

MINUTES OF A MEETING OF THE BOARD OF THE ISLE OF MAN OFFICE OF FAIR TRADING HELD ON 8TH DECEMBER 2023 AT 9.30 AM IN THE 'SILVERDALE' BOARDROOM, THIE SLIEAU WHALLIAN, ST JOHNS		
	TO PUBLISH	ACTION
PRESENT	Mr T S Glover MHK, Chairman Mr M J Bathgate, Member Mr L Wong, Member Mr B Murphy, Member	
SUPPORTED BY	Mr S Gallacher, Chief Officer (for items 7 to 11) Mr J R Peet, Head of OFT Mr N R Taylor, Secretary to the Board	
APOLOGIES	Ms V McLauchlan, Director of OFT	
2023/11/01	WELCOME NEW CHAIRMAN Mr Glover MHK was welcomed as the new Chairman of the OFT Board.	-
2023/11/02	CONFLICTS OF INTERESTS Members and officers considered agenda items in which they had interests or may have been conflicted. None were identified.	-
2023/11/03	MINUTES OF PREVIOUS MEETINGS HELD ON 3rd NOVEMBER 2023 AND 20TH NOVEMBER 2023 The Minutes of the meetings of 3 rd November 2023 and 20 th November 2023 were reviewed, agreed, and signed by the Chairman as true records of proceedings.	-
2023/11/04	MATTERS ARISING The Board Actions Update and Agenda Planner dated 4 th December 2023 was noted. <u>FEES ORDER – NON-RESIDENT TRADERS 2022/11/10</u> The Head of OFT was to report back. The Head of OFT was to list issues for discussion with the Attorney General's Chambers.	JRP

	<p><u>HOME IMPROVEMENT COMPLAINTS 2023/07/04</u></p> <p>In regard to the limit for Small Claims, the Head of OFT was to liaise with the Department of Environment, Food & Agriculture and the Department for Enterprise to lobby support prior to formally approaching Isle of Man Courts.</p> <p><u>TRADING STANDARDS ENFORCEMENT UPDATE – ITINERANT ROGUE TRADERS – 2023/09/13</u></p> <p>It was noted that a media release and publicity had been issued on 8th November 2023 titled 'zero tolerance for rogue traders' and that close monitoring of any reported incidents was ongoing.</p> <p>It was noted that age-restricted sale of vaping products was being progressed.</p> <p><u>COMPETITION AND MARKETS</u></p> <p>There was a list of matters which had been the subject of complaint and which were to be considered for referral to the Board.</p> <p>It was confirmed that a lack of resources in the OFT would not affect any decision to consider matters further. It was noted that Jersey and Guernsey had significant competition and markets resources in comparison with those in the Isle of Man.</p>	<p>JRP</p> <p>JRP</p>
<p>2023/11/05</p>	<p>ISLE OF MAN ENERGY</p> <p>Following the meeting with Isle of Man Energy on 20th November 2023:</p> <ul style="list-style-type: none"> • A joint IOM Energy/OFT media release had been issued on 21st November 2023 explaining the pause in disconnections and actions being taken. • Disconnection procedures had been published on Isle of Man Energy website. • The OFT had made contact with social security in regard to re-establishing links with OFT/IOM Energy. <p>A media release had been issued on 1st December 2023 entitled 'Help available to those struggling with energy bills'.</p> <p>The meeting with Social Security had been very useful in updating OFT Debt Counsellors with the range of support available. OFT Officers had continued to engage with complainants in working to resolve their disconnection issues with Isle of Man Energy. The OFT had been dealing with 22 cases relating to disconnection, several of which had been resolved. Meetings with officers of Isle of Man Energy were being held monthly to discuss cases.</p>	

	<p>There had been discussion at an earlier meeting about deposit payments and in what circumstances these may be lost. This was to be queried with Isle of Man Energy.</p> <p>The Head of OFT had supplied some requested information to the Cabinet Office which was also considering regulatory provision.</p> <p>A question for oral answer was to be asked at Tynwald of the following week (see item 2023/11/06). Reference was to be made to contacting the OFT for assistance and to the need to register as 'priority care'.</p>	<p>JRP</p> <p>JRP/ NRT</p>
2023/11/06	<p>PARLIAMENTARY QUESTIONS</p> <p>The following Parliamentary Questions were noted:</p> <ul style="list-style-type: none"> • For written answer– 1st November 2023 from Mrs Maltby MHK re vulnerable gas customers. • For written answer – 2nd November 2023 from Mr Glover MHK re Freedom of Information requests. • For oral answer Tynwald – 21st November 2023 from Mr Moorhouse MHK re gas disconnection. • For oral answer Tynwald – 21st November 2023 from Mr Moorhouse MHK re enforcement action against IOM Energy. • For oral answer Tynwald – 21st November 2023 from Mr Moorhouse MHK re veterinary bill payment plans. • For oral answer Keys - 5th December 2023 from Mr Moorhouse MHK re petrol price review. • For oral answer Tynwald – 12th December 2023 from Mr Ashford re Isle of Man Energy gas disconnections. 	-
2023/11/07	<p>OFT INDEPENDENCE</p> <p>The Chief Executive joined the meeting.</p> <p>The move to the new office accommodation was scheduled to be the end of January 2024.</p> <p>It remained an action to formulate an ideal staffing structure for the OFT. This would inform budget requirements. The Chief Officer acknowledged the tight financial situation but stressed the need for independence of the OFT to be on a solid foundation. It can't be unsustainable at day 1 and we needed to get the operating model right.</p> <p>The work and reports on a Regulatory Hub were discussed. The Chief Officer indicated that work on the Hub was not currently progressing.</p>	<p>JRP/ NRT/SG</p>
2023/11/08	<p>STAFFING AND SUCCESSION PLANNING</p> <p>An update was given.</p>	-

2023/11/09	BUSINESS PLAN COMMITMENTS AND TARGETS UPDATE The paper dated 4 th December 2023 comprising an update on business plan commitments was noted. Some legislative actions would be late as it was anticipated that the new Senior TSO would lead on them. This included progressing the General Product Safety Regulations. The Head of OFT would lead on the delayed Estate Agents Bill and would work to progress this as soon as possible. Competition Bill secondary legislation was out for consultation.	-
2023/11/10	POTENTIAL COMPLAINT TO ESTATE AGENTS TRIBUNAL The Head of OFT was still to fully review the case.	JRP
2023/11/11	NURSING HOME FEES A paper had been drafted and this was to be circulated when approved. The Chief Officer left the meeting.	JRP/ NRT
2023/11/12	ANY OTHER URGENT BUSINESS <u>BOARD MEETING DATES</u> It was agreed to revert to meeting on the last Thursday of the month. <u>VICE CHAIR</u> This was anticipated to be agreed at the February 2024 sitting of Tynwald. <u>TESCO SHOPRITE PURCHASE</u> The Chairman and Head of OFT were to meet with representatives of Tesco.	NRT TG
	The meeting closed at 12:10. Signed _____ T S Glover MHK _____ Dated _____ 25 th January 2024 _____ Chairman	