

GR. No: 43/09



Isle of Man
Government

Reiltys Ellan Vannin

COUNCIL OF MINISTERS

TYNWALD POLICY DECISIONS REPORT 2009

October 2009

Price: £6.30

Introduction to Tynwald Policy Decisions Report 2009

“The Tynwald Policy Decisions Report 2009” lists all Tynwald policy decisions including recommendations of Tynwald Committees to be actioned by Government. The actions required to respond to Tynwald policy decisions may require action over a number of years for example if legislation is proposed. Policy decisions therefore remain within the list until completed actions have been reported to Tynwald. Tynwald decisions which are not for action by Government e.g. the establishment of a Tynwald Select Committee are not included.

Tynwald policy decisions are listed in chronological order with a unique reference number, the month and year of the decision, the Tynwald decision, a short commentary on the action taken by Government and an overview of the status as to whether the policy decision has been ‘Implemented’, ‘Ongoing’, ‘Under Consideration’, ‘Carried Forward’ or ‘Not to be Implemented’. The definitions of status are:

Implemented – where the Department has carried out all the necessary work and implemented the recommendation.

Ongoing – where work has begun on complying with the recommendation.

Under Consideration – where the Department has begun looking at the recommendation and it has been discussed by various parties but work has not yet commenced.

Carried Forward – where the recommendation is a long standing commitment or the Department is waiting to proceed.

Not to be Implemented – when a Department has decided not to proceed with a recommendation and very strong justification will need to be used in to explain this decision.

The Tynwald Policy Decisions Report is collated and compiled by the Chief Secretary’s Office from the action information and allocated status provided by the various Departments, Offices and Statutory Boards, to whom we are grateful for this assistance.

Mrs Mary Williams
Chief Secretary
October 2009

ITEMS CARRIED FORWARD FROM THE 2007/08 TYNWALD POLICY DECISIONS REPORT

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
12/06	<i>CSO</i>	<i>Dec 05</i>	<p>Access to Government Information</p> <p>Motion made that the Council of Ministers Report on the Practicalities of Introducing legislation to give the Public Greater Rights of Access to Government Information, be received and its recommendations approved.</p> <p>The Report recommends that an Access to Information Bill be introduced to replace the Code of Practice on Access to Government Information, revised and updated, on a statutory basis.</p>	<p>The Government's Strategic Plan, received by Tynwald Court in October 2007, includes a commitment to provide the public with a statutory right of access to Government information. Drafting instructions are being prepared and it is the intention of the Council of Ministers to go out to consultation on the Bill in November/December 2009 and thereafter to introduce the Bill into the Branches in early 2010.</p>	Ongoing
14/06	<i>DHA</i>	<i>Dec 05</i>	<p>Select Committee on the Petition for Redress of Grievance of Moorhouse Farm Limited</p> <p>Motion made that the Department of Home Affairs should review the Fire Services Act 1984 and whether, in particular, section 9 of the Act requires amendment.</p>	<p>Following the repeal of the Fire Services Act 1947 in the UK which has been replaced by the Fire and Rescue Act 2005, a review of the Fire Services Act (IOM) 1984 is in the Government's legislative programme. The Department has received a Paper from the Fire and Rescue Service with draft proposals on a Bill to be considered by the Department in September 2009.</p>	Ongoing
18/06	<i>CSO</i>	<i>Jan 06</i>	<p>Council of Ministers' Review of Isle of Man Post Office</p> <p>Motion made that the Council of Ministers' report on the Strategic Direction of the Isle of Man Post Office be received and its recommendations except recommendation (d) approved and the name 'Isle of Man Post' be discontinued in favour of 'Isle of Man Post Office'</p> <p>The Council of Ministers' Report made the following</p>		Implemented

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>recommendations:-</p> <p>(c) Diversification proposals should be considered by the Department of Trade and Industry in conjunction with the Treasury, having regard to the Treasury Act, Financial Regulations and any wider economic or social issues considered relevant. The precise mechanics for the approval process will be agreed between the D.T.I. and the Treasury.</p> <p>(e) The Treasury be requested to give consideration and report to the Council of Ministers on the proposal for bespoke Financial Regulations to apply to the Post Office.</p>	<p>(c) Responsibility has been placed upon the Post Office to discuss and seek approval for any new project or proposed diversification with both the Department of Trade and Industry and the Treasury.</p> <p>(e) Treasury confirmed in a report to Council of Ministers on 29 January 2009 that bespoke financial regulations were not necessary.</p>	
19/06	<i>CSO</i>	<i>Jan 06</i>	<p>Boundary Review Committee</p> <p>Motion made that the Interim Report of the Boundary Review Committee dated 19th December 2005, be received and the following recommendations be approved -</p> <p>(a) The Interim Report of the Boundary Review Committee December 2005, be received and the following recommendations approved -</p> <p>(i) Ayre and Ramsey - Retention of the status quo (para 5.1);</p> <p>(ii) to (v) [Motions lost];</p> <p>(vi) Statutory guidelines -</p> <ul style="list-style-type: none"> - The number of seats in the House of Keys to be twenty four (para 4.3.1), - As far as is practicable, regard shall be had to historic sheading and parish boundaries and to existing local authority boundaries (para 4.3.3), 	<p>Following receipt of the interim report from the Boundary Review Committee (BRC) Tynwald resolved in February 2007 to request Council of Ministers to suspend the work of the BRC until the outcome of the Constitution Bill 2007 was known, Council agreed to this on 1 March 2007. Refer to entry 10/07.</p>	<p>Refer to entry 10/07</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<ul style="list-style-type: none"> - The electorate of any constituency, taking into account the number of members it returns to the House of Keys, shall be as near to the electoral quota as is practical. The application of 4.3.3 can be departed from if departure is desirable to avoid an excessive disparity between the electorate of the constituency and the electoral quota or between a constituency and a neighbouring constituency (para 4.3.4), - Departure from strict application of the guidelines at 4.3.3 and 4.3.4 above may be permitted if special geographic considerations including, in particular, size, shape and accessibility of a constituency, appear to render this desirable (para 4.3.5), - Electoral quota shall mean the number obtained by dividing the current registered electorate of the Isle of Man by the number of seats in the House of Keys (para 4.3.6) other than in exceptional circumstances no divergence from the electoral quota greater than 15% shall be allowed (para 4.3.7); <p>(vii) Street order - We recommend that voters' lists in rural areas should be compiled in street order or post code grouping so as to be consistent with the practice in urban areas (para 6.1);</p> <p>(b) The Council of Ministers be requested to introduce any necessary legislative changes arising from approved recommendations, in the current parliamentary session.</p>		
33/06	<i>CSO DHSS</i>	<i>June 06</i>	<p>Select Committee on the Petition for the Redress of Grievance of Andrew Cooil and Thomas Arthur Cooil</p> <p>Motion made that the Report of the Select Committee on the Petition for Redress of Grievance of Mr Andrew Cooil and Mr</p>		

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>Thomas Arthur Cooil be received and the following recommendations be approved -</p> <p>Recommendation 4 Final Stage There should be an opportunity for an appeal to be made and heard by an independent person outside of the Complaints Panel System. The already approved Ombudsman Service should be established as a priority.</p> <p>Recommendation 5 The National Health Service (Independent Review Body) Regulations 2004 and the National Health Service (Complaints) Regulations 2004 should be redrafted to reflect the above recommendations 1,2,3 and 4 and the issues raised in 6.8, 6.9 and 6.10 of the Report.</p>	<p>Recommendation 4 The Tynwald Commissioner for Administration Bill has been drafted and approved by the Council of Ministers. The Bill will introduce an Ombudsman service.</p> <p>The Bill went out for consultation in August with an extended deadline for responses of 16 October 2009.</p> <p>Recommendation 5 Consideration will be given to the revision of the legislation after the outcome of the review of the DHSS Complaints Procedure is known.</p> <p>This is still ongoing and unlikely to be completed until late 2009. There are a number of other inputs to take into account and there will need to be public consultation before any changes are made.</p>	<p>Ongoing</p> <p>Under Consideration</p>
39/06	<i>CSO</i>	<i>July 06</i>	<p>Select Committee on Scrutiny and the Functions of the Standing Committee on Expenditure and Public Accounts</p> <p>Motion made that the Report of the Select Committee on Scrutiny and the Functions of the Standing Committee on Expenditure and Public Accounts be received and the following recommendations approved:</p> <p>Recommendation 7 An Auditor General should be appointed.</p>	<p>The Tynwald Auditor General Bill has been drafted and approved by the Council of Ministers.</p> <p>The Bill went out for consultation in August with an extended deadline for responses of 16 October 2009.</p>	Ongoing

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>Recommendation 8 The Auditor General would undertake responsibility for the following functions:</p> <ol style="list-style-type: none"> a. Ultimate responsibility for auditing all statutory bodies (including local authorities), with the power to delegate some of the audit work to firms of local accountants; b. Value for Money Investigations. c. Regular consultation with the PAC and provision of assistance with investigations. d. Identification of issues which may be appropriate for PAC investigations. e. Examination of issues referred by Tynwald. The Auditor General will be able to decide whether or not to undertake a full investigation, but will report to Tynwald in any event. f. Examination of issues referred by individual Members of Tynwald or the public. The Auditor General will be able to decide whether or not to undertake a full investigation, but will include in the Annual Report a list of all the matters referred to the Office and the action taken. <p>Recommendation 9 The following procedures should be adopted for the appointment of an Auditor General and the operation of the Office:</p> <ol style="list-style-type: none"> (a) The selection of the proposed appointee would be undertaken by an Appointment Committee comprising the Chairman of the Tynwald Management Committee, the Chief Minister and the Chairman of the Public Accounts Committee. (b) Details of the successful candidate would be placed before Tynwald by the Tynwald Management Committee for approval of the appointment. 	<p>All the recommendations have been reflected in the draft Bill apart from -</p> <p>Recommendation 9(c). The involvement of the Tynwald Management Committee (TMC) was questioned by the Public Accounts Committee (PAC) during a meeting with the Chief Secretary's Office on 5th November 2008. The involvement of the TMC seems to reflect the appointment of staff made by the Clerk of Tynwald.</p> <p>However the TMC is concerned principally with questions related to the accommodation of the Legislature and the services and facilities accorded to Members in the exercise of their duties with an oversight of the Office of the Clerk of Tynwald.</p> <p>This was not felt appropriate for the Auditor General and it was agreed that the draft Bill should reflect that -</p> <ul style="list-style-type: none"> • a Selection Committee would be responsible for the management of the Auditor General on behalf of Tynwald; and • the Auditor General would require the concurrence of the Treasury before appointing staff. <p>However recommendation 9(a) has been followed in that the Selection Committee will be comprised of the Chair of the Tynwald Management Committee, the Chair of the Accounts Committee and the Chief Minister.</p>	

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>(c) The role and remit of the Auditor General, and the mechanism for terminating the appointment, would be set out in statute to ensure independence, and managed by the Tynwald Management Committee on behalf of Tynwald.</p> <p>(d) The annual budget for the Office would be dealt with in the same manner as the budget for the legislature; ie the estimates are submitted to Treasury and approved by Tynwald.</p> <p>(e) The Office would follow the practice adopted by the Clerk of Tynwald's Office of having regular internal audits of its accounts and procedures carried out by an independent body.</p> <p>(f) The staff appointed to assist the Auditor General would not be civil servants, but employed under similar terms and conditions.</p> <p>Recommendation 10 Reporting procedure for the Auditor General The following procedure should be adopted:</p> <p>(a) The Auditor General will produce an annual report to be laid before Tynwald each October.</p> <p>(b) In the case of other reports, the following procedure will be adopted:</p> <ol style="list-style-type: none"> i. the report will be issued to the PAC and the relevant statutory body; ii. the PAC will produce its own Report, with the assistance of the Auditor General's Office, if required; iii. the Auditor General will be given the opportunity to view the Report before it is issued; iv. the procedure for laying the PAC Report before Tynwald will be outlined in paragraph 25.7 below. 	<p>Recommendation 10(b). The draft bill will deal with reports for value for money inspections and reports following referrals, stating that the Auditor General will produce the report and put it to Tynwald – the process does not follow the recommendation. The PAC advised that it was content with the proposed reporting structure at the meeting held in November 2008.</p>	

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
40/06	<i>CSO</i>	<i>July 06</i>	<p>Manx National Heritage</p> <p>Motion made that Tynwald views with concern the failure in practice of Manx National Heritage to be politically accountable for the conduct of its affairs and requests the Council of Ministers to refer to the committee looking into the Scope and Structure of Government the need for the statutes and constitution governing Manx National Heritage to be updated in order that Manx National Heritage becomes more formally accountable to this Honourable Court.</p>	<p>The Committee looking into the Scope and Structure of Government produced a supplementary report dealing separately with the constitution and accountability of Manx National Heritage in November 2006. The Report was laid before the December 2006 sitting of Tynwald.</p> <p>In February 2007 a Council of Ministers' Working Group was established by the Chief Minister. The Terms of Reference of the Working Group were:-</p> <p>To review the appropriateness and effectiveness of:</p> <p>(1) the legislation governing the constitution and functions of the MNH, and (2) the internal structures of governance within the organisation.</p> <p>The Chief Minister dissolved the Group on 28 March 2008.</p> <p>A consultation document partly based on the findings of the Working Group was issued in May 2009 (refer to entry 03/08(ii)).</p>	<p>Implemented</p> <p>Refer to entry 03/08 (ii)</p>
41/06	<i>CSO</i>	<i>July 06</i>	<p>Reserve Forces Act 1996 (of United Kingdom Parliament)</p> <p>Motion made that Her Majesty be requested to direct by Order in Council that the provisions of the Reserve Forces Act 2006 shall extend to the Isle of Man with appropriate exceptions, adaptations and modifications.</p>	<p>The Order in Council has been approved by the Attorney General's Chambers and the Ministry of Defence legal officers. The Council of Ministers approved the Order in Council on</p>	<p>Ongoing</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
				<p>27th March 2008 and the Ministry of Justice was formally asked to progress it to the Privy Council to be made.</p> <p>Although it was thought that the MoD was content with the draft Order in Council provided by the Attorney General's Chambers, the MoD legal officers subsequently decided that it required further consideration before it could be made by the Privy Council. The MoD has been regularly asked for updates on progress but it appears that the Order in Council has been delayed by the substantial project to bring the Armed Forces Act 2006 fully into force by 31 October 2009. The MoD and the Ministry of Justice are being pressed to ensure that the Order in Council is finalised and made at the earliest opportunity.</p>	
42/06	<i>DLGE</i>	<i>Oct 06</i>	<p>Report from the Energy Costs Task Force</p> <p>Motion made that the Report of the Council of Ministers' Energy Costs Task Force be received and the following recommendations approved:-</p> <p>Recommendation 2 An energy advice service should be established with Government funding to be based within MEA Showrooms, in partnership with DLGE and OFT, to provide advice to domestic and business users on all aspects of energy consumption.</p>	<p>Recommendation 2 The Energy Officer Working Group, including officers from MEA, have developed the "Bright Ideas" brand and incorporated an Energy Advice Centre into their new retail premises at the Strand Shopping Centre. Accredited training for staff from MEA, Manx Gas and the oil companies has been developed and is due to be delivered in Autumn 2009; funding has been secured</p>	Implemented

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>Recommendation 3 Department of Local Government and Environment should progress at the earliest opportunity, the revision of Part L of the Building Regulations, aimed at improving the thermal efficiency of future public and private sector housing.</p> <p>Recommendation 4 Department of Agriculture Fisheries and Forestry should, in conjunction with the MEA, DLGE and other relevant Departments, explore the possibility of maximising the use of the Island's extensive timber supplies and other bio-mass resources for energy provision in future years.</p>	<p>from Energy Initiatives Fund. A website has also been developed at www.brightideas.im. An energy advice outreach service is funded from the Energy Initiatives Fund. The "Energy Doctor" service delivered by Age Concern provides home visits to vulnerable householders and provides specific advice and fitting of energy saving materials.</p> <p>Recommendation 3 The recommendation requires amendments to the Building Control Act 1991. A consultation exercise on a draft Bill and Regulations has recently been completed and, subject to Council approval, the Bill should be included in the legislative program for 2009/2010.</p> <p>Recommendation 4 The Department's plans for utilising its timber stocks as an energy resource are well advanced and in conjunction with DLGE's Energy Initiatives Officer are researching potential markets and usages for such fuel.</p> <p>Although discussions with the MEA did not result in any opportunities to progress the use of timber as an energy source, discussions ongoing with the DLGE have been most productive. Research has confirmed that the use of wood chippings will create a source of fuel that is cheaper than fossil fuels and will be from a sustainable source, creating both financial and environmental benefits for the Island.</p>	<p>Ongoing</p> <p>Implemented</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
				<p>A new shed is about to be constructed at the Saw Mill in St John's to accommodate the necessary wood chipping equipment, with associated storage facilities.</p> <p>The woodchipper purchase was approved by Tynwald in July 2009 and arrived in August. The proposed installation date for DAFF HQ woodchip boiler is October 2009.</p> <p>The Department's new Corporate Headquarters, currently under construction in St John's, will be heated using a woodchip fired boiler. In addition, the first DLGE woodchip boiler received planning approval in July 2009. This will be for sheltered housing at Marashen Crescent, Port Erin for 50 flats. A number of other Government Departments and the private sector have expressed an interest in using woodchips as a fuel source.</p>	
46/06	<i>DLGE</i>	<i>Oct 06</i>	<p>Report on the action taken in response to the Chairman's Report on the Findings of an Inquiry into the exercise of certain functions by Braddan Parish Commissioners in the period 1st January 1985 to the present day</p> <p>Motion made that Tynwald accepts the Department's Report and approves the following recommendations:</p> <p>That Tynwald is of the opinion that:-</p> <p>a) the public interest would be best served by the Auditors making an application to the Court under section 7 of the Audit Act 1983 for a declaration that -</p>	<p>A further independent review of certain matters has been undertaken and a solution put to Braddan Commissioners. Though progress has been slow the Department is hopeful that legal action will not be required. A statement will be made to Tynwald in due</p>	Ongoing

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>(a) the overpayments made between October 2002 and May 2006 are contrary to law, and</p> <p>(b) any person responsible for incurring or authorising any unlawful expenditure should repay it as the Court so orders.</p>	<p>course.</p> <p>The roll-out of a corporate governance code for Local Authorities will address such matters as required by the Tynwald Select Committee on the Affairs of Braddan Parish Commissioners. Refer to entry 11/09.</p>	
46A/06	<i>DTI</i>	<i>Oct 06</i>	<p>Standing Committee on Public Accounts</p> <p>Motion made that the Report on Island Studios and Associated Matters be received and the following recommendations approved</p> <p>i. DTI should introduce a more standardised procedure for evaluating grant applications, to ensure that all applicants are given the same treatment and are given equal consideration. The final decision must be taken by the Department and minuted.</p>	<p><i>Following Tynwald Debate the Public Accounts Committee and the Department of Trade and Industry agreed to a number of amendments to the recommendations.</i></p> <p>i. Enquires of a general nature continue to be dealt with by officers of the Department of Trade and Industry. This covers a number of situations up to the point where an application form is completed and submitted to the Department.</p> <p>When a formal application form has been completed and submitted to the Department, a set procedure is followed to ensure a consistent approach is applied. Applications are only considered to be complete when all information is received. Applicants are allowed three months after the submission of the application form to submit any outstanding information, otherwise the application is deemed to be withdrawn and the applicants written to accordingly.</p> <p>All completed applications are subject to a formal decision by the Department either at a Department meeting or through the delegated system. Decisions are based on a</p>	<p>Implemented</p> <p>Inserted in January 2009 following the Tynwald Scrutiny Committee Report</p> <p>Refer to entry 07/09(vi)</p>

Ref No	Department/Board/Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<p>ii. Before a grant is given in respect of a specialised facility, a condition of the grant should be that the applicant satisfies the Department that the specification of the facility ensures that it will be fit for purpose.</p> <p>iii. Conditions regarding local contractors/suppliers be worded as follows:</p> <p><i>"The Company to undertake to obtain quotations based on the same written specification from local contractors/suppliers and/or producers for all goods and materials specified in the works and to give preference to local Isle of Man labour, tradesmen and services and to use materials from Isle of Man-based producers and/or suppliers. If there are valid reasons why the Company prefers to employ an off-Island contractor, the approval of the Department is required for all goods and services in excess of the limits set out in FD8 paragraph 12. If such approval is not obtained the Department will withhold payment of the grant."</i></p> <p>iv. DTI reviews their procedures:</p> <p>a. to ensure that grant recipients are made aware of their responsibilities for ensuring that all workers on their site have the relevant work permits and certification, and</p> <p>b. for checking sites to ensure that this requirement is being adhered to.</p>	<p>completed full evaluation or by a short form report, if appropriate.</p> <p>ii. This recommendation was accepted and the guidelines and procedure notes have been amended accordingly. It should be noted that there are few cases where a specialised facility is developed.</p> <p>iii. The Department accepted the changes which do improve the procedures and in particular make clear that the prior approval of the Department is required before using off-Island contractors and suppliers. The terms and conditions, guidelines, offer letter and procedure notes have been amended accordingly.</p> <p>iv.</p> <p>a. the Department makes grant recipients aware of their responsibilities in relation to work permits and certification in the standard terms and conditions applied to offers of financial assistance. It is further emphasised in the covering letter to the applicant.</p> <p>b. a widespread review of the Control of Employment Act and its administration</p>	

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
46A/06 continued			<p>v. In cases where a grant applicant's own building company is to be used:</p> <p>a. at the discretion of the Department and to ensure best value is obtained, either quotes should be obtained from that company and at least two other building companies based on the same written specification and submitted to the Department, or an independent expert (building or quantity surveyor) assess the applicant's proposed quotation,</p> <p>b. a satisfactory certificate should be provided confirming that all the expenditure claimed is allowable, and</p> <p>c. that a proportion of the grant monies be retained until such certificate is produced.</p> <p>vi. In cases where the Department is to have a charge over the assets of grant recipients -</p> <p>a. the Government Valuer should prepare a valuation of the land and/or buildings assets prior to the award of the</p>	<p>took place in 2007 and the Department has increased the resources of the Employment Inspectorate in order to adopt a more rigorous approach towards enforcement of the relevant employment legislation and clear enforcement guidelines have now been published.</p> <p>In addition, the Inspectorate have significantly increased the number of random visits to organisations to ensure compliance with employment legislation.</p> <p>The Inspectorate does not seek to target a particular sector of the economy, but rather aims to ensure a range of visits to encompass as large a percentage of the economically active population as possible.</p> <p>v. The Department accepted the conditions and has included them in the standard building conditions as well as the procedure notes and the guidelines.</p> <p>vi. The Department accepted these recommendations and documentation has been amended accordingly. Since October 2006, the Government Valuer has been</p>	

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>grant,</p> <p>b. in respect of assets other than land and/or buildings, the Government Valuer shall obtain independent valuation from an appropriate specialist, and</p> <p>c. the period of the charge should commence from the date of the payment of the initial installment of grant monies and extend for the period from the date of payment of the final installment.</p> <p>vii. Auditor's certificates must be obtained from independent and appropriately qualified professionals, who must certify that they have no connection with the applicant.</p> <p>viii. In cases where a grant is given towards the purchase of plant or equipment and one of the conditions is that the grant be repayable under certain circumstances, a further condition be attached to the grant requiring the recipient to maintain an adequate register of assets which should include serial numbers, current value, location and whether the plant/equipment is still in use by the grant recipient. The register must be kept up to date for the whole of the period under which the grant could become repayable.</p> <p>ix. The purchase of the editing equipment for £689,800 and subsequent grant application in respect of it be referred to HM Attorney General for further investigation.</p> <p>x. DTI reviews its procedure for -</p> <p>a. assessing grant applications, especially in respect of specialist projects where there may be insufficient local knowledge to adequately check the information contained in the business plans, and</p> <p>b. checking all invoices which are submitted in support of grant payments to ensure that they are all allowable under the terms of the grant award.</p>	<p>asked for valuations on four occasions.</p> <p>vii. This recommendation was accepted and the documentation has been amended accordingly.</p> <p>viii. The Department agreed with this recommendation and has included a condition in the standard terms and conditions for plant and machinery to this effect. Around 70 offers have been issued where this condition has been included since it was first introduced in October 2006.</p> <p>ix. The Public Accounts Committee agreed to the removal of this recommendation as the Attorney General's Chambers has already declined to undertake an investigation.</p> <p>x. Both these recommendations have been implemented and procedure notes amended accordingly.</p>	

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
46A/06 continued			<p>xi. DTI reviews its follow-up procedure to ensure that:</p> <ol style="list-style-type: none"> a. regular visits are carried out by the same officer(s) wherever practicable; b. there should be a clear understanding of the issues to be covered in those checks; and c. there should be a written record of each visit which would include the date, the officer(s) who undertook the visit and the findings. <p>xii. DTI should introduce a qualifying condition for Employers' registration under the Craft and Technician Training Scheme and similar Schemes stipulating that the Employer must award accredited qualifications, which are recognised by the relevant industry, to all apprentices who successfully complete their courses.</p> <p>xiii. Company searches be obtained on all new applicant companies for which grant applications are being considered. This should extend to other companies in the same group as the applicant company and companies with which the applicant company is to enter into partnership.</p> <p>xiv. DTI should examine its grant appraisal procedures:</p> <ol style="list-style-type: none"> a. to ensure succession planning and cover in cases of the incapacity or unavailability of the current service providers; and b. to ensure that appropriate expert advice is available in respect of all grant applications. 	<p>xi. These recommendations were accepted and procedure notes amended accordingly.</p> <p>xii. The Craft and Technician Training Scheme was expunged in 2006. However, the replacement Skills Development Scheme (2007) does now contain the following wording: "Wherever possible, successful completion of the training should lead to the attainment of industry accredited, nationally recognised qualifications.".</p> <p>Due to the expansion of alternative training and assessment methods, all of the Department's 450 apprentices are studying towards nationally recognised qualifications.</p> <p>xiii. This recommendation has been implemented and procedures have been amended to ensure that searches are carried out on new applicant companies. Checklists have been put in place in this regard.</p> <p>xiv. These recommendations were accepted and the guidelines amended accordingly. In terms of succession planning all applications for financial assistance are dealt with in house and are not dealt with by third party consultants as was the position at the time of the Public Inquiry. The evaluation process is led by the Director of Finance and supported</p>	

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
				<p>by officers from the Economic Development Group and the Finance Office.</p> <p>Since the Public Inquiry it is worth noting that the Department has developed a new Enterprise Act which includes powers in relation to the main Financial Assistance Scheme. Royal Assent has been obtained and it is now proposed to bring the Act into force as soon as is practically possible.</p> <p>This new legislation requires the Department to be more open and transparent about the way the Financial Assistance Scheme is administered. In this regard, the Department is required for the first time to produce an Annual Report on the financial assistance given and this has to disclose the names of businesses in receipt of assistance. This report must be laid before Tynwald each year.</p> <p>The Department is required to produce regulations to define what constitutes an eligible business and this will set down a minimum standard of criteria which applicants must meet. The Department is also required to produce comprehensive guidelines to show in an open and transparent way, how it administers policy in relation to financial assistance.</p> <p>The Department's main Financial Assistance Scheme is subject to regular review and audit by Treasury's Internal Audit Division. The most recent audit resulted in a report in December which confirmed the Department was complying with all requirements and a copy of the completed Treasury report was forwarded to the Public Accounts Committee.</p>	

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
49/06	<i>DHA</i>	<i>Oct 06</i>	<p>Select Committee on the Petition for Redress of Grievance of Roy Redmayne</p> <p>Motion made that the Report of the Select Committee on the Petition for Redress of Grievance of Roy Redmayne be received and the following recommendations approved -</p> <p>(a) that an independent system of investigation of all complaints against the Police (such as a Police Ombudsman), including those against the Chief and Deputy Chief Constables, but excluding "Dissatisfied Customer" matters, be established;</p> <p>(b) that the Department of Home Affairs be charged with developing such a system and incorporating it into the draft Police (Complaints) Regulations; and</p> <p>(c) that the Department of Home Affairs report to Tynwald Court with detailed proposals to create an independent means of investigation of complaints against the Police, together with the necessary changes to the draft Police (Complaints) Regulations by March 2007.</p> <p>(e) that an official apology to Mr Redmayne and his family be made on behalf of the Department of Home Affairs.</p>	<p>(a) - (c) The Minister for Home Affairs submitted a Report to the July 2007 sitting of Tynwald, however the Motion failed with the proposal that the Minister return to Tynwald with a revised proposal following a period of further consultation with Tynwald Members. The Minister made a Statement to the February 2008 sitting of Tynwald.</p> <p>Modernisation of the Police Complaints process in United Kingdom delayed progress on this matter but a report has now been prepared and is being considered by the Department.</p> <p>It is envisaged that a further Report will be submitted to the October/November 2009 sitting of Tynwald.</p> <p>(e) The Chief Constable, Mike Langdon, and the Deputy Chief Constable, Gary Roberts, met with Mr Redmayne and gave an apology personally on 5th December 2007.</p>	<p>Ongoing</p> <p>Implemented</p>
50/06	<i>DLGE</i>	<i>October 06</i>	<p>Select Committee on No 5 The Parade, Castletown</p> <p>Motion made that the Report of the Select Committee on No. 5 The Parade, Castletown be received and the following recommendations approved –</p>	<p>Department of Local Government & Environment has considered all of the recommendations and where practicable is amending its internal processes to achieve</p>	

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>Recommendation 1 The Department of Local Government and the Environment puts in place a means whereby owners of Registered Buildings are required to inform the Department of the agreed sale of a Registered property.</p> <p>Recommendation 3 The Department should consider whether any application in respect of a registered building should be considered as Registered Building Consent, no matter whether the work is internal, external, or both. The form of approval should clearly identify accompanying drawings by their reference number with conditions/specifications clearly listed on the form of approval.</p> <p>Recommendation 5 The period between commencement of work and completion of work to be agreed with the Department which may agree extensions or impose penalties.</p> <p>Recommendation 6 The Conservation Office is located outside the Planning and Building Control Directorate with consideration that it be located within the Estates and Housing Directorate.</p> <p>Recommendation 7 A Registration Committee is established by the Council of Ministers under the auspices of the Department of Local</p>	<p>the outcome desired by the recommendations. Certain of the recommendations require amendments to primary legislation and these are still under consideration by the Department.</p> <p>Recommendation 1 The current Property Search already notifies prospective purchasers that a building is registered. A requirement for sellers to notify the Department will require amendments to legislation.</p> <p>Recommendation 3 The Department of Local Government & the Environment considered the matter fully and a decision was made not to proceed along the lines suggested here because the increased regulation and administration would be disproportionate to any benefits.</p> <p>Recommendation 5 The recommendation was accepted but the imposition of penalties will require amendment of legislation.</p> <p>Recommendation 6 The Department has received the report from the Planning Advisory Service into the Peer Review carried out on the Directorate and this recommendation will be considered in the light of the PAS Report and subsequent consultation.</p> <p>Recommendation 7 The Department of Local Government and</p>	<p>Under Consideration</p> <p>Considered and Not Implemented</p> <p>Under consideration</p> <p>Ongoing</p> <p>Under Consideration</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>Government and the Environment for the purpose of considering applications for inclusion on the Protected Buildings Register.</p> <p>Recommendation 9 The Department of Local Government and the Environment includes in its budget forecasts, provision for the establishment of a Registration Committee and fees for preparation of registered building proposals.</p> <p>Recommendation 12 The Town and Country Planning Act 1999 be amended to make provision for the Department of Local Government and the Environment to:</p> <ol style="list-style-type: none"> 1) Impose penalties for the failure of a person or persons granted Registered Building Consent to complete works within a period agreed with the Department. 2) Define the terms 'meaning of development', 'commencement date', 'commencement of work', 'completion date' and 'registered building consent'. 3) Consider the inclusion of the Building Control Officer and the Chief Fire Officer as consultees in the registered building consent process. 4) Establish a Registration Committee 	<p>the Environment has been looking at how a Registration Committee could be constituted and who could sit on such a Committee to provide a balanced view on the merits of registration. The Department recognise that the constitution of such a Committee would require legislation which the Department may consider as part of the review of the planning system and the likely ensuing legislation necessary to implement the recommendations from that review.</p> <p>Recommendation 9 This recommendation is dependent on the implementation of Recommendation 7 and so has not been progressed.</p> <p>Recommendation 12</p> <ol style="list-style-type: none"> 1) Principle accepted but requires legislative change 2) and 3) A review of the changes introduced in 2005 to the development control process is currently being undertaken and the recommended amendments can be included in any changes required as a result of that review. 4) Requirements are currently being researched. 	<p>Under consideration</p> <p>Under consideration</p> <p>Ongoing</p> <p>Under Consideration</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
51/06	<i>CSO</i>	<i>Oct 06</i>	<p>Select Committee on Civil Service Pension Schemes</p> <p>Motion made that the Report of the Select Committee on Civil Service Pension Schemes be received and the following recommendations approved –</p> <p>II) Council of Ministers should, in the light of the evidence included in this Report:</p> <p>c) investigate whether any disciplinary or capability proceedings are appropriate in respect of the officers concerned.</p> <p>V) Council of Ministers should consider all public service pension funds and determine:</p> <p>a) whether final salary schemes can continue to be offered to new entrants,</p> <p>b) whether public sector retirement ages should be increased, and</p> <p>c) whether contribution rates should be increased.</p> <p>VI) Council of Ministers should consider whether it remains appropriate for Isle of Man Public Service Pension Schemes to continue to be based by analogy on UK Schemes and whether UK policy should continue to be automatically adopted.</p>	<p>II)</p> <p>c) Council of Ministers accepted the recommendations of an Independent Report. No further action required.</p> <p>(V) and (VI) have been addressed by the independent review undertaken by Hymans Robertson. Refer to entry 14/08.</p>	<p>Implemented</p> <p>Implemented</p>
54/06	<i>DOT</i>	<i>Dec 06</i>	<p>Response to the Report of the Standing Committee on Economic Initiatives – a Report to Members of Tynwald</p> <p>Motion made that the response of the Report of the Standing Committee on Economic Initiatives be approved subject to the Department of Transport making a report to the March 2007 sitting of Tynwald on their discussions with local authorities, the proposals then agreed with them and the</p>	<p>Discussions between local authorities and the Department of Transport on this matter are ongoing. The Minister for Transport will make a further statement when proposals have been agreed.</p>	<p>Ongoing</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			timetable for their implementation.	<p>A meeting was held with Peel Commissioners on 1 June. This was part of the ongoing discussions with Local Authorities on this subject. A Council of Ministers paper is being prepared on subject of land development, incorporating additional off street car parking. Peel Commissioners have confirmed that they are in the process of introducing pay and display car parking into an area within one of their car parks.</p> <p>(Refer to entry 03/08(iii) Motion made that the First Report of the Standing Committee on Scrutiny for the Session 2007-08 be received).</p>	
02/07	<i>Treasury CSO</i>	<i>Jan 07</i>	<p>Radio Manx Limited Strategy Review</p> <p>Motion made that the Value for Money Committee's Radio Manx Limited Strategy Review be received and the following recommendations approved:</p> <p>(a) That Manx Radio -</p> <p>(iv) includes the capital expenditure proposals in the 2007 - 2012 business plan showing alternative financing proposals;</p> <p>(v) includes in the 2007 – 2012 business plan a business case showing the costs of relocation to an alternative site for comparison with the plans to extend the existing building;</p> <p>(vii) should control its costs to ensure that the 2006 - 2007 forecast cash flow remains within the £100,000 overdraft facility; and</p>	<p>The Treasury is continuing to work closely with Manx Radio on the issues that were not completed at the time of last year's Report.</p> <p>(a) -</p> <p>(iv) Scheme included in capital programme in 2008 budget.</p> <p>(v) Potential sites are being explored vis a vis remaining in existing location.</p> <p>(vii) Overdraft reduced to just over £100,000 at end of the Financial Year 2008.</p>	<p>Ongoing</p> <p>Ongoing</p> <p>Implemented</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>(viii) should control its costs to ensure that the drawdown of the overdraft facility does not take place before February 2007.</p> <p>(b) That Manx Radio Trustees approve performance measures in terms of balanced output and system downtime, taken their annual reporting period for each category of broadcast, and uses these measures as a benchmark against which actual output is measured and monitored in future.</p> <p>(c) That the Council of Ministers -</p> <p>(i) moves forward the introduction of DAB/DRM technology as Manx Radio is unable to meet the financial commitment.</p>	<p>(viii) Year end position satisfactory.</p> <p>(b) The implementation of the recommendation concerning the identification and measurement of balanced output over Manx Radio's annual reporting period for each category of broadcast is evidenced annually by Manx Radio in its annual report. In the 2008-9 Annual Report, on page 22 & 23, there is a report covering its "promise of performance". This report shows a number of key measures with the actuals compared with pre-set targets. One of the measures is the number of hours allocated to news, religion, current affairs, sport etc. There are measures for transmission, compliance and web based output. Targets for the key measures for the next reporting period are also shown.</p> <p>(c) -</p> <p>(i) The Treasury and Manx Radio continue to monitor take up of DAB as a potential new medium.</p>	<p>Implemented</p> <p>Implemented</p> <p>Ongoing</p>
05/07	<i>CSO</i>	<i>Jan 07</i>	<p>Immigration</p> <p>Motion made that a Committee of five Members be appointed with powers to take written and oral evidence pursuant to sections 3 and 4 of the Tynwald Proceedings Act 1876, as amended, to examine and review the operation and adequacy of the existing legislation available to the Isle of Man for monitoring and controlling immigration to the Island,</p>	<p>The Report of the Select Committee was received at the December 2008 sitting of Tynwald. Refer to entry 23/08.</p>	<p>Implemented</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			and to report no later than the sitting of the Court in October 2007 with recommendations.		
10/07	<i>CSO</i>	<i>Feb 07</i>	<p>Boundary Review Committee</p> <p>Motion made that Tynwald requests the Council of Ministers to suspend the work of the Boundary Review Committee until such time as the outcome of the Constitution Bill 2007 is known.</p>	<p>Motion made at the April 2009 sitting that pursuant to section 11(5) of the Representation of the People Act 1995, Tynwald supports the Governor in Council dissolving the Boundary Review Committee and that after the outcome of the Constitution Bill 2007 is determined, requests the Governor in Council to recommend the appointment of a new Boundary Review Committee to review the number and boundaries of the constituencies for election to the House of Keys and to report thereon to Tynwald.</p> <p>The Legislative Council declined to give the Constitution Bill its Second Reading on 23rd June 2009.</p> <p>In view of the current status of the Bill the Council of Ministers will await the outcome of the Branches consideration.</p>	<p>Ongoing</p> <p>Refer to entry 19/06</p>
22/07	<i>MEA</i>	<i>July 07</i>	<p>Manx Electricity Authority: validation of borrowings</p> <p>Motion made that Tynwald receives the Report of the Council of Ministers on MEA Expenditure 2003-2005 and that the following recommendation be approved –</p> <p>5. (i) Tynwald does not sanction the costs incurred by Skyward Telecommunications Limited (Skyward) for the years ended 31st March 2004 and 31st March 2005 summarised as follows which were paid for</p>	<p>5. (i) The Board has received a legal opinion on the vires of this expenditure that provided clear advice that an attempt to recover this “Skyward” expenditure would be</p>	<p>Not to be Implemented</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>																																																
			<p>and/or financed by MEA:-</p> <table border="0"> <thead> <tr> <th>Revenue expenditure</th> <th>2004 £</th> <th>2005 £</th> <th>Total £</th> </tr> </thead> <tbody> <tr> <td>Direct staffing costs</td> <td>394982</td> <td>342051</td> <td>737033</td> </tr> <tr> <td>Indirect staffing costs</td> <td>104925</td> <td>75775</td> <td>180700</td> </tr> <tr> <td>Administration costs</td> <td>523107</td> <td>140497</td> <td>663604</td> </tr> <tr> <td>Establishment costs</td> <td>29958</td> <td>96514</td> <td>126472</td> </tr> <tr> <td></td> <td>1052972</td> <td>654837</td> <td>1707809</td> </tr> <tr> <td>Capital expenditure</td> <td>11390</td> <td>70644</td> <td>82034</td> </tr> <tr> <td>Total</td> <td>1064362</td> <td>725481</td> <td>1789843</td> </tr> </tbody> </table> <p>(ii) Tynwald does not sanction the following items of expenditure which were paid for and/or financed by MEA in respect of gross remuneration paid to certain members of a committee established by the Board of Directors of MCC on 2nd June 2003 (known as Skyward Committee).</p> <table border="0"> <thead> <tr> <th></th> <th>Mr John McCallion</th> <th>Mr Michael Proffitt</th> <th>Mr Clive Wilcox</th> </tr> </thead> <tbody> <tr> <td>Year to 31.3.04</td> <td>22,500</td> <td>£48,750</td> <td>£37,500</td> </tr> <tr> <td>Year to 31.3.05</td> <td>£25,000</td> <td>£54,166.66</td> <td>£41,666.66</td> </tr> <tr> <td>Total</td> <td>£47,500</td> <td>£102,916.66</td> <td>£79,166.66</td> </tr> </tbody> </table> <p>6. Tynwald also does not sanction certain items of expenditure which were paid for and/or financed by MEA in respect of the air travel costs incurred by Mrs McCallion in the sum of £8,156.60 and by Mrs Proffitt in the sum of £9,289.70 when travelling with their husbands to Australia.</p>	Revenue expenditure	2004 £	2005 £	Total £	Direct staffing costs	394982	342051	737033	Indirect staffing costs	104925	75775	180700	Administration costs	523107	140497	663604	Establishment costs	29958	96514	126472		1052972	654837	1707809	Capital expenditure	11390	70644	82034	Total	1064362	725481	1789843		Mr John McCallion	Mr Michael Proffitt	Mr Clive Wilcox	Year to 31.3.04	22,500	£48,750	£37,500	Year to 31.3.05	£25,000	£54,166.66	£41,666.66	Total	£47,500	£102,916.66	£79,166.66	<p>unsuccessful. The Board therefore resolved that no further action would be taken in this regard.</p> <p>(ii) Part of this expenditure is the subject of legal action. The legal action against the former CEO of the Authority was resolved by consent order on 29 June 2009. The Chairman of the Authority gave a detailed statement on this resolution in Tynwald on 17 June 2009.</p> <p>6. This claim was included in the Board's legal action against the former CEO (see item 5(ii)) and was covered within the same settlement.</p>	<p>Implemented</p> <p>Implemented</p>
Revenue expenditure	2004 £	2005 £	Total £																																																		
Direct staffing costs	394982	342051	737033																																																		
Indirect staffing costs	104925	75775	180700																																																		
Administration costs	523107	140497	663604																																																		
Establishment costs	29958	96514	126472																																																		
	1052972	654837	1707809																																																		
Capital expenditure	11390	70644	82034																																																		
Total	1064362	725481	1789843																																																		
	Mr John McCallion	Mr Michael Proffitt	Mr Clive Wilcox																																																		
Year to 31.3.04	22,500	£48,750	£37,500																																																		
Year to 31.3.05	£25,000	£54,166.66	£41,666.66																																																		
Total	£47,500	£102,916.66	£79,166.66																																																		

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
28/07	<i>Comm Commission</i>	<i>Oct 07</i>	<p>Regional Television</p> <p>Motion made that Tynwald is of the opinion that -</p> <p>(a) Should Border ITV merge with the Tyne-Tees ITV region, the Isle of Man should be serviced by ITV Granada, thus receiving a North West ITV service, similar to that provided by BBC Manchester, and</p> <p>(b) Any regional TV service provided by ITV or BBC should be part of the North West region, not the North East; and</p> <p>(c) The Government should make appropriate representation to ITV and relevant UK Authorities in an endeavour to secure such an ITV service for the Island.</p>	<p>The Commission published a Consultation Paper on the proposed changes to ITV regional news, inviting responses by 21 November 2008. The issue was reported and debated on the radio, internet and in the Island's newspapers. The Commission summarised the results of the public consultation in its submission to Ofcom on the 4 December 2008 and recommended that the Island's transmitters should switch to Granada, a view shared by Tynwald and the great majority of respondents to the consultation.</p> <p>The final phase of Ofcom's Review of Public Service Broadcasting was published on 21 January 2009. Ofcom stated that "The Isle of Man Communications Commission conducted a consultation exercise, which received 120 responses, of which 77% favoured the Granada option and only 17% Border. This outcome also reflected the view of the Island's parliament. ITV is also agreeable to the change, which will be made, but which for technical reasons will only be possible towards the end of 2009."</p> <p>Following discussions with the Commission, ITV brought forward the move to Granada which became the default ITV service on terrestrial and satellite television via Sky following Digital Switchover in July 2009. ITV Granada is available via Freesat from BBC and ITV by inserting a Manchester postcode in the interim before ITV Granada also</p>	Implemented

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
				becomes the default service later in the year.	
29/07	<i>Treasury</i>	<i>Oct 07</i>	<p>Depositors' Compensation</p> <p>Motion made that Tynwald requests the Financial Supervision Commission together with the Treasury to review and if necessary amend the Isle of Man Depositors' Compensation Scheme, the Financial Supervision Act 1988, and the Banking Business (Compensation of Depositors) Regulations.</p>	<p>Terms of Reference were agreed with Treasury in January 2008, and a formal report to Treasury provided on 20 May 2008.</p> <p>Since that date this request has been overtaken by practical issues, and new Depositors' Compensation Regulations have been made and came into effect in October 2008. These Regulations will be subject to future change, but that is as a result of the sunset clause within them rather than the Tynwald request.</p>	Implemented
32/07	<i>CSO</i>	<i>Nov 07</i>	<p>Preservation of War Memorials</p> <p>Motion made that Tynwald requests the Council of Ministers consider the establishment of a suitable body or a Board of Custodians for the preservation of War Memorials and for the following purposes –</p> <p>(a) the registration of War Memorials throughout the Isle of Man;</p> <p>(b) ensuring the proper maintenance and upkeep of such Memorials;</p> <p>(c) preventing the removal or destruction of such Memorials without the consent of the Board of Custodians or suitable body, and report to the Court no later than April 2008.</p>	<p>IoM Government Preservation of War Memorials Committee was established in April 2009 with the following membership -</p> <p>Hon A J Earnshaw MHK (Chair) Mr Q B Gill MHK (Vice Chair) Lay Members: Mr H M H Duff Mr R J Christian Mr B W Kirkham Mrs F J Robinson Prof R J Berry</p> <p>The first meeting of the Committee was held on 15 June 2009.</p>	Implemented

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
33/07	<i>CSO</i>	<i>Dec 07</i>	<p>Management of Government Owned Property Interests</p> <p>Motion made that Tynwald requests the Council of Ministers to investigate whether all real property owned or leased by Government Departments or Statutory Boards should be vested in and controlled by a single body or Department, and to report to the Court no later than November 2008.</p>	<p>The Council of Ministers submitted their Report to the July 2009 sitting of Tynwald. The Report was referred back to the Sub-Committee for a further Report to the December 2009 Tynwald.</p>	Ongoing
02/08	<i>CSO</i>	<i>Jan 08</i>	<p>Companies Act 2006 (an Act of the United Kingdom Parliament)</p> <p>Motion made that Her Majesty be requested to direct by Order in Council that the provisions of Chapter 1 (The Takeover Panel) and Chapter 2 (Impediments to Takeovers) of Part 28 of the Companies Act 2006 (an Act of the United Kingdom Parliament) shall extend to the Isle of Man with such modifications as may be specified in the Order.</p>	<p>Takeover Panel advised, and via the Panel, the contact at BERR which is the UK Department responsible for drafting the extension of Chapters 1 and 2 of Part 28 of the Companies Act 2006 (of Parliament) to the Isle of Man with modifications. The Order In Council was agreed by Treasury and the Council of Ministers. The Order was accepted by the Ministry of Justice and made by the Privy Council on 10th December 2008. The Order was laid before Tynwald in February 2009 with a commencement date of 1st March 2009.</p>	Implemented
03/08	<i>CSO DOT</i>	<i>Jan 08</i>	<p>Scrutiny Committee Report</p> <p>Motion made that the First Report of the Standing Committee on Scrutiny for the Session 2007-08 be received, and the following recommendations approved:</p> <p>(ii) that the Council of Ministers report to Tynwald no later than December 2008 on the proposed revisions to the statutes and constitution of Manx National Heritage;</p>	<p>(ii) A consultation exercise on the review of the legislation governing the constitution and functions of Manx National Heritage was launched on 1 May 2009. The consultation ended on 1 August 2009 and</p>	Ongoing

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>(iii) that a further statement on the position in relation to longer-term car parking plans for Peel should be made by the Minister for Transport by the end of July 2008;</p> <p>(iv) that the Borough of Douglas Parking Places (Consolidation) (Amendment) (No. 2) Order 2006 be revoked and replaced by an Order which says plainly what is intended.</p>	<p>a report will be submitted to Tynwald in due course.</p> <p>(iii) Following consultation on the implementation of a disc zone on Peel Promenade a Working Group was set up to consider parking and traffic management in Peel, consisting of representatives of the Department of Transport, Peel Town Commissioners, the Emergency Services, residents and the Member for Peel. The Working Group Proposals were considered by the Department of Transport on 23 April 2008. At the meeting in September 2008 the Department was asked by Peel Town Commissioners to review the Promenade, Douglas Street and East Quay. Since then these proposals have been reviewed and modified and will be considered by the Working Group again in September. Wider public consultation on these proposals will then take place before the end of the year. New proposals discussed with the Commissioners in May 2009 endorsed by the Commissioners and Public Consultation will take place at the end of August early September 2009.</p> <p>(iv) The Parking Places (Consolidation) (Amendment) (No.1) Order 2009 SD70/09 was signed by the Minister for Transport on 19th January 2009. The Order will come into operation on 11 February 2009. Schedule 2 to the Act sets out the procedure for Orders made under Part III and there is no</p>	<p>Ongoing</p> <p>Implemented</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
				requirement for these Orders to be laid before Tynwald.	
04/08	<i>DOT</i>	<i>Jan 08</i>	<p>Langness Peninsula Footpaths</p> <p>Motion made whereas the Department of Transport has determined to hold an inquiry pursuant to section 117 of the Highways Act 1986:</p> <p>(a) as to the status under that Act of a certain footpath on the Langness peninsula, namely that which follows the route from the Department's car park around the coastline and passes to the seaward side of the Langness lighthouse, and in particular whether the said footpath maybe presumed to have been dedicated as a highway under section 88 of the said Act</p> <p>(b) as to whether in the light of the findings of the said inquiry the Department should exercise its powers under section 39 of the said Action respect of the said footpath</p> <p>Tynwald now resolves that the powers conferred by the Inquiries (Evidence) Act 2003 shall be exercisable in relation to the said inquiry.</p>	Motion Adjourned until December 2008.	Refer to entry 22/08
06/08	<i>DHSS</i>	<i>Jan 08</i>	<p>Nursing Homes</p> <p>Motion made that the Minister for Health and Social Security make a full report to the Court at its sitting in May 2008 on the action taken by his Department since 21st April 2004 in raising public awareness of the need for retirement planning, explaining how that has helped in practical terms to make provision for persons over 65 years of age in need of residential and nursing care.</p>	On 14 July 2009 the UK Government published its Green Paper entitled "Shaping the Future of Care Together". The document seeks the public's views on three options for funding a new "National Care Service". The Department is studying the outcomes of this UK public consultation exercise before giving further consideration to the Island's position. Whereas the Island will require to develop its own solutions, the issues addressed in the	Ongoing

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
				UK Green Paper are highly relevant and subject to extensive assessment/commentary. It is proper for the Department to consider them in depth and reflect on them.	
09/08	<i>DLGE</i>	<i>March 08</i>	<p>Douglas Quayside Development</p> <p>Motion made that Tynwald approves in principle the Department of Local Government and the Environment entering into an agreement to grant a 999 year lease on land situated on Lord Street, Douglas (known formerly as the Lord Street Bus Station site) for the development of an hotel, with associated residential, retail, and leisure facilities to Askett-Hawk Developments (IOM) Limited, all subject to contract and obtaining relevant planning permission.</p>	<p>The Quayside Working Group under the Chairmanship of the Minister for Tourism and Leisure is developing the Heads of Terms that will form the framework for the Development Agreement.</p> <p>Principles of the Heads of Terms will be submitted to Tynwald in October 2009.</p> <p>The 999 year lease will form part of the Development Agreement.</p>	Ongoing
11/08	<i>DAFF</i>	<i>April 08</i>	<p>Manx Agriculture</p> <p>Motion made that the Report entitled "Developing a Reliable, Sustainable, Self Reliant Manx Agriculture" be received and the recommendations contained therein approved. Those recommendations being that Tynwald should approve the principle of:-</p> <ol style="list-style-type: none"> 1. The broad concepts outlined in the Report. 2. Providing our farmers with levels of support at least equivalent to that provided to their European competitors. 3. Supporting the strategic objective of ensuring that the Isle of Man retains a reliable, sustainable and self reliant food production industry capable of feeding the Manx 	<p>The Countryside Care Scheme which transfers support payments from production payments, to a payment for maintaining the countryside in good agricultural and environmental condition has been implemented well. The first payment was made on time in July 2009. Work is continuing on: reviewing applications to the National Reserve, a specific fund established for farmers who consider they have been disadvantaged by the implementation of the new Scheme; ensuring farm maps are completely up to date and refining the Cross Compliance inspection process to ensure that applicants are meeting the required</p>	Ongoing

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>nation with a diverse range of food products including our staple foods.</p>	<p>standards of good agricultural and environmental practice in return for their payments. However, for the vast majority of farmers the Scheme is now business as usual.</p> <p>Subvention of the Isle of Man Meat Plant has been agreed with Treasury and was implemented for the 2008 calendar year. These payments will continue for two more years before a full external review to assess future levels.</p> <p>The Minister and Officers of Department of Agriculture, Fisheries & Forestry have met with Lord Rooker, the DEFRA Agriculture Minister to outline the Department's strategy and seek support from DEFRA for an application for a further extension of the EU Red Meat Derogation. The Department has established a Working party with the industry to help establish its case for an extension to the derogation.</p> <p>An external review of the Milling Wheat sector including Laxey Glen Mills has been undertaken to identify a sustainable strategy for the sector. The recommendations are being considered and an action plan will be agreed and implemented.</p> <p>The industry is increasing its focus on marketing food and in tandem the Department is concentrating more of its resources in this area. A range of projects have been and continue to be undertaken to improve the connection between farmers and</p>	

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
				<p>consumers. Grants have also been provided to a number of organisations to allow them to develop new products or promote their goods to new markets. The Department will shortly be establishing a cross government Local food marketing committee.</p> <p>An initial draft of a review of the Dairy sector has been received and is being considered.</p>	
13/08	<i>DLGE</i>	<i>April 08</i>	<p>Maladministration in the planning processes in connection with the 'Poachers Pocket' development at Ballasalla</p> <p>Motion made that the Report of the Select Committee on the Poacher's Pocket be received and the following recommendations approved –</p> <p>Recommendation 1 That the Planning Authority should advise "interested parties" when submissions are received subsequent to a planning approval which are required to meet significant planning conditions (i.e. other than very minor ones) and invite comment to be made which will then be considered by the Planning Committee. The independent Reviewer of the planning process should consider how the term "significant planning conditions" is to be defined.</p> <p>Recommendation 2 That the delegated powers of the Director of Planning and Building Control be restricted so that he may not use his powers to approve conditions over which there have been serious objections at earlier stages of the planning application. The independent Reviewer of the planning process should consider how the term "serious objections" is to be defined.</p>	<p>Recommendation 1 to 4 In respect of Recommendations 1-4, the extent of the Delegated Powers of the Director of Planning & Building Control were modified prior to the Committee's recommendations and the other matters are being considered in the light of the Planning Advisory Service (PAS) Report.</p> <p>The PAS Report has been received by the Department of Local Government and the Environment and a consultation exercise has been undertaken on possible changes to the planning process. The Department is due to consider the result of that consultation and will feed the results into any changes to the planning process that have been identified by the Planning Review.</p>	Ongoing

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>Recommendation 3 That the delegated powers of the Director of Planning and Building Control be restricted so that he may only use his powers to approve submissions to meet minor conditions of any planning application, the Planning Committee being required to approve proposals to meet major conditions. The independent Reviewer of the planning process should consider how the terms "minor conditions" and "major conditions" are to be defined.</p> <p>Recommendation 4 That the delegated powers of the Director of Planning and Building Control be restricted so that he may not use his powers to approve conditions relating to applications where he has already represented the Department at a previous stage of the planning application process.</p> <p>Recommendation 5 That the independent Reviewer of the planning process examines whether a more formalised set of criteria should be drawn up to assist the Chairman of the Planning Committee in determining whether an application goes to the Director of Planning and Building Control or the Planning Committee.</p> <p>Recommendation 6 The independent Reviewer should also examine whether interested parties should be permitted to speak at Planning Committee public meetings both at the initial hearing and when the Planning Committee is dealing with submissions to meet planning conditions.</p> <p>Recommendation 7 In addition to Recommendations 5 and 6 above, the independent Reviewer should consider the other comments and conclusions contained in the Report as part of the review</p>	<p>Recommendation 5 A draft set of criteria are being piloted at the present and will eventually be included in a Government Circular.</p> <p>Recommendation 6 The Planning Advisory Service acted as the "independent reviewer" as part of their peer review of the planning directorate and recommended that public speaking should be permitted at Planning Committee Meetings. The Planning Committee are now working towards introducing public speaking.</p> <p>Recommendation 7 The Planning Advisory Service considered the Report of the Select Committee.</p>	<p>Ongoing</p> <p>Ongoing</p> <p>Implemented</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			process.		
14/08	<i>CSO</i>	<i>May 08</i>	<p>Review of Public Service Pension Schemes</p> <p>Motion made that Tynwald requests the Council of Ministers to progress an action plan for a Unified Public Service Pension Scheme based on the following four overarching principles -</p> <p>Principle One That any scheme should be simple to understand and administer whilst representing value for money.</p> <p>Principle Two That public sector pension schemes should be affordable.</p> <p>Principle Three That the total remuneration package is the basis for determining the value of public sector remuneration, and pension costs should be acknowledged as part of the overall package.</p> <p>Principle Four That for the benefit of public sector employees and to safeguard funds, governance of public sector pensions would be best administered by reference to best practice which may include either statutory provision or a trust based fund;</p> <p>and report back to Tynwald with recommendations by December 2008.</p>	<p>Council of Ministers contracted the UK based actuarial firm Hymans Robertson LLP to independently undertake the necessary work, prepare the action plan and report back to the Council of Ministers by October 2008.</p> <p>Following consideration of the proposals put forward by Hymans Robertson, the Council of Ministers decided that, prior to any decision being recommended to Tynwald on this very important and sensitive matter, it was more appropriate to request at its January 2009 sitting that Tynwald noted the proposals and deferred any decision on a definitive way forward until Council of Ministers had consulted fully with staff, unions and key stakeholders and report back to Tynwald in June 2009.</p> <p>To ensure that staff were given adequate time to consider the proposals, at the request of Tynwald Members and staff representatives, the Council of Ministers extended the consultation period for a further three months to 31 July 2009.</p> <p>Hymans Robertson are assessing all the submissions made which number over 800 and will be reporting to the Council of Ministers in the near future. The Council of Ministers will carefully consider the report of Hymans Robertson.</p>	Ongoing

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
16/08	<i>DAFF</i>	<i>May 08</i>	<p>Bradda Glen and Headlands</p> <p>Motion made that Tynwald approves the Department of Agriculture, Fisheries and Forestry progressing with the acquisition of Bradda Glen and Headlands for a nominal sum from Port Erin Commissioners and the Department progressing proposals to secure its future use.</p>	<p>Funding amounting to £636k for the Bradda Refurbishment Scheme was provided in the 2009 Budget.</p> <p>Conveyance of the land and buildings from Port Erin Commissioners is nearing completion.</p> <p>Public consultation is ongoing and has included a public meeting in Port Erin where conceptual plans for the café refurbishment were displayed. Feedback from the meeting has been extremely positive.</p> <p>A Planning Application is expected to be lodged before the end of August 2009.</p>	Ongoing
17/08	<i>CSO</i>	<i>July 08</i>	<p>Manx Servicemen and Servicewomen</p> <p>Motion made that the Report of the Council of Ministers "Manx Veterans Exposed to Nuclear Testing in the 1950s and 1960s" [GR No 028/08] be accepted and the following recommendations approved:</p> <p>(a) That the Department of Health and Social Security take action to identify those nuclear test veterans who wish to receive support.</p> <p>(b) To make one-off tax-free <i>ex gratia</i> payments of £8,000 to each of those veterans exposed to nuclear tests in 1950s and 1960s, who are resident in the Isle of Man and in respect of whom sufficient evidence is produced to verify their claim. Such <i>ex gratia</i> payment is in recognition of their contribution and the consequent mental anxiety they experienced.</p>	<p>(a) - (c) This has now been completed; all applications made to CSO that fell within the terms of the motion have been verified with the Ministry of Defence and, having been approved by Audit Division, cheques and an accompanying letter from the Chief Minister were sent to each veteran. The final cheque was sent just before Christmas. We do not expect to receive any further applications now, as applicants must have been resident in the IOM at the time the motion was</p>	Implemented

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>(c) That no further assessment is to be made of circumstances or need to qualify for the <i>ex gratia</i> payment and that the <i>ex gratia</i> payment will be disregarded for the purposes of any benefit entitlements.</p> <p>(d) That as there is no financial provision for these payments, a motion should be submitted to July 2008 Tynwald authorising Treasury to apply from the General Revenue for the year ending 31s March 2009, a sum not exceeding £96,000, being the amount required for the purpose of making <i>ex gratia</i> payments of £8,000 per person to the individuals already identified and to cover other applications if additional individuals become known as a consequence of enquiries to identify individuals who qualify under the terms of the <i>ex gratia</i> payment award.</p>	<p>approved.</p> <p>(d) Financial Motion submitted to the July 2008 sitting of Tynwald to authorise Treasury to apply from General Revenue a sum not exceeding £96,000. Further Motion submitted to October 2008 sitting of Tynwald for a further sum of £48,000.</p>	
18/08	<i>Treasury DTL</i>	<i>July 08</i>	<p>Economic Initiatives Committee</p> <p>Motion made that the Report of the Standing Committee on Economic Initiatives for the Session 2007-08 [PP89/08] be received and the following recommendations approved:</p> <p>(i) the Department of Trade & Industry should keep under review the possibilities for growth in the market for health insurance;</p> <p>(ii) research should be undertaken to establish whether there would be any significant economic benefit to the</p>	<p>(i) Treasury have considered this recommendation. There is no interest amongst local insurance providers to write this type of business as the market is too small. The provision of executive / management cover is already underwritten by BUPA et al who have the dominant market share. Treasury will continue to monitor the position.</p> <p>(ii) Once the scale of the potential to move traffic from car to rail can be assessed</p>	<p>Implemented</p> <p>Ongoing</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>Island to be derived from the transfer of commuter traffic from car (or bus) travel to rail travel;</p> <p>(iii) in the meantime, the refurbishment of the two Donegal railcars presently in the possession of the Department of Tourism & Leisure should proceed; and</p> <p>(iv) a Report on the issues which the possibility of commuter rail travel raises should be made by the Department of Tourism & Leisure to the sitting of Tynwald in July 2009.</p>	<p>through the proposed trial using the restored Co Donegal Railcars the Department Tourism and Leisure (or more probably the Infrastructure and Environment Sub-Committee of Council of Ministers) can commission an economic impact assessment.</p> <p>(iii) The Department does not currently have funds allocated to this project and the current budget restraints mean that it is likely to be 2011/12 before this can be progressed.</p> <p>(iv) Once the outcome of the trial mentioned above and economic impact assessment is known a report will be made to Tynwald.</p>	<p>Ongoing</p> <p>Ongoing</p>

TYNWALD POLICY DECISION REPORT - OCTOBER 2008 TO JULY 2009

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
20/08	DLGE	Oct 08	<p>Douglas Dog Control Byelaws</p> <p>Motion made that Tynwald acknowledges that Douglas Corporation legitimately introduced the Douglas Dog Control Byelaws 2008, as is their right. However, in view of public concern, Tynwald supports the arrangement of a meeting between representatives of Douglas MHKs and Douglas Town Councillors to discuss possible amendments to these Byelaws.</p>	<p>Meeting held as required by the Motion and amendments to the Byelaws discussed.</p> <p>The Housing and Local Government Bill which has recently been circulated for consultation includes amendments to the byelaw making powers of Local Authorities in respect of dogs.</p>	Ongoing
21/08	DOT	Nov 08	<p>Select Committee of Tynwald on the Isle of Man Steam Packet Company</p> <p>Motion made that the Report of the Select Committee on the Isle of Man Steam Packet Company be received and the following recommendations be approved –</p> <p>Recommendation 1 That the Department of Transport Liaison Group is put on a formal footing as the Steam Packet Liaison Committee, preferably chaired by a Department of Transport Member, to monitor compliance with the User Agreement, and supplements to that Agreement, and to ensure that all matters of concern are given proper scrutiny.</p> <p>Recommendation 2 That the Department, when considering the Company's proposals for increased fares and charges, scrutinises comparable freight rates charged by other Irish Sea ferry</p>	<p>Recommendation 1 The Department has determined that two formal meetings each year with the Company chaired by the Minister, in April and October, are appropriate to enable adequate monitoring of User Agreement compliance and proper scrutiny of matters of concern. Outside of these meetings any relevant matters will be dealt with by way of formal Ministerial approval papers and via the Harbours Division meetings chaired by the Minister.</p> <p>Recommendation 2 The Department has determined that at the October formal liaison meeting with the Steam Packet there will be a standing</p>	Implemented
					Implemented

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>operators in its assessment of the overall basket of fare calculation.</p> <p>Recommendation 3 That the Department reviews the next annual review of timetables and fares to ensure that those timetables and fares are clearly available to all passengers, in brochure form and electronic form and in accordance with the User Agreement.</p> <p>Recommendation 4 That the Department enters into discussion with the Company to determine a level of investment in new craft from 2020.</p> <p>Recommendation 5 That the Department imposes the condition contained within the Fuel Surcharge Agreement, to cancel the surcharge on the issue of six months' notice, and that a new agreement is negotiated with the Company to clarify the types of fuel used by vessels and to ensure that any fuel surcharge better reflects the forecasted and current fuel prices; and that Steam Packet Liaison Committee consults with the Office of Fair Trading on any future increase in fuel surcharge and that any such fuel surcharge reflects the element already contained within the Manx Retail Price Index for fuel.</p>	<p>agenda item that will enable consideration of relevant Irish Sea freight rates.</p> <p>Recommendation 3 The Department is satisfied that the Company continues to comply with the User Agreement requirements in respect of timetable and fares information. The timing of consideration by Tynwald of the Committee's recommendations did not enable the Company's 2009 brochure to be altered to take account of the recommendations. Details regarding standard fares are available at the Company's Ferry Travel Shop in the Sea Terminal Building and also on its website.</p> <p>Recommendation 4 The Department has determined that this matter will be a standard agenda item at the twice-yearly formal liaison meetings with the Company.</p> <p>Recommendation 5 On the 26th November 2008 the Department issued the Steam Packet with six months notice to terminate the current Fuel Oil Surcharge Agreement. On the 1st June 2009 a new surcharge agreement was brought into operation that takes account of the types of fuel used by the Company's vessels and better reflects current and future fuel prices. The new surcharge reflects the fuel element contained in the RPI.</p>	<p>Implemented</p> <p>Implemented</p> <p>Implemented</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
21/08 continued			<p>Recommendation 6 That the Steam Packet Liaison Committee should involve the Office of Fair Trading when it enters into substantive discussion with the Company on fare increases.</p> <p>Recommendation 7 That the Department of Transport establishes a consultative body to which members of the public may refer all matters of off Island travel and complaint.</p> <p>Recommendation 8 That the Department of Transport considers other comments and conclusions contained within this Report.</p>	<p>Recommendation 6 The User Agreement restricts the Department's ability to refuse an increase if it is less than RPI less 0.5% on a weighted basis. Should a greater increase be proposed the Department will invite the OFT to become involved. Refer to entry 26/08.</p> <p>Recommendation 7 The Department has given consideration to options for a public consultation body, including having preliminary discussions with Travel Watch. The Department has approved in principle the establishment of a non-statutory consultation body for which terms of reference are being drafted. The Department intends to consult on these draft terms of reference prior to making a final decision regarding the consultation body.</p> <p>Recommendation 8 The Department will consider the various comments and conclusions made by the Committee in its report.</p>	<p>Implemented</p> <p>Ongoing</p> <p>Implemented</p>
22/08	<i>DOT</i>	<i>Dec 08</i>	<p>Adjourned Langness Motion -from January, April and July 2008</p> <p>Motion made whereas the Department of Transport intends to hold an inquiry pursuant to section 117 of the Highways Act 1986:</p> <p>(a) as to the status under that Act of - (ii) a certain footpath on the Langness peninsula, namely that which follows the route from the Department's car park around the coastline and passes to the seaward side of the Langness lighthouse,</p>	<p>An Inspector has been appointed by the Minister.</p> <p>Inspector Mr Hickey has heard evidence for 7 days, and he has received requests to investigate more paths on the Langness Peninsula, primarily to the North of the car park towards Hango Hill and Derbyhaven, round the golf course.</p>	<p>Ongoing</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>(ii) a path departing from the circular footpath at the south-western side, leading to Langness Point,</p> <p>(iii) the road from the car park to the lighthouse perimeter wall, following the perimeter wall to the western side and joining the circular path,</p> <p>(iv) a path from the north gate of the lighthouse perimeter wall, following a route east along the existing walkway to the coastal path,</p> <p>(v) a path running north-south from the circular footpath to the herring tower,</p> <p>(vi) a path running north-south from the herring tower to join the existing walkway in (iv) above,</p> <p>(vii) a path running due east from the herring tower along the route of the existing clear path to the coastal path,</p> <p>(viii) two further deviations from the circular footpath to the eastern side, the first passing to the south of the industrial archaeology, and the second as a continuation east of path (iv) above,</p> <p>and in particular whether the said footpaths maybe presumed to have been dedicated as a highway under section 88 of the said Act;</p> <p>(b) as to whether in the light of the findings of the said inquiry the Department should exercise its powers under section 39 of the said Act in respect of the said footpaths,</p> <p>Tynwald now resolves that the powers conferred by the Inquiries (Evidence) Act 2003 shall be exercisable in relation to the said inquiry.</p>	<p>The matter is now adjourned until 12 October 2009 to allow further evidence to be presented to the Inquiry.</p>	
23/08	<i>CSO</i>	<i>Dec 08</i>	<p>Immigration</p> <p>Motion made that the Report of the Select Committee on Immigration be received and referred to the Council of</p>	<p>The Council of Ministers reported to the April 2009 sitting of Tynwald on each of the</p>	Implemented

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>Ministers for consideration and that Council should report to Tynwald on each recommendation contained therein by no later than April 2009.</p> <p>Recommendation 1 That the Isle of Man adopts the change to UK Immigration Rules which introduces a Points Based System in place of the Overseas Labour Service work permit scheme and creates a Manx Points Based System which effects entry into the Isle of Man for non EEA nationals taking up or seeking employment.</p> <p>Recommendation 2 That the Council of Ministers establishes a Migration Advisory Body with a Political Chair, consisting of representation from the Chief Secretary's Office, the Treasury, Department of Trade and Industry and Department of Health and Social Security, and others as required from time to time, to</p> <ul style="list-style-type: none"> (i) consider changes to UK Immigration Rules and make recommendations to the Council of Ministers in respect of adoption or not of those changes into the Isle of Man Immigration Rules, (ii) establish a Manx Points Based System which effects entry into the Isle of Man for non EEA nationals taking up or seeking employment, (iii) establish and publish work permit policy which takes into account the Manx Points Based system for overseas applicants, requirements of the Control of Employment Regulations 1993 and particular identified skill shortages in the Isle of Man, (iv) establish guidelines in respect of the issue of 5, or 10, year (ie indefinite) work permits, (v) co-ordinate a database of those issued with National Insurance numbers, work permits and immigration and other records, (vi) monitor the impact of immigration on the economy, and (vii) report annually to Tynwald. 	recommendations. Refer to entry 08/09.	

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
23/08 continued			<p>Recommendation 3 That the Migration Advisory Body publishes a Work Permit Policy Statement which makes clear the requirement for both EEA and non EEA nationals wishing to enter the Isle of Man for employment purposes to hold a work permit granted under the Control of Employment Act 1975, and to make clear that the granting of such a work permit does not necessarily lead to settlement.</p> <p>Recommendation 4 That the Review by the Department of Trade and Industry of the Control of Employment Regulations 1993 should include provisions which -</p> <ul style="list-style-type: none"> (i) allow for applications to be made to the Minister for Trade and Industry for an "indefinite" work permit (redefined as a 5 or 10 year work permit) in exceptional circumstances, (ii) otherwise restrict the granting of a work permit, or combination of approval and renewals to an aggregate of one year less than the qualifying period for Isle of Man worker status (currently 5 years), (iii) allow for applications to be made to the Minister for Trade and Industry, or Body or person appointed by him, for an extension of a work permit beyond the qualifying period, such application to be made no less than one year before the qualifying period for Isle of Man worker status, consideration of which will take account of the personal circumstances of the individual, their skill level and the need for retention of those skills and contribution to the economy, (iv) require the applicant for a work permit to have a working knowledge of the English language to ensure the health and safety of the individual, work colleagues and others, (v) take account of the ability of the applicant's dependants to speak English, (vi) take note of relevant comments contained within this 		

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>Report.</p> <p>Recommendation 5 That the Department of Trade and Industry make such amendments to the Control of Employment Act 1975 as deemed necessary to establish a Manx Points Based System.</p> <p>Recommendation 6 That the review of Child Benefit payments undertaken by the Department of Health and Social Security be conducted on a regular basis.</p> <p>Recommendation 7 That the Department of Home Affairs should vigorously pursue the matter of access to criminal records, both in the United Kingdom and Europe, and report to Tynwald by July 2009.</p>		
24/08	<i>Treasury</i>	<i>Dec 08</i>	<p>Financial Supervision Commission</p> <p>Motion made that Tynwald notes the intention of the Treasury to initiate a review of financial supervision and regulation on the Island, which will include the responsibilities of the Financial Supervision Commission, to complement the external reviews already announced and that the Treasury will specifically review the issue of conflicts of interest, taking into account the views expressed by Members of Tynwald together with submissions made during consultation, and instructs the Treasury to report back to Tynwald no later than the sitting of the Court in December 2009.</p>	Treasury acknowledge the scope of the review requested by Tynwald and will consider the various options available to conduct the exercise. In light of the review being undertaken by the Select Committee of Tynwald on KSF (IOM) Ltd and the Depositors Compensation Scheme, which will include a report upon the role of the FSC, the Treasury propose to postpone the study until the Select Committee has completed its work.	Ongoing
25/08	<i>Treasury</i>	<i>Dec 08</i>	<p>Insurance and Pensions Authority</p> <p>Motion made that Tynwald notes the intention of the Treasury to initiate a review of financial supervision and regulation on the Island, which will include the</p>	Treasury acknowledge the scope of the review requested by Tynwald and is considering the various options available to	Ongoing

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			responsibilities of the Insurance and Pensions Authority, to complement the external reviews already announced and that the Treasury will specifically review the issue of conflicts of interest, taking into account the views expressed by Members of Tynwald together with submissions made during consultation, and instructs the Treasury to report back to Tynwald no later than the sitting of the Court in December 2009.	conduct the exercise within the timeframe required. Although the study has not yet commenced, it is considered that there is sufficient lead time to meet the deadline imposed.	
26/08	<i>DOT OFT</i>	<i>Dec 08</i>	<p>Isle of Man Steam Packet User Agreement</p> <p>Motion made that Tynwald -</p> <p>(1) recognises that the purpose of the User Agreement with the Isle of Man Steam Packet Company is to ensure a minimum provision of services to specific locations;</p> <p>(2) calls on the Council of Ministers to investigate a complementary structure to provide for the economic regulation of key monopoly providers such as the Steam Packet Company in order to protect the national interests of the Isle of Man; and</p> <p>(3) requests the Council of Ministers to report on progress to the sitting of Tynwald in April 2009.</p>	<p>The OFT and DTI have jointly funded the development of regulatory options to address these aims. The OFT, DTI and DoT will need to consider the report into these options before making any policy decision on the extent to which there would be benefit in addressing key monopoly suppliers on the basis of the national interest.</p> <p>The Board of the OFT will wish to consider the report of its price investigation into the Steam Packet Company before making any recommendations in respect of this matter. That report will not be ready until early 2010.</p> <p>The Chief Minister reported progress to Tynwald in April 2009.</p>	Ongoing
01/09	<i>DOT</i>	<i>Jan 09</i>	<p>Road Transport Licensing Committee: hearing of applications</p> <p>Motion made that Tynwald notes the decision of the Road Transport Licensing Committee to resume hearing applications for Ply for Hire licences and applications to operate Private Hire cars and minibuses under Operator</p>	<p>Notices from the RTLIC were distributed to all Public Passenger Vehicle operators, Tynwald members, and other interested parties, in response to opinions expressed by Tynwald</p>	Implemented

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			Registration; and is of the opinion that hearing such applications should be delayed until after the Department of Transport reports on the transitional provisions of Schedule 2 of the Road Transport Act 2001 to this Honourable Court.	<p>at its sitting.</p> <p>The RTALC agreed to delay the hearings until after the DoT reported to Tynwald in March 2009. Tynwald requested that the DoT carry out further consultation and report to Tynwald by June 2009. Refer to entry 04/09.</p> <p>Due to the delays the RTALC issued a notice in April 2009 to all Public Passenger Vehicle operators, Tynwald Members and other interested parties. The notice confirmed that Tynwald had acknowledged that the RTALC must discharge its duties and obligations under the Act by proceeding with hearings of outstanding applications.</p> <p>Refer to entry 04/09.</p>	
02/09	<i>DOT</i>	<i>Jan 09</i>	<p>Road Transport Licensing Committee: publication of information on operators</p> <p>Motion made that Tynwald notes the decision of the Road Transport Licensing Committee to publish the badge numbers, names and addresses of operators of Ply for Hire, Private Hire cars on the Government Website and is of the opinion that the Road Traffic Licensing Committee should reconsider the appropriateness of publishing such information in this way.</p>	<p>Notices from the RTALC were distributed to all Public Passenger Vehicle operators, Tynwald members, and other interested parties, in response to opinions expressed by Tynwald at its sitting.</p> <p>The Notice stated: It is evident that the Road Transport Act 2001 (the Act) requires the RTALC to maintain a register of all passenger vehicle operators, and that the register shall include the name and address of the operator, and the address or location of places on the Island that are used as Operating Centres.</p>	Implemented

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
				<p>The Act also requires the register to be made available for inspection at all reasonable times, and for the entries in the register to be kept on a computer, and available in visible and legible form.</p> <p>The register is clearly not intended to be confidential, and the publication of the register on the RTALC website serves to complement and comply with the requirements of the Act.</p> <p>Following careful consideration of the opinion expressed by Tynwald, the RTALC now wishes to give notice that it is satisfied that the publication of the register on the RTALC website is appropriate, and that the RTALC is simply discharging its duty under the Act and Regulations enacted by Tynwald.</p>	
03/09	<i>CSO</i>	<i>Jan 09</i>	<p>Queens Pier, Ramsey</p> <p>Motion made that the Report of the Council of Ministers on the Report of the Working Group "Queens Pier Ramsey Options and Recommendations" be received and the following recommendations be approved:</p> <p>(i) Council of Ministers establish a Steering Group to progress Options (a) and (b) as in Recommendation 1 of the Working Group's Report; and</p> <p>(ii) Council of Ministers report back to Tynwald by no later than November 2009.</p>	<p>The Steering Group has been established and is considering Options (a) and (b).</p>	Ongoing
04/09	<i>DOT</i>	<i>Mar 09</i>	<p>Road Transport Act 2001</p> <p>Motion made that Tynwald notes the Report to the Chief Minister on the Consultation on the effects of the proposed</p>	<p>The Minister for Transport reported to July 2009 Tynwald on the Consultation on the</p>	Implemented

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			Road Transport Act 2001 Schedule 2 Revocation Order and requests that the Department undertake consultation in line with the Code of Practice on Consultation and report to Tynwald by June 2009.	effects of the proposed Road Transport Act 2001 Schedule 2 Revocation Order. Tynwald received the Report and approved the recommendation that Tynwald endorses the 'Report on the Consultation on the effects of the Recommendations proposed to the Road Transport Act 2001 presented to Tynwald in March 2009' as the best and most appropriate approach to improving services to the Island's taxi services and approves the recommendations contained therein.	
05/09	<i>CSO</i>	<i>Mar 09</i>	Whitley Council Review Motion made that Tynwald supports the proposal by the Council of Ministers to appoint, as a matter of urgency, a suitably qualified independent person to carry out, on behalf of the Council of Ministers, a full review of the Constitution of the Whitley Council, its governance and administration including the appropriateness of the facilities available to both sides of Whitley Council; and that the Council of Ministers consult with both sides of Whitley Council regarding the terms of reference for such review and, subsequently report to Tynwald on the outcome of the review by no later than October 2009.	The Independent Reviewer has been appointed and the Review has commenced.	Ongoing
06/09	<i>Treasury</i>	<i>Apr 09</i>	Standing Committee on Public Accounts Report Motion made that the Report of the Standing Committee on Public Accounts on the Management and Use of Reserve Funds, 2002 to 2008 be received and the following recommendations approved: (i) that Treasury report to Tynwald on the recommendations in this Report no later than the sitting in April 2010;	Treasury acknowledge the recommendations made and will report back to Tynwald by the deadline date.	Ongoing

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<ul style="list-style-type: none"> (ii) that Treasury review the continuing need for a statutory minimum level to be applicable to the Reserve Fund, with a view to repealing the relevant provisions or bringing them up to date; (iii) that a separate motion should be put to Tynwald for the establishment of any new fund, and that ideally the scheme explaining how the fund is to operate should be put to Tynwald for approval at the same time; (iv) that Treasury and DHSS should ensure transitional arrangements are in place well in advance of the Hospital Estate Development Fund running out, to enable the remaining loan charges to be met without the need for either a reduction in services or an increase in taxation; (v) that Treasury provide an annual update on the projections for the Hospital Estate Development Fund until the fund is fully drawn down; (vi) that any movement of funds out of the Reserve Fund should be subject to a separate motion in Tynwald, ideally with an explanation of how such funds are to be utilised, rather than being presented as part of the overall budget package; (vii) that Treasury review the purpose of the Reserve Fund with a view to establishing a clear rationale for any target level; (viii) that Treasury review with DHSS the recent history of claims against the DHSS, consider whether any more sophisticated assessment of claims Incurred But Not Reported can be made, consider in the light of any such assessment the suitability of the various medical indemnity arrangements in place to cover different clinical risk; (ix) that Tynwald note the importance of the review of the level of risk retention within the Insurance Fund scheduled to take place before the current agreements expire on 31st March 2011, and that the Treasury report to the Court on the progress of this review and on the 		

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
06/09 continued			<p>amount required in the Insurance Fund;</p> <p>(x) that Tyvek, 50p and 10 shilling notes be demonetised;</p> <p>(xi) that Treasury review its policy of backing all Isle of Man Government notes for an indefinite period, and consider mechanisms such as a periodic design change which could enable the funds used to back certain older notes to be released and made available for other purposes;</p> <p>(xii) that Treasury, with other Departments and Offices as appropriate, take steps to clarify the purpose of every fund and the policy by which applications for expenditure are to be determined and to develop schemes where none exist;</p> <p>(xiii) that Treasury review, with the Chief Secretary's Office, governance arrangements with respect to capital expenditure on Information and Communication Technology, to ensure sufficient separation between bidders and approvers, and appropriate Tynwald oversight;</p> <p>(xiv) that the "E-Commerce/ICT Fund" be renamed to reflect more accurately the extent to which it is used for e-government in general as opposed to e-commerce per se;</p> <p>(xv) that the Chief Secretary's Office, the Treasury and the Department of Home Affairs consider the apparent under-utilisation of the Seized Assets Fund and how this can be addressed;</p> <p>(xvi) that Treasury review its practice with regard to the investment of surplus General Revenue cash balances, particularly with regard to the pattern of expenditure</p>	<p>(xv) In April 2009 in response to this DHA liaised with Treasury and agreed that the frequency of applications to the seized assets fund is in line with the size of the fund. In general terms the Seized Assets Fund is one of the reserve funds of Government. Applications are received from time to time but as is stated in the purpose, expenditure should only be met from the fund where there is no other source.</p>	Implemented

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			from internally managed funds, to see whether greater returns could be achieved through increased use of external fund management.		
07/09	<i>Treasury CSO</i>	<i>Apr 09</i>	<p>Tynwald Scrutiny Committee Report</p> <p>Motion made that the Annual Report of the Scrutiny Committee for the Session 2008-09 be received and the following recommendations approved:</p> <p>(i) that no Direction under section 13 of the Audit Act 2006 seeking to prolong the period of application of the Audit Directions 2008 be made unless it has been approved by Tynwald;</p> <p>(ii) that the Government be congratulated for the success of its work on Tax Information Exchange Agreements, and encouraged to pursue more such agreements because of the benefits they bring the Isle of Man;</p> <p>(iii) that the issue of late circulation of papers be referred to the Tynwald Standing Orders Committee for a review in the light of recent cases;</p> <p>(iv) that the issue of "errors of omission" in Tynwald Policy Decisions Reports be referred to the Tynwald Standing Orders Committee to consider whether it warrants any amendment to the remit of the Scrutiny Committee;</p> <p>(v) that Tynwald re-affirm its resolution of February 2004 that a resolution of the Court on any matter related to Isle of Man Government policy supersedes or supplements any previous resolution on the same matter and Government must respond positively to such resolutions;</p>	<p>(i) Treasury is progressing the necessary actions to adopt full UK GAAP compliance within the existing timescale and does not intend to seek any further extension of time under the Direction provisions of the Audit Act.</p> <p>(ii) No action required.</p> <p>(iii) For consideration of the Tynwald Standing Orders Committee.</p> <p>(iv) For consideration of the Tynwald Standing Orders Committee.</p> <p>(v) For consideration by Tynwald Court.</p>	Implemented

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>(vi) that the decisions made by Tynwald on "Island Studios and associated matters" on 17 October 2006 be reported on in the 2009 Tynwald Policy Decisions Report and handled in the same way as other Tynwald policy decisions thereafter;</p> <p>(vii) that reference continue to be made in the Government's Annual Report on progress in implementing the recommendations of the Commission of Inquiry into the Care of Young People until such time as all the recommendations have been implemented or, with the leave of Tynwald, rejected;</p> <p>(viii) [motion lost].</p>	<p>(vi) Refer to entry 46A/06.</p> <p>(vii) The Government's Annual Report will include a progress update on implementation of the recommendations of the Commission of Inquiry.</p>	
08/09	<i>CSO DTI DHSS DHA</i>	<i>Apr 09</i>	<p>Report by the Council of Ministers on the Report of the Select Committee of Tynwald on Immigration</p> <p>Motion made that the Report by the Council of Ministers on the "Report of the Select Committee of Tynwald on Immigration" be received and that each of the following recommendations be approved:</p> <p>Recommendation 1 That the Council of Ministers continue to progress the introduction of a Points Based System for the Isle of Man which will effect entry into the Isle of Man for those subject to immigration control coming to the Isle of Man to seek or take employment and that the System be introduced by July 2010.</p> <p>Recommendation 2 That the Council of Ministers: (a) establishes a Migration Policy Group under the</p>	<p>Refer to entry 23/08</p> <p>Recommendation 1 and 5 The CSO is leading on the introduction of the Points Based System into the Immigration Rules. A paper on changes to the Immigration Rules to incorporate Tiers 1, 4 and 5 of the Points Based System will be provided to the Council of Ministers by the Chief Secretary in the autumn.</p> <p>Recommendation 2 (a) The Migration Policy Group (MPG) will be</p>	<p>Ongoing</p> <p>Ongoing</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>Chairmanship of the DTI Minister, consisting of representation from the Chief Secretary's Office, the Treasury, Department of Trade and Industry and Department of Health and Social Security, and others as required from time to time, to:</p> <ul style="list-style-type: none"> (i) consider changes to UK Immigration Rules which affect the economy and make recommendations to the Council of Ministers in respect of adoption or not of those changes into the IOM Immigration Rules, (ii) consider the operation of the Points Based System in relation to employment matters, (iii) consider matters relating to work permit policy and publish a report which incorporates relevant matters such as the Manx Points Based system, the Control of Employment Act 1975 and the Regulations made under it, skill shortages etc., (iv) consider proposals made by the DTI in respect of guidelines for the issue of work permits, (v) explore the options for improving migration data including the possibility of establishing a database, (vi) report annually to Tynwald; and <p>(b) tasks the Economic Development Committee to identify ways in which the impact of immigration on the economy can be monitored and to report back to Council.</p> <p>Recommendation 3 That the proposal to require both EEA and non EEA nationals wishing to enter the Isle of Man for employment purposes to hold a work permit granted under the Control of Employment Act 1975 and to make clear that the granting of such a work permit does not necessarily lead to settlement, is not workable and should not be progressed.</p> <p>Recommendation 4 That as part of its review of the Control of Employment Regulations 1993, the Department of Trade and Industry conclude its consideration of the Select Committee's</p>	<p>established under chairmanship of Minister for Trade & Industry. The Officer Working Group to support MPG is due to meet in September 2009.</p> <p>A report will be published by MPG incorporating arrangements for a Manx Points Based System, determination of skills shortages and amendments to the Control of Employment Act 1975 and Regulations.</p> <p>(b) This will be considered by the relevant Sub Committee of the Council of Ministers.</p> <p>Recommendation 3 The recommendation is that the proposal is not workable and should not be progressed. Therefore no action is required.</p> <p>Recommendation 4 The Department of Trade and Industry has reviewed consultation comments on the Control of Employment Regulations 1993</p>	<p>No Action Required</p> <p>Ongoing</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
08/09 continued			<p>recommendations that the Department:</p> <ul style="list-style-type: none"> (i) require the applicant for a work permit to have a working knowledge of the English language to ensure the health and safety of the individual, work colleagues and others, and (ii) take account of the ability of the applicant's dependants to speak English, <p>and that the Department also give consideration in advance of its planned consultation on the Control of Employment Act 1975, to the Select Committee's recommendations that it:</p> <ul style="list-style-type: none"> (i) allow for applications to be made to the Minister for Trade and Industry for an "indefinite" work permit(redefined as a 5 or 10 year work permit) in exceptional circumstances, (ii) otherwise restrict the granting of a work permit, or combination of approval and renewals to an aggregate of one year less than the qualifying period for Isle of Man worker status (currently 5 years), (iii) allow for applications to be made to the Minister for Trade and Industry, or Body or person appointed by him, for an extension of a work permit beyond the qualifying period, such application to be made no less than one year before the qualifying period for Isle of Man worker status, consideration of which will take account of the personal circumstances of the individual, their skill level and the need for retention of those skills and contribution to the economy, and before the qualifying period for Isle of Man worker status, consideration of which will take account of the personal circumstances of the individual, their skill level and the need for retention of those skills and contribution to the economy, and (iv) take note of relevant comments contained within the Tynwald Select Committee Report. <p>Recommendation 5 That the Council of Ministers make such amendments to the</p>	<p>arising from the review conducted in 2008. A paper on amendments to the Regulations was presented to the Council of Ministers on 30th July 2009 which was agreed subject to clarification of the relationship between Control of Employment legislation and the Residence Act. New Control of Employment Regulations will be presented to Tynwald in due course.</p> <p>Recommendation 5 Manx PBS (tier 2) to be introduced by July</p>	Ongoing

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>Immigration Rules as deemed necessary to establish a Manx Points Based System.</p> <p>Recommendation 6 That the review of Child Benefit payments undertaken by the Department of Health and Social Security be conducted on a regular basis.</p> <p>Recommendation 7 That the Department of Home Affairs should vigorously pursue the matter of access to criminal records, both in the United Kingdom and Europe, and report to Tynwald by July 2009.</p>	<p>2010.</p> <p>Recommendation 6 The Department has accepted the recommendation and has agreed to do so.</p> <p>Recommendation 7 The Chief Secretary's Office sent letter on 2 March 2009 to the Ministry of Justice requesting the Island be able to access SIS II (Schengen Information System) information through the Police National Computer once the UK itself connects to the Schengen system. The Council of Ministers approved the necessary steps being taken to allow this to happen in September 2008.</p> <p>The UK is only going to connect to Schengen when SIS II comes online. However, the project to migrate the Schengen system from SIS I to SIS II seems to have been beset with difficulties and although the UK had hoped to be integrated into the Schengen system in the second half of next year, it now looks like it will be towards the end of 2011. Until the UK connects to SIS II the IOM will not be able to access Schengen information. The system allows authorities in Member States to obtain information regarding certain categories of persons and property.</p> <p>The Isle of Man has access via the Association of Criminal Records Officers to certain European Conviction Information. The</p>	<p>Implemented</p> <p>Ongoing</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
				Isle of Man already has access to United Kingdom Criminal Records. Although this matter is progressing well the Department of Home Affairs were not in an advanced enough position to report to Tynwald by July 2009 but will report to either October or November Tynwald.	
09/09	<i>DHSS</i>	<i>Apr 09</i>	<p>Reciprocal Agreement Motion</p> <p>Motion that Tynwald:</p> <ol style="list-style-type: none"> 1. notes that the UK Government has decided to terminate the Reciprocal Health Agreement between the Isle of Man and the UK with effect from 1st April 2010; 2. further notes that the DHSS has not had dialogue directly with the Scottish Government, Welsh Government and Northern Ireland Executive, which have devolved powers over the NHS; 3. acknowledges the work already carried out by the DHSS and the Council of Ministers in considering particular issues in relation to the termination of the Agreement and the helpful information leaflet distributed to all homes on the Island; 4. calls upon the Minister for the DHSS to explore urgently with Ministers of the devolved United Kingdom administrations the continuation of the reciprocal NHS services between the Isle of Man and Scotland, Wales and Northern Ireland; and 5. requests that the Department of Health and Social Security report to Tynwald on this matter by July 2009. 	The Department has established direct dialogue with the devolved jurisdictions and is exploring the potential to establish reciprocal agreements with them. The Minister for the Department reported to Tynwald in July and it is expected that a report will be presented to October 2009 Tynwald.	Ongoing

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
10/09	<i>DHA</i>	<i>June 09</i>	<p>Standing Committee on Public Accounts</p> <p>Motion made that the Report of the Standing Committee on Public Accounts on the efficiency and effectiveness of the handling by the Department of Home Affairs and the Isle of Man Constabulary of certain allegations made against former Deputy Chief Constable Neil Kinrade be received and the following recommendations approved:</p> <p>(i) that the system of police discipline be reviewed in order to ensure that:</p> <p>(a) it is clear how a Deputy Chief Constable against whom a disciplinary allegation is made can obtain a fair hearing without recourse to a petition of dolence; and</p> <p>(b) any officer who is suspended for a protracted period can appeal or challenge his suspension without recourse to a petition of dolence;</p> <p>(ii) that consideration be given as to whether the independent system of investigation of complaints against the police, whose establishment was approved by Tynwald in October 2006, could in addition play some supervisory or consultative role in relation to decisions to take disciplinary proceedings against the Deputy Chief Constable; and</p> <p>(iii) that procedures be put in place to ensure the recording of official discussions where new information is received by a Department as a result of which significant costs are likely to accrue, even if such discussions are not part of a formal decision-making process.</p>	<p>(i) The police regulations that deal with discipline in the Police Force including conduct, and efficiency are being updated in line with those in the United Kingdom and consideration will be given to the recommendations of the Committee, in relation to the Deputy Chief Constable in (a) and any officer in (b), during the drafting of these regulations;</p> <p>(ii) This recommendation will be considered but it should be noted that involving an independent complaints body/individual that may have been involved in the investigation of a complaint that led to the disciplinary proceedings against the Deputy Chief Constable is likely to be considered by the complainant and the Deputy Chief Constable as inappropriate;</p> <p>(iii) The process for recording official discussions where new information is received by the Department as a result of which significant costs are likely to accrue would now be recorded even where a decision making process is not applicable and in most cases would in any case be subject of a Department meeting minute.</p>	<p>Under consideration</p> <p>Under consideration</p> <p>Ongoing</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
				This Recommendation will be considered by the Council of Ministers Governance Committee.	
11/09	<i>DLGE</i>	<i>June 09</i>	<p>Select Committee of Tynwald on the Affairs of Braddan Parish Commissioners</p> <p>Motion made that the Report of the Select Committee on the Affairs of Braddan Parish Commissioners be received and the following recommendations be approved.</p> <p>Recommendation 1 That the "Corporate Governance Principles and Code of Conduct" applying to all designated bodies and departments of government be extended to include local authorities.</p> <p>Recommendation 2 That each local authority maintains a Register of Interests, in respect of each elected member and each member of staff, to include property ownership in the parish and business interests in the parish of the elected member, staff member and their families, to be - (a) completed at the time of appointment, (b) reviewed and updated annually at the time of the annual general meeting, (c) modified from time to time as individual circumstances change, and (d) made available for public inspection.</p> <p>Recommendation 3 That the Department of Local Government and the Environment establishes a code of practice, either by encouragement or by statutory change, as may be required, which defines - (a) the conditions of the Register of Interests, (b) the penalty for failure to comply with those conditions,</p>	<p>Recommendation 1 Corporate Governance Principles and a Code of Conduct has been developed for Local Authorities and was rolled out in July 2009.</p> <p>Recommendation 2 Recommendation is included in the above Code of Conduct and supporting guidance.</p> <p>Recommendation 3 Recommendation is covered by the above Code of Conduct and supporting guidance, however, any penalty would have to be subject to new legislation.</p>	<p>Implemented</p> <p>Ongoing</p> <p>Ongoing</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>(c) the requirement to declare an interest in a matter to be considered by the Local Authority, and</p> <p>(d) the action to be taken where such an interest is declared.</p> <p>Recommendation 4 That the Department of Local Government and the Environment -</p> <p>(a) reviews its Induction Course to encourage the attendance of all newly elected Local Authority members and those new members of staff involved in preparation of matters for Authority meetings, and</p> <p>(b) takes account of comments contained within this report in respect of preparation of local authority minutes and agendas, engagement of consultants, and other relevant matters, and amends the Local Government Handbook accordingly.</p> <p>Recommendation 5 That the Department of Local Government and the Environment considers, as part of its current review of planning procedures, an amendment to the Town and Country Planning Act 1999 which requires the Department to issue a statement of policy in respect of local plan reviews, such statement to be approved by Tynwald.</p> <p>Recommendation 6 That the Department of Local Government and the Environment instigates a process whereby, prior to the commencement of a local plan review, the appointment of a lead Planning Officer is discussed by the Directorate of Planning and Building Control to ensure awareness of potential bias, potential conflict of interest and transparency, and a suitable officer appointed.</p>	<p>Recommendation 4</p> <p>(a) induction Course has been reviewed and both previously elected and new members of Local Authorities have been encouraged along with staff to attend recent courses.</p> <p>(b) Local Government Handbook is in process of being updated.</p> <p>Recommendation 5 The first of the local Area Plans is being produced for the South and will act as a model for future plans. The plans will be subject to extensive consultation with local authorities and public and be subject to Tynwald approval.</p> <p>Recommendation 6 All staff engaged in preparation of any Area Plan are required to declare any potential conflict of interest which is recorded and staff then allocated work accordingly.</p>	<p>Implemented</p> <p>Ongoing</p> <p>Ongoing</p> <p>Implemented</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
11/09 continued			<p>Recommendation 7 That the Local Government Unit of the Department of Local Government and the Environment ensures that all matters of Judgments of the High Court and decisions of Tynwald which impact upon the Department and Local government are conveyed to those affected by such Judgments and decisions.</p>	<p>Recommendation 7 Recommendation accepted.</p>	Implemented
			<p>Recommendation 8 That the Department of Local Government and the Environment reports on progression of these recommendations to the December 2009 sitting of Tynwald.</p>	<p>Recommendation 8 Recommendation accepted.</p>	Ongoing
12/09	<i>Treasury</i>	<i>July 09</i>	<p>International Taxation Strategy</p> <p>Motion made that the Report entitled International Taxation Strategy be received and that the following recommendations be approved:</p> <p>(a) that the Isle of Man Government formally informs the European Union and its member states that it will end the European Union Savings Directive transitional arrangements on 1st July 2011;</p> <p>(b) that the Isle of Man Government should seek to engage in constructive dialogue with the European Union in relation to the proposed new European Union Savings Directive;</p> <p>(c) that the Isle of Man Government seeks to extend its network of tax cooperation agreements by continuing to engage constructively with other countries, based upon</p>	<p>(a) The Treasury Minister wrote to the European Union Tax Commissioner on 23 June 2009 informing him of the Isle of Man's policy decision in respect of automatic exchange of information under the EUSD. Copies were sent to other relevant EU agencies.</p> <p>(b) The Assessor has been in contact with officials in the EU Commission, who have shared various documents with him. It is anticipated that a meeting to discuss the proposed new EUSD will be held in Brussels towards the end of September 2009.</p> <p>(c) The Treasury's ongoing programme of negotiations continues, and contact is being made with new countries with the aim of</p>	<p>Implemented</p> <p>Ongoing</p> <p>Ongoing</p>

<i>Ref No</i>	<i>Department/Board/Office</i>	<i>Tynwald Sitting</i>	<i>Tynwald Decision</i>	<i>Action Taken</i>	<i>Decision Status</i>
			<p>the policy agreed by Tynwald in October 2003; and</p> <p>(d) that the Isle of Man Government be willing to discuss tax co-operation, either at multilateral or bilateral level, with developing countries.</p>	<p>commencing negotiations: for example, Cyprus and Mexico.</p> <p>(d) This piece of work is still under development. Discussions with the UK will be necessary. Contacts with a number of developing countries are likely to be made when the Isle of Man hosts the first Small Countries Financial Management Programme at the IBS in September 2009, as the Assessor is part of the programme's faculty.</p>	Ongoing
13/09	<i>CSO</i>	<i>July 09</i>	<p>Report of the Council of Ministers Sub-Committee on the Management of Government Owned Properties</p> <p>Motion made that the Report of the Sub-Committee of the Council of Ministers entitled Management of Government Owned Property be referred back to the Sub-Committee for a further Report to the December Tynwald.</p>	<p>A meeting of the Political Members of the Sub-Committee was held on 26 August 2009. The Sub-Committee is considering the comments made by Members during the debate and will report back to Tynwald in December 2009.</p>	Ongoing
14/09	<i>DTL</i>	<i>July 09</i>	<p>Provision of a Theme Park</p> <p>Motion made that Tynwald is of the opinion that the Department of Tourism and Leisure should have meaningful discussions with representatives of the private sector and investigate ways to establish a theme park to provide for younger children and their families as an addition to the other excellent facilities on the Island which are available to other age groups.</p>	<p>The Department of Tourism & Leisure will investigate the establishment of a Theme Park with the Private Sector utilising the financial support of the Visitor Facility Improvement Scheme 2009</p>	Ongoing