

GD. No: 0045 /11



Isle of Man
Government
Reiltys Ellan Vannin

COUNCIL OF MINISTERS

TYNWALD POLICY DECISIONS REPORT

OCTOBER 2010 - JULY 2011

OCTOBER 2011

PRICE: £8.35

Introduction to the Tynwald Policy Decisions Report October 2010 to July 2011

The annual Tynwald Policy Decisions Report lists all Tynwald Policy Decisions to be actioned by Government including recommendations of Tynwald Committees.

Responses to Tynwald Decisions may require action over a number of years for example if primary legislation is proposed. Decisions therefore remain within the Report 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.

The annual Report covers the Parliamentary year from October to July and is scheduled to be produced annually in time for the October sitting of Tynwald.

This year I instructed the Chief Secretary's Office to prepare an Interim Tynwald Policy Decisions Report (Interim Report) covering the period from October 2010 until April 2011 so as to ensure that an update was given to Tynwald Members before the General Election. I laid the Interim Report before the July 2011 sitting of Tynwald with the assurance that a final Report would be laid before the October 2011 sitting of Tynwald for information and to ensure continuity.

This is the full annual Report covering the Parliamentary year from October 2010 to July 2011 which contains a number of updates to Decisions. All Tynwald Decisions contained within the Report have a responsible Department, Board or Office. The Report has been issued to all Departments, Boards and Offices on a number of occasions for actions to be checked and amended up to mid September 2011.

Tynwald Decisions are listed in chronological order with a unique reference number; the month and year of the decision; the Tynwald Motion; a short commentary on the action taken by Government and the status of the policy decision as 'Implemented', 'Ongoing', 'Under Consideration', 'Carried Forward' or 'Closed'.

The definitions of status are:

Implemented – where the necessary work has been carried out.

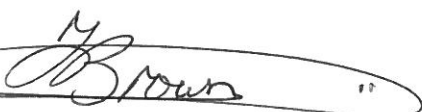
Ongoing – where work has begun to comply with the recommendation.

Under Consideration – where consideration of the recommendation has begun.

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

Closed – where a decision has been taken not to proceed with a recommendation.

The Report is collated by the Chief Secretary's Office from the information and allocated status provided by Departments, Offices and Statutory Boards. Further information on any of the Tynwald Decisions can be obtained from the responsible Department, Office or Board in the first instance.



Hon J A Brown
Chief Minister
October 2011

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
12/06	CSO	Dec-05	<p>Access to Government Information 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>	A Freedom of Information Bill was introduced into the House of Keys on 28 th June 2011.	Ongoing
14/06	DHA	Dec-05	<p>Select Committee on the Petition for Redress of Grievance of Moorhouse Farm Limited 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>	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 been working with the Fire and Rescue Service and issued drafting instructions to Chambers on the 18 th August 2011 for a new Bill with a view to having primary legislation ready to progress in early 2012.	Ongoing
33/06	CSO DOH	Jun-06	<p>Select Committee on the Petition for the Redress of Grievance of Andrew Cooil and Thomas Arthur Cooil Motion made that the Report of the Select Committee on the Petition for Redress of Grievance of Mr Andrew Cooil and Mr Thomas Arthur Cooil be received and the following recommendations be approved –</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</p>	A review of the Complaints Procedure (including role of Independent Review Body) is underway including consultation with interested parties. Any necessary changes to law will be incorporated in forthcoming amendment to, or replacement of, the	Ongoing

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			1, 2, 3 and 4 and the issues raised in 6.8, 6.9 and 6.10 of the Report.	NHS Act 2001 and, if necessary, reflect the creation of the post of Tynwald Commissioner for Administration.	
39/06	<i>CSO</i>	July-06	<p>Select Committee on Scrutiny and the Functions of the Standing Committee on Expenditure and Public Accounts 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>The Tynwald Auditor General Bill is awaiting Royal Assent.</p> <p>All the recommendations have been reflected in the draft Bill apart from Recommendation 9(c) and Recommendation 10(b).</p>	
			<p>Recommendation 7 An Auditor General should be appointed.</p>		Ongoing
			<p>Recommendation 8 The Auditor General would undertake responsibility for the following functions: 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</p>	Reflected in the Tynwald Auditor General Bill which has completed its passage through the Branches and is awaiting Royal Assent.	Implemented

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			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.		
			Recommendation 9 The following procedures should be adopted for the appointment of an Auditor General and the operation of the Office:	Reflected in the Tynwald Auditor General Bill which has completed its passage through the Branches and is awaiting Royal Assent.	Implemented
			(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.		
			(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.	Recommendation 9(c). The Bill reflects that a Selection Committee would be responsible for the management of the Auditor General on behalf of Tynwald. That Selection Committee would have the Chair of the Tynwald Management Committee as a member. The other two members would be the Chair of the Public Accounts Committee and the Chief Minister.	
			(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.		
			(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		

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			carried out by an independent body.		
			(f) The staff appointed to assist the Auditor General would not be civil servants, but employed under similar terms and conditions.		
			Recommendation 10 Reporting procedure for the Auditor General The following procedure should be adopted:	Reflected in the Tynwald Auditor General Bill which has completed its passage through the Branches and is awaiting Royal Assent.	Implemented
			(a) The Auditor General will produce an annual report to be laid before Tynwald each October.		
			(b) In the case of other reports, the following procedure will be adopted: 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.	The Bill deals with reports of value for money inspections and reports following referrals, stating that the Auditor General would produce the report and the final report would be sent to the Public Accounts Committee, the Chief Minister and the Treasury. The Report would also be laid before Tynwald. The PAC advised that it was content with the proposed reporting structure at the meeting held in November 2008.	
41/06	<i>CSO</i>	Jul-06	Reserve Forces Act 1996 (of United Kingdom Parliament) 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.	The Reserve Forces Act 1996 (Isle of Man) Order 2010 was made by the Privy Council on 13 October 2010 and it came into operation on 1 November 2010. A copy of the Order in Council was laid before the November 2010 sitting of Tynwald for the information Members. Necessary regulations and rules were made by the Secretary of State on 1 November 2010 and they came into force on 2 November 2010. A copy of the regulations and rules were laid before the December 2010 sitting of Tynwald for the information of Members.	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
42/06	DOI	Oct-06	<p>Report from the Energy Costs Task Force Motion made that the Report of the Council of Ministers' Energy Costs Task Force be received and the following recommendations approved:-</p>		
			<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>The Building Control Amendment Bill (2010) has been approved by Tynwald and is awaiting Royal Assent.</p> <p>A presentation is scheduled for the first available meeting of the Policy & Strategy Committee of the Department (DOI) after the General Election, to agree to go forward with the formal consultation process. Meanwhile the Planning & Building Control Division is working with the Legislation Section of the Department in readiness to consult on the draft Regulations by mid to late November 2011. The new programme of taking the draft Regulations to Tynwald is now April 2012.</p>	Ongoing
49/06	DHA	Oct-06	<p>Select Committee on the Petition for Redress of Grievance of Roy Redmayne 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>		

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<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>(a) - (c) the Minister for Home Affairs submitted a Motion to the May 2010 sitting of Tynwald that the Report on the Isle of Man Police Complaints Process be received and that the Department progress the proposed comprehensive complaints process as soon as possible through a Police (Amendment) Bill and Regulations. The Report was passed in the House of Keys but failed in the Legislative Council. The Report was moved for a combined vote at the July 2010 sitting of Tynwald and the Motion carried.</p> <p>A draft Bill has been consulted upon internally and views considered including the cost implications of the new process. The Bill cannot, because of time constraints, be progressed before the General Election and will be re-considered by the new Minister and Members.</p>	Ongoing
50/06	<i>DOI CSO</i>	Oct-06	<p>Select Committee on No 5 The Parade Castletown Motion made that the Report of the Select Committee on No. 5 The Parade, Castletown be received and the following recommendations approved –</p>	Department of Infrastructure has considered all of the recommendations and where practicable is amending its internal processes to achieve 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>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>	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.	Under consideration

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			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.	The recommendation was accepted but the imposition of penalties will require amendment of legislation.	Under consideration
			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.	The Department has received the report from the Planning Advisory Service (PAS) 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.	Ongoing
			Recommendation 7 A Registration Committee is established by the Council of Ministers under the auspices of the Department of Local Government and the Environment for the purpose of considering applications for inclusion on the Protected Buildings Register.	The Department of Infrastructure 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 recognises 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.	Under consideration
			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.	This recommendation is dependent on the implementation of Recommendation 7 and so has not yet been progressed.	Under consideration
			Recommendation 12 The Town and Country Planning Act 1999 be amended to make provision for the Department of Local Government and the Environment to:		
			1) Impose penalties for the failure of a person or persons granted Registered Building Consent to complete works within a period agreed with the	Principle accepted but requires legislative change.	Under consideration

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			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.	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.	Ongoing
			4) Establish a Registration Committee.	Requirements are currently being researched.	Under consideration
02/07	<i>Treasury CSO</i>	Jan-07	Radio Manx Limited Strategy Review Motion made that the Value for Money Committee's Radio Manx Limited Strategy Review be received and the following recommendations approved: (c) that the Council of Ministers - (i) moves forward the introduction of DAB/DRM technology as Manx Radio is unable to meet the financial commitment.	The Treasury is continuing to work closely with Manx Radio on (c)(i). This is dependent upon the Communications Commission review of digital broadcasting. The emergence of DAB technology and requisite funding for Manx Radio to implement delivery on the Island would require a revised business case given the passage of time since the initial report.	Closed
03/08	<i>CSO DCCL DOI</i>	Jan-08	Scrutiny Committee Report Motion made that the First Report of the Standing Committee on Scrutiny for the Session 2007-08 be received, and the following recommendations approved:		
			(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;	The Manx Museum and National Trust (Amendment) Act 2011 has completed its passage through the Legislative Branches and is now waiting for Royal Assent. The Act allows for the appointment of a new smaller Trust, whose appointment will be through public advertisement and subject to the approval of Tynwald.	Implemented

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			(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;	The Minister made a Statement to the October 2010 sitting of Tynwald. The Department has now identified which of the existing car parks are suitable to take an additional deck to potentially increase the amount of off street parking available in Peel. To quantify the current and future requirements for off street parking the Department has now commissioned a Peel Town Centre Parking Study and Parking Policy Development options report.	Ongoing
09/08	<i>DOI</i>	Mar-08	Douglas Quayside Development 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.	The Department of Infrastructure will shortly be in a position to conclude the Development Agreement based upon the previously agreed and approved Heads of Terms.	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
11/08	DEFA	Apr-08	<p>Manx Agriculture 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 nation with a diverse range of food products including our staple foods. 	<p>DEFA runs a number of marketing initiatives, such as the IOM Food & Drink Festival. Staff resources freed up from the implementation of the Countryside Care Scheme are being increasingly directed into this area. Work continues on a range of funding options for processors. Tenancy legislation has been updated. Future reforms of the Agricultural Marketing Act are now being looked into.</p> <p>The Countryside Care Scheme has been fully implemented and is currently being reviewed ahead of the April 2012 deadline.</p> <p>In March 2011 the EU Commission confirmed that it would not be renewing the red meat derogation and all import controls have now been removed.</p> <p>The Department continues to work closely with all three processors, to develop sustainable long term business plans to ensure a viable supply chain.</p> <p>The Department continues to implement its Advisory Strategy and is reviewing the current Agri-environment Scheme.</p> <p>The weakness of sterling against the euro has resulted in a reduction in the positive differential between Manx and EU support.</p>	Implemented
13/08	DOI	Apr-08	<p>Maladministration in the planning processes in connection with the 'Poachers Pocket' development at Ballasalla Motion made that the Report of the Select Committee on the Poacher's Pocket be received</p>	<p>Recommendations 1-4 and 6 are under consideration as part of the Department's response to the Planning Advisory Service (PAS) Review which was Reported to Tynwald in January 2010.</p>	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			and the following recommendations approved –	Please refer to Decision 22/09.	
			<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 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>		

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<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 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>		
18/08	<i>DCCL</i>	Jul-08	<p>Economic Initiatives Committee 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>		
			(ii) research should be undertaken to establish whether there would be any significant economic benefit to the Island to be derived from the transfer of commuter traffic from car (or bus) travel to rail travel;	Once the scale of the potential to move traffic from car to rail can be accessed through the proposed trial using the restored Co Donegal Railcars the Department of Community, Culture and Leisure can commission an economic impact assessment.	Under consideration
			(iii) in the meantime, the refurbishment of the two Donegal railcars presently in the possession of the Department of Tourism & Leisure should proceed; and	The Department does not currently have funds allocated to this project and while the Department put in a bid for restoration monies as part of the BEAR submission it is not hopeful under the current fiscal climate that this would be successful. There is no other identifiable source of funding. This means that it is likely to be after 2011/12 before this can be progressed.	Under consideration

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			(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.	Once the outcome of the trial mentioned above and economic impact assessment is known a report will be made to Tynwald.	Under consideration
20/08	<i>DOI</i>	Oct-08	Douglas Dog Control Byelaws 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.	Meeting held as required by the Motion and amendments to the Byelaws discussed.	Implemented
21/08	<i>DOI</i>	Nov-08	Select Committee of Tynwald on the Isle of Man Steam Packet Company 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 –		

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<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>Following consultation on the draft terms of reference for a non-statutory consultation body, and given the lack of support for the proposed Consultation Group, the Department determined that the most appropriate consultation group would consist of TravelWatch and the Transport Committee of the Chamber of Commerce together with officers of the Department.</p> <p>The Consultation Group will meet on a trial basis for 12 months and be chaired by Mr Graham Cregeen. The initial meeting was held on 20th July 2011. The next meeting has been provisionally set for December 2011.</p> <p>The Consultation Group will report to the Minister after 12 months.</p>	Implemented
22/08	<i>DOI delegated to Minister for Health</i>	Dec-08	<p>Adjourned Langness Motion - from January, April and July 2008 Motion made whereas the Department of Transport intends to hold an inquiry pursuant to section 117 of the Highways Act 1986:</p>		

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<p>(a) as to the status under that Act of -</p> <p>(i) 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>(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, 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>The land owners objected to the Department amending the Public Rights of Way Definitive Map and Statement. The Department then had to seek the leave of the High Court before it could make the amendments. The first court hearing was held on 18 October 2010. The court process is still ongoing. Mr & Mrs Clarkson have recently filed an Application Notice which seeks the following orders:- (a) an order that Deemster Doyle recuse himself from hearing any application relating to the doleance claim; (b) an order granting Mr and Mrs Clarkson leave to issue their doleance claim out of time; (c) an order permitting service of the doleance claim upon Mr Roy Hickey outside the jurisdiction of the Isle of Man; (d) an order that Mr Hickey and/or the Department pay the costs of the doleance claim.</p> <p>On 23rd May the First Deemster handed down his judgement on the issue of whether he should recuse himself from hearing an Application requesting leave to file a Doleance claim out of time. The Deemster refused to recuse himself. The Application to seek an extension of time within which to issue a Doleance claim was heard on 15th June 2011, where the Deemster issued further instructions to the parties. The matter was then heard on 15th September 2011 and the judgment will be formally handed down in public court on 30th September 2011 until then it is embargoed.</p>	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<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>		
24/08	<i>Treasury</i>	Dec-08	<p>Financial Supervision Commission 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>	<p>Treasury acknowledged the scope of the review requested by Tynwald and considered the various options available to conduct the exercise. In light of the review that was undertaken by the Select Committee of Tynwald on KSF (IOM) Ltd and the Depositors Compensation Scheme, which would include a report upon the role of the FSC, Treasury postponed the study.</p> <p>The Select Committee presented their final report to Tynwald in July 2011 (PP113/11). Treasury has since engaged with the FSC and IPA in the initial stage of its consultation exercise and will develop the process through to the end of the year.</p>	Ongoing
25/08	<i>Treasury</i>	Dec-08	<p>Insurance and Pensions Authority 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 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</p>	<p>Treasury acknowledged the scope of the review requested by Tynwald but delayed conducting the exercise until the review of the Select Committee of Tynwald on KSF (IOM) Ltd and the Depositors' Compensation Scheme had been completed.</p> <p>The Select Committee presented their final report to Tynwald in July 2011 (PP113/11). Treasury has since engaged with the FSC and IPA in the initial stage of its consultation exercise and will develop the process through to the end of the year.</p>	Ongoing

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			no later than the sitting of the Court in December 2009.		
26/08	<i>OFT DED CSO</i>	Dec-08	<p>Isle of Man Steam Packet User Agreement 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>DED and the OFT commissioned and have received a report by the economic consultants, Oxera. DED and the OFT are currently working with Treasury and DOI to prepare a paper with options for Council of Ministers consideration that will also include a proposed regulatory model for public gas suppliers. This paper will be submitted to Council in November/December 2011 for their consideration.</p> <p>In relation to the OFT's price investigation of the IOM Steam Packet Company: Under the legislation in order to make a decision whether any information needs to be reported to the Council of Ministers, the OFT Board must be satisfied that the investigation has been completed. The sub – committee of the Board overseeing the investigation found that for various reasons the investigation could not now be completed. This was advised to the Council of Ministers in July 2011 and a media release communicating this decision was issued in August 2011.</p>	Ongoing
06/09	<i>Treasury</i>	Apr-09	<p>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:</p>		

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			(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;	It is acknowledged that the level set out in the 1962 Finance Act is no longer a material value and it is anticipated the setting of a statutory minimum level will be considered as a feature of the ongoing budget rebalancing exercise. This exercise is now incorporated into the annual budget cycle and for the purpose of reporting the decision status this may be deemed complete. Legislative changes will be progressed in due course.	Implemented
			(vii) that Treasury review the purpose of the Reserve Fund with a view to establishing a clear rationale for any target level;	Treasury will conduct this review over the next 12 months. This research will be linked to the Budget proposals for 2011. Due to the rebalancing of Government finances this exercise remains an ongoing feature of the budget process.	Ongoing
			(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;	Treasury will continue to work with the Department of Health to review the options for medical indemnity cover in respect of clinical risk and provide for a coherent risk management strategy to address this recommendation.	Ongoing
			(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 amount required in the Insurance Fund;	A review has commenced and a report will be presented to Treasury in Quarter 3. Work remains ongoing.	Ongoing
			(x) that Tyvek, 50p and 10 shilling notes be demonetised;	A review of Isle of Man Notes has been undertaken and a report will be presented to Treasury in Quarter 3. Work remains ongoing.	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			(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;	A review of Isle of Man Notes has been undertaken and a report will be presented to Treasury in Quarter 3. Work remains ongoing.	Ongoing
			(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 from internally managed funds, to see whether greater returns could be achieved through increased use of external fund management.	Initial discussions have been held with a number of local institutions but this review is continuing. Treasury will periodically review external service provision with respect to fund management and engage as appropriate.	Implemented
08/09	<i>CSO DHA DED</i>	Apr-09	Report by the Council of Ministers on the Report of the Select Committee of Tynwald on Immigration 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:		
			Recommendation 2 That the Council of Ministers: (a) establishes a Migration Policy Group under the 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:	A Migration Policy Group has been established and has met on 3 occasions. A report was provided to Tynwald in March 2011.	Implemented
			(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 Migration Policy Group has considered UK changes and their potential impact on the Island. The outcome has been taken to the Council of Ministers by the Chief Secretary's Immigration	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			the IOM Immigration Rules,	Officer.	
			(ii) consider the operation of the Points Based System in relation to employment matters,	Isle of Man Points Based System introduced on 9th July 2010, replacing the Overseas Labour Scheme. Further adjustments will be considered on an ad hoc basis.	Implemented
			(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.,	Ongoing.	Ongoing
			(iv) consider proposals made by the DTI in respect of guidelines for the issue of work permits,	The Select Committee ideas regarding the Control of Employment Act and Regulations were included in a DED consultation document intended to precede a new Control of Employment Bill published in February 2011. Consultees' comments on the Select Committee's proposals will be taken into account before final decisions about the proposed Bill are made after the General Election.	Ongoing
			(v) explore the options for improving migration data including the possibility of establishing a database,	Options being explored.	Under consideration
			(vi) report annually to Tynwald; and	Ongoing.	Ongoing
			(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.	The Migration Policy Group, led by the Department Economic Development, now deals with such issues. This matter is being considered by the Group who will report to the Council of Ministers.	Ongoing
			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 recommendations that the	See report in respect of 2 (iv) above.	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			Department:		
			(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,		
			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:		
			(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		

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			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 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>The Chief Secretary's Office wrote to the Ministry of Justice in March 2009 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. The UK had hoped to be integrated into the Schengen system earlier however it now looks like it will be towards the end of 2011. 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. However the Minister made a statement at the January 2010 sitting and advised that efforts are being made to progress the issue, although this seems to be something of a waiting game and the Isle of Man's position mirrors the position in both the UK and the Channel Islands.</p> <p>The Department and the Isle of Man Constabulary are continuing to work closely with the Ministry of Justice, the UK Criminal Records Bureau, Disclosure Scotland, Access Northern Ireland, the Channel Islands and ACRO to secure access to criminal</p>	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
				record data sources from European and other jurisdictions worldwide. The Minister's most recent statement was at the July 2010 sitting of Tynwald and he has subsequently written to Tynwald Members on the matter explaining that further progress has not been possible due to factors beyond the Department's control.	
10/09	DHA	Jun-09	<p>Standing Committee on Public Accounts 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>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. The powers in the Criminal Justice (Misc Provisions) Bill to provide additional vires required to progress the new regulations have been delayed by the decision to refer the Bill to a House of Keys Committee. The recommendations of the Committee were rejected by the House of Keys and as a result the Department issued drafting instructions to Chambers on the 18th August 2011 for a Criminal Law Bill which includes the aforementioned primary provisions with a view to progressing after the General Election.</p> <p>Refer to Decision 49/06.</p>	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			(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	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. The powers in the Criminal Justice (Misc Provisions) Bill to provide additional vires required to progress the new regulations, in which any change may be incorporated, have been delayed by the decision to refer the Bill to a House of Keys Committee. The recommendations of the Committee were rejected by the House of Keys and as a result the Department issued drafting instructions to Chambers on the 18 th August 2011 for a Criminal Law Bill which includes the aforementioned primary provisions with a view to progressing after the General Election. Refer to Decision 49/06.	Under consideration
			(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.	The Council of Ministers' Governance Committee agreed to proposed revisions to the Guidance Notes on Minute Taking and Recording of Ministerial and Member Decisions at its meeting of 10 January 2011. The new Guidance Notes have been issued to Departments, Boards and Offices.	Implemented
11/09	<i>DOI</i>	Jun-09	Select Committee of Tynwald on the Affairs of Braddan Parish Commissioners Motion made that the Report of the Select Committee on the Affairs of Braddan Parish Commissioners be received and the following recommendations be approved.		

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<p>Recommendation 4 That the Department of Local Government and the Environment - (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>The Local Authority Handbook has been updated and re-issued to all Local Authorities and can be found on the Department's Website. The Select Committee's comments were taken into consideration when making the amendments to the document.</p>	Implemented
			<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>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>	Implemented
11/09 A	<i>WSA</i>	Jul-09	<p>IRIS Regional Sewage Treatment Strategy Business Case Report Motion made that Tynwald receives the Report by the Department of Transport and approves the recommendation that Tynwald endorses the 'IRIS Regional Sewage Treatment Strategy - Business Case Report' as the best and most appropriate approach to sewage treatment for the West, East and North of the Isle of Man.</p>	<p>Based on the information contained within the IRIS Regional Sewage Treatment Strategy Business Case Report, Outline Designs (Government Capital Procedures - Stage 3) are being developed and reports prepared.</p> <p>Tynwald approved the following financial motion at the April 2011 sitting of Tynwald: That Tynwald— (1) Approves the Isle of Man Water and Sewerage Authority incurring expenditure not exceeding £39,984,000 in order to undertake works associated with the Regional Sewage Treatment Programme (2011-2016) and comprising: a. Package sewage treatment plants at Patrick, Glen Maye, Dalby, Bride, Maughold Village, Port</p>	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
				Lewaigue Glen Mona and Corony b. Sewage treatment works at Jurby and Kirk Michael c. Sewage treatment works at Ramsey including the transfer of sewage from the Ramsey network d. Sludge treatment facility at Meary Veg (2) Authorises the Treasury to spend out of the Capital Transactions Account during the financial years ending 31st March 2012 to 31st March 2016, a sum not exceeding £39,984,000; (3) Approves of and sanctions borrowings not exceeding £39,984,000 being made by Government, such borrowings to be repaid within a period of 50 years.	
12/09	<i>Treasury</i>	Jul-09	International Taxation Strategy Motion made that the Report entitled International Taxation Strategy be received and that the following recommendations be approved:		
			(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;	Progress within the EU on the new EUSD stalled late in 2009 because of internal opposition, and has not yet moved forward so far as we are aware. The Income Tax Division maintains liaison with affected sectors and will be ready to recommence substantive work once it becomes clear what the EU Member States intend to do.	Implemented
			(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 the policy agreed by Tynwald in October 2003; and	The Treasury's ongoing programme of negotiations continues, and contact is being made with new countries with the aim of commencing negotiations. There are currently negotiations at various stages with 13 countries; and of these, negotiations with six are either completed or close to completion. There are already 25 full agreements in place.	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
14/09	DED	Jul-09	<p>Provision of a Theme Park 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>A Report examining the viability of the idea was considered by Tynwald in October 2010.</p> <p>The Report concluded that the proposal was not financially viable due to the population catchment available and thus the level of potential income set against the investment required to design, build and operate a theme park on the Isle of Man.</p>	Implemented
16/09	CSO Treasury	Oct-09	<p>Standing Committee on Public Accounts Motion made that the Report of the Standing Committee on Public Accounts on Fines Collection be received and the following recommendations approved:</p>		
			<p>(i) that the Council of Ministers (b) ensure that a Service Level Agreement is put into place to facilitate the efficient exchange of information between all those responsible bodies; and (c) examine whether the facility to share information from other Government bodies for the purposes of the collection of court financial penalties and fixed penalties could be extended.</p>	<p>The Group are continuing their work on the various recommendations however it is clear that, in order to implement a number of the recommendations, changes to primary and secondary legislation will be required. The extent of these revisions may mean it will take time to introduce, but drafting instructions have been prepared and will be submitted through the approval process for a slot in the legislative programme.</p>	Ongoing
			<p>(ii) that the Working Party should consider whether changes to legislation are required to – (a) simplify the Attachment of Earnings procedure, and (b) provide for Attachment of Benefits Orders.</p>	<p>Work continuing.</p> <p>A First draft of a Bill dealing with (ii)(a) and (b) is being considered.</p>	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<p>(iii) that the Working Party's Review should evaluate the following measures:</p> <ul style="list-style-type: none"> • Additional financial penalties in respect of late payment to offset • the additional expense incurred in attempting to obtain payment • Registration of outstanding court debts which would potentially • affect the defaulter's credit rating, as is the case with civil debts • Collection of outstanding amounts via the Income Tax system • Community Service as an alternative to imprisonment • Clamping* • Penalty points or cancellation of driving licences* • Refusal to re-licence cars until fines/fixed penalties are paid* • Investigate whether reciprocal agreements with neighbouring • jurisdictions over the collection of outstanding financial penalties • (including costs) would be a feasible option • Using debt collection agencies to recover debts from persons • living in other jurisdictions, <p>and that any of the above options which are approved should be progressed without further delay.</p> <p>* Only in respect of parking and motoring offences.</p>	<p>The Working Group supported the proposals in relation to Clamping, refusal to renew driving licences until fines/fixed penalties were paid and these matters were referred to the Department of Infrastructure for inclusion in legislation.</p>	<p>Ongoing</p>

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			(iv) that the Insolvency Services Office Bill should be progressed as a matter of urgency. If there are practical difficulties which may delay this Bill, then other interim measures to address the issues set out in section 6.3 of this Report should be introduced.	The work on this legislation is now being incorporated into the review of Companies legislation by Treasury and Department of Economic Development.	Ongoing
			(v) that the Council of Ministers should consult with the Attorney General's Chambers to investigate the feasibility of the introduction of legislation which would provide for automatic regular increases to fines and fixed penalties and report back to Tynwald by April 2010.	Drafting instructions have been provided to the AG's to address a number of issues arising from the FWG Report and Treasury will follow up consideration of this issue.	Ongoing
18/09	<i>CSO</i>	Dec-09	<p>Whitley Council Review Report Motion made that the Council of Ministers Report on the Independent Review of Whitley Council [GR No 53/09] be received and its recommendations approved.</p> <p>(i) Dr Harris's report ("Independent Review of the Whitley Council") be referred to Whitley Council for consideration of the recommendations contained therein and report back to Council of Ministers by April 2010;</p> <p>(ii) Council of Ministers report back to Tynwald on the outcome of Whitley Council's considerations and any actions arising by June 2010.</p>	The Chief Minister made a statement to the May 2011 sitting of Tynwald to advise of Whitley Council's consideration of the Independent Review report.	Ongoing
19/09	<i>Gen Reg</i>	Dec-09	<p>Report of the Select Committee on the Petition for Redress of Grievance of Donald Whittaker - Motion made that the Report of the Select Committee on the Petition for Redress of Grievance of Donald Whittaker [PP139/09] be received and the following recommendations approved:</p>		

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<p>Recommendation 4 That the Deemsters consider introducing a "leave stage" in Petition of Doleance proceedings, bearing in mind any implications for the ordinary citizen in dispute with a public authority, wealthy individual or large and well-funded organisation.</p>	Deemsters to consider this matter further.	Under consideration
			<p>Recommendation 5 That when the Legal Aid system is next reviewed, consideration should be given to Petitions of Doleance along with other types of case.</p>	To be considered when the Legal Aid Systems are next reviewed.	Carried Forward
21/09	<i>CSO DEFA</i>	Dec-09	<p>Global Warming Motion made that the Council of Ministers should assess what actions would be required to reduce carbon dioxide emissions caused by activities carried out by Government Departments by 10% by the end of 2010; and that the Council of Ministers should report back to the March 2010 sitting of Tynwald its conclusions about -</p> <p>(a) the measures which would be required to achieve this and</p> <p>(b) the measures which Government could reasonably and practically put in place to achieve this target;</p> <p>and further that the Council of Ministers should report back in early 2011 on what percentage carbon dioxide emissions reduction was achieved during 2010.</p>	<p>The Minister for Local Government and the Environment made a statement at the March 2010 sitting of Tynwald that he would return with a statement outlining the Government's position.</p> <p>Due to the difficulty in obtaining accurate data for the whole of Government and with such a short time frame it has not been possible to identify measures to achieve the proposed 10% reduction within the calendar year.</p> <p>However, the Government's response to the January 2010 Motion regarding the Annual Carbon Output of Government does address this issue and may be read in conjunction with this item. Refer to Decision 01/10 for future updates.</p>	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
22/09	DOI	Jan-10	<p>Review of the Planning System Motion made that the Report to Tynwald by the Department of Local Government and the Environment on the Review of the Planning System [GR No 52/09], containing the independent review of the planning system commissioned by the Department, be received and the following recommendation approved -</p> <p>That Tynwald notes and supports the comments and proposals of the Department of Local Government and the Environment as set out in its Report on the Review of the Planning System [GR No 52/09] and that the Minister makes a statement to this Honourable Court by July 2010 on progress made with implementing the proposals.</p>	<p>The Minister for Infrastructure made the following statement to Tynwald in July 2010, concerning progress on implementing the outcomes of the review of the Planning Service:</p> <ul style="list-style-type: none"> • Development Control issues – e-enabled services. Planning applications has been viewable on line since September 2010 and it is possible to make representation through the Government’s online services. Online submission of applications will require more time and resources but remains a long term aspiration of the Department. • Delegation – The Department has now adopted the Scheme of Delegation whereby some planning applications can be determined by senior officers while the remainder of applications will still go to Planning Committee. This will shortly be supplemented by a similar scheme for discharging planning conditions attached to planning approvals. • Permitted Development – the Department has drafted two new Permitted Development Orders, in respect of an increased range of household development and one in respect of various building options on public land. A consultation period for the draft new Permitted Development Orders has ended. A report on the comments made and amendments to be made in respect of these will be provided in due course. Once completed the Orders will come before Tynwald for approval. • Prioritisation – The Department has adopted a clear prioritisation process for planning applications that stimulate economic activity in the Island. These are prioritised in accord with the Development Procedure Order and dealt with as quickly as possible. 	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
				<ul style="list-style-type: none"> • Policy and the Development Plan – The Department has made progress on this recommendation and has completed consultation on the draft Area Plan for the South results of which should be published in September 2010. Arrangements will then be made for a public inquiry and in due course the Plan will come to Tynwald for approval (approximately July 2011). The Area Plan programme and the Strategic Plan will be reviewed in due course utilising information from the 2011 census. • Minerals and Waste Plan – The Department is in the process of preparing a Minerals and Waste Plan for the Isle of Man. The plan will provide a long-term assessment of future needs for minerals, a process for identifying suitable supplies, extraction and use of sites. This is being co-ordinated with the implementation of a Waste Management Strategy for the Island. 	
01/10	<i>DEFA CSO</i>	Jan-10	<p>Annual Carbon Output of Government Motion made that in order to provide greater awareness of environmental issues, and to emphasise the Government's desire to improve continually its performance in relation to protecting the environment all Government Departments and Boards should include in their Service Delivery Plans actions to reduce their annual carbon dioxide emissions and the Annual Report from 2011 onwards should report on the annual carbon output of Government.</p>	<p>The Chairman of the Energy, Climate Change and Marine Spatial Planning Committee has recently issued instructions to all Departments and Boards advising of the policy decision and requesting that Service Plans identify a strategy for implementing the policy.</p> <p>The energy reduction strategies will involve identifying current performance and comparing this against benchmarks for similar buildings/facilities. Assistance from the Energy Initiatives Officer has been offered.</p> <p>Energy Data is collected and reported on a Financial Year basis to link in with Service Delivery Plans. Government Re-organisation and migration to shared services for Finance and Estates</p>	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
				functions is changing Departmental structures and data availability. Officers from the Transforming Government work stream are liaising to establish common standards of what information will be collected and reported going forward.	
04/10	<i>CSO</i>	Feb-10	<p>Constitutional matters Motion made that Tynwald -</p> <p>(1) notes that the Isle of Man is an internally self-governing Crown dependency and that the Council of Ministers is committed to pursuing the Island's continuing constitutional development by promoting and vigorously defending the Island's autonomy in relation to its internal affairs and seeking to extend the Isle of Man's influence over external issues affecting the Island;</p> <p>(2) notes with concern actions taken by the United Kingdom Government in recent years which have had a detrimental economic and social impact on the Isle of Man and its people;</p> <p>(3) notes that the areas in which Westminster legislation has been extended to the Island include immigration control, and that immigration control is a matter of concern to the Island's people;</p> <p>(4) notes the convention whereby Royal Assent to primary legislation is granted on the advice of Her Majesty's Privy Council, an institution on which the Isle of Man Government is not represented; and</p> <p>(5) requests that the Council of Ministers continue to pursue the Islands constitutional development by promoting and vigorously defending the Islands autonomy in relation to its internal affairs,</p>	<p>Recruitment process of Lieutenant Governor, First Deemster and Clerk of the Rolls, Second Deemster and the Attorney General has been changed. Successful applicants will be selected by entirely local interview panel. Extending the Isle of Man's influence over external issues affecting the Island through the further development of the Isle of Man's international identity. Building on its written submission in October 2009, the Isle of Man Government made a valuable contribution to the House of Commons Justice Committee report on the Ministry of Justice's handling of the UK's relationship with the Crown Dependencies in February 2010. The result was an endorsement of the Isle of Man Government's suggestions for development of the Island's International Identity through the increased use of letters of entrustment and enhanced participation in international delegations as they relate to the Island. Seeking additional ways in which the Island can represent itself more effectively on the international stage.</p> <p>Isle of Man Government is opening a representative office in Brussels in order to raise its profile amongst the institutions of the EU (as well as the representative bodies of EU Member States</p>	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			seeking to extend the Isle of Mans influence over external issues affecting the Island through the further development of the Isle of Mans international identity, and seeking additional ways in which the Island can represent itself more effectively on the international stage.	and other countries and international organisations) to seek valuable intelligence on developments in the EU, and to influence important policy decisions as they impact on the Island.	
05/10	<i>DEC</i>	Mar-10	<p>Pre-School Consultation Provision Motion made that the Department of Education continues to provide free pre-school provision as currently exists and will seek to expand that provision into those geographic areas where there is a recognised shortage, in particular, the South, central Douglas and the North West regions of the Island.</p>	There are no further extensions to the existing programme of provision planned for the financial year 2011-12. The DEC is however, going out to tender for the public-private partnership pre-schools for a single year contract in order to be ready with a revised model for 2012-13.	Ongoing
06/10	<i>DEFA CSO</i>	Mar-10	<p>Amendment of Policy in relation to Sellafield to include opposition to the geological disposal of nuclear waste in West Cumbria - Motion made that Tynwald recognises that the well-being of Isle of Man residents is wholly dependent on the Isle of Man's clean and safe environment, and views any radioactive pollution of the environment whether by accidental or authorised release as presenting a danger to the environment and economic interests of the Isle of Man; and that Tynwald therefore - a) reaffirms its policy of wishing to see the complete closure of Sellafield; b) is firmly opposed to the operation of any nuclear facility which is the source of radioactive pollution and in particular the nuclear fuel reprocessing plants at Sellafield; c) gives qualified support to the UK</p>	<p>Tynwald has approved the new nuclear issues policy; expanded to include opposition to underground disposal of nuclear waste in West Cumbria. UK Government officials from the Dept of Energy and Climate Change were briefed on the new policy at a meeting in London on 14th June 2010.</p> <p>DEFA officers will now promote the new expanded policy in all future discussions and consultations with the relevant UK Government Departments and also maintain observer status at the Cumbrian County and Borough Councils forum which is deliberating on the site selection for geological disposal of nuclear waste.</p> <p>DEFA officers will continue to liaise and work with officials from the Government of Ireland's Environment Department to promote our shared</p>	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<p>Government's efforts to remove redundant nuclear facilities, but requires that any resulting short term increases in radioactive emissions must comply with international regulatory requirements and therefore have no radiological impact on the Isle of Man;</p> <p>d) is strongly opposed to the transportation through the Irish Sea of any nuclear cargo connected with reprocessing activities at Sellafield, other than for the repatriation of foreign nuclear materials already on site;</p> <p>e) is opposed to underground (geological) disposal of nuclear waste in West Cumbria, until and unless Tynwald is convinced that an underground repository is safe and presents no identifiable danger to the Isle of Man population, environment or economy;</p> <p>f) is opposed to any new nuclear facility in the UK which will use nuclear fuel reprocessing at Sellafield and requires the Minister for Local Government and the Environment to examine all proposals concerning the development of new nuclear power stations in the UK; and</p> <p>g) requires the Isle of Man Government to work with other jurisdictions and organisations which have similar objectives and requests the Chief Minister to inform the UK Government of this resolution.</p>	<p>objective of opposition to nuclear waste disposal at Sellafield.</p> <p>g) The Chief Minister wrote to the UK Energy and Climate Change Secretary advising him of the resolution on 20 January 2011 and received a response on 8 February 2011.</p>	
07/10	<i>CSO</i>	Apr-10	<p>The Council of Ministers Report on the Proposals for a Unified Pension Scheme for Isle of Man Public Servants</p> <p>Motion made that Tynwald approves the Council of Ministers Report on the Proposals for a Unified Pension Scheme for Isle of Man Public Servants</p>		

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			and in particular the recommendations that –		
			a) The high level design outlined in the Hymans Robertson report - Unified Pension Scheme Design for Public Servants – The Way Forward. dated November 2009, is now taken forward to detailed design stage;	The Unified Pension Scheme detailed design project has been established and is being managed by a steering group of officers who are responsible for making sure the project is delivered on time.	Ongoing
			b) An appropriately skilled project team with representation from employer and employee bodies as appropriate is temporarily established to allow the project to be taken forward with a completion target date of April 2012; and	A Project Team Forum has been established which now meets regularly. This Forum includes both Staff and Employer representatives and gives them the opportunity to discuss and address any issues arising relating to the design or proposed unification of the existing schemes.	Ongoing
			c) The statutory documents are drafted, consulted upon and brought forward for Tynwald consideration before implementation proceeds and the implementation is negotiated in respect of the relevant employee groups across government.	Work has started on the detailed design and workshops are being used to outline policy considerations and reach agreement on proposals for how the detailed design will operate, e.g. Ill health retirement, Transferability. A stakeholder communication plan is in place for the duration of the project.	Ongoing
08/10	<i>Treasury CSO</i>	Apr-10	Standing Committee on Public Accounts Motion made that the Report of the Public Accounts Committee on the Forward Purchase of Euros for the RESA Scheme be received and the following recommendations be approved -		
			b) That Treasury should investigate the feasibility of holding reserve accounts in commonly-used foreign currencies and report back to Tynwald by October 2010;	Treasury reported to the October 2010 sitting of Tynwald (GR050/10).	Implemented
			e) That the minutes of all Government Departments should record any action points and which officers are responsible for implementation and follow-up;	The Council of Ministers' Governance Committee agreed to proposed revisions to the Guidance Notes on Minute Taking and Recording of Ministerial and Member Decisions at its meeting of 10 January 2011. The new Guidance Notes have	Implemented

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				been issued to Departments, Boards and Offices.	
10/10	DOI	May-10	<p>Queen's Pier, Ramsey, Safety Works Scheme</p> <p>Motion made that Tynwald —</p> <p>(1) supports the 'de minimis' option including works up to a maximum cost of £1.8m.</p> <p>(2)(i) approves the Department of Infrastructure incurring expenditure not exceeding £95,000 in respect of the design and pre contract fees of the 'de minimis' works scheme;</p> <p>(ii) authorises the Treasury to spend out of the Capital Transactions Account during the financial year ending 31st March 2011, a sum not exceeding £95,000;</p> <p>(iii) approves of and sanctions borrowings not exceeding £95,000 being made by Government, such borrowings to be paid within a period of 30 years.</p> <p>(3) receives the report of the Queen's Pier Steering Group, Ramsey and that the report's recommendations are approved as follows:</p> <p>(i) That Option (a), a marina in Ramsey Bay with enabling commercial and residential development as set out in Recommendation 1 of the Working Group's Report is not progressed at this time.</p> <p>(ii) That the stability of the structure of Queen's Pier be maintained and protected from further deterioration by the immediate implementation of the short-term minimal option (Option 2) as outlined on Page 7 of this report and page 7 of the report of BWB Consulting Limited attached at Appendix 3.</p> <p>(iii) That the position regarding Queen's Pier and</p>	Good progress is being achieved by the contractor. The scheme remains within the approved budget and on programme for completion before Christmas 2011.	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			a final decision regarding its future be re-considered as a matter of urgency once the financial position of the Isle of Man Government becomes clearer.		
11/10	DED	May-10	Proposals for a renewable energy target Motion made that Tynwald endorses the policy of a renewable energy target of 15% electricity generated from renewable sources by 2015.	When the Council of Ministers subcommittee for Energy, Climate Change and Marine Spatial Planning next meet after the General Election they will have a paper for consideration regarding policy issues including the proposed 15% electricity generated from renewable sources by 2015. It will take approximately 3 years to gain consent for and to build an onshore wind farm and a decision regarding the proposed wind farm will need to be taken in early 2012 if the target is to be achieved.	Carried Forward
13/10	DOI	Jun-10	Report of the Select Committee of Tynwald on Advertising in the Countryside Motion made that the Report of the Select Committee on Advertising in the Countryside be received and the following recommendations approved:	Recommendations 1 to 5 will be considered as part of review of Advert Regulations later in the year.	
			Recommendation 1 That the Planning Division and Highways Division of the Department of Infrastructure should jointly produce guidance for people wishing to display advertisements in the countryside.	At present there is already a legislative framework in place governing these matters however there is a difference between the legal position and custom and practice in regard to some signage.	Ongoing
			Recommendation 2 That the Department of Infrastructure work with the Attorney General's Chambers to develop legislative proposals which would give the Department powers to enter land and remove advertisements where appropriate.	The Planning Division should receive planning applications for signs both on and off the highway. The Planning Division would as a matter of course consult with the Highways Division. Such applications would be subject to the usual process, objections, appeals and might typically take between 8 and 13 weeks to decide.	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<p>Recommendation 3 That the Department of Infrastructure should redraft the Control of Advertisements Regulations 2005, as far as they relate to vehicles used for advertising, to make the Regulations easier for members of the public to understand.</p>	<p>In the run up to and during Races, DED, under the provisions of the Road Races Act have power to approve signs within 100 yards of the circuit however these should still be subject to Planning applications.</p>	Ongoing
			<p>Recommendation 4 That the Department of Infrastructure develop detailed proposals for the delegation to local authorities of responsibility for the control of (i) smaller advertisements and (ii) those intended to be of shorter duration.</p>	<p>The Planning Division and the Highways Division have power to enforce the removal of signs from the Highway and the Planning Division from private land. There is an established process in regard to both Planning and Highway enforcement.</p> <p>In practice, there has been informal acceptance of some signs on the Highway. These include signs erected by DED under sponsorship and signs for local non-commercial events. The reason for this approach is that politicians have indicated they prefer a more measured response. Also the notion that small charitable events are required to seek planning approval for minor matters is perhaps an unrealistic expectation and in practice is difficult to support and enforce. The current legislative framework is however reasonable where large permanent signs are erected on or off highway.</p>	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<p>Recommendation 5 That the Department of Infrastructure develop detailed proposals for the implementation of a "fixed penalty" or similar regime for the enforcement of planning controls on advertising in the countryside.</p>	<p>The Highways Division has allowed signs on the basis of the guidelines above. The key principles are that the signs are small and their position does not obscure other traffic signs or sightlines.</p> <p>The Planning and Highways Division will work together with Department politicians to understand and consider what changes, if any, are required to achieve the desired outcome.</p> <p>Officers in the Highways and Planning & Building Control Division's have met to discuss the matter further. The Department will continue to allow people to erect signs on the highway on the basis that they will be removed if we receive complaints about them.</p> <p>With regard to adverts on non highway land in the Countryside, this will be looked as part of the review of the Advertising regulations as a consequence of the wider review of planning legislation which will hopefully take place after the General Election, but will be dependent on priorities and other commitments made as part of the review of the Planning Service.</p>	Ongoing
14/10	<i>CSO</i>	Jun-10	<p>Annual Report of the Scrutiny Committee for the Session 2009-10 Motion made that the Annual Report of the Scrutiny Committee for the Session 2009-10 be received and the following recommendations approved:</p>		

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<p>Recommendation 1 That Tynwald re-affirms its objective to give the Government of the Isle of Man (as opposed to the Governor) greater powers over immigration matters; welcomes the transfer to the Council of Ministers of the power to make Immigration Rules; and calls upon the Council of Ministers to make arrangements for the transfer of further powers under immigration legislation as and when such opportunities arise.</p>	<p>No opportunities have yet arisen in legislation whereby immigration powers might be transferred from the Governor to the Government of the Isle of Man.</p>	<p>Under Consideration</p>
<p>15/10</p>	<p><i>Treasury CSO</i></p>	<p>Jun-10</p>	<p>Taxation and planning Motion made that Tynwald accepts the merit of, and supports the Government's policy objective of attracting 'high value' individuals to reside in the Isle of Man, due to the benefits to the economy, and recognises that the current planning system may limit the development of suitable homes for such individuals, and requests the Council of Ministers to consider developing planning proposals to enable a limited number of such homes to be constructed annually, and to report to Tynwald at the October 2010 sitting.</p>	<p>The Minister for Department of Economic Development made a statement to the October 2010 sitting of Tynwald.</p>	<p>Implemented</p>

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
16/10	CSO	Jul-10	<p>Council of Ministers Report on the First Report of the Standing Committee of Tynwald on Constitutional Matters for the Session 2009-2010. "The Constitutional Aspects of Reform of Immigration Control".</p> <p>Motion made that the Report of the Council of Ministers be received, and that Tynwald approves the ongoing policy of the Government to safeguard the freedom of movement of Isle of Man residents between the Isle of Man and the United Kingdom and vice versa, by being included within the UK e-Border.</p>	<p>Following Tynwald's approval regarding this ongoing policy, the Immigration (Isle of Man) (Amendment) Order 2010 was passed to the Privy Council for consideration. UK Consultation, driven by the MOJ including the UK Border Agency, has delayed the progress of the 2010 Order. As at the 20 April 2011 the External Relation Divisions awaits, but continues to push, for confirmation the 2010 Order has been referred to the Privy Council.</p>	Ongoing
17/10	Treasury DHA	Jul-10	<p>Report of the Select Committee on Legal Aid in Family Matters (Petition for Redress of Grievance)</p> <p>Motion made that the Report of the Select Committee on Legal Aid in Family Matters (Petition for Redress of Grievance) be received and the following recommendations approved:</p>		
			<p>Recommendation 1</p> <p>That legislative proposals to put in place a "statutory charge" [as defined at paragraph 4.17 of the Report] be introduced into the Branches by January 2011 at the latest.</p>	<p>The draft bill has been produced and has recently been the subject of public consultation. The consultation period has now ended. The responses will be considered and a paper will be submitted to the Council of Ministers for consideration in due course.</p>	Ongoing
			<p>Recommendation 2</p> <p>That Tynwald calls upon the Chief Registrar, the Legal Aid Certifying Officer and the Isle of Man Law Society each to take active steps to promote and to make more accessible to the public positive messages about mediation such as those contained in the Courts Service leaflet CHI01.</p>	<p>Literature updated to include references to mediation. Form also amended to require nominated Advocate to report on any attempts to negotiate a settlement.</p>	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<p>Recommendation 3 That legislative proposals to enable legal aid funding for early mediation be introduced into the Branches by January 2011 at the latest.</p>	<p>The draft bill has been produced and has recently been the subject of public consultation. The consultation period has now ended. The responses will be considered and a paper will be submitted to the Council of Ministers for consideration in due course.</p>	Ongoing
			<p>Recommendation 4 That arrangements should be put in place to withhold legal aid funding from parties who unreasonably fail to attend mediation and who fail to participate constructively in it.</p>	<p>This will be considered by the Legal Aid Committee when changes are considered to the Regulations following the progression of the changes to the primary legislation.</p>	Under consideration
			<p>Recommendation 5 That the Treasury give careful consideration to the potential merits of supporting a permanent third party mediation service, including through the commitment of continuing grant in aid at a realistic level, and report to Tynwald.</p>	<p>The budget setting and resource allocation process for 2011/12 determined by Treasury in conjunction with the Council of Ministers did not provide for any grant aid to continue this service. The merits of any revised bid will again be considered by the Department concerned & the Treasury through the BEAR process for 12/13</p>	Implemented
			<p>Recommendation 6 That in developing its accreditation scheme, the Department of Home Affairs should give consideration to whether it would be cost effective to adopt a standard from another jurisdiction.</p>	<p>Following input from the UK Family Mediation Association, a register of trained and accredited mediators able to work in IOM Family Courts will be available from 1st November 2011.</p>	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
18/10	<i>Treasury</i>	Jul-10	<p>First (Interim) Report of the Tynwald Select Committee on Kaupthing, Singer and Friedlander (Isle of Man) Limited</p> <p>Motion made that the Report of the Select Committee on Kaupthing, Singer and Friedlander (Isle of Man) Limited be received and that the Treasury consider and report to Tynwald no later than December 2010 in relation to the implementation of the recommendations contained within the Report.</p>	Treasury reported to the December 2010 sitting of Tynwald (GR059/10).	Implemented
19/10	<i>Treasury</i>	Jul-10	<p>Budgetary Processes</p> <p>Motion made that Tynwald notes the Treasury is to review the budgetary process with a view to providing greater opportunities for input from Tynwald Members taking into account the parliamentary process in other relevant countries and report to Tynwald no later than July 2011.</p>	Treasury completed scoping the detail approach to the review and preparing research material to achieve the timescale set by Tynwald. A consultation document was issued to Members of Tynwald in April 2011 and Members were provided with a summary of responses resulting from that exercise in July. The Treasury Minister made a statement to Tynwald at the July 2011 sitting on the outcome of that research and consultation and concluded that no changes would be made to the present system.	Closed
20/10	<i>Treasury CSO</i>	Jul-10	<p>Services and Welfare</p> <p>Motion made that the Council of Ministers provide for the November 2010 sitting of Tynwald a full detailed list of all proposed reductions in service and welfare benefits by each Department to take effect from 1st April 2011 or earlier.</p>	A Council of Ministers Report was received by the November 2010 sitting of Tynwald providing a consolidated list of the information provided by Departments. The Report also provided the Council of Ministers' overview of how this work fitted with the Budget Re-balancing exercise.	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
21/10	DSC	Jul-10	<p>Part-Equity Mortgage Scheme Motion made that Tynwald acknowledges the range of Government's current housing initiatives in relation to both public sector (including local authority) housing and first-time buyers; notes that the present budget for such housing initiatives is £130m over the next 5 years; and requests the Department of Social Care to undertake a review of the current initiatives to ensure that the existing policies are appropriate to meet the changing needs of the community and to report to Tynwald by December 2010.</p>	<p>The Department of Social Care has commenced a Housing Review to identify the Island's key future housing needs and the principal potential options for Government to help to meet those needs, particularly in respect of the provision of public sector rented housing and first time buyers housing on a financially sustainable basis.</p> <p>Following the General Election, the findings of the review will be made available to the new Minister and Members for consideration. Subject to their approval, the matter will be raised with Council of Ministers prior to any public consultation.</p>	Ongoing
22/10	DSC	Jul-10	<p>Drug Rehabilitation/Detox Unit Motion made that Tynwald notes that the Rehabilitation/Detox Unit presently operates on a daytime basis and requests the Department of Social Care, in conjunction with other agencies and the third sector, to continue the policy of providing and improving the services for persons requiring rehabilitation and detoxification support.</p>	<p>The Department of Social Care conducted a review in 2010 of all its substance misuse treatment services to ensure that local needs are being met. The review confirmed that an inpatient facility is neither required clinically nor financially affordable.</p> <p>The review identified some opportunities to enhance current dependency treatment services. The Department is considering these opportunities along with other possible changes across the Department as part of the budgeting process for 2012/13.</p>	Closed
23/10	DED DSC DEC DHA	Jul-10	<p>Young People not in Employment, Education or Training Motion made that Tynwald welcomes the action which has already been taken by the Government in relation to young people not in employment, education or training; notes the efforts of the Departments of Economic Development, Social Care and Education and Children to provide</p>	<p>A strategy on NEETs has been prepared by an Inter-Department Working Group consisting of DED, DEC, DSC and DHA and was approved by Tynwald in November 2011.</p>	Implemented

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			integrated services for these young people and requests that they submit detailed proposals in relation to this matter to Tynwald in October 2010.		
24/10	<i>CSO</i>	Jul-10	Boundary Review Committee Motion made that, pursuant to section 11(5) of the Representation of the People Act 1995, Tynwald requests the Governor in Council to recommend the appointment of a 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.	The Boundary Review Committee has been appointed and a period of public consultation was undertaken, closing on the 31 March 2011. The results of the consultation have been referred to the Committee for their consideration.	Ongoing
25/10	<i>CSO DED</i>	Oct-10	Economic Initiatives Committee Motion made that the First Report of the Standing Committee on Economic Initiatives be received and the following recommendations be approved:		
			1. That the Council of Ministers consider the Committee's findings and report back to Tynwald by June 2011 on:	The DED Minister made an interim statement to Tynwald about implementation of the various initiatives in June 2011.	Ongoing
			(a) the economic potential of cruise ships and	DED approved a paper on cruise ships in July 2011 and the measures contained therein are being progressed. The DED Minister has undertaken to submit a report on cruise ships to Tynwald early in the 2011/12 session.	Ongoing
			(b) its plans for improving the system for assessment of the economic potential of particular initiatives.	DED Minister reported on positive progress being made but stated that further work remains to be undertaken.	Ongoing

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			2. That the Department for Economic Development pursue the matter of medical devices and look at the matter afresh. The DTI had not been well advised to go to Minnesota. The oral evidence clearly indicated that new markets were available and expanding in other areas. The Department should report on this in June 2011.	DED has sought and received expressions of interest for a report on the suitability of the medical devices sector for the IOM. The Treasury Capital Projects Unit will shortly be inviting four businesses selected to tender for the provision of the services to produce a report on the suitability of the medical devices sector for the IOM. The DED Minister has stated an update will be provided to Tynwald in January 2012 with progress regarding implementation of the recommendations from the report.	Ongoing
			3. That the Council of Ministers review the political, economic and other advantages of the Isle of Man Freeport as well as the strategic potential of this resource and report to Tynwald in June 2011.	Treasury CPU have advised DED to prepare a 3D style brochure that would show the potential of the site to both potential new businesses and developers. DED is now making arrangements for 3D photographs and is also arranging appropriate marketing support. DED Minister intends to provide a progress report to Tynwald in January 2012.	Ongoing
26/10	<i>GR CSO</i>	Oct-10	Legal Aid on Family Matters Motion made that the Second Report of the Select Committee on Legal Aid in Family Matters (Petition for Redress of Grievance) be received and the following conclusions and recommendations approved:		
			1. That an opportunity be provided for review by another person or body, of action taken by the Legal Aid Certifying Officer in response to representations made by the opponent of an assisted person.	Please refer to Decision No. 03/11 Recommendation 1	Implemented
			2. That the Legal Aid Certifying Officer should adopt standards for the handling of complaints in	Please refer to Decision No. 03/11 Recommendation 2 and 3	Implemented

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			line with those adopted by Government Departments, and that provision should be made to allow the Legal Aid Certifying Officer's administrative practices to be investigated by the proposed Tynwald Commissioner for Administration.		
			3. That a new Board should be put in place with a general remit to oversee the administration of the legal aid system, and a specific responsibility to review the actions of the Certifying Officer in response to representations from the opponent of an assisted person. The Board should be unable to sit unless a majority of members present are non-lawyers.	Please refer to Decision No. 03/11 Recommendation 4.	Implemented
			4. That detailed plans be made for the implementation of Recommendations 1 to 3 above and that a report be made to Tynwald, with recommendations, no later than the sitting in April 2011.	Council of Ministers submitted a Report to the April 2011 sitting of Tynwald.	Implemented
27/10	<i>CSO</i>	Oct-10	Order in Council Cluster Munitions Motion made that Her Majesty be requested to direct by Order in Council that the provisions of the Cluster Munitions (Prohibitions) Act 2010 (an Act of the United Kingdom Parliament) shall extend to the Isle of Man with modifications (including additions or omissions) or without modifications.	Draft Order in Council was sent to the UK to consider in November 2010. At the start of September 2011 the Ministry of Justice provided comments on the draft Order and suggested some amendments. The Chief Secretary's Office is in discussion with the MOJ with a view to the Order being made before the end of the year.	Ongoing
28/10	<i>CSO</i>	Oct-10	Order in Council Public Health Motion made that Her Majesty be requested to direct by Order in Council that regulations made under section 13 of the Public Health (Control of Disease) Act 1984 (an Act of the United Kingdom Parliament) and regulations made under that	Made by the Privy Council on 15 December coming into force on 1 February 2011. Copy of the Order in Council was laid before the February 2011 sitting of Tynwald for the information of Members.	Implemented

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			section as it has effect by virtue of section 14 of the Act shall extend to the Isle of Man with such modification, additions and omissions as may be specified in the Order.		
29/10	CSO	Nov-10	Order in Council Terrorist Asset-Freezing Motion made that Her Majesty be requested to direct by Order in Council that the provisions of Part 1 (including Part 1 of Schedules 1 and 2) of the forthcoming Terrorist Asset-Freezing Etc. Act 2010 (an Act of the United Kingdom Parliament) shall be extended, with or without modifications, to the Isle of Man.	The Terrorist Asset-Freezing ect Act 2010 (Isle of Man) Order 2011 was made by the Privy Council on 16 March 2011 coming into force on 17 March 2011. Copy of the Order in Council laid before the April 2011 sitting of Tynwald for the information of Members.	Implemented
30/10	CSO Treasury	Nov-10	Standing Committee on Public Accounts IRIS Motion made that the Report of the Standing Committee on Public Accounts on the renewal of the Island's infrastructure for the collection and treatment of sewage ("IRIS") 1991 – 2007 [PP 83/10] be received and the following recommendations approved:		
			Recommendation 2 That where a proposal is put to Tynwald for a capital infrastructure initiative designed to be delivered over a period of ten years or more, the proposal should include a strategic review at least once every five years, such review or reviews to be carried out by an independent person appointed by the lead Department and to be reported to Tynwald with recommendations.	Report agreed by Treasury and submitted to April 2011 Tynwald (ref. GD08/11). Refer to Decision 04/11.	Implemented
			Recommendation 3 That within six months of the debate on this Report, the Treasury should report to Tynwald with recommendations on how it will be ensured	Report agreed by Treasury and submitted to April 2011 Tynwald. Refer to Decision 04/11.	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			that, where project management services are outsourced by Government, they are subject to robust procurement and contract management procedures.		
			<p>Recommendation 4 That within six months of the debate on this Report, the Council of Ministers consider: (a) what are the lessons learned from the Meary Veg experience in terms of contract design and contract management; and (b) how to ensure those lessons are shared across Government; and report to Tynwald with recommendations.</p>	Chief Minister made a statement at the May 2011 sitting of Tynwald. The post completion review of the Meary Veg treatment works is being progressed and will be reported upon to Tynwald in due course with any lessons learned circulated to all departments.	Ongoing
31/10	<i>DOI CSO</i>	Nov-10	<p>Select Committee on Crossag Farm Motion made that the Report of the Select Committee on Crossag Farm be received and the following recommendations approved:</p>		
			<p>Recommendation 1 That in its long-term planning for all future land deals the Government should do everything in its power to avoid reliance on any "ransom strip" held by another party.</p>	DOI have noted and will include in DOI acquisitions and disposals procedures. DOI have requested the Attorney General's Chambers ensure all checks are in place prior to completion.	Implemented
			<p>Recommendation 2 That where Tynwald authorisation is sought for a Department entering into a contract, the Department seeking such authorisation should ensure that Tynwald is accurately informed as to the identity of the other party or parties to the proposed contract. Any error in the terms of the motion for authorisation should be brought back to the attention of Tynwald Members as soon as possible.</p>	DOI has noted the recommendation and will include in DOI land acquisitions and disposal procedures. DOI have requested the Attorney General's Chambers ensure all checks are in place prior to completion.	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<p>Recommendation 3 That in negotiating any future land deals, the Government should make every effort to mitigate as far as reasonably practicable any risk of losing access to part-developed land.</p>	DOI has noted and will include in DOI acquisition and disposals procedures.	Implemented
			<p>Recommendation 4 That in negotiating the construction of mixed housing developments, the Government should consider within the contractual arrangements whether the social housing be developed concurrently with the private element of the development proposals and all formal agreements in relation to the provision of services and access should be in place before development commences.</p>	DSC has noted this recommendation and will include this best practice in any future mixed development schemes.	Implemented
			<p>Recommendation 5 That contracts entered into by the Government should be drafted to include appropriate and relevant break clauses for all parties prior to commencement of a development with the objective of achieving a fair deal for the taxpayer and all parties thereto.</p>	DOI have requested the Attorney General's Chambers consider how this can be implemented.	Ongoing
			<p>Recommendation 6 That the Council of Ministers review, in the light of this report, the procedures and guidance which are in place across the whole of Government for assessing the identity and financial status of individuals and companies with whom contractual development proposals are being contemplated, and report on this matter to Tynwald with recommendations by no later than the July 2011 sitting of Tynwald.</p>	The Treasury Minister made a statement to the July 2011 sitting of Tynwald indicating that the Treasury had taken the lead role to address this particular recommendation by amending Financial Regulations. A copy of the formal report from the Council of Ministers will be laid before the October 2011 sitting of Tynwald.	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
32/10	MEA	Nov-10	<p>Manx Electricity Authority Motion made that Tynwald is of the opinion that the board of the Manx Electricity Authority should include information on its retail income and costs analysed by retail outlet within the notes of the Authority's audited accounts included in their Annual Report.</p>	The MEA have confirmed that this additional information with regard to MEA retail will be included in the 2010/11 Annual Report.	Implemented
33/10	Treasury CSO DOI	Dec-10	<p>Select Committee MEA Motion made that the Second Interim Report of the Select Committee on the Manx Electricity Authority be received and the following recommendations be approved -</p>		
			<p>Recommendation 1 That the following procedure regarding Treasury Directions be adopted, except for exceptional circumstances where an urgent response is required:</p> <ul style="list-style-type: none"> a. every effort, including direct communication to the Board, should be made to come to an amicable agreement before consideration is given to issuing a Direction; b. these efforts should be concluded within a short timescale and not allowed to drift on for months or years; c. the actions taken should be documented and all meetings minuted; d. when the Treasury Minister and Members are satisfied that sufficient action has been taken to reach an agreement without success, the Minister should write to the Chairman of the Board advising: <ul style="list-style-type: none"> i. that consideration is being given to the issue of a Direction; ii. the reasons for that decision; 	Treasury approved amendments to Government Financial Regulations in April 2011.	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<p>iii. the action taken to try to reach an agreement; and</p> <p>iv. that the Board is requested to respond by a set date, setting out what action it intends to take to resolve the dispute and the proposed timescale for completion.</p> <p>e. the Direction should only subsequently be issued if:</p> <p>i. Treasury accepts the Board's proposed actions but the Board fails to honour them, or</p> <p>ii. the Board's proposed actions are not acceptable and negotiations for a mutually acceptable settlement fail.</p> <p>f. If it is decided that a Direction must be issued, the Direction letter must be submitted to the Attorney General beforehand for his advice as to whether the Direction is correctly worded.</p>		
			<p>Recommendation 2 That the Council of Ministers should issue a Practice Note to all Departments and Statutory Boards setting out procedures which should be followed to ensure the preservation of public records.</p>	<p>An internal policy and strategy on information management is presently being finalised for Government. This will cover the preservation of public documents.</p>	<p>Ongoing</p>
			<p>Recommendation 3 That the Council of Ministers should consider whether the legislation should be amended to require the appointment of political Members to the MEA Board.</p>	<p>MEA Board constitution amendment approved by Tynwald March 2011. Chair and Deputy Chair are now Members of Tynwald.</p>	<p>Implemented</p>
			<p>Recommendation 4 That the Chief Secretary should ensure that an induction pack, which includes the relevant legislation and clarification of the application of Financial Regulations and Capital Procedure Notes, and a briefing session should be provided</p>	<p>Induction to be ready for new intake following the General Election.</p>	<p>Ongoing</p>

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			to each new Board Member soon after appointment.		
			<p>Recommendation 5 That formal minutes be kept of the Liaison Meetings and that the minutes should be signed and any agreed amendments to the minutes recorded.</p>	The MEA and DoI have agreed a programme of liaison meetings from which formal minutes are produced, circulated and signed off on behalf of both parties. Any corrections to the minutes are noted and recorded at the following meeting.	Implemented
			<p>Recommendation 6 That the Council of Ministers should consider whether any amendment to, or clarification of, the legislation is required in respect of the powers of the Department of Infrastructure over the MEA.</p>	The Department is currently reviewing its working relationship with those Statutory Boards it sponsors, which includes the MEA, following the restructure of Government in April 2010. Since taking over the role of political reporting route for the MEA, the Department has established formal political and officer meetings which take place on a quarterly basis and which are minuted. It has broadened attendance at the officer meetings to include representatives from Treasury (Capital Projects Unit). The Department has also reviewed with the MEA the structure of the monthly performance reports it receives to ensure that these contain adequate levels of performance and financial information to allow the Department to fulfil its scrutiny function. The Department is currently working with the MEA to identify the possibility of introducing a framework agreement between the two parties. This would provide a robust framework including functions such as governance and scrutiny and clarifying roles and responsibilities between the two parties. This will also allow for a review of the suitability of the Department's powers as detailed in legislation with regard to the MEA.	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			Recommendation 7 That the Attorney General should procure that a review be conducted by an external lawyer into his Chambers' advice and actions in respect of the Treasury Direction.	The review has now been undertaken by an external lawyer into Chambers advice and actions in the respect of the Treasury direction. Chambers will consider any learning points arising from the review's conclusions.	Implemented
			Recommendation 8 That the Council of Ministers should report to Tynwald on the progress of the implementation of all the recommendations in the Tynwald Policy Decisions Report 2011.	All recommendations contained within the Tynwald Policy Decisions Report.	Implemented
34/10	<i>Treasury DED</i>	Dec-10	Standing Committee on Public Accounts Motion made that the Report of the Standing Committee on Public Accounts on the Media Development Fund and Public Investment in the Film Industry, 1995 to 2009 be received and the following recommendations be approved:		
			Recommendation 2 That the Treasury review the methodology for defining "local spend".	Treasury's Internal Audit Division is to conduct a follow up review and advise upon any changes or improvements required.	Ongoing
			Recommendation 3 That the Treasury take steps to foster the development of a film audit specialism within the Island's financial sector, with the aim of improving the confidence Tynwald can place in statements of local spend.	The Audit & VFM Committee will lead on this recommendation through their contact with the public auditors to gauge the local interest in this particular niche sector.	Ongoing
			Recommendation 4 That Treasury and the Department of Economic Development jointly publish, by December 2011, a specific financial performance target for CinemaNX Limited – such target to be accompanied by details of any performance management framework in place in respect of the less tangible benefits attributed to the activities of	Whilst there are already some measures in place to track the less tangible benefits associated with the film industry Treasury is working with the Department of Economic Development and its advisers at CinemaNX Ltd in respect of such targets which will be in place by the target date.	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			the film industry in general.		
			<p>Recommendation 5 That Treasury and the Dept of Economic Development consider options for the longer term support and development for the film and media industry post August 2012, including possible alternative models, and report to Tynwald by December 2011.</p>	The Department of Economic Development together with the Treasury has initiated some research into the options for the future of the industry and will develop these further throughout the year for the December Tynwald Deadline.	Ongoing
			<p>Recommendation 7 That the following amendments to the resolution approved by Tynwald on 17th October 2006 at item 19 of the Order Paper be approved:</p>		
			<p>(a) In recommendation (iii) of item 19, the wording of conditions regarding local contractors/suppliers is amended as follows: "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 prior approval of the Department is required <u>for all goods and services in excess of the limits set out in FD8, paragraph 12.</u> If such prior approval is not obtained the Department will withhold payment of the grant."</p>	This has been incorporated into the terms and conditions when an application contains building work.	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<p>(b) In recommendation (v) of item 19, concerning cases where a grant applicant's own building company is to be used, the first sub-paragraph is amended as follows: "<u>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</u>".</p>	<p>This has been incorporated into the terms and conditions when an application contains building work.</p>	Implemented
			<p>(c) Recommendation (vi) of item 19, concerning cases where the Department is to have a charge over the assets of grant recipients, is reworded as follows: "(a) the Government Valuer should prepare a valuation of the <u>land and/or buildings</u> assets prior to the award of the grant; (b) in respect of assets other than land and/or buildings, the Government Valuer shall obtain an independent valuation from an appropriate specialist; and (c) the period of the charge should commence from the date of the payment of the initial instalment of grant monies and extend for a 10-year period the period of the terms and conditions from the date of payment of the final instalment.</p>	<p>This will be carried out when the Department is taking a charge. Money is not paid out until a charge is in place and conformation has been received that there is sufficient value on the asset to cover the amount of assistance paid.</p>	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			(e) Recommendation (xiii) of item 19 is amended as follows: "Company searches be obtained on all <u>new applicant</u> 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."	This is now part of the process for new applicants	Implemented
01/11	<i>Treasury DED</i>	Jan-11	Government Building Contracts Motion made that Tynwald recognises the importance of Government Building contracts in the Manx construction industry; supports the Department of Economic Development and Treasury in their continued efforts to encourage and support apprentice recruitment and retention; and invites the Departments to report back to the April sitting of this Honourable Court with an update on the performance of the measures currently in place and proposals for new initiatives which could be implemented.	The Department of Economic Development has prepared a report for the May 2011 sitting of Tynwald with appropriate Treasury input.	Implemented
02/11	<i>WSA</i>	Feb-11	Report of the Isle of Man Water and Sewerage Authority - Water Rates Increases 2011/12 and Beyond Motion made that Tynwald notes that the scheduled increases in the water rate for the financial years 2011/12 and 2012/13 approved by Tynwald in June 1999, as part of the Isle of Man Water Authority's Strategic Business Plan, were set to be 6% and 5% respectively, and further that the report by the Water and Sewerage Authority on the change to the schedule of the water rates be received and the following recommendations be approved:		

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			1. That the increase in the water rate for the financial years 2011/12 and 2012/13 be limited to the lower of 4% or the prevailing rate of inflation over the preceding 12 months as measured by the Manx Retail Price Index in the December of the preceding year; and	The water rate for 2011/12 was increased by 4% on the previous financial year, in line with the motion approved by Tynwald in February 2011. This was advertised in the press. Charges in future years will be based upon the Tynwald Policy Decision in force at that time.	Implemented
			2. That Tynwald reaffirms that for the financial years 2013/14 and beyond the increase in the water rate shall be limited to the schedule as approved by Tynwald in June 1999.	Contained within this Report for clarity but noted as completed.	Implemented
03/11	<i>GR CSO</i>	Apr-11	Report on the Implementation of the Recommendations contained in the Second Report (2010/11) of the Select Committee of Tynwald on Legal Aid in Family Matters (Petition for Redress of Grievance) Council of Ministers Report on the Implementation of the Recommendations contained in the Second Report (2010/11) of the Select Committee of Tynwald on Legal Aid in Family Matters (Petition for Redress of Grievance) motion made –		
			That the Report on the Implementation of Recommendations contained in the Second Report of the Select Committee of Tynwald on Legal Aid in Family Matters (2010/11) be received and the following Recommendations be approved–		
			Recommendation 1 In relation to Recommendation 1 of the Select Committee Report, the next Legal Aid (Amendment) Bill should contain provisions for the creation of a Legal Aid Tribunal to be the appellant body in relation to all appeals against	Provisions have been included in the draft Bill which has recently been through a public consultation exercise. The responses will be considered and a paper will be submitted to the Council of Ministers for consideration in due course.	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			the decision of the Legal Aid Certifying Officer, including appeals from the opponent of an assisted party;		
			Recommendation 2 In relation to Recommendation 2 of the Select Committee Report, the "Standardised Procedure for Responding to Complaints from the General Public" be adopted as an interim measure, pending the reconstitution and appointment of the Legal Aid Committee;	Actioned	Implemented
			Recommendation 3 Deliberations continue in relation to the inclusion of the Legal Aid Certifying Officer within Schedule 2 of the Tynwald Commissioner for Administration Act, focusing principally on whether it is appropriate for the Tynwald Commissioner to review the actions of a person appointed by the Governor; and	Being considered.	Under Consideration
			Recommendation 4 In relation to Recommendation 3 of the Select Committee Report, provisions be included in the next Legal Aid (Amendment) Bill so that the Legal Aid Committee be reconstituted and new Members recruited, to ensure the Committee cannot sit unless the majority of Members present are non-lawyers and that the remit of the Committee be extended to oversee the administration of the legal aid system, with a specific responsibility to review the actions of the Legal Aid Certifying Officer in response to representations from the opponent of an assisted person.	Provisions have been included in the draft Bill which has recently been through a public consultation exercise. The responses will be considered and a paper will be submitted to the Council of Ministers for consideration in due course.	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			And that the Council of Ministers should report further in January 2012 on progress with achieving the objectives of the Recommendations contained in the Second Report of the Select Committee of Tynwald on Legal Aid in Family Matters (Petition for Redress of Grievance).		Ongoing
04/11	<i>Treasury</i>	Apr-11	<p>The Treasury response to the PAC Report on the Renewal of the Island's Infrastructure for the Collection and Treatment of Sewage ("IRIS") 1991 to 2008</p> <p>Motion made that Tynwald receives the Report entitled "The Treasury Response to the PAC Report on the Renewal of the Island's Infrastructure for the Collection and Treatment of Sewage ("IRIS") 1991 to 2008" [GD 08/11] and that the following recommendations set out at section 7 which will be implemented to address the recommendation of PAC report [PP83/10] be approved –</p>		
			<p>1. It is recommended that the Capital Procedure Notes be amended to reflect that the following process is established to ensure robust procurement and governance of outsourced project management services undertaken for Government on all major capital schemes of £5 million or over in value:</p> <ul style="list-style-type: none"> i. Formal interview of candidates by representatives of the Client Department and Capital Projects Unit; ii. Recording of the qualitative assessment in accordance with the selection mechanism matrix; iii. The obtaining of a minimum of two Client 	Treasury's report issued to all Departments for information. Capital Procedure Notes have been amended to reflect recommendations and all Departments notified accordingly.	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<p>references; iv. Preparation of a report by the Client Department to the CPU detailing the findings and conclusion of the assessment process and giving a clear recommendation on the preferred project management appointment for which CPU concurrence is sought; v. Preparation and execution between the parties of the APM Standard Terms for the Appointment of a Project Manager and Schedule of Services; vi. Formal engagement with agreed fee scales approved by the CPU; vii. Appointment by Departments of a Project Sponsor to monitor the Project Managers performance, provide direction, decision making and representational responsibilities.</p>		
			<p>2. It must be recognised that in order for Departments to be able to fulfil the role of Project Sponsor additional training will be required for key personnel; it is recommended that such training becomes an essential prerequisite for all major schemes.</p>	<p>Treasury in process of discussing an appropriate training programme in conjunction with the International Business School which shall commence early 2012.</p>	Ongoing
05/11	<i>DSC</i>	Apr-11	<p>Select Committee on Service Charges and Freehold Property (Petition for Redress of Grievance) Motion made that the Report of the Select Committee on Service Charges and Freehold Property (Petition for Redress of Grievance) be received and the following recommendation be approved –</p>	<p>This matter is under consideration.</p>	Under Consideration

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<p>That the provisions of the Property Service Charges Act 1989 be extended to apply to service charges in relation to freehold property, but only:</p> <p>(a) in circumstances where payment of the service charge concerned is an obligation which the freeholder cannot avoid other than by surrendering the freehold; and</p> <p>(b) where service charges are applied in relation to a "sheltered housing" agreement (whether and however defined), on the basis that residents subject to such agreements are likely to be more vulnerable.</p>		

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
06/11	<i>Treasury</i>	May 11	<p>Standing Committee of Tynwald on Emoluments Motion made that the First Report of the Standing Committee of Tynwald on Emoluments 2010/11 be received and the following recommendation be approved -</p> <p>Recommendation 1 That Tynwald accepts that in principle: (a) a member of the PAC or a "policy review committee" who is not in receipt of an enhancement of 30% or more by virtue of any other office held should receive an enhancement of 30% in recognition of his scrutiny role; and (b) a chairman of such a committee who is not entitled to enhancements totalling 40% or more by virtue of any other office or offices held should be entitled to a total enhancement of 40% in recognition of his scrutiny chairmanship.</p> <p>Recommendation 2 That the Treasury should, without delay, lay before Tynwald for approval an order under the Payment of Members. Expenses Act 1989 to provide remuneration at 30% for membership of the PAC or a "policy review committee".</p>	<p>Recommendation 1(b) referred to the chairmen of these committees receiving an additional 10% making 40%. This aspect has not been introduced as agreed by the Report and Tynwald.</p> <p>In accordance with recommendation 2, to provide for remuneration at 30% for membership of the PAC or a "policy review committee" (membership to include chairmen), the Treasury prepared an Order for approval in July 2011. The Order proposed by Treasury was not supported by Tynwald.</p>	Closed
07/11	<i>CSO</i>	May 11	<p>Avoiding Compulsory Redundancies Motion made that Tynwald is of the opinion that the Council of Ministers should continue to explore all possible avenues to avoid any compulsory redundancies within Government and Statutory Boards and should explore options to retrain any affected staff to maximise the chance</p>	Refer to Decision 15/11.	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			of redeployment for any staff whose posts are to be made redundant and to give them every chance to apply for other vacancies within Government.		
08/11	<i>CSO</i>	June 11	<p>Council of Ministers' report and response to the consultation on an Isle of Man Government Unified Pension Scheme</p> <p>Motion made that the Council of Ministers' report and response to the consultation on an Isle of Man Government Unified Pension Scheme [GD 26/11] be received and the following recommendations be approved - That -</p>		
			1. the Unified Scheme be established to provide certainty to Scheme Members and their representatives about the pension scheme terms, which as a group of employing authorities Government is prepared to offer;	1. The Unified Scheme (SD 0389/2011) was approved by Tynwald at the June 2011 sitting.	Implemented
			2. negotiations should commence immediately regarding the implementation of the Scheme through the relevant Joint Negotiation Committees in respect of the workgroups affected;	2. Negotiations have commenced with the relevant JNC's and workgroups affected.	Ongoing
			<p>3. when the Public Sector Pensions Bill 2010 receives Royal Assent and comes into force, as soon as is practicable thereafter, the transfer take place to the Public Sector Pensions Authority of the scheme management and governance of the Unified Scheme; and</p> <p>4. the transfer of The Isle of Man Firemen's Pension Scheme 1980 into the Unified Scheme be progressed as soon as the legislation permits.</p>	3. and 4. Preparations are currently underway to create the Public Sector Pensions Authority when Royal Assent is received and to include the Isle of Man Firemen's Pension Scheme 1980 members within the Unified Scheme.	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
09/11	CSO	July 11	<p>Council of Ministers' Report on the Functions of the Lieutenant Governor under Acts of Tynwald</p> <p>Motion made – That the Council of Ministers' Report "Functions of the Lieutenant Governor under Acts of Tynwald" [GD34/11] be received and following Recommendations be approved:</p> <p>Recommendation 1 That the proposals set out in section 3 and section 4 of the Report should form the general framework for updating Manx enactments in respect of the functions of the Governor and the Governor in Council;</p> <p>Recommendation 2 That legislation to progress updating Manx enactments in respect of the functions of the Governor and the Governor in Council should be included in the Government's legislative programme for the 2011 – 2016 session;</p> <p>Recommendation 3 That draft primary legislation in respect of transferring functions of the Governor and Governor in Council should be subject to full consultation in accordance with the Isle of Man Government's Code of Practice on Consultation.</p>	<p>Draft subordinate legislation to transfer a number of functions of the Governor in Council has been prepared. This legislation should be submitted to Tynwald in October 2011 for approval.</p> <p>Other proposals in the report concerning the transfer of Governor and Governor in Council functions under Acts of Tynwald will require primary legislation.</p> <p>Such legislation will be included in the Government's legislative programme for 2011–2016 but at present it is not possible to set a timetable for such legislation to be progressed.</p> <p>The legislation will be subject to full consultation in accordance with the Isle of Man Government's Code of Practice on Consultation.</p>	Implemented

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
10/11		July 11	<p>Public Accounts Committee Report on the Corporate Leadership Group</p> <p>Motion made – That the Report of the Standing Committee on Public Accounts on the Establishment of the Corporate Leadership Group of the Isle of Man Civil Service [PP03/11] be received and the following recommendations approved:</p>		
	CSO		<p>Recommendation 2 That the Council of Ministers should review the law, policy and practice of retaining retired former civil servants on a consultancy basis, with particular reference to Corporate Leadership Group roles.</p>	The matter will be referred to the Governance Committee of the Council of Ministers for consideration following the General Election.	Under Consideration
	CSC		<p>Recommendation 3 That the Civil Service Commission should include in its annual report information on (a) any appointment of a retired civil servant to a Corporate Leadership Group role made, continued or ended during the reporting year; and (b) any period during the reporting year when a Corporate Leadership Group role has been vacant.</p>	<p>The Civil Service Commission will include in its annual report specific reference to any retired member of the Civil Service who is subsequently appointed to a Corporate Leadership Group role.</p> <p>The Commission will also include in its annual report specific reference to any Corporate Leadership Group role which has been vacant during the relevant period. This will be subject to a de-minimis of 28 calendar days as there are, on occasion, gaps between an existing job holder giving up a post and their successor taking it up.</p> <p>This will commence with regard to the report of the Civil Service Commission for the year ending 31 March 2012.</p>	Ongoing
	CSC		<p>Recommendation 5 That the Civil Service Commission should put in place an improved performance related pay</p>	The Civil Service Commission has long aspired to the introduction of performance related pay for the Civil Service but recognises that any such	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			mechanism which would place a significant incentive on all CLG members to improve their personal performance year on year.	mechanism can only be introduced following agreement with the Government Officers' Association, through established collective bargaining procedures - the Association having long opposed performance related pay. The Commission will, nonetheless, consider the development of a performance related pay mechanism for the Corporate Leadership Group.	
	<i>CSC</i>		Recommendation 6 That the Civil Service Commission should develop quantitative measures of progress in relation to all the objectives of the Corporate Leadership Group and should report on these in its annual report.	The Civil Service Commission will review the practicability of developing quantitative measures of progress relating to each of the objectives underpinning the Corporate Leadership Group.	Ongoing
	<i>CSC</i>		Recommendation 7 The non-financial elements of the CLG approach should be rolled out, with appropriate adaptations and modifications, to the rest of the Civil Service without awaiting an upturn in the Island's financial prospects.	The Civil Service Commission will endeavour to progress the non-financial elements of the Corporate Leadership Group approach to the rest of the Civil Service.	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
11/11	Treasury	July 11	<p>Public Accounts Committee Report on the BEAR process</p> <p>Motion made – That the Report of the Standing Committee on Public Accounts on the Annual “Basic Expenditure and Activity Review” Process [PP41/11] be received and the following recommendations approved:</p> <p>Recommendation 3 The system should acknowledge the organisational diversity which exists across the public sector.</p> <p>Recommendation 4 Proposals to increase and reduce expenditure should be ranked by priority in Departmental “BEAR” returns.</p> <p>Recommendation 5 Consideration should be given to “scenario planning”, with every Department, Office and Board routinely expected to generate prioritised proposals for managing both 5% growth and 5% shrinkage in its income.</p> <p>Recommendation 6 Consideration should be given to planning revenue expenditure over a longer planning period. At present no information is published over 12 months ahead, apart from net income and expenditure totals.</p>	Treasury accepted each of these recommendations and is committed to integrate amendments to the annual budget and BEAR process to address the issues raised.	Ongoing

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
12/11	CSO	July 11	<p>Annual Report of the Scrutiny Committee</p> <p>Motion made – That the Annual Report of the Scrutiny Committee [PP111/11] be received and the following recommendation approved:</p> <p>That where new Departments are to be created, or large numbers of statutory functions are to be transferred between Departments, using the powers in the Government Departments Act or the Statutory Boards Act 1987, Tynwald expects a consultation with Tynwald Members in line with the Government’s code of conduct but not requiring wider public consultation.</p>	Requirement to consult with Tynwald Members is noted.	Implemented
13/11	CSO Comms Comm	July 11	<p>Select Committee on the Television Licence Fee</p> <p>Motion made – That the Report of the Select Committee on the Television Licence Fee [PP108/11] be received and the following recommendations approved:</p> <p>Recommendation 2 That the Council of Ministers should consider and report to Tynwald by January 2012 with recommendations on the following priorities:</p> <p>i. That the BBC should treat the Island as an independent nation in practice as well as in theory.</p> <p>ii. That the BBC should provide ever more</p>	These matters will be considered by the Council of Ministers early in the next administration, in order to report back to Tynwald.	Under consideration

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<p>comprehensive coverage of Manx affairs across all its media and channels, and that this should include coverage of Manx affairs in BBC television news broadcast to our neighbours not only in the North West of England but also in Scotland, Wales and Northern Ireland.</p> <p>iii. That the BBC should support the introduction of a daily audio-visual news service dedicated to Manx affairs which, whether it is delivered via the Internet or by some other means, viewers in the Isle of Man can access just as easily as they can access the regional television news from the North West of England.</p> <p>iv. That, in order to get the most out of its television journalists based in the Isle of Man, the BBC should relax its policy on bespoke web video while at the same time taking steps to minimise any adverse impact on existing providers.</p> <p>v. That the BBC should continue to give practical support and assistance to Manx Radio and other broadcasters licensed in the Isle of Man.</p> <p>vi. That the BBC should allow a greater degree of Manx-based editorial control over the Isle of Man pages of its website.</p> <p>vii. That the BBC should follow through in practice its stated commitment to support the Manx language.</p> <p>viii. That, subject to the continuing progression of</p>		

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			<p>DAB as a widely used platform, the BBC should support the introduction of a DAB multiplex to carry Manx Radio and other Manx stations.</p> <p>ix. That the BBC should support any proposals made by or on behalf of Tynwald as to coverage of Manx parliamentary proceedings.</p>		
			<p>Recommendation 3 That the Council of Ministers should consider and report to Tynwald with recommendations by January 2012 on:</p> <p>(a) the level of resources devoted to broadcasting and media policy, which includes the specific responsibility of implementing the recommendations of this report and the general responsibility for “furthering the interests of the Island in the whole field of programme services”, which is currently a statutory responsibility of the Communications Commission;</p> <p>(b) the question of whether these resources and responsibilities should continue to lie with the Communications Commission or be transferred to a Department of Government; and</p> <p>(c) the question of whether a Tynwald Member should continue to sit on the Communications Commission.</p>		
14/11		July 2011	<p>Select Committee on Kaupthing, Singer and Friedlander</p> <p>Motion made – That the Third (Final) Report of the Select</p>		

No	Dept/ Board/ Office	Tynwald Sitting	Tynwald Decision	Action Taken	Decision Status
			Committee on Kaupthing, Singer and Friedlander (Isle of Man) Limited [PP113/11] be received and the following recommendations be approved.		
	CSO		<p>Recommendations of First Report [PP92/10]</p> <p>1R-1. We wholly endorse [the Public Accounts Committee's recent recommendation in relation to record keeping by public bodies], which was approved by Tynwald. We would extend this to cover more than where significant costs are likely to accrue, such that significant exchanges with third parties by public sector organizations (including different departments and agencies, including the FSC) should be noted or recorded. This is for the protection of officials and to assist future referencing when issues arise.</p>	<p>Best practice guidelines, endorsed by Tynwald, followed by Treasury.</p> <p>The FSC reviewed their own practices to determine whether they should be enhanced. More detailed records are to be kept in times of crisis.</p>	Implemented
	FSC		<p>1R-4. Despite the steps taken to which we referred above, and taking account of the FSA remit in the UK, we recommend that the FSC (or other responsible agency on the Island) should take a much more active role in ensuring that bank customers can gain access to proper information about banks and their parents via links from the FSC website and that they are given every opportunity to learn how to research risk properly, with appropriate links to relevant ratings and other published economic data. We note that it is now a mandatory requirement that Isle of Man subsidiaries should publicise the production of their annual accounts and these should be highlighted as accessible via a clear website link.</p>	<p>The Financial Services Rule Book already requires every deposit taker to "<i>make its annual financial statements available for public inspection on its website. If the licence holder does not have a website, the annual financial statements must be made available on the most appropriate website of the group.</i>"</p> <p>In response to an IMF recommendation to "<i>Compile and publish more systematically statistics on financial sector activities and soundness indicators</i>", the Commission has been working with the IOMBA, CIS forum, ACSP, FMA and Financial Advisers forum to determine what statistics could be obtained and published. In relation to banking the Commission now produces a banking bulletin on a quarterly basis via its website.</p>	Implemented

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				<p>The FSC has issued "Frequently Asked Questions" for the FSC's website that guides readers as to where to find further information about deposit takers, their resources, parent/group structure etc. This guidance also includes basic information on intra-group dependency, up-streaming, liquidity, capital etc to assist customers to interpret the data they find in financial statements.</p>	
	<i>CSO/ Treasury</i>		<p>1R-6. It is our view that the Isle of Man Government should lobby strongly (not least with UK) that a clear international standard should be established which will insist that one regulator (in the case of KSF Group this would have been either Iceland or United Kingdom) must undertake consolidated supervision of liquidity matters. The adoption of legally binding Memorandums of Understanding would underpin the consolidated oversight role since all necessary feedback on liquidity issues would have to be forwarded to/exchanged between impacted locations.</p>	<p>The FSC continues to engage with home regulators in writing and through meetings. Part of this engagement includes establishing the extent of consolidated supervision that is undertaken for liquidity.</p> <p>Other international developments will play a part in this such as Basel III and resolution regimes / global SIFIs (systemically important financial institutions).</p> <p>No legislative changes are currently proposed.</p>	Ongoing
	<i>FSC</i>		<p>1R-7. We acknowledge that a balance has to be struck between business objectives and prudence. However, we feel that in future such compromises should be recorded in reported minutes and that suitable fall back conditions should be established at that time in the event that trading and/or economic conditions worsen. Accordingly we recommend that in circumstances where the FSC identify specific risks and agree an action plan to mitigate those risks with a regulated entity, it should also agree contingency plans in the event of a deterioration.</p>	<p>The FSC is currently working on a project to review when to implement alternative or contingency plans.</p>	Ongoing

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	<i>FSC/ DED/ Treasury</i>		1R-8. It would be helpful if the Isle of Man Government, in conjunction with the FSC, produced some consumer friendly literature which summarised the liquidity and capital safeguards in place for regulated entities in the Isle of Man. This might help existing and prospective customers to understand the steps being taken to reduce the future risk of another failure.	The FSC is progressing with appropriate consumer communications and working with other areas of Government i.e. Office of Fair Trading & DED. The FSC's FAQs for consumers re deposit takers (banks) includes a summary of liquidity and capital safeguards.	Ongoing
	<i>FSC</i>		1R-9. We note that banks have established policies covering staff and directors dealings in shares and that banks have differing policies about encouraging staff/directors to maintain accounts. It is our view that there should be specific policy requirements covering withdrawals of deposits held in the bank by its directors. For example, it would seem appropriate that any significant withdrawal, or withdrawal at times of turbulence requested by a bank director should have to be reviewed and counter-signed by another Director or authorised official. This will ensure there is some independent oversight of such transactions which can protect the bank from the risk of defalcation as well as poor practice.	The FSC is considering varying its supervisory methods to include checks on such matters in future. It has already considered how best to implement the recommendation into its rules or guidance. Following this the FSC has made changes to its guidance on corporate governance for banks to cover the withdrawal of deposits by directors etc.	Implemented
	<i>Treasury</i>		Recommendations of Third (Final) Report [PP113/11] 3R-1. As part of the revision of the law relating to insolvency and bankruptcy, we recommend that the Government consider the feasibility of enabling depositors to access a single point of information electronically. This single point should be used for dissemination of important documents.	Treasury is to investigate with ISD/DED/FSC/Liquidator/DCS Scheme Manager. The Treasury Working Party on Insolvency is progressing this issue.	Ongoing

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	<i>FSC/ Treasury</i>		3R-2. We recommend that Government consider all options to enhance the position of and speed of repayment to retail depositors in the review of the Depositors' Compensation Scheme.	Learning from KSF included in 2010 Depositors' Compensation Scheme as amended.	Under consideration
	<i>Treasury</i>		3R-3. We recommend that the learning from the implementation of the Early Payment Scheme be included in the Depositors' Compensation Scheme review and the adoption of such principles will be important to be able to achieve timely interim payments in any future case.	Treasury will consider earmarking an element of Reserves as part of Budget Strategy 2012/2013.	Implemented
	<i>Treasury</i>		3R-5. In order to be able to guarantee swift payout, it is clearly useful to have some element of pre-funding of the Depositors' Compensation Scheme. We recommend that the Government consider identifying an element of reserves which could provide early payment in the event of any future default.	Treasury Working Party on Insolvency is to consider this matter.	Under consideration
	<i>Treasury</i>		3R-6. Although the banks in evidence did not support the concept of pre-funding we recommend that the Treasury consult further on the principle.	Treasury Working Party on Insolvency is to consider this matter.	Under consideration
	<i>Treasury</i>		3R-7. We recommend that the method of calculating payments and the lower and upper annual limits for participating banks be reviewed bearing in mind that the speed of return of funds will be the main criterion on which any Depositors' Compensation Scheme will be judged.	Treasury Working Party on Insolvency is to consider this matter. The FSC is making changes to the supervisory regime in relation to large intra-group exposures and other bank exposures, which will take effect from 1 st January 2012.	Under consideration
	<i>Treasury</i>		3R-8. We recommend that the review of the Depositors' Compensation Scheme arrangements	The FSC's licensing policy already makes some distinctions for branches that accept retail deposits.	Under consideration

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			look carefully at the existing level of cap on the annual levy to each bank.		
	<i>FSC</i>		3R-9. We recommend that the Financial Supervision Commission examine the banking industry model on the Island, in particular the question of spread of loans made by subsidiaries, and the question of branches versus subsidiaries as protection both for depositors on the Isle of Man and its compensation scheme; and further, if necessary after due consideration and discussion, modified regulations should be introduced to cover these matters.	<p>The FSC is making changes to the supervisory regime in relation to large intra-group exposures and other bank exposures, which will take effect from 1st January 2012. The FSC's licensing policy already makes some distinctions for branches that accept retail deposits.</p> <p>Further developments in banking structures are likely to take place arising from such policy developments as resolution regimes, dealing with SIFIs etc – these developments could ultimately impact on the banking model in the IOM.</p>	Ongoing
15/11	<i>CSO/ Office of Human Resource</i>	July 11	<p>Government Redeployment</p> <p>Motion made – That Tynwald reaffirms its decision of May 2011, and recognises the decision of the House of Keys at its sitting held on 14 June 2011, both of which stated that the Council of Ministers should continue 'to explore all possible avenues to avoid any compulsory redundancies within Government and Statutory Boards and should explore options to retrain any affected staff to maximise the chance of redeployment for any staff whose posts are to be made redundant and to give them every chance to apply for other vacancies within Government'.</p>	<p>The Council of Ministers requires all employing authorities to comply with this resolution in accordance with Government's established Redundancy Policy.</p>	Implemented
16/11	<i>DOI/ DEFA</i>	July 11	<p>Environmental Protection</p> <p>Motion made – That Tynwald notes that the natural heritage is a</p>	<p>Work is still in progress on the Maughold Mountains Track and Sky Hill Track. Green Lane User Group</p>	Ongoing

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			jewel in the Island's crown; that there are areas of the Island's semi-natural habitat designated as ASSI's and further notes that the Island's heather moors, peat and blanket bogs are of European significance; further notes the significant work which has been undertaken to repair the upland tracks; recognises the progress being made by the Departments of Infrastructure and Environment, Food and Agriculture in implementing the "Practical Measures to Reduce Damage to Upland Areas by Vehicles" which were approved by Tynwald in November 2005; and requests that those Departments consider further ways in which the use of motorized vehicles on legal routes across hill lands can be controlled and restricted to these routes to ensure appropriate protection for our ecologically protected upland areas.	(GLUG) meetings are held regularly, with the next meeting to be held on 5 th October to discuss the winter closures. A meeting between DOI and DEFA officers to discuss further measures has been set for 29 th September.	

The information in this booklet can be provided in
large print on request

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