul style="list-style-type: none"><li>a. amenity use of a harbour;</li><li>b. pontoon berth;</li><li>c. storage,</li></ul> <p>under the provisions of the Harbours Act 2010.</p> <p>6. The submission of a form or application in respect of an application for authorisation under the Submarine Cables Act 2003.</p> <p>7. The submission of a form or application in respect of a wreck under the Receiver of Wrecks Act 2003.</p> <p>8. The submission of a form or application in respect of deposits at sea under the Water Pollution Act 1993.</p> <p><i>Estates Shared Services</i></p> <p>1. The submission of payments for invoices issued in respect of:</p> <ul style="list-style-type: none"><li>a. car parking charges or excess charges specified under provisions contained in the Road Traffic Regulation Act 1985;</li><li>b. Drumgold Street (Off Street Car Park) Order 2008;</li><li>c. Chester Street (Off Street Car Park) Order 2007.</li></ul> <p><i>Planning and Building Control Division</i></p> <p>1. Appeal requests submitted under article 8(1) of the Town and Country Planning (Development Procedure) (No. 2) Order 2013.</p> <p>2. Appeal requests submitted under regulation 11(1) of</p>
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	<p>the Town and Country Planning (Registered Building) Regulations 2013.</p> <p>3. Appeal requests submitted under regulation 13(1) of The Town and Country Planning (Control of Advertisements) Regulations 2013.</p> <p>4. Appeal requests submitted under the Town and Country Planning (Permitted Development) (Telecommunications) Order 2013.</p> <p>5. Representations subsequent to preliminary publicity under paragraph 2 of Schedule 1 of the Town and Country Planning Act 1999.</p> <p>6. Objections and representation subsequent to a notice under section 45(2)(a) of the Town and Country Planning Act 1999.</p> <p>7. Objections and representation subsequent to notice under paragraph 6(2) (a) of Schedule 1 of the Town and Country Planning Act 1999.</p> <p>8. Written representations subsequent to a notice under regulation 10 of the Town and Country Planning (Control of Advertisements) Regulations 2013.</p> <p>9. Written representations subsequent to a notice under regulation 8 of the Town and Country Planning (Registered Building) Regulations 2013.</p> <p>10. Written representations subsequent to a notice under article 5 of the Town and Country Planning (Development Procedure) (No. 2) Order 2013.</p> <p>11. The submission of forms, applications, and payment of fees, if applicable, in respect of applications under:</p>
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	<p>a. Part 3, regulation 12 of the Building Regulations 2014;</p> <p>b. the Building Control (Approved Documents) Order 2014;</p> <p>c. article 4(1) of the Town and Country Planning (Development Procedure) (No 2) Order 2013;</p> <p>d. paragraph 3 (8) of Schedule 1 of the Town and Country Planning (Permitted Development)(Telecommunications) Order 2013;</p> <p>e. regulation 9 of the Town and Country Planning (Control of Advertisements) Regulations 2013;</p> <p>f. regulation 2 of the Town and Country Planning (Certificates of Lawful Use or Development) Regulations 2005;</p> <p>g. regulation 7 of the Town and Country Planning (Registered Buildings) Regulations 2013;</p> <p>h. section 27 of the Building Control Act 1991 (as amended by the Public Health (Amendment) Act 2000).</p>
<p>Financial Supervision Commission</p>	<ol style="list-style-type: none"> <li>1. The submission of an auditor’s report under section 17(1) of the Financial Services Act 2008.</li> <li>2. The submission of notifications under the requirements of the Financial Services Rule Book 2013.</li> <li>3. The submission of comments on exceptions under Rule 5.16(4) of the Financial Services Rule Book 2013.</li> <li>4. The submission of notifications under regulation</li> </ol>

	<p>5.6(1)(ii) of the Financial Services (Exemptions) Regulations 2011 (as amended 2013)</p> <p>5. The submission of notifications under section 6(1) of the Collective Investment Schemes Act 2008.</p> <p>6. The withdrawal of an application for authorisation under paragraph 1(6) of Schedule 1 to the Collective Investment Schemes Act 2008.</p> <p>7. The submission of notifications of changes to authorised schemes under paragraphs 3(1) and 3(3) of Schedule 1 to the Collective Investment Schemes Act 2008.</p> <p>8. A written notice of the proposed appointment of a manager of a full international scheme under paragraph 2(12) of Schedule 2 to the Collective Investment Schemes Act 2008.</p> <p>9. The submission of notifications of changes to full international schemes under paragraphs 3(1), 3(2) and 3(4) of Schedule 2 to the Collective Investment Schemes Act 2008.</p> <p>10. The submission of notifications of a scheme's establishment under paragraph 4(5) of Schedule 2 to the Collective Investment Schemes Act 2008.</p> <p>11. The submission of notifications of changes to other international schemes under paragraph 5(1) of Schedule 2 to the Collective Investment Schemes Act 2008.</p> <p>12. A written notice that scheme wishes to be recognised under paragraph 1(4) of Schedule 4 to the Collective Investment Schemes Act 2008.</p> <p>13. The submission of notifications under paragraph 3(1) of Schedule 4 to the Collective Investment Schemes Act 2008.</p>
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	<p>14. The submission of notifications under regulations 12(1), 13(1), 13(2) and 21(5) of the Collective Investment Schemes (Regulated Fund) Regulations 2010.</p> <p>15. The submission of notifications under regulations 6(1) and 8(1) and (2) of the Collective Investment Schemes (Qualifying Fund) Regulations 2010.</p> <p>16. The submission of notifications under regulations 6 and 9(1) of the Collective Investment Schemes (Specialist Fund) Regulations 2010.</p> <p>17. The submission of notifications under regulation 6 of the Collective Investment Schemes (Recognised Schemes) (Offering Document) Regulations 2011.</p> <p>18. The submission of notifications under regulation 4 of the Collective Investment Schemes (Recognised Schemes from Designated Countries or Territories) (Notification) Regulations 2010.</p> <p>19. The submission of notifications under regulation 23 of the Collective Investment Schemes (Experienced Investor Fund) Regulations 2010.</p> <p>20. The submission of notifications under the requirements of the Authorised Collective Investment Schemes Regulations 2010.</p> <p>21. The submission of notifications under the requirements of the Register of Authorised Auditor Regulations 2010.</p> <p>22. The submission of reports and notifications under the requirements of the Public Oversight</p>
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	of Recognised Auditor Regulations 2010.
General Registry	Submission of applications and supporting documents under the Land Registration Act 1982 and the Land Registry Rules 2000.
Manx Utilities	<ol style="list-style-type: none"> <li>1. Submission of a preliminary enquiry form and supporting documents relating to a new supply or the modification of an existing supply of electricity to a property.</li> <li>2. Payment of charges for the supply of electricity.</li> <li>3. Enquiries or complaints relating to charges for the supply of electricity.</li> </ol>
Office of the Data Protection Supervisor	Notification by Data Controllers under Part 3 of the Data Protection Act 2002.
Office of Human Resources	Request under section 7(2) (data subject access) of the Data Protection Act 2002.
Treasury	<p><i>A. Customs and Excise Division</i></p> <ol style="list-style-type: none"> <li>1. The submission of a Value Added Tax return and the receipt of payments in respect of value added tax, with effect from 30 April 2007.</li> <li>2. The submission of an EC Sales List (ESL) detailing where a business registered for Value Added Tax in the Island: <ol style="list-style-type: none"> <li>a. makes supplies of goods to businesses registered for Value Added Tax in a member State;</li> <li>b. transfers its own goods to a member State;</li> <li>c. is the intermediary in triangular transactions between businesses registered for Value Added Tax; and/or</li> </ol> </li> </ol>

	<p>d. supplies services to businesses in member States where those businesses are required to account for Value Added Tax under the reverse charge procedure, from 1 January 2010.</p> <p>3. Notification by a business registered for Value Added Tax of variations to details of a contact person and postal address of the business.</p> <p>4. Submission of excise warehousing returns W1, W5 and W6 and W5D and W6D deferment statements.</p> <p>5. Submission of HO5 RDCO returns by registered dealers in controlled oil.</p> <p>6. Submission of declarations required under Part VA of the Customs and Excise Management Act 1986 from a person intending to enter or depart the Island with amounts of cash in excess of €10,000.</p> <p><i>B. Income Tax Division</i></p> <p>1. Payment of any money in respect of income tax and National Insurance.</p> <p>2. Submission of an income tax return by an individual taxpayer in respect of an income tax year ending on or after 5 April 2009.</p> <p>3. Submission of an income tax return by a corporate taxpayer in respect of an accounting period ending on or after 5 April 2007.</p> <p>4. Submission of an income tax instalment payments (ITIP) employee commencing certificate or employee leaving certificate.</p> <p>5. Provision of details of taxable payments under</p>
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	<p>Section 78 of the Income Tax Act 1970.</p> <ol style="list-style-type: none"><li>6. Submission of an employer's return and supporting documents T9, T13 and T14 in respect of an income tax year ending on or after 5 April 2009.</li><li>7. Submission of a remittance card and payment of income tax and National Insurance by an employer, sub-contractor or third-party payer.</li><li>8. Provision of information to be exchanged and retention tax paid to and from Member States under the Income Tax (Retention of Tax and Exchange of Information)(Temporary Taxation) Order 2005 and the Income Tax (Exchange of Information) (Temporary Taxation) Order 2010.</li><li>7. Enquiries and correspondence relating to income tax and National Insurance.</li></ol>
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*EXPLANATORY NOTE*

*(This note is not part of the Regulations)*

These Regulations amend the Electronic Transactions (General) (No. 2) Regulations 2013. A temporary exemption for public authorities is extended to 2016 but exceptions to the exemption are prescribed in the Schedule.