



Extract of Proceedings in the Council of Ministers during October 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.5) Regulations 2020

Coronavirus measures – Review

Council considered a presentation by the Cabinet Office in respect of the Island's continued response to the COVID-19 pandemic and reaffirmed that the Local Community Elimination Strategy continued and that the RT-PCR test, used on the Island, represented the gold standard in this field; and further agreed that a border testing pathway would not be introduced at that time; that a mandatory whole household 14-day isolation period be implemented for when an individual, including a student, returned to the Isle of Man; and that a daily period of exercise, of one hour, be allowed for isolating households where there were no positive cases identified, with mitigation measures including the wearing of face coverings.

Borders Framework – Review

Council considered papers submitted by the Cabinet Office providing an update on the current IOM and UK COVID-19 situation, and initiating a review of the current Borders Framework and the mitigations to protect the Island. After consideration, a number of recommendations in relation to the creation of revised levels within the Framework, self and whole household isolation, exercise and testing pathways requirements were supported, and that the revised Borders Framework be published.

Borders Framework – Key Worker Guidelines – Review

Council considered papers submitted by the Cabinet Office and initiated a review of the guidelines for Key Worker entry to the Island, and agreed exemption criteria in relation to non-Island residents, the process for determining Key Worker applications and the modification to the testing regime for such Workers to introduce a Day-7 test.

Borders Framework – Compassionate Guidelines – Review

Council considered a paper submitted by the Cabinet Office and initiated a review of the guidelines for compassionate entry to the Island, and agreed amendments to the criteria and that such be implemented.

Borders Framework – Patients and Escorts

Council considered papers submitted by the Department of Health and Social Care and agreed to the introduction of a Day-7 testing regime and modified self-isolation Direction to those who are travelling to the UK for health reasons on a continuous basis.

Borders – Guernsey Air Bridge

Council considered papers submitted by the Cabinet Office providing an update of the situation in Guernsey following the announcement of positive COVID-19 results within the jurisdiction and agreed that the air-bridge be suspended.

Mass Testing – Utility and Feasibility

Council noted a paper submitted by the Cabinet Office providing summary of the current evidence in relation to mass testing for COVID-19, to inform the overarching testing and surveillance strategy.

Scallop Season – Operational and Public Health Implications

Council considered papers submitted by the Cabinet Office providing details in relation to the upcoming scallop season and the COVID-19 operational and public health implications of UK vessels entering the Isle of Man, and noting ongoing consultation with relevant Departments and representatives of the industry, agreed that UK vessels be allowed to enter the Island and land their catch, subject to the provision of full 24 hour security at Douglas and Peel harbours, and that funding be sought from the COVID-19 Reserve Fund.

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

Development of Medicinal Cannabis Sector

Council considered a paper submitted by the Department of Enterprise, and noting the continued progress towards producing a regulatory framework, and supporting licensing structure for the cultivation, manufacturing and export of hemp, cannabidiol, and medicinal cannabis, agreed that a public consultation in relation to the regulatory and licencing structure and draft legislation be undertaken.

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

Exclusion Order under Section 8(2) of the Fair Trading Act 1996

Council considered papers submitted by the Isle of Man Post Office and agreed that the Fair Trading (Exclusion of Course of Conduct) (Isle of Man Post Office) Order 2020 be drafted and, subsequently be made and submitted to Tynwald.

Enterprise and Opportunity Island
We have Island transport that meets our social and economic needs

London Air Services

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

Enterprise and Opportunity Island
We have an infrastructure which supports social and economic wellbeing

Supplementary Capital Authorities

Council considered papers submitted by the Treasury, and agreed Financial Motions in relation to capital expenditure for various projects.

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

Gas Regulation

Council considered papers from the Cabinet Office providing information in respect of the negotiations with Manx Gas and the progress of the statutory regulation of the gas market.

Statutory Gas Regulation – Independent Regulator

Council considered a paper submitted by the Cabinet Office and agreed that the functions of the independent regulator of the gas market be provided under legislation to the Communications Commission.

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

Department of Health and Social Care Complaints Report 2017-2020

Council considered a paper submitted by the Department of Health and Social Care providing the Complaints Report 2017-2020, and agreed that the Report be submitted to Tynwald.

Manx Industrial Relations Service Annual Report 2019 and to March 2020

Council considered a paper submitted by the Manx Industrial Relations Service and agreed that the Annual Report of the Manx Industrial Relations Service 2019 and to March 2020, be submitted to Tynwald.

*Responsible Island
We have more responsive legislation and regulation*

Council of Ministers' Legislation Programme 2020-2021

Council considered a paper submitted by the Cabinet Office and agreed the Legislation Programme for 2020-2021, and that such be published and submitted to Tynwald.

Courts, Tribunals, Local Authority Procedures and Miscellaneous Provisions Bill – Introduction

Council considered a paper submitted by the Cabinet Office and agreed that the Courts, Tribunals and Local Authority Procedures, and Miscellaneous Provisions Bill 2020 be introduced into the Branches.

Taxes (Finland) Order 2020

Council considered a paper submitted by the Treasury and agreed that the Income Tax Act 1970 Taxes (Finland) Order 2020 be made and submitted to Tynwald.

The Copyright and Performer's Protection (Amendment) Regulations 2020

Council considered a paper submitted by the Department for Enterprise and agreed that the Copyright and Performers' Protection (Amendment) Regulations 2020 be made and submitted to the November 2020 sitting of Tynwald.

*Responsible Island
We engage, participate and are respected internationally*

UK/EU Negotiations

Council considered papers submitted by the Cabinet Office providing updates in relation to the UK and EU negotiations, and the work underway in relation to the end of the transition period, in the event that there is no further negotiated outcome – i.e. "No Deal", and approved the emerging parameters for continued negotiations.

Consultation on the Proceeds of Crime (Money Laundering-Exceptions to Overseas Conduct Defence) Order 2013

Council considered a paper submitted by the Department of Home Affairs and agreed that a consultation on amendments to the Proceeds of Crime (Money Laundering-Exceptions to Overseas Conduct Defence) Order 2013 to allow for the acceptance, on Island, of funds the source of which is derived from legal cannabis related activities in overseas jurisdictions, be undertaken.

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

Council considered a paper submitted by the Cabinet Office and agreed that, subject to approval by the UK Privy Council, the following Orders be submitted to Tynwald.

- Immigration (Isle of Man) (Amendment) Order 2020,
- Immigration (Isle of Man) (Amendment) (No.2) Order 2020
- Immigration (Isle of Man) (Amendment) (No. 2) Order 2020 (Appointed Day) Order 2020
- Immigration (Isle of Man) (Amendment) (No.3) Order 2020.
- Immigration (Isle of Man) (Amendment) (No.3) Order 2020 (Appointed Day) Order 2020

UK-Japan Comprehensive Economic Partnership Agreement

Council considered a paper submitted by the Cabinet Office and agreed that the Island be included in the provisions relating to trade in goods in UK-Japan Comprehensive Economic Partnership Agreement.

The Antarctic Act 1994 (Convention for the Conservation of Antarctic Marine Living Resources) Regulations 2020

Council considered a paper submitted by the Cabinet Office and agreed that the Antarctic Act 1994 (Convention for the Conservation of Antarctic Marine Living Resources) Regulations 2020 be extended to the Isle of Man; and that the UK Government be asked to extend the ratification of the Convention for the Conservation of Antarctic Marine Living Resources to the Island.

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:

- Burundi Sanctions (Application) Regulations 2020
- Counter Terrorism Sanctions (Application) Regulations 2020
- Guinea Sanctions (Application) Regulations 2020
- Republic of Guinea-Bissau Sanctions (Application) Regulations 2020
- Chemical Weapons Sanctions (Application) Regulations 2020
- Cyber Sanctions (Application) Regulations 2020
- Bosnia and Herzegovina Sanctions (Application) Regulations 2020
- Nicaragua Sanctions (Application) Regulations 2020
- Lebanon Sanctions (Assassination of Rafiq Hariri and Others) (Application) Regulations 2020
- Mali Sanctions (Application) Regulations 2020

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

Climate Change Bill – Introduction

Council considered a paper submitted by the Department of Environment, Food and Agriculture and agreed that the Climate Change Bill 2020 be introduced into the Branches.

Council of Ministers’ Response to the Report of the Select Committee on the Fireworks Act 2004

Council considered a paper submitted by the Department of Home Affairs and agreed that the Council of Ministers’ Response to the Report of the Select Committee on the Fireworks Act 2004 be submitted to Tynwald.

Inclusive and Caring Island

We have appropriate, flexible and equitable pensions for all

Winding up of Pension Schemes – legislative change

Council considered a paper submitted by the Treasury seeking approval as to whether the legislation concerning the winding up of pension schemes ought to be amended to make it simpler for trustees of such schemes to preserve benefits, and opposed any such change.

Inclusive and Caring Island

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

List of Items of Government Business – October 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 October 2020 sitting of Tynwald.

List of Items of Government Business – November 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 November 2020 sitting of Tynwald.

Inclusive and Caring Island

We are tackling the inequalities in our Island society

Competition Bill – Introduction

Council considered a paper submitted by the Isle of Man Office of Fair Trading and agreed that the Competition Bill 2020 be introduced into the Branches.

Equality Act 2017 (Services and Public Functions) (Amendment) Order 2020

Council considered a paper submitted by the Cabinet Office and agreed that the Equality Act 2017 (Services and Public Functions) (Amendment) Order 2020 be made and submitted to Tynwald.

Equality Act 2017 – Transport Policy 2020

Council considered a paper submitted by the Department of Infrastructure and agreed that provisions in primary legislation be made to insert enabling powers to create accessibility regulations for ply for hire, private hire and buses, and that such accessibility regulation principles be consulted on concurrently, in order to amend the Road Traffic Legislation (Amendment) Bill 2020 during the Clauses Stage in the Legislative Council.

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

Manx Care Bill 2020 – Government Amendments

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 House of Keys.

Approach to breach of Section 76 of Mental Health Act 1998

Council considered a paper submitted by the Department of Health and Social Care providing an update regarding the Section 76 of the Mental Health Act 1998 breaches and agreed the approach to inform those affected along with the associated external communications.

Part II

Council noted the following Matters

Responsible Island

We are financially responsible while providing services that meet the needs of our community

Government Management Accounts – August 2020

Council noted a paper submitted by the Treasury providing the Government Management Accounts – August 2020.

Light Blue Book – Detailed Government Accounts for the year ended 31 March 2020

Council noted a paper submitted by the Treasury detailing the intention that the Light Blue Book – Detailed Government Accounts for the year ended 31 March 2020 be submitted to Tynwald.

IOM Post Office Report and Financial Statements for period ended 29 March 2020

Council noted a paper submitted by Isle of Man Post Office detailing the intention that the audited accounts of the Isle of Man Post Office for the year ended 29 March 2020 be submitted to Tynwald.

Responsible Island

We have more responsive legislation and regulation

Administration of Justice and Other Amendments Bill 2020 – Consultation

Council noted a paper submitted by the Treasury in respect of the Administration of Justice and Other Amendments Bill 2020 providing information in relation to the progress of the consultation and drafting of the legislation.

Sustainable Island

We are an Island where people choose to live and visit

Isle of Man Arts Council and Culture Vannin Annual Report

Council noted a paper submitted by the Department of Education, Sport and Culture providing the third IOM Arts Council and Culture Vannin Annual Report for the National Development Strategy for Culture and the Arts.

Inclusive and Caring Island

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

National Income Report 2018-2019

Council noted a paper submitted by the Cabinet Office providing information in relation to the National Income Report 2018-2019, prior to publication.

Isle of Man Inflation Report – September 2020

Council noted a paper submitted by the Cabinet Office providing information in relation to the Isle of Man Inflation Report September 2020, prior to publication.

Isle of Man Inflation Report – October 2020

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

Isle of Man Labour Market Report – September 2020

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

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

Health and Care Transformation Programme – Quarterly Update

Council noted a paper submitted by the Cabinet Office providing information in relation to the quarterly report on the Health and Care Transformation Programme.

Combined Action Plan for Children and Young People

Council noted a paper submitted by the Department of Health and Social Care detailing the intention that the Combined Action Plan for Children and Young People be submitted to Tynwald.