

**MINUTES OF A MEETING OF THE BOARD OF THE
ISLE OF MAN OFFICE OF FAIR TRADING HELD ON 28TH OCTOBER 2022 AT 9.30 AM
IN THE BOARDROOM, THIE SLIEAU WHALLIAN, ST JOHNS**

| | TO PUBLISH | ACTION |
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| PRESENT | Mr J C Wannenburg MHK, Chairman Mr S G Peters, MHK, Vice-Chairman Dr M Maska, Member Mr L Wong, Member | - |
| SUPPORTED BY | Mr I Mansell, Director of OFT Mr J R Peet, Head of OFT Mr N R Taylor, Secretary to the Board | - |
| APOLOGIES | Mr M J Bathgate, Member | |
| 2022/10/01 | <p>CONFLICTS OF INTERESTS</p> <p>Members and officers considered agenda items in which they had interests or may have been conflicted. None were identified.</p> <p>It was noted that Mr Peters had become a Member for the Department of Infrastructure.</p> | - |
| 2022/10/02 | <p>MINUTES OF PREVIOUS MEETING HELD ON 29TH SEPTEMBER 2022</p> <p>The Minutes of the meeting of 29th September 2022 were reviewed, agreed and signed as a true record of proceedings.</p> | - |
| 2022/10/03 | <p>MATTERS ARISING</p> <p>The Board Actions Update and Agenda Planner dated 21st October 2022 was noted.</p> <p><u>ESTATE AGENTS ACT</u></p> <p>A paper was to be on the November agenda.</p> <p><u>FUNERAL LEGISLATION UK – 2022/04/03</u></p> <p>There had been two recent complaints about pre-paid funeral plans. These were to be further investigated.</p> <p>Options for consumer protection were to be considered. The sector was now regulated in the UK. Local funeral providers had previously been asked to comply with UK guidelines in respect of general business</p> | - |

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| | <p><u>GUIDANCE FOR ADVERTISING OF BROADBAND SPEEDS AND PRICING – 2018/11/15</u></p> <p>Guidance was in the process of being updated.</p> | |
| 2022/10/04 | <p>STAFFING AND SUCCESSION PLANNING</p> <p>An offer of employment had been made in respect of a new Enforcement Officer.</p> <p>In terms of staff development, role-play scenarios were discussed, as well as shadowing Officers in the UK.</p> | - |
| 2022/10/05 | <p>REGULATORY REVIEW AND OFT/DEFA SERVICE LEVEL AGREEMENT AND DELEGATIONS</p> <p>The notes of the meeting with DEFA CEO and DCEO on 14th October 2022 attached was noted. There was one agreed amendment to the notes.</p> <p>The Secretary was to compile a draft response to the report and proposals in regard to Service Level Agreement amendments for consideration. This would include the Members' proposed OFT structure.</p> | NRT |
| 2022/10/06 | <p>OFFICER MEETING WITH CURA AND IOM ENERGY</p> <p>The Head of OFT reported on a meeting held with officers of the Communications and Utilities Regulatory Authority and Isle of Man Energy (formerly Manx Gas). There had been assurance that billing problems At IOM Energy were being addressed. If the matter was not quickly resolved, the Head would take the matter up with the Chief Executive of IOM Energy and involve the Chairman.</p> | JRP |
| 2022/10/07 | <p>TRADING STANDARDS ENFORCEMENT UPDATE</p> <p>The paper dated 19th October 2022 was noted. The Consumer Protection Regulations relevant to estate agents were to be circulated to Members.</p> | JRP |
| 2022/10/08 | <p>FINANCIAL SUMMARY</p> <p>The paper dated 21st October 2022 was noted. Future papers were to include a % variance column.</p> <p>It was noted that income was very unlikely to meet budget, even with the proposed fees increases. This and other budgets were to be reviewed to be re-balanced within overall budget where possible.</p> | NRT |

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| 2022/10/09 | CONSUMER ADVICE The paper dated 19 th October 2022 was noted. Concerns over ability to get credit cards was a topical issue. This was a matter for the Financial Services Authority. | |
| 2022/10/10 | DEBT STATISTICS The paper dated 17 th October 2022 was noted. It was to be checked if a further breakdown of what personal loans were for could be provided in future reports. Officers had undertaken work in publicising the service and had been involved in the recent Cost of Living event, making a variety of new contacts. | JRP |
| 2022/10/11 | FSOS STATISTICS The paper dated 4 th October 2022 was noted. | - |
| 2022/10/12 | EQUALITY STATISTICS The paper dated 4 th October 2022 was noted. A brief summary of cases was to be provided. Officers were to meet with the Tribunals Manager and Cabinet Office due to concerns about referrals to the OFT, clarifying the role of the OFT, and lack of Government resource in supporting the Act. | JRP |
| 2022/10/13 | RISK REGISTER The paper dated 21 st October 2022 was noted. There was discussion around legislative risk. | - |
| 2022/10/14 | OCCUPANCY DEPOSIT WORKING GROUP – DRAFT LANDLORD REGISTRATION (PRIVATE HOUSING) POLICY PRINCIPLES DOCUMENT The Head of OFT was a member of the working group. The OFT was not now intended to be responsible for the deposit scheme, the intention being to contract it out. | - |
| 2022/10/15 | COMPLAINTS UPDATE There had been two recent complaint investigations commissioned and received. A further complaint was being managed. The time and cost of considering complaints was significant. | - |

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| <p>2022/10/16</p> | <p>ANY OTHER URGENT BUSINESS</p> <p><u>ADVOCATES DISCIPLINARY TRIBUNAL</u></p> <p>A letter of thanks to retiring OFT nominee on the Advocates Disciplinary Tribunal was signed by the Chairman on behalf of Board.</p> <p><u>CONSTRUCTION SECTOR COMPLAINT</u></p> <p>An update on a case and the involvement of Mrs Poole-Wilson MLC was given.</p> <p><u>FEES AND CHARGES – 2022/09/04</u></p> <p>Drafts of Orders had been received. When correct, these would revert to the Board for approval.</p> <p><u>PARLIAMENTARY QUESTIONS</u></p> <p>The Chairman was to answer a question from Mr Moorhouse MHK at the Keys sitting of the following week regarding Manx Energy customer complaints received.</p> <p><u>CONTROL OF ECIGARETTES</u></p> <p>The Head of OFT was working with Dr Haywood MHK, the Department of Health and Social Care and the police in regard to proposed controls on ecigarette/vape sales, such as age-restricted sale.</p> <p><u>COWBOY BUILDERS</u></p> <p>The Head of OFT gave an update on significant problems in the past month with incidents involving cold-calling itinerant contractors. Officers had worked with police. A further media release was proposed, together with the issuing of “No Cold Calling” signs for the public to put in their front door windows.</p> | <p>JRP</p> |
| <p>2022/10/17</p> | <p>The meeting closed at 11:50 am.</p> <p>Signed _____ J C Wannenburg MHK _____</p> <p>Dated _____ 25th November 2022 _____</p> <p>Chairman</p> | |