



Extract of Proceedings in the Council of Ministers during November 2020

Part I Decisions made by Council

Stay Responsible

The challenges posed by the Coronavirus [SARS-CoV-2] pandemic [COVID-19] requires a clear and joined up response

Emergency Powers Act 1936

Council considered and agreed that the following instruments under the Emergency Powers Act 1936 be made and submitted to Tynwald.

- Emergency Powers (Coronavirus) (Continuation (No 2) (Amendment) (No 6) Regulations 2020
- Emergency Powers (Coronavirus) (Continuation (No 2) (Amendment) (No 7) Regulations 2020

Whole Household Isolation

Council considered papers submitted by the Cabinet Office, the Treasury and the Department for Enterprise, and agreed that given the rate of transmission in the UK, and the lack of internal measures on Island, the whole household was required to isolate/quarantine when an individual returned to the household from outside of the Isle of Man; that the measure was to take effect at 00:01hrs Thursday 19 November 2020; and that financial support would be provided from the Coronavirus Contingency Fund in order to facilitate traveller isolation/quarantine in registered tourism accommodation, where, in light of the whole household isolation/quarantine measure, returning to a household was not possible or would have a detrimental socio-economic impact on such household.

New Testing Technologies

Council considered a paper submitted by the Cabinet Office in respect of new testing technologies in relation to detecting COVID-19 infection, and reaffirmed that the RT-PCR test, used on the Island, represented the gold standard in this field; that testing capacity remained under constant review to ensure provision for widespread testing for investigation and containment of community clusters/outbreaks in the future; and that the established testing pathways be maintained.

Testing and Isolation Update

Council considered a paper submitted by the Cabinet Office and the Department of Health and Social Care, and noting the prevalence of COVID19 in neighbouring jurisdictions, agreed that, for returning travellers, positive cases and close contact individuals, the testing and household isolation/quarantine regimes continue to be closely and frequently reviewed; and that, on an exceptional basis, support contributions towards self-isolation costs be offered for returning IoM residents who are travelling to the UK for urgent regular repeated health treatments.

Development of Vaccination Programme

Council considered a paper submitted by the Department of Health and Social Care and approved the programme delivery project and funding in respect of the Island's Covid-19 vaccination programme.

Vaccine Damage Payments Act 1979 (of Parliament)

Council considered a paper submitted by the Cabinet Office and agreed that the proposed UK Order in relation to diseases specified under Vaccine Damage Payments Act 1979 be extended to the Isle of Man.

Enterprise and Opportunity Island

We have an economy where local entrepreneurship is supported and thriving and more new businesses are choosing to call the Isle of Man home

Companies (Amendment) Bill 2020

Council considered a paper submitted by the Treasury and agreed that the Companies (Amendment) Bill 2020 be introduced into the Branches.

Beneficial Ownership (Amendment) Bill 2020

Council considered a paper submitted by the Treasury and agreed that the Beneficial Ownership (Amendment) Bill 2020 be introduced into the Branches.

Enterprise and Opportunity Island

We have a diverse economy where people choose to work and invest

London Air Services

Council considered a paper submitted by the Department of Infrastructure and agreed that the proposed arrangements in respect of London air routes be progressed.

Patient Transfer Service

Council considered a presentation in respect of the Patient Transfer Service flight procurement and agreed that proposed arrangements in respect of securing continued service be progressed.

Enterprise and Opportunity Island
We have utilities that support our Island communities and businesses

Gas Regulation (Amendment) Bill

Council considered a paper submitted by the Cabinet Office and agreed that the Gas Regulation (Amendment) Bill 2020 be introduced into the Branches.

Responsible Island
We have public services which are fit for purpose, modern and provided in the right place

Minister with Responsibility for Justice

Council considered a paper submitted by the Department of Home Affairs and agreed the assignment of a specific portfolio for the Minister with the responsibility for Justice and that the Council of Ministers' Sub Committee for Justice be established.

Ministerial Titles Order – Minister for Justice and Home Affairs

Council considered a paper submitted by the Cabinet Office and agreed that the Ministerial Titles Order 2020 be submitted to Tynwald.

Appointment of Planning Committee Lay Members

Council considered a paper submitted by the Department of Environment, Food and Agriculture and agreed that Mr P Young and Mrs B Pilling be appointed to the Planning Committee.

Public Appointment – Appointments Commission

Council considered a paper submitted by the Cabinet Office and agreed that Mr Alan Teare be appointed to the Appointments Commission for a term of five years ending 1 January 2026, in accordance with the Tribunals Act 2006, subject to the approval of Tynwald.

Transfer of Functions (Public Health (Tobacco) Act 2006) Order 2020

Council considered a paper submitted by the Cabinet Office and agreed to recommend to the Lieutenant Governor that the Transfer of Functions (Public Health (Tobacco) Act 2006) Order 2020, to transfer related provisions within the Public Health (Tobacco) Act 2006 to the Public Health Directorate (as part of the Cabinet Office), be made and submitted to Tynwald.

Transfer of Functions (Cannabis) Order 2020

Council considered a paper submitted by the Department for Enterprise and agreed to recommend to the Lieutenant Governor that the Transfer of Functions (Cannabis) Order 2020, to facilitate the establishment of an export sector for hemp, cannabis, cannabis resin, cannabidiol and cannabidiol derived products, be made and submitted to Tynwald.

Communication and Utilities Regulatory Authority Order 2020

Council considered a paper submitted by the Cabinet Office and agreed to recommend to the Lieutenant Governor that the Communication and Utilities Regulatory Authority Order 2020, to amend the Constitution of the Communications Commission in order to facilitate a wider remit of statutory regulation, be made and submitted to Tynwald.

New Public Service Project Report

Council considered papers submitted by the Cabinet Office and agree that New Public Service Project be progressed, and that the Report be submitted to Tynwald.

Special Leave Provisions – Public Servants

Council considered a paper submitted by the Cabinet Office and agreed that Government employers grant approval for the revised Isle of Man Government Special Leave policies.

Responsible Island

We have more responsive legislation and regulation

Courts, Tribunals and Local Authority Procedures, and Miscellaneous Provisions Bill 2020 – Amendments

Council considered a paper submitted by the Cabinet Office in respect of the amendments carried in the Legislative Council in relation to the Courts, Tribunals and Local Authority Procedures, and Miscellaneous Provisions Bill 2020, and agreed the proposed approach in relation to the final Reading in the House of Keys.

Sanctions and Anti-Money Laundering Act 2018 (of Parliament)

Council considered papers submitted by the Treasury and agreed that the following items of secondary legislation be made and submitted to Tynwald:

- Iran Sanctions (Human Rights) (Application) Regulations 2020
- Venezuela Sanctions (Application) Regulations 2020
- Burma Sanctions (Application) Regulations 2020
- Democratic Republic of the Congo Sanctions (Application) Regulations 2020
- South Sudan Sanctions (Application) Regulations 2020
- Iran Sanctions (Nuclear) (Application) Regulations 2020
- ISIL (Da'esh) and Al-Qaida (United Nations) Sanctions (Application) Regulations 2020
- Republic of Belarus Sanctions (Application) Regulations 2020
- Zimbabwe Sanctions (Application) Regulations 2020
- Central African Republic Sanctions (Application) Regulations 2020
- Somalia Sanctions (Application) Regulations 2020
- Sudan Sanctions (Application) Regulations 2020
- Lebanon Sanctions (Application) Regulations 2020
- Afghanistan Sanctions (Application) Regulations 2020
- Yemen Sanctions (Application) Regulations 2020
- Yemen Sanctions (Application) (No. 2) Regulations 2020
- Iraq Sanctions (Application) Regulations 2020
- Counter-Terrorism (International) Sanctions (Application) Regulations 2020
- Russia Sanctions (Application) Regulations 2020

- Syria (United Nations Sanctions) (Cultural Property) (Application) Regulations 2020
- Syria Sanctions (Application) Regulations 2020
- Democratic People's Republic of Korea Sanctions (Application) Regulations 2020

Medicines Act 2003 Regulations

Council considered a paper submitted by the Department of Health and Social Care and agreed that the following items of secondary legislation be made and submitted to Tynwald:

- Prescription Only Medicines (Human Use) (Amendment) Regulations 2020
- Medicines (Pharmacy and General Sale – Exemption) (Amendment) Regulations 2020
- Medicines (Advertising) (Amendment) Regulations 2020
- Medicines for Human Use (Amendment) Regulations 2020

Responsible Island

We engage, participate and are respected internationally

European Union and Trade Act 2019

Council considered papers submitted by the Department of Environment, Food and Agriculture, the Department for Enterprise and the Cabinet Office, and agreed that the following items of secondary legislation be made and submitted to Tynwald:

- European Union and Trade Act 2019 (Deficiencies) (DEFA) Regulations 2020
- European Union and Trade Act 2019 (Deficiencies) (DEFA) Regulations
- Trade in Animals and Related Products Order 2020
- European Union and Trade Act 2019 (Deficiencies) (DEFA) (No. 2) Regulations 2020
- European Union and Trade Act 2019 (Deficiencies) (Enterprise) (Amendment) Regulations 2020
- Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) (Application) Regulations 2020
- Citizens' Rights (Restrictions of Rights of Entry and Residence) (EU Exit) (Application) Regulations 2020
- Immigration (Citizens' Rights Appeals) (EU Exit) (Application) Regulations 2020

UK/EU Negotiations – Isle of Man Deal

Council considered papers submitted by the Cabinet Office providing progress updates in relation to the UK/EU negotiations as they related to the Island. Council noted the state of readiness of Isle of Man Government, and the work undertaken across Government to communicate with and support preparations of citizens and businesses for the end of the transition period.

Sustainable Island

We are an Island where people choose to live and visit

2021 TT Races

Council considered papers submitted by the Department for Enterprise in relation to the 2021 TT Races, and agreed that, due to the continued global uncertainty in relation to the COVID-19 pandemic, the 2021 TT would be cancelled. Council further agreed that the 2021 Senior Race Day Bank Holiday be deferred to 27 August 2021.

Sustainable Island

We have a natural and built environment which we conserve and cherish and which is adapted to cope with the threats from climate change

Water Pollution (Standards and Objectives) Scheme 2020

Council considered a paper submitted by the Department of Environment, Food and Agriculture and agreed that the Water Pollution (Standards and Objectives) Scheme 2020 be made and submitted to Tynwald.

Inclusive and Caring Island

We have affordable and accessible housing which meets our social and economic needs

Landlord Registration (Private Housing) Bill

Council considered a paper submitted by the Department of Infrastructure and agreed that the Landlord Registration (Private Housing) Bill 2020 be introduced into the Branches.

Inclusive and Caring Island

We have open and transparent Government which engages effectively with Tynwald and the public

Elections (Keys) Regulations 2021 – Consultation

Council considered a paper submitted by the Cabinet Office and agreed that a consultation be launched in relation to the draft Elections (Keys) Regulations 2021.

List of Items of Government Business – December 2020 sitting of Tynwald

Council considered a paper submitted by the Cabinet Office, and approved the List of Items of Government Business for the routine monthly December 2020 sitting of Tynwald.

Inclusive and Caring Island

We are tackling the inequalities in our Island society

Living Wage – Public Service Pay Scales

Council considered a paper submitted by the Cabinet Office and agreed that pay scales for the Public Service be adjusted to bring them in line with the Living Wage.

Judicial Retirement Age

Council considered a paper submitted by the Cabinet Office and agreed that the relevant primary legislation be amended as part of the Justice Reform Bill in order to set the fixed retirement age for full-time, salaried members of the judiciary in the Isle of Man at 75 years.

*Healthy and Safe Island
We live longer, healthier lives*

Manx Care Bill 2020

Council considered a paper submitted by the Cabinet Office and agreed that the Government amendments to the Manx Care Bill 2020 be moved during the Clauses Stage in the Legislative Council.

*Healthy and Safe Island
We live our lives safe from crime and danger*

Building Control (Approved Documents) Order 2020

Council considered a paper submitted by the Department Environment, Food and Agriculture and agreed that the Building Control (Approved Documents) Order 2020 be made and submitted to Tynwald.

Justice Reform Bill 2020 – Government Amendments

Council considered a paper submitted by the Department of Home Affairs and agreed that the Government amendments to the Justice Reform Bill 2020 be moved during the Clauses Stage in the House of Keys.

Part II

Council noted the following Matters

Financially Responsible Government

Government Management Accounts

Council noted a paper submitted by the Treasury providing information in relation to Government's financial position as at the end of September 2020.

Enterprise and Opportunity Island

We have a diverse economy where people choose to work and invest

The Enterprise Act 2008 Annual Report 2019-2020

Council noted a paper submitted by the Department for Enterprise advising that the Enterprise Act 2008 Annual Report 2019-20 would be submitted to Tynwald.

Responsible Island

We have more responsive legislation and regulation

Immigration and Social Security Co-Ordination (EU Withdrawal) Act 2020 (of Parliament)

Council noted a paper submitted by the Cabinet Office advising that following items of secondary legislation would be submitted to Tynwald:

- Immigration (Isle of Man) (Amendment) (No.3) Order 2020
- Immigration and Social Security Co-Ordination (EU Exit) (Consequential Provisions) Regulations 2020

Inclusive and Caring Island

We have open and transparent Government which engages effectively with Tynwald and the public

Isle of Man Labour Market Report October 2020

Council noted a paper submitted by the Cabinet Office providing information in relation to the October 2020 Isle of Man Labour Market Report prior to publication.

Information Commissioner Office Decision Notice – Personal Data

Council noted a paper submitted by the Cabinet Office providing information in relation to a recent Decision Notice issued by the Information Commissioner.

Electoral registration Update

Council noted a paper submitted by the Cabinet Office providing an update on the implementation of the Registration of Electors Act 2020 and the annual canvass for electoral registration.

Part III
Council determined the following Planning Applications

Sustainable Island

We have a planning system which supports sustainable growth

The Decision Notice for each application and the Inspector's Report are available online at <https://www.gov.im/onlineservices>.

The Minister for Environment, Food and Agriculture left the respective meetings when each application was considered.

In respect of each of the following planning applications under The Town and Country Planning Act 1999 – Town and Country Planning (Development Procedure) (No2) Order 2013 Council considered the recommendations of Planning Inspector and determined to approve the following applications, subject to the condition(s) specified.

Application DF20/0004 - 20/00925/B

Isle of Man Seafood Products Limited

Additional use of existing fish processing plant as retail (class 1.1), Unit 5, Isle of Man Food Park, Mill Road, Peel.

Application DF20/0005 - 20/00928/B

Department of Environment Food and Agriculture

Creation of an entrance lobby and creation of an additional window to East elevation, Knockaloe Farm, DEFA Training Centre, Patrick Village, Isle of Man IM5 3AJ