

The table below details, by year and in alphabetical order, some of the Orders, Regulations, Rules and Schemes subject to which the Department performs its functions:-

<b>2000</b>
<p><b>BODY-PIERCING OF MINORS (PRESCRIBED FORM) REGULATIONS 2000</b>            These Regulations prescribe a form to be completed by the parent of a person under the age of 18 before that person undergoes (subject to certain exemptions on medical grounds) any body-piercing.</p>
<p><b>BUILDING CONTROL (APPROVED DOCUMENTS) ORDER 2000</b>            This Order specifies the documents which are approved for the purpose of providing practical guidance with respect to certain requirements of the Building Regulations 1993.</p>
<p><b>BUILDING (AMENDMENT) REGULATIONS 2000</b>            These Regulations clarify Regulation 7 of the Building Regulations 1993, with better definition on how Building Work shall be carried out in respect of Material suitability and Workmanship. It also changes four parts of Schedule 1 of the Building Regulations 1993 - Part F - Ventilation - imposing more stringent requirements and its extension to all types of building except storage buildings and garages to single dwellings. Part K – Protection from falling, collision and impact - the scope has been extended in a variety of areas. Part M – Access and facilities for disabled people - the scope has been extended to some new dwellings. Part N - Glazing - Safety in relation to Impact, Opening and Cleaning - the scope has been extended.</p>
<p><b>COLLECTION AND DISPOSAL OF WASTE REGULATIONS 2000</b>            These Regulations make provision for various matters concerning the collection and disposal of controlled waste under Part IV of the Public Health Act 1990. Regulations 3, 5 and 6 provide that certain descriptions of waste are to be treated as household, industrial and commercial waste respectively for the purpose of Part IV. Regulation 4 prescribes 3 types of waste which are not to be treated as household waste for the purpose of section 58(1) (which enables waste to be disposed of in the curtilage of a private dwelling without a disposal licence). Regulation 7 prescribes ways of dealing with waste (using plant or equipment) for which a disposal licence is required. Regulation 8 prescribes cases of waste disposal which do not require a disposal licence.</p>
<p><b>CREMATION REGULATIONS 2000</b>            These Regulations replace the Cremation Regulations 1985 (G. C. 185/85). The principal amendments are to allow for the cremation of body-parts removed during post-mortem examination, and transfer functions of the Governor to a Deemster or the Department of Local Government and the Environment.</p>
<p><b>DANGEROUS GOODS (CARRIAGE BY ROAD)(CONSEQUENTIAL PROVISIONS) ORDER 2000</b>            This Order makes amendments and revocations of provisions of the Dangerous Goods Order 1928, the Petroleum (Inflammable Liquids and Compressed Gases) Order 1955 and the Petroleum-Spirit (Conveyance by Road) Regulations 1957 and 1966, consequential on the Road Vehicles carrying Dangerous Goods (Maintenance and Use) Regulations 2000, made under Schedule 2 to the Road Traffic Act 1985.</p>
<p><b>LOCAL AUTHORITY (ATTENDANCE ALLOWANCES) ORDER 2000</b>            This Order prescribes the amount per session of attendance allowances payable to members of local authorities, and the maximum amount of allowances payable to a member in any one year. The allowances will be payable only to those authorities who specifically resolve that such allowances have effect in their case.</p>
<p><b>LOCAL AUTHORITY (TRAVELLING ALLOWANCES) ORDER 2000</b>            The Order prescribes the amounts payable by way of travelling allowance to each member of a Local</p>

<p>Authority where such member undertakes approved duties. The amounts are comparable to those prescribed by the Travelling Allowances Order 2000. These payments apply only to members of those Local Authorities which resolve that such payment shall be made.</p>
<p><b>THE PRODUCTION OF ENERGY FROM WASTE (NO 2) ORDER 2000</b>  This order applies to the contractor who will operate the Incinerator at Middle Farm, Braddan, sections 74 and 75(1) to (3) (except the first reference in section 75(1)) of the Public Health Act 1990, which confers on the Department of Local Government and the Environment powers to produce and distribute energy from the disposal of waste.</p>
<p><b>2001</b></p>
<p><b>THE BEEF LABELLING (ENFORCEMENT) APPLICATION ORDER 2001</b>  This Order applies to the Isle of Man the Beef Labelling (Enforcement) (England) Regulations 2000 (SI 2000/3047), which have effect in England under the European Communities Act 1972 (an Act of Parliament). The Regulations provide for the enforcement of the compulsory and voluntary beef labelling schemes established by the Community instruments specified in regulation 2, which apply to the Isle of Man. The Department of Local Government and the Environment is the competent authority for the purposes of those schemes and the enforcing authority for the Regulations. It is an offence for persons engaged in the marketing of beef to fail to comply with the applicable requirements of the labelling schemes, or to fail to comply with the requirements of a notice served by an authorised officer requiring the removal from sale of beef which has been wrongly labelled and marketed.</p>
<p><b>THE BRADDAN (MIDDLE FARM) PLANNING SCHEME (AMENDMENT) (No.2) ORDER 2001</b>  The Braddan (Middle Farm) Planning Scheme Order 1998 (SD 537/98) grants planning approval for an incinerator at Middle Farm, Braddan, subject to conditions. This Order varies the conditions as follows:</p> <p>(i) the emission of steam outside the first 15 minutes after start- up is permitted, but the operator is required to use the best available techniques to minimise a visible plume;</p> <p>(ii) the limit of 60,000 tonnes of household and commercial waste per annum which the plant may process is also to include industrial waste;</p> <p>(iii) no "special waste" (as defined) may be processed;</p> <p>(iv) the limit of 2,000 tonnes of animal waste per annum which it may process is increased to 4,500 tonnes.</p>
<p><b>THE DRINKING WATER IN CONTAINERS REGULATIONS 2001</b>  These regulations implement the provisions of Council Directive 80/778/EEC relating to the quality of water intended for human consumption, in relation to drinking water which is bottled or sold in a bottle. These regulations do not apply to natural mineral waters or medicinal products.</p>
<p><b>EXPLOSIVES (CARRIAGE BY ROAD)(CONSEQUENTIAL PROVISIONS) ORDER 2001</b>  This Order amends the Dangerous Goods Order 1928 in consequence of the Road Vehicles carrying Explosives (Maintenance and Use) Regulations 2001 made under Schedule 2 to the Road Traffic Act 1985. The revoked provision is superseded by regulation 8 (limits on quantities) of the above Regulations.</p>
<p><b>IMPORT AND EXPORT OF WASTE REGULATIONS 2001</b>  These Regulations, made under section 71A of the Public Health Act 1990, regulate the import of waste into, and the export of waste from, the Isle of Man, and give effect to the Basel Convention on</p>

the control of trans-boundary movements of hazardous wastes and their disposal. They prohibit the import of waste into the Island, except in pursuance of a Convention obligation to take back waste removed from the Island, and also prohibit the export of waste for disposal or recovery except to an OECD country listed in Schedule 1, and in accordance with prescribed procedures and subject to prescribed requirements. In particular export is required to be authorised by the Department of Local Government and the Environment, each consignment or batch of consignments must be notified to the Department, and a contract with the consignee, and a financial guarantee or insurance, for the disposal or recovery of the waste in an environmentally sound manner must be in force. The Department is given default powers to secure the return of waste and to dispose of it where required by the Convention. Persons exporting waste are required to keep documents for 3 years.

#### **THE REMOVAL AND DISPOSAL OF VEHICLES REGULATIONS 2001**

These Regulations replace the 1989 Regulations and prescribe certain time- limits, steps to be taken to find the owner of a vehicle, and charges for removal, storage and disposal, for the purposes of Part I of the Local Government (Miscellaneous Provisions) Act 1984, which deals with the removal and disposal of abandoned vehicles.

#### **THE SLAUGHTER REGULATIONS 2001**

These Regulations provide for the protection of animals at the time of slaughter and killing. They apply to the delivery, movement, lairaging, restraint, stunning, slaughter and killing of cattle, sheep, goats and swine at slaughterhouses (for human consumption) and of cattle, sheep, goats, swine and horses at knackers' yards (otherwise than for human consumption).

The Regulations —

- (a) prevent persons without the necessary knowledge and skill engaging in the lairaging, restraint, stunning, slaughter and killing of animals;
- (b) prohibit persons engaged in those activities causing the animals avoidable excitement, pain or suffering;
- (c) require occupiers of slaughterhouses and knackers' yards to ensure (i) that there is a person available with authority to take any action necessary to safeguard the welfare of live animals on the premises, and (ii) that any person engaged in the above activities is acquainted with the relevant legislation and welfare codes and, where necessary, is licensed;
- (d) specify requirements for the construction, equipment and maintenance of slaughterhouses and knackers' yards;
- (e) regulate the movement, lairaging, restraint, stunning, slaughter and killing of animals in specified circumstances;
- (f) prohibit the use of the technique known as “pithing” in the slaughter of bovine, ovine or caprine animals for human consumption. The Slaughter Regulations 1998, are revoked, except so far as they amend section 4 of the Slaughter of Animals Act 1936.

#### **SPECIFIED RISK MATERIAL REGULATIONS 2001**

These Regulations —

- (a) control "specified risk material", i.e. material which may contain the agent causing bovine spongiform encephalopathy (BSE) and material which may come into contact with it during the slaughtering process;

- (b) control the sale and use of specified risk material for human consumption and the production of mechanically recovered meat;
- (c) regulate the initial treatment of specified risk material and the sterilising of whole carcasses;
- (d) prohibit the removal of the brain, eyes and spinal cord of a ruminant animal;
- (e) prohibit the importation of specified risk material into the Isle of Man; and
- (f) regulate the consignment of specified risk material to the premises of a processor for sterilisation or to an incinerator.

The Regulations revoke and replace with amendments the Specified Risk Material Regulations 1998.

#### **TRANSPORTATION OF SPECIFIED RISK MATERIAL REGULATIONS 2001**

These Regulations —

- (a) control the transportation of specified risk material;
- (b) ensure that the vehicle the waste is transported in is impervious and covered at all times other than for loading and unloading;
- (c) ensures that the vehicle is kept clean.

**2002**

#### **DOUGLAS PROMENADES CONSERVATION AREA ORDER 2002**

This Order recognises the area of the Douglas Promenades as delineated on the map which accompanies the Order, as an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance: such area is designated as a Conservation Area. The special character of the area is described and set out in a written Character Assessment, which whilst not part of the Order, would be published by the Department in a Planning Circular to be read in conjunction with the map of the Conservation Area.

#### **HOUSE PURCHASE ASSISTANCE SCHEME 2002**

This Scheme replaces the House Purchase Assistance Scheme 1999, making similar provision for assistance by way of repayable grants for the purchase of dwellings, with additional provision for top-up loans (repayable with interest on sale) in the case of approved dwellings. The Scheme sets out the rules by which assistance may be provided to eligible “first time buyers”.

#### **LITTER (FIXED PENALTY) ORDER 2002**

Section 5A of the Litter Act 1972 enables a constable or an authorised officer of a local authority to serve a notice on a person dropping litter, giving him the option of paying a fixed penalty as an alternative to prosecution. This Order increases the amount of the fixed penalty from £10.00 to £50.00.

#### **THE LITTER (FIXED PENALTY NOTICE) REGULATIONS 2002**

These Regulations amend the Fixed Penalty Notice issued for offences of dropping litter. They replace the Litter (Fixed Penalty Notice) Regulations 1991.

**2003**

#### **THE BUILDING CONTROL (APPROVED DOCUMENTS) ORDER 2003**

This Order specifies the documents which are approved by the Department of Local Government and the Environment for the purpose of providing practical guidance with respect to certain requirements of the Building Regulations 2003. Under section 5 of the Building Control Act 1991, compliance or non-compliance with an approved document may be relied on as tending to negative or establish

liability for contravention of a relevant provision of the Regulations.

### **THE BUILDING REGULATIONS 2003**

These Regulations revoke and replace the Building Regulations 1993. The following changes of substance are made.

The definition of "controlled service or fitting" in regulation 2(1) is extended to include services or fittings in relation to which Part L (conservation of fuel and power) imposes a requirement.

In regulation 3 the definition of building work has been extended to include work involving building earth retaining structures; work involving laying a drain or sewer and certain work involving the provision of controlled services (subject to exceptions for the provision of certain controlled services and fittings in existing dwellings).

The applicable requirements relating to material changes of use contained in regulation 6 are extended to include paragraphs —

- H6 (solid waste drainage)
- J5 (protection of liquid fuel storage systems)
- J6 (protection against pollution)
- L (conservation of fuel and power)
- M (access and facilities for disabled people)

Regulation 12 now requires that notice given to a building authority before work commences be in a written form, and also that notice be given of intention to start works and of completion of works. Notice to the building authority that works to rectify a contravention of the regulations has been completed must be given within 7 days.

Regulation 14 now allows the building authority to test any building work to check that it complies with the Regulations.

Regulation 16 provides for the issue by the building authority of "regularisation certificates" in relation to unauthorised building work.

### **THE CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS 2003**

Please *click here* for further information on these Regulations and their impact on employers and employees.

### **DOUGLAS – CONSERVATION AREA ORDERS X 6**

These six Orders recognise the respective areas of Douglas as delineated on the maps which accompany each of the Orders, as areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance: such area is designated as a Conservation Area. The special character of each area are described and set out in a written Character Assessment, which whilst not part of each Order, would be published by the Department in a Planning Circular to be read in conjunction with the map of the respective Conservation Area.

### **THE LOCAL ELECTION RULES 2003**

These Rules prescribe the procedure for elections to local authorities under the Local Elections Act 1986, and restate with amendments the Local Election Rules 1996, which are revoked. They provide for election by secret ballot by means of the "first past the post" system which also applies to House of Keys elections. Polling is extended by two hours and starts at 08:00 hours. The Rules apply to all local elections held on or after the 1st February 2004 and were brought in to accompany legislation requiring all Local Authority Members to be elected on the same day for a four year term

of office.

### **LOCAL GOVERNMENT SUPERANNUATION SCHEME 2003**

This Scheme applies to the Isle of Man, subject to appropriate exceptions and modifications, — (a) the Local Government Pension Scheme Regulations 1997 and the Local Government Pension Scheme (Transitional Provisions) Regulations 1997, and (b) so far as they apply to compensation for premature retirement, injury benefits and gratuities, the Local Government (Discretionary Payments) Regulations 1996 and the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000, and amending regulations. Those regulations make provision for the superannuation of local government staff, and have effect in England and Wales under the Superannuation Act 1972. The Scheme replaces the Local Government Superannuation Scheme 1988 and the Local Government Superannuation. (Amendment) Scheme 1990, which applied previous regulations relating to local government superannuation. The Scheme provides for the applied regulations to have retrospective effect, as authorised by section 12(2) of the Superannuation Act 1984.

### **ST MARK'S VILLAGE CONSERVATION AREA**

Details as per Douglas Conservation Areas.

### **THE MANAGEMENT OF HEALTH AND SAFETY AT WORK REGULATIONS 2003**

Please *click here* for further information on these Regulations and their impact on employers and employees.

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**2004**

### **FISH LABELLING REGULATIONS 2004**

These Regulations make specific provision for the labeling of fish and fish products. They further seek to implement in the Island European Community Law in respect of this matter – European Regulations 104/2000 and 2065/2000.

### **FOOD LABELLING REGULATIONS 2004**

These Regulations make general provision for food labelling. Part II provides that food must be marked or labelled in accordance with specified requirements including its name, ingredients, durability, any special conditions of storage or use, the name and address of the manufacturer, packer or seller and (in some cases) its place of origin and instructions for use. It does **not** apply to certain foods (eg. eggs, wines and spirits, fresh fruit and vegetables) to which separate requirements apply, or to food not for human consumption. Part III prohibits certain claims and misleading descriptions in relation to food, and restricts the use of the word "wine". Part IV makes contravention of the Regulations an offence carrying a maximum penalty of six months custody or a fine of £5,000 or both. Part V revokes certain existing Regulations and makes transitional provisions. The Regulations implement Council Directive 2000/13/EC and other EC legislation on food labelling and advertising.

### **HOUSE PURCHASE ASSISTANCE SCHEME 2004**

This Scheme amends the House Purchase Assistance Scheme 2002 by increasing the maximum purchase price of a dwelling, the maximum approved income and the amount of grant assistance available to applicants. This Scheme also allows owners of existing approved dwellings to apply for another, larger, approved dwelling.

### **LITTER CONTROL NOTICES REGULATIONS 2004**

These Regulations prescribe the types of premises and land that may be the subject of litter control notices ISSUED BY A Local Authority. Regulation 2 prescribes the descriptions of commercial or retail premises in respect of which a litter control notice may be issued. Regulation 3 prescribes

the descriptions of open land which may be specified in the notice.

#### **MEAT PRODUCTS REGULATIONS 2004**

These Regulations revoke, the Sausage and Other Meat Products Regulations 1971 and the Meat Pie and Sausage Roll Regulations 1971

These Regulations —

prohibit the use of specified names in the labelling or advertising of meat products if the products do not satisfy specific compositional requirements and the sale of food labelled in contravention of that prohibition. They prescribe that, save in specified cases, where meat products of a specified appearance are sold the name used as the name of the food in the labelling of the products must include an indication of any added ingredients of animal origin and of any other added ingredients not falling into specified categories. Subject to an exception, the sale of uncooked meat products which include amongst their ingredients specified parts of the carcase of any mammalian species of animal is prohibited.

**2005**

#### **CREMATION (FEES) REGULATIONS 2005**

These Regulations replace the Cremation (Fees) Regulations 2002 and increase the fees that may be charged for completing various certificates required under the Cremation Regulations. The fees for Forms B and C, Certificates of Medical Attendant, and Confirmatory Medical Certificates, respectively, are increased to £62 in line with the fees currently recommended by the British Medical Association.

#### **HONEY REGULATIONS 2005**

These Regulations implement European law in the form of Council Directive 2001/110/EC concerning honey (OJ No. L10, 12.1.2002, p.48). They prescribe definitions and reserved descriptions for certain specified honey products and restrict the use of reserved descriptions to the specified honey products to which they relate. The Regulations also prescribe labelling requirements for such products.

#### **HOUSE IMPROVEMENT AND ENERGY CONSERVATION SCHEME 2005**

The Scheme enables the Department of Local Government and the Environment to make grants towards works of improvement and increased energy efficiency in residential properties and to provide additional bedroom space and bathroom facilities where a property is overcrowded. Certain works of repair are only applicable to houses built before 1960 although works affecting health and safety, energy efficiency and the provision of an additional bedroom with or without a bathroom are applicable to houses of all ages. Most grants can be made up to 50 per cent of approved works, however those for certain energy efficiency works are based on a fixed amount for each item. Eligibility for certain works will be based on an assessment of income apart from the energy efficiency works and works to provide a supply of potable water. The total grant or grants approved in respect of any property cannot exceed £25,000.

#### **HOUSE PURCHASE ASSISTANCE (AMENDMENT) SCHEME 2005**

This Scheme amends the House Purchase Assistance Scheme 2002 by expanding the definition of “dwelling” and defining who is a first time buyer. A minor correction is made to a figure relating to assistance by way of top-up loan.

#### **HOUSE PURCHASE ASSISTANCE (PERSONS AGED 45 OR OVER) SCHEME 2005**

This Scheme provides for the assistance of persons aged 45 years or over who wish to purchase a property for the first time. This Scheme makes provision for assistance by way of grants for the purchase of dwellings, with additional provision for top-up loans of up to 50% of the purchase price (repayable with interest on a monthly basis) in the case of both approved dwellings and, where the purchase price does not exceed £190, 000, open market dwellings. The top-up loan is repayable, in

full, after or by the end of 25 years.

#### **JAM AND SIMILAR PRODUCTS REGULATIONS 2005**

These Regulations, implement European Law in the form of Council Directive 2001/113/EC concerning fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption (OJ No. L10, 12.1.2002, p. 67). The Regulations prescribe definitions and reserved descriptions for certain specified jam products and restrict the use of reserved descriptions to the specified jam and similar products to which they relate. The Regulations also prescribe labelling requirements for such products. Provision is made as to the manner of marking and labelling specified jam and similar products.

#### **LAXEY AND LONAN AREA PLAN ORDER**

This Order gives effect to the Laxey and Lonan Area Plan, prepared under Part 1 of the Town and Country Planning Act 1999. The Plan is annexed to the Order. The Department has also prepared a Written Statement containing further details in relation to the Plan.

#### **TOWN AND COUNTRY PLANNING ACT 1999 IMPLEMENTING LEGISLATION**

The following Orders and Regulations were approved by Tynwald in May 2005:

#### **DEVELOPMENT PROCEDURE ORDER**

This development order prescribes the procedure for applications for planning approval and related approvals under Part 2 of the Town and Country Planning Act 1999.

Provision is made for the establishment of the Planning Committee of the Department of Local Government and the Environment which shall be appointed by the Council of Ministers and shall sit in public. Other provisions include the making planning applications, their determination by the Committee on written representations and notice of the Committee's decision. An appeal lies to the Minister, who is given power to award costs against an appellant who does not appear at any hearing.

#### **REGISTERED BUILDINGS REGULATIONS**

These Regulations make provision in addition to the provisions of the Town and Country Planning Act 1999 relating to registered buildings and buildings in conservation areas. The contents of the Protected Buildings Register, and the periods within which applications for de-registration of a building may or may not be made, are set out. Certain applications are to be determined by the Planning Committee of the Department of Local Government and the Environment, subject to appeal to the Minister. The procedures for applications for registered building consent are set out.

#### **CERTIFICATES OF LAWFUL USE OR DEVELOPMENT REGULATIONS**

These Regulations make provision for applications for, and the issue and revocation of, certificates of lawfulness of an existing or proposed use or development.

#### **REGISTERS REGULATIONS**

These Regulations prescribe the information to be entered in the registers required to be kept by the Department of Local Government and the Environment under section 41 of the Town and Country Planning Act 1999.

#### **PLANNING AND WASTE DISPOSAL (CONCURRENT PROCEEDINGS) REGULATIONS**

These Regulations enable applications to the Department of Local Government and the Environment for planning approval and a disposal licence in connection with the use of land, plant or equipment for the disposal or treatment of controlled waste to be dealt with concurrently.

The following Orders and Regulations were approved by Tynwald at its sitting in October 2005:-

**PERMITTED DEVELOPMENT ORDER**

This Order grants planning approval for the classes of development specified in the Schedules to the Order, subject to exceptions and conditions.

**CONTROL OF ADVERTISEMENTS**

These Regulations make provision for the control of advertisements by the Department in the interests of amenity and public safety. The Regulations provide for applications for express consent to be made to the Department in a fashion similar to that of planning applications.

**FREEPORT ORDER**

This Development Order grants planning approval for the classes of development in the Freeport Area (an area next to the Airport and delineated on the accompanying map) specified in the Schedule to the Order.

**2006**

**EUROPEAN COMMUNITIES (FOOD SAFETY LAW) (APPLICATION) ORDER 2006**

The Island is obliged by virtue of Protocol 3 to comply with those parts of European Community Law that affect it through trade in agricultural, food or related products. The Department considers it to be prudent, from the perspective of maintaining good trading relationships with neighbouring jurisdictions and consumer safety, to align the food laws of the Island closely with those of its neighbours who are Community Member States.

For these reasons this Order was prepared which applies to the Island more fully European Community Regulation 178/2002 (OJ No. L31, 1.2.2002. p1.). The Community Regulation, as Applied to the Island, lays down the general principles and requirements of food law and sets out procedures in matters of food safety.