

TYNWALD Tinvaal



ORDER PAPER Claare Obbyr

DOUGLAS

**Tuesday 15th November 2022
at 10.30 am**

1. To lay before the Court –

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

European Union and Trade Act 2019

Plant Breeders' Rights (Amendment) (EU Exit) Regulations 2022
[\[SD 2022/0165\]](#) [\[MEMO\]](#)

Social Security Contributions and Benefits Act 1992

Maternity and Funeral Expenses (General) (Isle of Man) (Amendment)
Regulations 2022 [\[SD 2022/0255\]](#) [\[MEMO\]](#)

Employed Persons' Allowance (General) (Amendment) (No.3) Regulations
2022 [\[SD 2022/0264\]](#) [\[MEMO\]](#)

Pension Schemes Act 1995

Pension Schemes Legislation (Application) (No.2) Order 2022
[\[SD 2022/0197\]](#) [\[MEMO\]](#)

Liquor Licensing and Public Entertainments Act 2021

Liquor Licensing and Public Entertainments (Amendment and Approval of Code and Guidance) Order 2022 [\[SD 2022/0288\]](#) [\[MEMO\]](#)

Liquor Licensing and Public Entertainments Regulations 2022 [\[SD 2022/0287\]](#) [\[MEMO\]](#)

Reports

Report of the Select Committee of Tynwald on Footpaths, Bridleways and Green Lanes (Petition for Redress) [\[PP 2022/0069 \(1\)\]](#) [\[PP 2022/0069 \(2\)\]](#)

Department of Education, Sport and Culture Department Plan 2022-2023 [\[GD 2022/0072\]](#)

Isle of Man Post Office: Annual Plan 2022-23 [\[GD 2022/0074\]](#)

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

Animal Health Act 1996

Avian Influenza and Influenza of Avian Origin in Mammals Order 2022 [\[SD 2022/0278\]](#) [\[MEMO\]](#)

Financial Provisions and Currency Act 2011

Green Living Grant (Amendment) (No. 2) Scheme 2022 [\[SD 2022/0299\]](#) [\[MEMO\]](#)

Liquor Licensing and Public Entertainments Act 2021

Liquor Licensing and Public Entertainments (Amendment) Regulations 2022 [\[SD 2022/0306\]](#) [\[MEMO\]](#)

Report

Our Island, Our Future – Isle of Man Economic Strategy [\[GD 2022/0080\]](#) [\[MEMO\]](#)

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

Document subject to negative resolution

Value Added Tax Act 1996

Value Added Tax (Reduced Rate) Order 2022 [\[SD 2022/0249\]](#) [\[MEMO\]](#)

Document subject to no procedure

Bank Holidays Act 1989

Bank Holiday (State Funeral of Her Majesty Queen Elizabeth II) Order 2022
[\[SD 2022/0276\]](#)

Reports

Isle of Man Post Office Report and Financial Statements for the period ended 27 March 2022 [\[GD 2022/0073\]](#)

The Council of Ministers annual report - Isle of Man Government Preservation of War Memorials Committee [\[GD 2022/0068\]](#)

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

Documents subject to no procedure

Code of Practice and Guidance on Liquor Licensing - October 2022
[\[GC 2022/0010\]](#) [\[MEMO\]](#)

Merchant Shipping Act 1985

Merchant Shipping (SOLAS VII - Carriage of Dangerous Goods) Regulations 2022 [\[SD 2022/0294\]](#) [\[MEMO\]](#)

Highways Act 1986

Highways (Old Railway Line, Ramsey) (Definitive Map and Associated Statement) Order 2022 [\[SD 2022/0259\]](#) [\[MEMO\]](#)

Highways (Pulrose Golf Course, Douglas) (Definitive Map and Associated Statement) Order 2022 [\[SD 2022/0260\]](#) [\[MEMO\]](#)

Highways (Onchan Wetlands, Onchan) (Definitive Map and Associated Statement) Order 2022 [\[SD 2022/0261\]](#) [\[MEMO\]](#)

Appointed Day Order

Communications Act 2021

Communications Act 2021 (Appointed Day) (No.3) Order 2022
[\[SD 2022/0269\]](#) [\[MEMO\]](#)

Reports

Our Island, Our Future: Consultation Report - Public consultation on the draft Economic Strategy - October 2022; summary of responses [\[GD 2022/0081\]](#)

KPMG Our Big Picture: Evidence Based Report [\[GD 2022/0082\]](#)

KPMG Our Big Picture: Evidence Based Report Addendum [\[GD 2022/0083\]](#)

KPMG Our Big Picture Strategic Economic Framework: Phase Three Report [\[GD 2022/0084\]](#)

Council of Ministers' Response to the Report presented by the Select Committee of Tynwald on Public Footpaths, Bridleways and Green Lanes (Petition for Redress of Grievance) [\[GD 2022/0085\]](#)

Standing Committee of Tynwald on Public Accounts: Annual Report for covering activity during the session 2021-2022 [\[PP 2022/0125\]](#)

Report on the handling of the Knottfield Inquiry Report 2021-22 [\[PP 2022/0022\]](#)

Second report on the handling of the Knottfield Inquiry Report 2022-23 [\[PP 2022/0129\]](#)

The following item was previously laid in October 2018

Social Affairs Policy Review Committee First Report for the Session 2018-19 - Historic Child Abuse at Knottfield - Volume 1 [\[PP 2018/0132\(1\)\]](#)

The following item was previously laid in October 2018

Social Affairs Policy Review Committee First Report for the Session 2018-19 - Historic Child Abuse at Knottfield - Volume 2 [\[PP 2018/0132\(2\)\]](#)

2. Questions

See Question Paper

3. Built Environment

Statement to be made by the Chief Minister.

4. Department of Education, Sport and Culture Department Plan 2022-2023

The Minister for Education, Sport and Culture to move –

That Tynwald receives the Department of Education, Sport and Culture's Department Plan for 2022/2023 [\[GD 2022/0072\]](#).

5. Isle of Man Economic Strategy

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

The Chief Minister to move –

That Tynwald approves Our Island, Our Future - Isle of Man Economic Strategy [\[GD 2022/0080\]](#) [\[MEMO\]](#).

[\[GD 2022/0081\]](#), [\[GD 2022/0082\]](#), [\[GD 2022/0083\]](#) and [\[GD 2022/0084\]](#) are relevant to this item.

6. Isle of Man Post Office Annual Plan 2022-23

The Chair of the Isle of Man Post Office to Move –

That Tynwald receives the Isle of Man Post Office: Annual Plan 2022-23 [\[GD 2022/0074\]](#)

7. Report of the Select Committee of Tynwald on Footpaths, Bridleways and Green Lanes (Petition for Redress)

The Chair of the Select Committee of Tynwald on Footpaths, Bridleways and Green Lanes (Petition for Redress) (Mrs Maltby) to move –

That the Report of the Select Committee of Tynwald on Footpaths, Bridleways and Green Lanes (Petition for Redress) 2021-22 [\[PP 2022/0069 \(1\)\]](#), [\[PP 2022/0069 \(2\)\]](#) be received and the following recommendations be approved:

Recommendation 1

That Tynwald is of the opinion that there should be adequate investment in maintaining the Public Rights of Way network and Government-owned public paths.

Recommendation 2

That the Department of Infrastructure lay before Tynwald by April 2023 a report detailing how it intends to address the backlog of changes that need to be made to the Definitive Maps and Statements.

Recommendation 3

That the Council of Ministers should establish a working party to develop a viable and fully costed strategy for proactively maintaining and developing the Island's Public Rights of Way and Government-owned public paths, working in

conjunction with the Departments of Infrastructure, Environment, Food and Agriculture, and Enterprise, local authorities, the Countryside Access Group, and other stakeholders; and seek Tynwald's approval for the strategy by July 2023.

As part of the development of the strategy, the working party should consider:

- The funding required to maintain all Public Rights of Way and Government-owned public paths to an adequate standard and how it should be allocated;
- What would be required for the Department of Environment, Food and Agriculture to take on responsibility for maintaining rural Public Rights of Way;
- What would be required for local authorities to take on responsibility for maintaining non-premier Public Rights of Way;
- What would be required to keep the Definitive Maps and Statement up-to-date and accurate; and
- Whether the legislation in this area could be reformed to aid the more efficient maintenance of paths.

8. Publication of Members' circulars (Combined vote under Standing Order 3.19)

(Extract from October 2022 Votes and Proceedings)

Motion made –

That the following amendment be made to the Standing Orders –

After Standing Order 10.17, to add the words –

"Publication of Members' circulars

10.18 (1) Subject to the provisions of this Standing Order, the Clerk of Tynwald may publish any information which has been circulated by or on behalf of a Member of Tynwald –

- (a) to all Members of Tynwald, or to all Members of a Branch; and*
(b) to the Clerk of Tynwald.

(2) A person circulating information under paragraph (1) may, at the same time as circulating the information, give an instruction to the Clerk of Tynwald that the information is not to be published.

(3) An instruction under paragraph (2) must be given by or on behalf of a Member and may be withdrawn or modified at any time by or on behalf of –

- (a) the Member who gave or authorised the instruction; or*
(b) if the instruction was given by or on behalf of a Member acting in an official capacity, their successor in office.

(4) The Clerk may not publish information in contravention of an instruction given under paragraph (2) unless one or more of the conditions in paragraph (5) applies.

(5) The Clerk must disregard an instruction given under paragraph (2) to the extent that disclosure of the information is –

(a) required by law;

(b) ordered by Tynwald;

(c) in a case where information was circulated to only one Branch, ordered by that Branch;

(d) authorised by the relevant presiding officer.

(6) Authorisation under paragraph (5)(d) may not be given unless the relevant presiding officer has first consulted –

(a) the other presiding officer; and

(b) the Member who circulated the information or, if the information was circulated by or on behalf of a Member acting in an official capacity, that Member's successor in office.

(7) In paragraph (5) the relevant presiding officer is –

(a) for information circulated to all Members of Tynwald, the President;

(b) for information circulated only to all Members of the House of Keys, the Speaker; and

(c) for information circulated only to all Members of the Legislative Council, the President.

(8) This Standing Order applies to information circulated on or after 1st October 2022.

(9) Practice Notes on the implementation of this Standing Order may be issued by the Clerk of Tynwald with the approval of the President and the Speaker. Any Practice Note so issued must be laid before Tynwald."

[\[PP 2022/0103\]](#) was relevant to this item.

Mr Speaker

Amendment moved –

To remove paragraphs (5)(d) and (6).

Mr Hooper

Court divided.

In the Keys – Ayes 17, Noes 5

For: Dr Allinson, Mr Ashford, Mrs Barber, Mrs Caine, Mr Callister, Mrs Christian, Mrs Corlett, Mr Crookall, Ms Edge, Ms Faragher, Mr Glover, Dr

Haywood, Mr Hooper, Mrs Maltby, Mr Moorhouse, Mrs Poole-Wilson, Mr Smith.

Against: Mr Johnston, Mr Peters, Mr Speaker, Mr Thomas, Mr Wannenburgh.

In the Council – Ayes 3, Noes 5

For: Miss August-Hanson, Mr Craine, Mrs Kelsey.

Against: Mr Greenhill, Mr Henderson, Mrs Maska, Mr Mercer, Mrs Sharpe.

Amendment lost.

Mr Hooper gave notice under Standing Order 3.19(1) of his intention to move his amendment for a combined vote at the November sitting.

9. All-Island leisure rate

An earlier version of this motion appeared on the Order Paper for the October 2022 sitting but was not moved. The present version has not had six weeks on the Register of Business. The difference between the October 2022 version and this version is that the words “before May 2023” have been added at the end.

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to move –

That Tynwald is of the opinion that an all-Island leisure rate could produce a more equitable rating system, could be used as a support mechanism for the Island’s leisure pools, and could create the opportunity to enable new and innovative developments in leisure and sport provision to take place across the Island; and that Tynwald calls upon the Chief Minister to assess the impact of an all-Island leisure rate, and to report to Tynwald with recommendations before May 2023.

10. Isle of Man War Pensions Committee Regulations 2002

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

The Chief Minister to move –

That in accordance with the Isle of Man War Pensions Committee Regulations 2002, Tynwald approves the appointment, by the Council of Ministers, of Major William Lawrence and Mr John Walker to the Isle of Man War Pensions Committee for a term of five years. [\[MEMO\]](#)

11. Committee system (General Debate)

Matter put down for General Debate by Miss August-Hanson (Proposer) and Mr Hooper (Seconder) –

The effectiveness of the Tynwald Parliamentary Committee System.

12. European Union and Trade Act 2019

The Minister for Environment, Food and Agriculture to move –

That the Plant Breeders' Rights (Amendment) (EU Exit) Regulations 2022 [\[SD 2022/0165\]](#) [\[MEMO\]](#) be approved.

13. Social Security Contributions and Benefits Act 1992

The Minister for Treasury to move –

That the Maternity and Funeral Expenses (General) (Isle of Man) (Amendment) Regulations 2022 [\[SD 2022/0255\]](#) [\[MEMO\]](#) be approved.

14. Social Security Contributions and Benefits Act 1992

The Minister for Treasury to move –

That the Employed Persons' Allowance (General) (Amendment) (No. 3) Regulations 2022 [\[SD 2022/0264\]](#) [\[MEMO\]](#) be approved.

15. Pension Schemes Act 1995

The Minister for Treasury to move –

That the Pension Schemes Legislation (Application) (No. 2) Order 2022 [\[SD 2022/0197\]](#) [\[MEMO\]](#) be approved.

16. Liquor Licensing and Public Entertainments Act 2021

The Minister for Justice and Home Affairs to move –

That the Liquor Licensing and Public Entertainments (Amendment and Approval of Code and Guidance) Order 2022 [\[SD 2022/0288\]](#) [\[MEMO\]](#) be approved.

[\[GC 2022/0010\]](#) is relevant to this item.

17. Liquor Licensing and Public Entertainments Act 2021

The Minister for Justice and Home Affairs to move –

That the Liquor Licensing and Public Entertainments Regulations 2022 [\[SD 2022/0287\]](#) [\[MEMO\]](#) be approved.

18. Liquor Licensing and Public Entertainments Act 2021

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

The Minister for Justice and Home Affairs to move –

That the Liquor Licensing and Public Entertainments (Amendment) Regulations 2022 [\[SD 2022/0306\]](#) [\[MEMO\]](#) be approved.

19. Animal Health Act 1996

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

The Member for Environment, Food and Agriculture (Dr Haywood) to move –

That the Avian Influenza and Influenza of Avian Origin in Mammals Order 2022 [\[SD 2022/0278\]](#) [\[MEMO\]](#) be approved.

20. Financial Provisions and Currency Act 2011

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

The Minister for Enterprise to move –

That the Green Living Grant (Amendment) (No. 2) Scheme 2022 [\[SD 2022/0299\]](#) [\[MEMO\]](#) be approved.