

Statutory Document No. 2018/0083

*Electronic Transactions Act 2000*

ELECTRONIC TRANSACTIONS (GENERAL) (AMENDMENT) REGULATIONS 2018

Approved by Tynwald: 20 March 2018
Coming into Operation: 23 March 2018

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

1 Title

These Regulations are the Electronic Transactions (General) (Amendment) Regulations 2018.

2 Commencement

If approved by Tynwald, these Regulations come into operation on 23 March 2018.

3 Amendment of the Electronic Transactions (General) Regulations 2017

- (1) The Electronic Transactions (General) Regulations 2017¹ are amended as follows.
- (2) In regulation 6(4), for “31 March 2018” substitute **31 March 2020**.
- (3) For the Schedule to the Electronic Transactions (General) Regulations 2017 substitute the Schedule to these Regulations.

MADE 21 FEBRUARY 2018

LAURENCE SKELLY
Minister for Enterprise

¹ SD 2017/0103

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

These Regulations amend the Electronic Transactions (General) Regulations 2017 so that the exemption provided for in regulation 6 ceases to have effect on 31 March 2020. It also replaces the Schedule to the Electronic Transactions (General) Regulations 2017 to make some minor amendments and updates.

SCHEDULE

[Regulation 3(3)]

SCHEDULE

[Regulation 6(2)]

TRANSACTIONS EXCLUDED FROM EXEMPTION UNDER REGULATION 6

<i>Exempt Body</i>	<i>Transaction</i>
Cabinet Office	Requests under section 5 (right of access to personal data) of the Data Protection Act 2002.
Department for Enterprise	<p>The submission of any document required under civil aviation legislation in the Isle of Man.</p> <p>Submission of an application, together with associated documentation, in accordance with the Control of Employment Regulations 2017², made under the Control of Employment Act 2014.</p> <p>Submission of an application, together with associated documentation, and change of details notifications, under the Employment Agencies Act 1975.</p> <p>Payment of any fees in respect of the Employment Agencies Act 1975.</p> <p>Documentation required by a Warranted Inspector or Officer of the Department, for the purposes of –</p> <ol style="list-style-type: none"> a. Section 19 of the Control of Employment Act 2014; b. Section 8 of the Employment Agencies Act 1975; c. Employers Liability (Compulsory Insurance) Act 1976; d. Section 20 of the Employment Act 2006; e. Section 10 of the Minimum Wage Act 2001. <p>The submission of any document required under merchant shipping legislation except the following:</p> <ol style="list-style-type: none"> a. the Merchant Shipping Registration Act 1991 and Regulations made under the Act;

² SD 2017/0269

	b. the Merchant Shipping (Registration) Act 1984 and Regulations made under the Act.
Department of Environment, Food and Agriculture	<p><i>A. Agriculture and Fisheries</i></p> <ol style="list-style-type: none"> 1. Application for a fishing licence under the Inland Fisheries Regulations 2017³. 2. Application for, and issue of, a horse import licence under the Equine (Importation) Order 1973. <p><i>B. Planning and Building Control Division</i></p> <ol style="list-style-type: none"> 1. Appeal requests submitted under article 8(1) of the Town and Country Planning (Development Procedure) (No. 2) Order 2013⁴. 2. Appeal requests submitted under regulation 11(1) of the Town and Country Planning (Registered Buildings) Regulations 2013⁵. 3. Appeal requests submitted under regulation 13(1) of the Town and Country Planning (Control of Advertisements) Regulations 2013⁶. 4. Appeal requests submitted under the Town and Country Planning (Permitted Development) (Telecommunications) Order 2013⁷. 5. Representations subsequent to preliminary publicity under paragraph 2 of Schedule 1 of the Town and Country Planning Act 1999. 6. Objections and representation subsequent to a notice under section 45(2)(a) of the Town and Country Planning Act 1999. 7. Objections and representation subsequent to notice under

³ SD 2017/0053

⁴ SD 0238/13

⁵ SD 0432/13

⁶ SD 0434/13

⁷ SD 0433/13

	<p>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 Buildings) 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 2013⁸.</p> <p>11. The submission of forms, applications, and payment of fees, if applicable, in respect of applications under:</p> <ul style="list-style-type: none"> a. Part 3, regulation 12 of the Building Regulations 2014⁹; b. the Building Control (Approved Documents) Order 2014¹⁰; c. article 4(1) of the Town and Country Planning (Development Procedure) (No 2) Order 2013; d. paragraph 3 (8) of Schedule 1 of the Town and Country Planning (Permitted Development)(Telecommunications) Order 2013; e. regulation 9 of the Town and Country Planning (Control of Advertisements) Regulations 2013; f. regulation 2 of the Town and Country Planning (Certificates of Lawful Use or Development) Regulations 2005¹¹;
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⁸ SD 0238/13

⁹ SD 2014/0165

¹⁰ SD 2014/0301

¹¹ SD 253/05

	<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.</p>
Department of Infrastructure	<p><i>A. Highway Services Division</i></p> <p>1. The payment of vehicle duty, with effect from the coming into force of these Regulations.</p> <p>2. The submission of forms, applications and payment of fees if applicable, in respect of –</p> <ul style="list-style-type: none"> a. the registration of a vehicle; b. change of vehicle ownership; c. exporting a vehicle; d. the purchase of registration numbers including cherished numbers; e. change of vehicle particulars; f. the request for duplicate documents; g. a vehicle test; h. a vehicle licence; i. a declaration of a vehicle being kept off-road; j. a declaration regarding the end of life of a vehicle or scrapping a vehicle; k. trade licences, <p>as prescribed by the Licensing and Registration of Vehicles Act 1985 and Regulations under that Act.</p> <p>3. The submission of forms, applications and payment of fees, if applicable, in respect of:</p> <ul style="list-style-type: none"> a. a driving licence; b. provisional driving licence; c. driving test or theory and hazard perception test; d. notification of a medical condition; e. supply of additional information regarding driving licence. <p>4. Notification by the Registrar to the Department of Infrastructure of an order of a court under Part II</p>

	<p>(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> <ul style="list-style-type: none">a. an Approved Driving Instructor licence;b. trainee instructor licence;c. duplicate licence;d. test to become an Approved Driving Instructor;e. notification of a medical condition;f. notification of change of address or contact details;g. supply of additional information regarding driving licence;h. renewal of Approved Driving Instructor licence, <p>under Schedule 4 of the Road Traffic Act 1985 and the Motor Cars (Driving Instructors) Regulations 2007¹².</p> <p>6. The submission of forms, applications and payment of fees, if applicable, in respect of –</p> <ul style="list-style-type: none">a. Compulsory Basic Training Instructor’s licence;b. trainee instructor licence;c. duplicate licence ;d. test to become a Compulsory Basic Training Instructor;e. notification of medical condition;f. notification of change of address or contact details;g. supply of additional information regarding driving licence;h. renewal of Compulsory Basic Training licence, <p>under Schedule 3 of the Road Traffic Act 1985 and the Motor Bicycles (Approved Training Courses for Drivers) Regulations 2002¹³.</p> <p>7. The submission of forms, applications, appeals or</p>
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¹² SD 242/07

¹³ SD 665/02

	<p>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> <p>10. The submission of forms, applications, appeals or payment in respect of -</p> <p style="padding-left: 40px;">a. fixed penalty offences issued by the Department; b. car parking or excess charges specified,</p> <p>under the Road Traffic Regulation Act 1985.</p> <p><i>B. Ports Division</i></p> <p>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.</p> <p>2. Notification of changes in details of a pleasure craft and its owner under regulations made under the Harbours Act 2010.</p> <p>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).</p> <p>4. The submission of forms, applications and payment of harbour dues under the –</p> <p style="padding-left: 40px;">a. Harbour Dues (Fishing Vessels, Work Boats and Construction Barges) Regulations 2016¹⁴; b. Harbour Dues (Merchant Vessels) Regulations</p>
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¹⁴ SD 2016/0057

	<p>2016¹⁵;</p> <p>c. Harbour Dues (Pleasure Vessels, Large Commercial Yachts and Tall Ships) Regulations 2016¹⁶.</p> <p>5. The submission of forms, applications and payment of fees if applicable, in respect of –</p> <p style="padding-left: 40px;">a. amenity use of a harbour;</p> <p style="padding-left: 40px;">b. pontoon berth;</p> <p style="padding-left: 40px;">c. storage,</p> <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 Wreck and Salvage (Ships and Aircraft) Act 1979.</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> <p style="padding-left: 40px;">a. car parking charges or excess charges specified under provisions contained in the Road Traffic Regulation Act 1985;</p> <p style="padding-left: 40px;">b. Drumgold Street, Douglas (Car Park) Order 2013¹⁷;</p> <p style="padding-left: 40px;">c. Chester Street, Douglas (Car Park) Order 2013¹⁸.</p>
Financial Intelligence	The submission, to a constable or customs officer serving (in

¹⁵ SD 2016/0058

¹⁶ SD 2016/0056

¹⁷ SD 0093/2013

¹⁸ SD 0091/2013

Unit	either case) with the Financial Intelligence 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.
General Registry	Submission of applications and supporting documents under the Land Registration Act 1982 and the Land Registry Rules 2000 ¹⁹ .
Isle of Man Financial Services Authority	<ol style="list-style-type: none"> 1. The submission of an auditor's report under section 17(1) of the Financial Services Act 2008. 2. The submission of notifications under the requirements of the Financial Services Rule Book 2016²⁰. 3. The submission of comments on exceptions under Rule 5.14(4) of the Financial Services Rule Book 2016. 4. The submission of notifications under paragraph 5.6(1)(ii) of the Schedule to the Financial Services (Exemptions) Regulations 2011²¹. 5. The submission of notifications under section 6(1) of the Collective Investment Schemes Act 2008. 6. The withdrawal of an application for authorisation under paragraph 1(6) of Schedule 1 to the Collective Investment Schemes Act 2008. 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. 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. 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

¹⁹ SD 588/00

²⁰ SD 2016/0264

²¹ SD 0885/11

	<p>Schemes Act 2008.</p> <ol style="list-style-type: none">10. The submission of notifications of a scheme's establishment under paragraph 4(5) of Schedule 2 to the Collective Investment Schemes Act 2008.11. The submission of notifications of changes to other international schemes under paragraph 5(1) of Schedule 2 to the Collective Investment Schemes Act 2008.12. A written notice that scheme wishes to be recognised under paragraph 1(4) of Schedule 4 to the Collective Investment Schemes Act 2008.13. The submission of notifications under paragraph 3(1) of Schedule 4 to the Collective Investment Schemes Act 2008.14. The submission of notifications under regulations 12(1), 13(1), 13(2) and 22(5) of the Collective Investment Schemes (Regulated Fund) Regulations 2017²².15. The submission of notifications under regulations 6(1) and 8(1) and (2) of the Collective Investment Schemes (Qualifying Fund) Regulations 2010²³.16. The submission of notifications under regulations 6 and 9(1) of the Collective Investment Schemes (Specialist Fund) Regulations 2010²⁴.17. The submission of documents under regulation 6 of the Collective Investment Schemes (Recognised Schemes) Regulations 2015²⁵.18. The submission of offering documents under regulation 12 of the Collective Investment Schemes (Recognised Schemes) Regulations 2015.
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²² 2017/0261

²³ SD 163/10

²⁴ SD 162/10

²⁵ SD 2015/0404

	<p>19. The submission of under regulation 4 of the Collective Investment Schemes (Recognised Schemes from Designated Countries or Territories) (Notification) Regulations 2010²⁶.</p> <p>20. The submission of notifications under regulation 23 of the Collective Investment Schemes (Experienced Investor Fund) Regulations 2010²⁷.</p> <p>21. The submission of notifications under the requirements of the Authorised Collective Investment Schemes Regulations 2010²⁸.</p> <p>22. The submission of notifications under the requirements of the Register of Recognised Auditor Regulations 2010²⁹.</p> <p>23. The submission of reports and notifications under the requirements of the Public Oversight of Recognised Auditor Regulations 2010³⁰.</p> <p>24. Written representations under section 5(2) of the Retirement Benefits Schemes Act 2000.</p> <p>25. The submission of notifications under section 18(A1), (1), (2) and (4) of the Retirement Benefits Schemes Act 2000.</p> <p>26. The submission of notifications under section 21(4) of the Retirement Benefits Schemes Act 2000.</p> <p>27. Written representations under section 22(5) of the Retirement Benefits Schemes Act 2000.</p> <p>28. The submission of reports under section 41(1) of the Retirement Benefits Schemes Act 2000.</p>
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²⁶ SD 167/10

²⁷ SD 164/10

²⁸ SD 682/10

²⁹ SD 07/10

³⁰ SD 08/10

	<p>29. The submission of confirmations under regulation 5(1) of the Retirement Benefits Schemes (Recognised Schemes) Regulations 2004³¹.</p> <p>30. The submission of statements and declarations under regulation 7(6) of the Retirement Benefits Schemes (Domestic Schemes) (General Administration) Regulations 2004³².</p> <p>31. The submission of statements and declarations under regulation 7(6) of the Retirement Benefits Schemes (International Schemes) Regulations 2001³³.</p> <p>32. The submission of notifications under regulation 8(4) and (6) of the Retirement Benefits Schemes (Permitted Schemes) Regulations 2004³⁴.</p> <p>33. Written representations under regulation 10(6) of the Retirement Benefits Schemes (Permitted Schemes) Regulations 2004.</p> <p>34. Written requests under regulation 5(1) of the Retirement Benefits Schemes (General Register) Regulations 2004³⁵.</p> <p>35. The submission of notifications under section 8(6) of the Designated Businesses (Registration and Oversight) Act 2015.</p>
Isle of Man Information Commissioner	<p>1. Notification by data controllers under Part 3 of the Data Protection Act 2002.</p> <p>2. Complaints under the Data Protection Act 2002.</p> <p>3. Complaints under the Freedom of Information Act 2015.</p>
Manx Utilities Authority	<p>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.</p>

³¹ SD 590/04

³² SD 589/04

³³ SD 645/01

³⁴ SD 593/04

³⁵ SD 595/04

	<ol style="list-style-type: none"> 2. Payment of charges for the supply of electricity. 3. Enquiries or complaints relating to charges for the supply of electricity.
Treasury	<p><i>Customs and Excise Division</i></p> <ol style="list-style-type: none"> 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. 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"> a. makes supplies of goods to businesses registered for Value Added Tax in a member State; b. transfers its own goods to a member State; c. is the intermediary in triangular transactions between businesses registered for Value Added Tax; and/or 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. 3. Notification by a business registered for Value Added Tax of variations to details of a contact person and postal address of the business. 4. Submission of excise warehousing returns W1, W5 and W6 and W5D and W6D deferment statements. 5. Submission of HO5 RDCO returns by registered dealers in controlled oil. 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

	<p>amounts of cash in excess of €10,000.</p> <p>7. Submission of International Maritime Organisation forms C94, C95, C96, C97 and C98</p> <p>8. Submission of Requests for Attendance forms C&E200A and C&E200B</p> <p><i>B. Income Tax Division</i></p> <p>9. Payment of any money in respect of income tax and National Insurance.</p> <p>10. Submission of an income tax return by or on behalf of an individual taxpayer in respect of an income tax year ending on or after 5 April 2009.</p> <p>11. Submission of an income tax return by or on behalf of a corporate taxpayer in respect of an accounting period ending on or after 5 April 2007.</p> <p>12. Submission of an income tax instalment payments (ITIP) employee commencing certificate or employee leaving certificate.</p> <p>13. Provision of details of taxable payments under Section 78 of the Income Tax Act 1970.</p> <p>14. 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.</p> <p>15. Submission of a remittance card and payment of income tax and National Insurance by an employer, contractor or third-party payer.</p> <p>16. Provision of the automatic exchange of information in accordance with arrangements reached between the Government of the Isle of Man and other jurisdictions.</p> <p>17. Enquiries and correspondence relating to income tax and National Insurance.</p>
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