



**REPORT**  
of the Proceedings  
of the  
**FIRST**  
**House of Assembly**  
of  
**GIBRALTAR**

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**First Session**

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Vol. 1 — No. 5.

FIFTH MEETING, THURSDAY, 29th JANUARY, 1970.

REPORT OF THE PROCEEDINGS OF THE HOUSE OF  
ASSEMBLY

THE FIFTH MEETING OF THE FIRST SESSION OF THE FIRST HOUSE  
OF ASSEMBLY HELD IN THE ASSEMBLY CHAMBER ON THURSDAY,  
THE 29th JANUARY, 1970 AT 6.00 p.m.

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*Present:*

Mr. Speaker ..... (In the Chair)  
The Hon. W. THOMSON, O.B.E., J.P.

GOVERNMENT:

The Hon. Major R. J. PELIZA, Chief Minister.  
The Hon. M. XIBERRAS, Minister for Labour and Social Security.  
The Hon. Major A. J. GACHE, Minister for Information, Port,  
Trade and Industries.  
The Hon. J. CARUANA, Minister for Medical and Health Services.  
The Hon. W. M. ISOLA, Minister for Tourism and Municipal Ser-  
vices.  
The Hon. Miss C. ANES, Minister for Public Works and Housing.  
The Hon. L. DEVINCENZI, Minister for Education and Recreation.  
The Hon. C. B. O'BEIRNE, C.B.E., Q.C., Attorney-General.  
The Hon. E. H. DAVIS, C.M.G., O.B.E., Financial and Development  
Secretary.  
The Hon. P. J. ISOLA, O.B.E.

OPPOSITION:

The Hon. SIR JOSHUA HASSAN, C.B.E., M.V.O., Q.C., J.P.,  
Leader of the Opposition.  
The Hon. A. W. SERFATY, O.B.E., J.P.  
The Hon. A. P. MONTEGRIFFO, O.B.E.  
The Hon. E. J. ALVAREZ, O.B.E., J.P.  
The Hon. M. K. FEATHERSTONE.  
The Hon. I. ABECASIS.  
The Hon. Lt. Col. J. L. HOARE.

*In attendance:*

J. T. SUMMERFIELD, Esq., Clerk to the House of Assembly.

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*Prayer:*

Mr. Speaker recited the prayer.

MR. SPEAKER:

I have two statements I wish to make tonight, and this is the appropriate moment for me to make them. I am referring firstly to my resignation, and secondly to something I have been

wanting to do for a long time, and that is to give a public apology to Mr. A. J. Vasquez. Just before the last meeting I was taken ill with influenza. Two days before the meeting I telephoned the Chief Minister and told him that I did not expect to be able to turn up at the meeting in two days time. I mentioned one way out not involving Mr. Vasquez; and that was if he called on one of the Members present to take the Chair. This was not possible because he (the member) would be concerned in part of the agenda for that meeting; so Mr. Vasquez was asked, after I had seen the Governor, whether he would mind taking my place. For that I am very grateful. I know it was a terrible thing to do and one which I would have hated to have had done to me. Anyway, I am very glad to see that things came out equally well. I am very grateful, and at the same time very sorry, that this should have happened.

The other question is my reason for resigning tonight. That matter has been with three people for a long time. The first time I approached someone about it was during the last Government when I saw the Chief Minister and told him (this was in February or March last year) that my intention was to carry on until the end of the year and I would then resign. He asked me if I had made my mind up on that and I said that I had. I then went to see His Excellency the Governor and explained to him what I had in mind. His Excellency said he understood. When the elections came about and this Chamber was presented with a new House, there was nothing to fear insofar as I was concerned as my mind had already been made up. I then went to see the Chief Minister, Major Peliza, and told him what I had decided. He agreed with me and that is why I was re-appointed Speaker in August. We have now come to the final day. I trust and hope that Mr. A. J. Vasquez will do just as well. Thank you very much.

Confirmation of Appointment of Mr. Speaker.

*Motion re:*

THE CHIEF MINISTER (Hon. Major R. J. PELIZA):

Sir, I have the honour to move that the appointment of Mr. Alfred Joseph Vasquez as Speaker of the House of Assembly be confirmed.

Before putting the question Mr. Speaker invited discussion on the motion.

HON. SIR JOSHUA HASSAN:

Sir, on behalf of the Members on this side of the House I support the appointment and will give Mr. Vasquez full support in the future.

HON. CHIEF MINISTER:

Mr. Speaker my colleagues and I fully support the motion that I have put to the House. As you very rightly said before, Mr. Vasquez very readily came forward and took up the onerous office of Acting Speaker then. He came in at the time when you had influenza but we had the estimates, and I really do not know which is the better of the two; but he took it very well and we feel that he went through the test with flying colours. We fully support and commend the motion to the House.

On Mr. Speaker putting the question all Honourable Members voted in favour.

The motion was accordingly carried.

HON. CHIEF MINISTER:

Mr. Speaker, I feel very privileged to rise on behalf of the Government of Gibraltar and of my Honourable and Learned colleague Mr. Peter Isola to say a few words of appreciation about the exemplary manner in which you, Sir, have performed the delicate duty of conducting the business of this small but lively parliament.

Sir, you have been the Speaker of the Gibraltar Legislature for just over 6 years. During this period you have presided over a House which has seen, first of all, a form of government and opposition when there was one political party and a number of independent members; secondly, a coalition of these two; and, finally, a more definite form of government and opposition with two clearly-defined political entities.

I hope it will not be considered presumptuous of me to say that your patience, humour, judgment and even your personal appearance, as well as enhancing the stature of Speaker in Gibraltar, have contributed very significantly towards maintaining in this House of Assembly all the fine attributes of democratic government.

I am aware that some very difficult situations have arisen in the House during the past 6 years and it is, in my view, highly significant that on no occasion, however powerful the political influences at play might have been, have the authority or rulings of the Chair ever been questioned or challenged within this House or outside it.

I would also like to add that you have carried out your functions of Mayor with the same impartiality and dignity as you have carried out those of Speaker. Indeed, as Mayor you projected that non-controversial public figure as civic representative of Gibraltar — one of the reasons why my colleagues elected you — with indisputable distinction.

I should like to say how sorry I am that there are personal reasons which have led you to resign as Speaker. Although my colleagues and I have been in the House for only a relatively short time I should like to express, on their behalf and mine,

our great appreciation both of the services you have rendered to Gibraltar as Speaker and Mayor and also of the patience and understanding with which you have dealt with us as beginners.

Finally, Sir, may I offer you our best wishes for the future.

HON. SIR JOSHUA HASSAN:

Sir, I have not got much to add to the very exhaustive and prepared statement of the Honourable Chief Minister except to correct one aspect of the facts which he has related. That is that when you came into office we still had the pre-1964 Constitution when we did not have a Government and Opposition. As you will recall we had a hybrid sort of Government in which members were associated with departments and were asking each other questions — prior to the 1964 Landsdowne Constitution. I have had the privilege of being here throughout that time, and I really must support every word, perhaps with more experience in terms of years, of your impartiality, good humour and your patience with all of us as we have had occasion at different times to make public.

It is sad to see you go, Sir. You have been part of this House for so long. But I am sure that in your retirement you will continue to take a close interest in the affairs of this House and that we shall have very happy occasions on which to meet together outside this House. I wish you well, on behalf of this side of the House, in your retirement.

I thought that the Chief Minister was going to make an insinuation, but I think this is the time. Perhaps I should go back a little. I understand, Sir, that before you presided at the first meeting of this House you came down to measure the chair, to see whether it was big enough for you. It seems that you didn't find it very uncomfortable when you held it for six years. We also know that you have expressed for some time a desire to take the chair with you. So long as this does not mean that you hope to exercise any authority over this House outside the House, I think we are all very happy, and I am very grateful to the Chief Minister for having given me this opportunity of offering it to you on behalf of both sides of the House. It will carry, I am sure, happy memories of the time you have spent with us.

I do not think we should accept this as a precedent because the chair you are now occupying is a different chair. Anyhow, we know your desire and we hope you will watch television on Saturday and Sunday afternoons, now that we are going to have it, from the comfort of that chair and that it will be a reminder of the appreciation of all members of the House and indeed, I am sure, of the people of Gibraltar.

HON. CHIEF MINISTER:

Mr. Speaker, may I just rise to say how pleased I am that on this occasion both the Opposition and the Government are unanimous. We hope that you will be able to use the chair for many years to come.

MR. SPEAKER:

Thank you very much.

Mr. Thomson withdrew.

Mr. Speaker ..... (In the Chair)  
The Hon. A. J. Vasquez, M.A.

HON. CHIEF MINISTER:

Mr. Speaker on behalf of the Government and my colleague the Hon. Mr. Peter Isola, we welcome you now as Speaker. You will note that the dais and the Chair are new in this House. In agreement with the Opposition we have been able to bring this historic dais and chair from the City Hall to this House of Assembly. We welcome you to this new piece of furniture as well as to the House knowing well that in the onerous task that you have set yourself to fulfil, you will have the co-operation of this side of the House for certain and, I am sure, of the Opposition as well, to enable you to carry out your functions with the same dignity and success as the previous speaker. We thus welcome you here and wish you the very best for the future.

HON. SIR JOSHUA HASSAN:

Mr. Speaker, I associate myself fully with the Honourable Chief Minister's words of welcome. We already expressed our welcome when you came here to take the Chair at a difficult time. I am sure that you have the right attitude and the right calibre for this most important task. I think perhaps, if I may suggest it, apart from your duties as impartial Chairman of our deliberations, one of your tasks might be to try and accelerate the works that are required in this House so that the Speaker, the Government and the Opposition have got separate premises in which to consult, to help to carry out the conduct of this House.

The previous Government had planned and settled the carrying out of structural alterations above this floor; and I am very glad to see that the cost thereof was reproduced in the estimates which were approved for 1970. We hope that this does take priority, because it will help to enhance the absolute impartiality of the Speaker which is so essential and which, we know, you will be a great upholder. We wish you well and give you our full support to uphold the rights and dignities of this House in all our deliberations whatever our differences with the other side.

MR. SPEAKER:

I am deeply conscious of the great honour which His Excellency has bestowed upon me on appointing me Speaker of the House of Assembly. In thanking both His Excellency and the House for confirming this appointment, I do so fully aware of the grave responsibility which it places on me.

In the fulfilment of my functions I will be guided by the example of my predecessors in office, and my great concern at all times will be to uphold the honour and dignity of the House. A task which I feel sure will not be difficult since I know that I can rely on the co-operation of all the Honourable Members.

In exercising my duties I will always bear in mind a quotation from Laundy's "The Office of Speaker".

"The Speaker is the servant of the House, not its master. And the authority which the House vests in him is its own authority which he exercises in accordance with the interests and the wishes of the House."

To end I wish to join the Honourable the Chief Minister and the Honourable the Leader of the Opposition in their expression of thanks and appreciation to Mr. Thomson on his retirement.

*Minutes:*

The minutes of the meeting of the House held on the 17th December, 1969, having previously been circulated, were taken as read and confirmed.

*Documents laid:*

The Honourable the Minister for Medical and Health Services laid on the table the following documents:

- (1) The Dangerous Drugs Regulations, 1969.
- (2) The Dangerous Drugs Ordinance, 1969 (Modification) Order, 1969.

Ordered to lie.

The Honourable the Financial and Development Secretary laid on the table the following documents:

Supplementary Estimates No. 12 of 1969 and No. 1 of 1970.

Ordered to lie.

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*Answers to Questions:*

**Question No. 32 of 1970**

*Oral.*

HON. A. P. MONTEGRIFFO:

Will Government consider altering the Hospital (Fees and Charges) Rules so that any persons, particularly amongst the lower income groups, who as a result of the Marsh Interim Award, have lost their previously acquired rights under the said Rules, may be able to obtain such rights again?

*Answer:*

THE MINISTER FOR MEDICAL AND HEALTH SERVICES.  
(HON. J. CARUANA)

Yes, Sir.

**Question No. 33 of 1970**

*Oral.*

HON. A. W. SERFATY:

What steps is Government taking to ensure the removal of the considerable amount of rubbish which can be seen in many parts of Gibraltar?

*Answer:*

THE MINISTER FOR TOURISM AND MUNICIPAL SERVICES.  
(HON. W. M. ISOLA)

The following services are provided:

- (1) Daily collection of ordinary domestic and trade refuse.
- (2) Special collection of bulky items and accumulation of rubbish which cannot normally be dealt with by the daily collection service.
- (3) Special collection of rubbish from individual traders at a small charge.
- (4) Acceptance of refuse from traders daily between 10.00 a.m. and 10.00 p.m. at the Destructor.
- (5) Collection of street rubbish by sweepers.
- (6) Provision of litter bins, the number of which is being increased.
- (7) Collection of accumulations of rubbish in Housing Estates and other Crown properties.

The total amount which will be spent during 1970 in the collection and disposal of rubbish is approximately £80,000.

The possibility of introducing more stringent legislation is being considered.

*Supplementary:*

HON. A. W. SERFATY:

Sir, the Honourable Minister does not seem to have included the collection of rubbish in the public highway. He has mentioned the housing estates, but not in the public highway. I have a collection of photographs here of rubbish taken during the last weekend in 44 places in the public highway of Gibraltar.

HON. CHIEF MINISTER:

On a point of order. I think the Honourable Member is allowed to ask questions, but not to conduct a debate.



HON. A. W. SERFATY:

Sir, will the Honourable Minister say whether the arrangements could be extended to include the removal of rubbish from the public highway?

HON. W. M. ISOLA:

Mr. Speaker, Sir, the removal of rubbish from public highways is being carried out.

HON. A. W. SERFATY:

Very unsuccessfully, Sir.

HON. M. K. FEATHERSTONE:

Sir, is the Honourable Minister satisfied with all these arrangements that he has got and which he has enumerated to us?

HON. W. M. ISOLA:

Sir, I am quite satisfied, but I think there is a need for improvement. But that need must surely come I think, Sir, from the cooperation of the public.

#### Question No. 34 of 1970

*Oral.*

HON. I. ABECASIS:

What progress, if any, has been made in connection with the Geological Survey on that part of the Rock above Catalan Bay Village?

*Answer:*

THE CHIEF MINISTER

(THE HON. MAJOR R. J. PELIZA)

Rock falls have of course occurred at Catalan Bay occasionally for many years but the Government considers that it is time that some action was taken to minimise the effects arising from such falls.

The question of a possible geological survey is under consideration but I should add that immediately after the rock falls took place earlier this month, action was taken, on my personal instructions to the City Engineer, to prepare a scheme to minimise the risks and effects of further possible falls in the future. The scheme consists of the planting of trees and shrubs and the provision of a series of chain link fences staggered along and up and down the slopes above Catalan Bay which will act as a screen to arrest falling rock and reduce their impetus. The provision of funds for this scheme has been approved and the work will start as soon as the trees and necessary materials, which are on order, are available.

An incidental but important effect of this scheme will be to beautify the whole area above Catalan Bay.

Details of the scheme will be announced in due course.

I would also like to express my appreciation of the City Engineer and his staff for the prompt manner in which the rocks which fell on the 3rd and 13th January were cleared up and also for preparing the scheme to which I have referred.

*Supplementary:*

HON. I. ABECASIS:

I am grateful to the Chief Minister for giving me an answer to this question. I think I should remind the Chief Minister that he just said that immediately after the rock fall he had a meeting with the City Engineers and others to consider what had happened. If I remember rightly, the Honourable and Gallant Minister for Information said, immediately after the rock falls, that this incident would accelerate the already undertaken Geological Survey, so it seems to me that there is some sort of confusion here.

HON. CHIEF MINISTER:

No, there is no confusion. There has been already a survey made by the City Engineer, but the question now is whether we should bring out a geologist. This is a different matter altogether which must receive further consideration as it might not be necessary to bring him out. But surely if it is necessary he will be brought out.

HON. I. ABECASIS:

I would be grateful if we could get information as to the progress as it happens.

HON. CHIEF MINISTER:

Mr. Speaker, I assure the Hon. Member that this will be done as soon as we make a decision.

HON. I. ABECASIS:

Thank you, Sir.

HON. M. K. FEATHERSTONE:

Sir, what is being done to prevent rockfalls, not to minimise their effects?

HON. CHIEF MINISTER:

I would suggest to the Honourable Member that there is nothing we can do to prevent the rocks from falling. I wish I could.

HON. M. K. FEATHERSTONE:

Then, Sir, will the Honourable Minister see that the rocks which are held by chains are looked at at frequent intervals to see that the chains are in good condition, etc?

HON. CHIEF MINISTER:

Mr. Speaker, may I tell the Honourable Member that this has been done and continues to be done, naturally. But whether those rocks can fall or not, that I think is in the hands of the Almighty.

**Question No. 35 of 1970**

*Oral.*

HON. M. K. FEATHERSTONE:

Is Government taking any steps to implement the Lovejoy Report?

*Answer:*

THE MINISTER FOR TOURISM AND MUNICIPAL SERVICE.  
(HON. W. M. ISOLA)

Yes, Sir. All work on open spaces, improvement schemes, planting, etc., is guided by the recommendations in the report.

*Supplementary:*

HON. M. K. FEATHERSTONE:

How much is envisaged is going to be done in 1970?

HON. W. M. ISOLA:

Mr. Speaker, Sir, at present, work is being carried on at Cathedral Square — landscaping Cathedral Square. Casemates Square — further flower beds, trees and renovation of existing flower beds. At the Alameda, a tree nursery. Other works similarly projected, and for which funds have been allocated for 1970, are as follows: the landscaping of the garden opposite Cathedral of St. Mary the Crowned, the landscaping of the Piazza and additional planting of trees.

**Question No. 36 of 1970**

*Oral.*

HON. I. ABECASIS:

When will Government construct the proposed children's play-ground at Catalan Bay Village?

*Answer:*

THE MINISTER FOR PUBLIC WORKS AND HOUSING.  
(HON. MISS C. ANES)

It was proposed to commence terracing the slope at the southern end of the village for eventual conversion into a children's playground as part of the improvements now being carried out and tenders were received in March last year.

As tenders proved to be higher than estimated and two other items had been planned, the first of which was the construction

of Changing Rooms and reprovision of the villagers' stores, and, secondly, improvements along the promenade, the first was put to tender, accepted and is approaching completion.

Allowing for the promenade improvements there is a balance available for further works, including the playground mentioned, and a revised scheme is accordingly being submitted to the Ministry for Overseas Development for approval.

**Question No. 37 of 1970**

*Oral.*

HON. I. ABECASIS:

When is the construction of the proposed block of flats at Catalan Bay Village expected to commence?

*Answer:*

THE MINISTER FOR PUBLIC WORKS AND HOUSING.  
(HON. MISS C. ANES)

If by "the proposed block of flats" I am to understand that the Honourable Member is referring to a block of 15 flats the construction of which had been under consideration by the previous Government then I am pleased to announce that the construction of a further two blocks, one of 18 flats and another of 15 flats, making a total of 48 flats, is also contemplated.

A scheme is being prepared for submission to London.

I am unable to say when work will commence.

*Supplementary:*

HON. SIR JOSHUA HASSAN:

Will the Minister say whether these are two additional to the original one planned by the previous Government?

HON. MISS C. ANES:

Yes, Sir. I found when I took over the Ministry there was only phase 1 of the development and we have been able to introduce phase 2 and phase 3 of Catalan Bay Development.

HON. SIR JOSHUA HASSAN:

Will the Minister take into account that the people at Catalan Bay will be happier if work is started on one, rather than that a scheme be prepared for five or six or ten blocks?

HON. MISS C. ANES:

Sir, I have already been in contact with the village council, and I must say that they have been very cooperative, and I don't think that they were dissatisfied with all the schemes that were brought forward for their inspection and their cooperation.

HON. SIR JOSHUA HASSAN:

What is the time-table with regard to starting the work of the block that had already been planned?

HON. MISS C. ANES:

Sir, the scheme is being submitted to London. When we get the approval from Her Majesty's Government then it will be considered for tender, and I hope that it will be soon.

**Question No. 38 of 1970**

*Oral.*

HON. M. K. FEATHERSTONE:

When is the Commission that was appointed to draw up a new Education Ordinance expected to submit its report?

*Answer:*

THE MINISTER FOR EDUCATION AND RECREATION.  
(HON. L. DEVINCENZI)

The Commission appointed to make recommendations for a new Education Ordinance will present its report on the 31st March, 1970.

*Supplementary:*

HON. M. K. FEATHERSTONE:

Sir, was it not understood that the commission would present its report by December 31st 1969?

HON. L. DEVINCENZI:

That was not quite the case, Sir. The fact is that under the terms of reference which were given to them, they were allowed to ask for an extra three months, if they so desired, and they have done so. And, of course, we have given them permission to do so.

HON. M. K. FEATHERSTONE:

Sir, is the fact that the Chief Education Officer's position is vacant causing any of the delay? And if so, can it be stated when this position will be filled?

HON. L. DEVINCENZI:

There is no delay at all, Sir. The Chief Education Officer left Gibraltar on the 15th of December, and in fact there is now a new Chairman who has taken the place of the Chief Education Officer, who was the Chairman of the Commission. There is no delay at all being caused.

HON. M. K. FEATHERSTONE:

When is the new Chief Education Officer likely to be here?

HON. CHIEF MINISTER:

On a point of order, Mr. Speaker, that, I think, is a new question altogether.

HON. L. DEVINCENZI:

Mr. Speaker, I do not think it is a new question — I am absolutely certain.

**Question No. 39 of 1970.**

*Oral.*

HON. LT. COL. J. L. HOARE:

Is the Honourable Financial and Development Secretary now in a position to state what he estimates, would be the additional revenue that would arise in a year from additional duty charges of:

- (a) 2d per gallon on petrol used for other than commercial purposes
- (b) 2/- per bottle on spirits
- (c) 1/- per bottle on wines
- (d) 1d per bottle and 2d per pint of beer?

*Answer:*

THE FINANCIAL AND DEVELOPMENT SECRETARY:  
(HON. E. H. DAVIS)

I regret, Sir that the information which the Honourable Questioner requires is not readily available. It is not possible, for example, to distinguish between the quantities of petrol used for commercial and other purposes. Nor is it possible to distinguish between the duty paid on bottles of different sizes which could be reputed pints, reputed quarts and litres, to mention but a few. In the case of beer, too, it is not easy to differentiate between importations in bulk, which might subsequently be bottled locally, and importations in bottles.

I am, therefore, unable to furnish any estimate.

*Supplementary:*

HON. LT. COL. J. L. HOARE:

Mr. Speaker, Sir, is the Hon. Financial and Development Secretary really trying to be helpful? I think the questions asked are not beyond the ingenuity of experienced estimators of which there are plenty in the Government. It should be known how much petrol comes in and roughly — I have not asked for exact figures — I have asked for his estimate. Surely he is capable of estimating these figures. If not, I cannot understand how he estimates the other revenue which comes into the Colony. May I please have an answer to my question, if at all possible?

HON. FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, the Honourable and Gallant Member may be assured that I am at all times willing and able to try and furnish any information which it is in my powers to do. In this case, the Hon. and Gallant Member must remember that work on the estimates starts virtually half way through the year, and it takes anything from July of one year to December, when the estimates are prepared, for calculation to be carried out. I regret, Sir, again, to say that I am unable to give the Hon. and Gallant Member the breakdown that he wants.

HON. LT. COL. J. L. HOARE:

Mr. Speaker, I am quite sure that the Hon. Financial and Development Secretary is being very helpful.

HON. FINANCIAL AND DEVELOPMENT SECRETARY:

I am glad to hear it, Sir.

HON. P. J. ISOLA:

Is it for the Financial Secretary to produce a mini-budget, a second mini-budget?

HON. SIR JOSHUA HASSAN:

Is this a speech in question time? Or is he asking a question to a questioner, Mr. Speaker? He is so fond of order.

HON. P. J. ISOLA:

Yes, actually it was a point of order, Mr. Speaker. This question is really out of order altogether, if I may say so. Under Standing Orders 17 sub-paragraph 1(7) no question can be asked, a question shall not ask for an expression of opinion or for the solution of an abstract legal question or of a hypothetical proposition. If the Hon. and Gallant Member is to be allowed in this House to start asking what are really hypothetical questions or expressions of opinion, quite apart from being outside the Standing Rules and Orders under which this House regulates its business it puts, I would have thought, a most unfair burden on Ministers who have to face problems as they arise, and not yet hypothetical questions as they do not arise.

HON. SIR JOSHUA HASSAN:

Is the question of the order in your hands, Mr. Speaker, and not in the hands of any member?

MR. SPEAKER:

I ruled that the question was in order and do not doubt the capacity of the Hon. Minister to answer the question as he considers necessary in the circumstances.

## Question No. 40 of 1970.

Oral.

HON. LT.-COL. J. L. HOARE:

Why is the telephone rental charge for a residential line £4. 17. 6d per quarter when the charge per annum is £18.10 0d?

Answer:

THE FINANCIAL AND DEVELOPMENT SECRETARY  
(HON. E. H. DAVIS)

I am most grateful to the Hon. and Gallant Member for drawing the attention to the House to this typing, and subsequent printing, error which is regretted. The correct quarterly rental is, of course, £4.12.6d. There is a similar discrepancy — this time only a printing error—in the Gazette of the 19th December, 1969, where the charge for the hiring of a beach umbrella is shewn as 1/- a day instead of 2/- as approved by this House.

That seems to have escaped the Honourable and Gallant Member's attention, Sir.

The necessary amendment to the Gazette Notice is being made, but telephone accounts already issued by the Municipal Department this month were for the correct amount.

Supplementary:

HON. LT. COL. J. L. HOARE:

Mr. Speaker, I had not missed the other point about the beach umbrellas, but I thought that was a trivial amendment — just a printing error. But the other figure had appeared on three official documents and had been stated publicly in this House, therefore I was justified, I think, in taking it as an official, authentic figure.

## Question No. 41 of 1970.

Oral.

HON. M. K. FEATHERSTONE:

Does Government consider interest rates of the Post Office Savings Bank to be realistic?

Answer:

THE FINANCIAL AND DEVELOPMENT SECRETARY  
(HON. E. H. DAVIS)

Yes, Sir, for the type of business involved. I would remind the House that as recently as the 1st August, 1969, the rate of interest was increased from 2½% to 3%. Before doing so, views had been obtained from the Foreign & Commonwealth Office and the Bank of England who, in advising that the increase could be made — as they said “without much risk” — also sounded a word of warning about prevailing high yields on investments.



There is, of course, in Britain a Savings Bank Investment Account Scheme, under which a higher rate of interest is payable subject to longer notice being given for withdrawal. The possibility of introducing such a scheme in Gibraltar is under consideration.

*Supplementary:*

HON. M. K. FEATHERSTONE:

Thank you, Sir.

**Question No. 42 of 1970.**

*Oral.*

HON. M. K. FEATHERSTONE:

What is the present situation with the Parcar Development Project?

*Answer:*

THE CHIEF MINISTER  
(HON. MAJOR R. J. PELIZA)

When the Government assumed office, the firm's application for financial assistance to proceed with their hotel development project, which had been submitted in May, 1969, was still under consideration by the Ministry of Overseas Development. It was the subject of correspondence with the Ministry in August; it was raised with the Minister of State here in September; it continued to be the subject of correspondence with London in October/November; it was discussed by the Gibraltar Delegation in London in December when the case was pressed; and it has been the subject of further correspondence in January. A reply is now awaited, and I understand it is on the way.

*Supplementary:*

HON. SIR JOSHUA HASSAN:

What kind of help is envisaged, different to that envisaged by the previous Government? Is it a bigger help? More money?

HON. CHIEF MINISTER:

The amount envisaged at the moment cannot be disclosed, because the matter is under negotiation. Therefore, I am not in a position to answer that question.

HON. SIR JOSHUA HASSAN:

I think it is a fair question to which I should have an answer. Is it on the lines of what had been envisaged by the previous Government? Is it more? Or is it less?

HON. CHIEF MINISTER:

Perhaps, Mr. Speaker, the Hon. Member will sit at rest, if we say: certainly not less.

HON. A. W. SERFATY:

Can't we know, Sir, if it is more?

HON. CHIEF MINISTER:

Mr. Speaker, I imagine that anyone with a bit of sense would decide whether it is more or less.

HON. A. W. SERFATY:

No, Sir. It can be the same.

**Question No. 43 of 1970.**

*Oral.*

HON. M. K. FEATHERSTONE:

Does Government intend to introduce legislation to allow for relief from rates for charitable organisations?

*Answer:*

THE FINANCIAL AND DEVELOPMENT SECRETARY:  
(HON. E. H. DAVIS)

I have Sir, been giving some considerable thought to a memorandum dated the 12th August, 1969, which the City Council considered at their last meeting.

The matter, however, is not devoid of complication, financial and otherwise, and I have not yet made a submission to Council of Ministers. I intend to do as soon as possible.

*Supplementary:*

HON. M. K. FEATHERSTONE:

Sir, 'as soon as possible' can cover a multitude of sins. Can you give us any idea within three months when this is likely to be submitted?

HON. FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I hate to stick my neck out . . .

HON. SIR JOSHUA HASSAN:

Don't you do it all the time?

HON. FINANCIAL AND DEVELOPMENT SECRETARY:

I was waiting for that, Sir, and I regret, much as I would like to give the Hon. Questioner the pleasure and satisfaction of extracting an estimate from me, I am afraid, Sir, that I regret that I am unable to comply with his request and give him any estimate of time.

HON. SIR JOSHUA HASSAN:

We can only expect estimates in December, I suppose?

HON. FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Sir. In certain circumstances, Sir. The Honourable and Gallant Member has been putting ideas into my head for the last week.

HON. M. K. FEATHERSTONE:

Sir, will the Hon. Financial and Development Secretary at least promise to give it as expeditious treatment as is humanly possible?

HON. FINANCIAL AND DEVELOPMENT SECRETARY:

The Hon. Questioner, Sir, may be completely assured that I will do so.

**Question No. 44 of 1970.**

*Oral.*

HON. SIR JOSHUA HASSAN:

Will Government introduce the necessary legislation to increase the pensions of their former employees and of municipal pensioners to take account of the interim Marsh award?

*Answer:*

THE CHIEF MINISTER.  
(HON. MAJOR R. J. PELIZA)

Yes, Sir — as soon as it is possible to do so. But I should warn the House that a time lag is inevitable because the process of amending pensions legislation is a long and complicated one. Amongst other things, as the Honourable and Learned Questioner will recall, a reference is required to London, and the fact that Mr. Marsh's present award has been classified as interim and only applies, so far, to officers up to and including the Titular I Grade, does not simplify matters. To save complications, therefore, it might be preferable to wait until Mr. Marsh pronounced on all employees, and the interim aspect has disappeared. Any increase will, however, be applied retrospectively to the 1st January, 1970, and the House can be assured that the matter will be dealt with as expeditiously as possible.

*Supplementary:*

HON. SIR JOSHUA HASSAN:

I am grateful for that reply and I fully appreciate the intricacies of amending the pensions legislation and perhaps, in view of the fact that it will mean, even though the pensioners get their money backdated, it would save a little time if perhaps preliminary steps were taken in anticipation of the final award so that

we do not start work as from then, in the process which the Chief Minister has mentioned.

HON. CHIEF MINISTER:

I am most grateful to the Hon. Member for his new suggestion, but looking back at his previous policy this was not so. In fact, looking back, at what happened, the first stage of Marsh was accepted on the 18th November 1967. Amendment to the Pension Ordinance went to the Legislature on the 1st and 2nd Reading on the 23rd August 1968. Second and Third Stages of Marsh were approved in December 1968. Amendment to the Pension Ordinance went to the Legislature on the 1st and 2nd Reading on the 27th May 1969. If we can improve on these dates, Mr. Speaker, I can assure you that we shall be, I think, even praised by the Leader of the Opposition.

HON. SIR JOSHUA HASSAN:

I think the Chief Minister has misunderstood the purpose of my question. I was not criticising the fact that it had not been done, it is precisely because I am fully aware of all the implications that I thought it should be brought out for one thing, and we know that from experience, because pensioners get a little shaky about whether they are going to get it or not. And the reply to the question will, in itself, be satisfaction; but nevertheless you can still do better.

HON. CHIEF MINISTER:

I can assure you, Mr Speaker, and I think the Opposition can rest at ease, that we shall deal with this matter as expeditiously as we have dealt with the rockfall at Catalan Bay and the new plans for housing at Catalan Bay.

#### Question No. 45 of 1970

*Oral.*

HON. A. W. SERFATY:

Are local employers denied permission to engage Moroccan workers who are willing to take up employment in Gibraltar?

*Answer:*

THE MINISTER FOR LABOUR AND SOCIAL SECURITY  
(HON. M. XIBERRAS)

No, Sir.

*Supplementary:*

HON. A. W. SERFATY:

Sir, before I make a supplementary question to the Honourable Minister's answer, I would like to state that I am a shareholder . . . .

HON. CHIEF MINISTER:

On a point of order . . . . .

HON. A. W. SERFATY:

I am making a declaration of interest . . . . .

HON. P. J. ISOLA:

There is no need, Sir, for a declaration of interest to be made where questions are concerned.

HON. A. W. SERFATY:

I would like to state that I am a shareholder in one of the building firms to which I am going to refer in the supplementary. And the supplementary is this one: Is it not a fact that no replies have yet been given to a number of applications made towards the end of October, 1969 for Moroccan tradesmen for priority jobs by a number of building firms; nor to an application made on the 23rd December, 1969 for a qualified Moroccan watch-assembler by a local watch factory?

HON. M. XIBERRAS:

Sir, I would normally require notice of any particular case. The question was couched in very general terms. I am grateful for the Honourable Member's declaration of this particular interest. As regards the building industry, one must know that the building industry was the hardest hit by the withdrawal of the Spanish labour, precisely because it depended almost entirely on this labour. Government has urged builders to build on strong and reliable foundations for the future; especially as regards skilled labour. Applications for building workers are therefore being studied very closely. I am glad to say, that some builders are cooperating in a realistic manner. As to precise dates I am not prepared or able to give them straight away.

HON. A. W. SERFATY:

Does the Honourable Minister honestly believe that to try and import Moroccan workers who have passed a trades test is acting in an unrealistic manner?

HON. M. XIBERRAS:

Sir, I do not know exactly how they passed the trade test. I do not know where they passed the trade test. But I do know that one has to take into account questions of public health, of accommodation and of the general policy of the Government for the diversification of labour as outlined in the Beeching Report.

HON. A. W. SERFATY:

Certainly. Can the Honourable Minister tell us whether in the case of the applications of the building firms, there was any difficulty on the question of accommodation?

HON. M. XIBERRAS:

Sir, there have been a number of applications — very much depends upon the building firm. Some people might be able to provide good accommodation, other things being taken into account, some permits have been approved for building. What we ask builders to do is that whilst we are giving close consideration to these applications, they also should give close consideration to the future of the building industry in Gibraltar.

HON. M. K. FEATHERSTONE:

Sir, but did not Lord Beeching state that Morocco was an obvious source for obtaining labour, especially for the building trade?

HON. M. XIBERRAS:

Sir, I think everybody in Gibraltar is aware that Dr. Beeching's hint has not gone amiss.

HON. A. W. SERFATY:

Does the Honourable Minister realise that as a result of the time he is taking to make up his mind, quite a number of useful trained men are being lost to Gibraltar?

HON. M. XIBERRAS:

Sir, I have no evidence to support this, unless the Honourable Questioner is prepared to give it.

HON. A. W. SERFATY:

Surely the Honourable Minister realises that there were men who were ready to come in October 1969 and in the case of the watch-assembler in December 1969. Is he not aware that these men have been actually lost to Gibraltar for good, particularly in the case of the watch-assembler?

HON. M. XIBERRAS:

Sir, Government considers applications closely. It has regard to accommodation and to public health requirements, as is demanded, in a small way, by the Immigration Ordinance and by the Public Health Ordinance. Government also has a responsibility for the future of Gibraltar, and so have the big building contractors. I would not like a repetition of what occurred on the withdrawal of Spanish labour. That specifications, I would suggest, is one of the cardinal points of Dr. Beeching's proposals.

HON. SIR JOSHUA HASSAN:

Sir, can the Minister say whether he is aware that there are applications pending for the importation of labour since October? Can he deny that?

HON. M. XIBERRAS :

Sir, I am not prepared to give a date on this. I am not certain about October or about November. But I do know that it is administratively convenient to look into different responsibilities, or different aspects, of immigration, of public health, of accommodation and generally of Government policy together before any one department pronounces separately on this issue. This does take some time.

HON. SIR JOSHUA HASSAN :

Surely the particular requirements mentioned initially in the answer can be found out at short time. Is it not the policy of the Minister of preventing, other than the people from the United Kingdom, the reason for all these delays?

HON. M. XIBERRAS :

Sir, I am rather surprised at this because the Opposition, following the Lord Shepherd talks stated that they would welcome U.K. labour to come. Since that is the case, one would imagine that the Honourable Member might have made an effort, a personal effort, having declared a personal interest, to attract some himself.

HON. SIR JOSHUA HASSAN :

I did not hear that. I would like to hear what the Minister has said.

HON. M. XIBERRAS :

Sir, I said that bearing in mind that the Honourable Member opposite, I am referring to Mr. Serfaty, has declared a personal interest in this, and since he forms part of the Opposition as well, I would have thought that he would have made an effort to recruit some himself.

HON. A. W. SERFATY :

It may interest the Minister to know, if I may be allowed to make a statement, that I have employed — my firm has employed — a number, and is employing a number of U.K. traders. But, is the Honourable Minister aware of the fact that there is a great variety in the question of trades. And that whereas in some trades it may be of interest to import U.K. traders, in other trades it is in the public interest, and in the interest of the client, the client of priority jobs, to import Moroccan labour. Does the Honourable Minister realise this position?

HON. M. XIBERRAS :

Sir, I am glad to see that there is some degree of agreement between one bench and another. However, on the question of importation of labour, one should realise that there was quite a backlog of labour which had not been cleared in public health at the beginning of this crisis. I am glad to see that

Moroccan labour is considered so valuable by the Member opposite: because it is my experience, at a particular stage of the proceedings, employers had no regard for the number that were taken on or how they were got rid of. And I would say that stabilisation of our new working population has been in the interest of Gibraltar as a whole and, may I add, of trade in particular.

HON. M. K. FEATHERSTONE:

Did not Lord Beeching say quite forcefully that Moroccan labour was an obvious source, and not just make it as a simple hint which Government has appreciated?

HON. M. XIBERRAS:

Sir, the Honourable Member has not got an ear for the under-statement. I am sorry about this, what I said was that surely he can't have missed the fact that Lord Beeching's idea has been implemented if he walks through Gibraltar.

HON. M. K. FEATHERSTONE:

He mentioned the word 'hint', Sir.

HON. M. XIBERRAS:

Sir, that was indeed the understatement.

HON. SIR JOSHUA HASSAN:

This question of the difficulties of labour is of greatest importance, and we propose to raise the matter at a subsequent meeting generally because I think it is of very great public interest that we should know exactly where we are going or where we are not going.

HON. M. XIBERRAS:

Sir, I can assure the Honourable Member that Government does know, despite the complicatedness of the matter, does know where it is going. And in fact, if the Opposition calls for a debate, what can I do but welcome such a debate.

HON. A. W. SERFATY:

It may know where it is going, but it is not getting very far.

HON. M. XIBERRAS:

Sir, I take this as a question, if I may. Gibraltar was in fact hit pretty drastically when we lost — what was it — almost half our working labour force, men and women taken into account? Is the Opposition now going to say that it is the Government that has created the difficulties? Or did people feel that because they queued up for bread in one particular morning, the labour difficulties would be over? This, Sir, is a most serious thing for a community to do, to lose half its labour force. And it is



a most serious thing for a community to realise, after years and years of being inured in a particular tradition, and dependant upon a particular kind of labour, to realise, Sir, that a very long term effort is required. And may I add, Sir, that trade may very well be rather at a disadvantage compared to what it was before. This is mostly, I might add, the result of the frontier. But may I also add, that some of the working classes of Gibraltar have seen a new hope in the situation.

HON. SIR JOSHUA HASSAN:

By having two jobs.

HON. M. XIBERRAS:

Sir, we are glad to have them having two jobs. I do not wish to prolong a debate on this, Sir.

HON. A. W. SERFATY:

There are jobs for the people who want them. Why not two?

HON. L. DEVINCENZI:

Sir, may I say this: that not only does the Government know where it is going, but we also know . . . .

HON. SIR JOSHUA HASSAN:

Order, please. This is question time.

HON. CHIEF MINISTER:

On a point of order, Mr. Speaker, it is not our fault that the Opposition is developing this into a debate.

HON. M. K. FEATHERSTONE:

Sir, the continual immigration from Gibraltar of our youths.

HON. M. XIBERRAS:

Sir, if I may answer that question. I am surprised to see the Honourable Member say this. I am really surprised to see this. If there is such a thing, and I do not think that the Hon. Member can or would dare produce proof of that sort, can this be attributable to the policy of this Government for the last seven months?

HON. P. J. ISOLA:

Mr. Speaker, since the Hon. Questioner does not wish to pursue his rights of raising the matter on the adjournment and thus affording us all an opportunity of debating the subject, can I ask the Minister to give us some figures of the number of Moroccans

actually working in Gibraltar? Because today, from what I hear, one would be surprised to hear that there were any working at all. Can he give us figures of the number of Moroccans working in Gibraltar today, legally under permit?

HON. M. XIBERRAS:

Sir, I would not like to be pressed on this matter. If I am pressed I am prepared to answer this particular bit of data. But I would ask the Hon. and Learned Questioner not to press me on this matter since it is not entirely a matter for the elected members of the Government.

Statement by Minister for Information, Port, Trade  
and Industries.

HON. MAJOR A. J. GACHE:

Sir, the House will have heard with pleasure that as from 1st April, 1970 Gibraltar Airways Limited in association with British European Airways are to run a Viscount Aircraft on their Tangier/Gibraltar route. The House too will have heard with some relief that Gibraltar Airways Limited are no longer insisting that a subsidy should be granted to enable them to maintain that service. The Government welcomes this move by the companies concerned and the news that they are trying to expand their services to places further afield than Tangier such as Portugal, thus justifying fully the Government's belief that the economic future of the private sector of Gibraltar lies in the expansion and widening of air communications in and out of Gibraltar and in making Gibraltar a pivot of air communications rather than a mere terminal point.

Sir, the Government was not prepared to grant a subsidy in respect of the Gibraltar/Tangier Air Service firstly because it is opposed in principle to granting subsidies to commercial enterprises and secondly because the Government did not believe that with its policy of expansion of air communications and of the importance of Gibraltar in this respect that it was necessary to subsidise a service which would inevitably prove lucrative. The Government holds an optimistic view of the economic future of Gibraltar and it is happy to see that that confidence is shared by British European Airways and Gibraltar Airways Limited who have decided to go forward with the new Viscount air service with no concessions from the Government and despite the abolition of the £50 travel allowance.

The number of people travelling by air is increasing in leaps and bounds and Gibraltar has the great opportunity of attracting visitors from all over the world by an improved use of the airport at Gibraltar as a centre of air communications.

It is for this reason that Gibraltar Ministers will welcome all means of improving air routes in and out of Gibraltar from and to places not already served by existing airlines.

HON. SIR JOSHUA HASSAN:

Who wouldn't?

HON. MAJOR A. J. GACHE:

You didn't. (Laughter).

In the case of routes already served . . .

HON. SIR JOSHUA HASSAN:

We did. And this is an unnecessary remark. Of course we did. All the time.

HON. MAJOR A. J. GACHE:

So was yours, Sir.

HON. SIR JOSHUA HASSAN:

I did so as much as you do.

HON. P. J. ISOLA:

Order.

HON. SIR JOSHUA HASSAN:

Shut up.

HON. P. J. ISOLA:

Mr. Speaker, on a point of order . . .

HON. MAJOR A. J. GACHE:

Mr. Speaker, have we heard these words: "shut up" again, Sir?

Is this becoming the normal practice in this Assembly?

HON. P. J. ISOLA:

Sir, on a point of order. The Honourable and Learned Leader of the Opposition has shouted across the room to me—he has shouted across this House: "shut up". Is the Honourable and Learned Leader of the Opposition in a privileged position in this House? Is he entitled to make such a remark as "shut up" to a Member on the opposite side? I would like a ruling, Sir, on a point of order on that.

MR. SPEAKER:

There is no need to make a ruling on a very obvious matter. The person holding the floor has the right to be heard without interruptions of any kind whatsoever. I sincerely hope that from now on this is not forgotten by any Honourable Member.

HON. P. J. ISOLA:

Mr. Speaker, may I ask, Sir, that the Honourable and Learned Leader of the Opposition be asked to withdraw this remark "shut up" across the House. Is he the man who upholds order in this House, or is it you, Sir?

MR. SPEAKER:

It is my prerogative to uphold order in this House. I will leave the matter as it stands now. I would ask the Honourable Minister to continue his statement.

HON. MAJOR A. J. GACHE:

In the case of routes already served we obviously always welcome improvements in those services and suggestions for improvements.

Gibraltar Ministers believe as a principle of general policy that big improvements in air communications in and out of Gibraltar will inevitably bring a rapid expansion in economic growth in Gibraltar and solve of itself many of the problems and factors that are worrying Gibraltar's trading community today.

It is against this background that Gibraltar Ministers feel that all means of improving air communications in and out of Gibraltar are to be explored.

Election of Mayor.

*Motion re:*

HON. CHIEF MINISTER:

Sir, I have the honour to move that the Honourable Mr. Alfred Joseph Vasquez be elected Mayor of Gibraltar.

Before putting the question the Clerk invited discussion on the motion.

HON. CHIEF MINISTER:

Sir, in dealing with the motion for the election of a member of this House as Mayor of Gibraltar, I think we need to consider two different aspects. The first is the question of the suitability for the high office of Mayor of the person proposed. While I will

never presume to speak for the Hon. Members opposite, I feel confident that, in proposing Mr. Vasquez as Mayor, I am in no danger, from this point of view, of being contradicted.

There, is however, to my mind, another aspect of this question which merits very serious and careful consideration. The Section of the Constitution which provides for the office of Mayor states that a person elected to that office shall hold it upon such terms and conditions and shall perform such functions, being ceremonial functions of a civic character, as may be determined by the Governor, acting after consultation with the Gibraltar Council.

It seems to us that it is more consistent with the nature of the office of Mayor, as set out in the Constitution, if the person holding that office were to be a non-political figure. It seems to us that politics do not enter into the sphere of ceremonial functions of a civic character and that it is desirable, since we have our own unique constitution which enables us to do this, to elect as civic representative of Gibraltar a person, who, precisely because of his other office of Speaker, is perhaps more than anyone else impartial and completely above politics.

I accordingly and most warmly commend to the House the motion that Mr. Vasquez be elected Mayor of Gibraltar.

HON. SIR JOSHUA HASSAN:

I think, Mr. Speaker, that you are no doubt aware of the views of this side of the House, that the Mayor of Gibraltar should be a member elected by the people. And nothing that I will say now, I am sure, you will take in any way as an aspersion on you personally. And because the Chief Minister has made this statement, we must put on record that we do not necessarily agree with the sentiments therein expressed. If that had been the feeling of everybody at the time of the Constitutional Conference that would have been embodied. But what was embodied in the Constitution was that any member of this House, including the Speaker, was eligible as Mayor. The Government have got a majority and you, Sir, will preside over this House, and, I am sure, very worthily as Mayor, and we do not object to that. In fact we will support it. But we must make it clear that we do not bind ourselves to any convention or to any line of development in the Constitution to say that necessarily any Speaker will be the Mayor. With those sentiments I am sure, Mr. Speaker, you will appreciate we must bind ourselves to what we consider to be the right thing when we have the majority. In the meantime we are very pleased to see that you are being elected Mayor rather than one of the Honourable Members opposite.

On the Clerk putting the question all Honourable Members voted in favour.

The motion was accordingly carried.

MR. SPEAKER:

I would like to say that I am overwhelmed and in thanking the House again I sincerely hope that I will prove myself worthy of the trust and confidence which both sides of the House have placed on me today. I thank you most profoundly for the great honours done me today by appointing me both Speaker and Mayor of Gibraltar.

Supplementary Estimates No. 12 of 1969 and No. 1 of 1970.

HON. FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I have the honour to move in the terms of the motion standing in my name and that the House should resolve itself into Committee to consider Supplementary Estimates No. 12 of 1969 and No. 1 of 1970, in detail.

This was agreed to and the House went into Committee.

*House in Committee:*

Supplementary Estimates No. 12 of 1969 were agreed to.

Supplementary Estimates No. 1 of 1970.

Head XVI. Miscellaneous Services. (1) Government. 14. Repayment of Revenue of Previous years was agreed to

Improvement and Development Fund. (c) Other Development. 4. (New) Development of New Camp Area.

HON. SIR JOSHUA HASSAN:

Sir, I would just like a little clarification on this item from the Honourable Financial and Development Secretary.

The estimate for this — wasn't that known before the end of the year? This has been going on for some time now — the cost of resiting building for that site at New Camp.

HON. FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Sir.

HON. SIR JOSHUA HASSAN:

But it is in this year's supplementary estimate.

HON. FINANCIAL AND DEVELOPMENT SECRETARY:

It is in the Improvement and Development Fund, Sir, so it really doesn't matter. If I am not mistaken, the bill for this has only just recently been received and it was too late for inclusion in this schedule.

HON. SIR JOSHUA HASSAN:

I see. But it had been agreed before?

HON. FINANCIAL AND DEVELOPMENT SECRETARY:

We knew that the commitment was there, Sir.

HON. SIR JOSHUA HASSAN:

Thank you.

Supplementary Estimates No. 1 of 1970 were agreed to.

*Resumption:*

House resumed.

HON. FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I have the honour to report that Supplementary Estimates No. 12 of 1969 and No. 1 of 1970 have been considered in Committee in detail and agreed. I now move that they be approved by the House.

Before putting the question Mr. Speaker invited discussion on the motion.

There being no response Mr. Speaker then put the question which was resolved in the affirmative.

The motion was accordingly carried.

The Supreme Court (Amendment) Ordinance, 1970.

**First Reading:**

The Honourable the Attorney-General moved that a Bill for "An Ordinance to amend the Supreme Court Ordinance (Cap. 148)" be read a first time.

Mr. Speaker then put the question which was resolved in the affirmative.

The Bill was read a first time.

**Second Reading:**

HON. ATTORNEY-GENERAL:

Sir, I have the honour to move that this Bill be now read a second time. In October 1965 the Inns of Court which in London are responsible for determining the conditions under which persons may be called to the Bar in England, altered their regulations to provide that a barrister should not practice in any court until he had completed at least six months of pupillage after the date of his call. In Gibraltar the conditions under which persons are called to the Bar or admitted as solicitors are governed by statute law, namely, the Supreme Court Ordinance, which is before us now. In 1965 this Ordinance was amended in order to make provisions similar to those which had recently been decreed by the Inns of Court in England. However, the amendment made in 1965 to our law went rather further, because it provided that a person should not be eligible for call or admission until he had served his six months of pupillage. To that extent it was, of course, more stringent than the Consolidated Regulation of the Inns of Court. Experience in Gibraltar has shown that this restriction, which was undoubtedly of some value in England in keeping unpractised young men out of the Courts for a little time, was not equally valuable in Gibraltar. The reason for this is that of course as we know in Gibraltar the two branches of the legal profession are in fact combined — barristers doing solicitors' work and solicitors doing barristers' work equally. And the greater part in fact of the work carried out by legal practitioners is that which is carried out by solicitors in England. In consequence the necessity of the six months pupillage, which had some validity in the case of advocates, does not necessarily, does certainly not have the same validity in the case of persons carrying out solicitors work which can be performed in an office under supervision. This restriction has had a certain hardship, although there has only been in fact one practitioner who has come under this restriction since 1965. Seen from the four-and-a-half years which have elapsed since the amendment was introduced, although it is possibly appropriate in England, I would suggest to the House that it is inappropriate in Gibraltar, and that it should be removed from the statute book. This does, I think, provide an interesting illustration of what happens when legislation from another jurisdiction is accepted without serious thought. I do hope that this Law Revision Committee which has recently been constituted will be effective in preventing further legislation of this nature however well-intentioned. If the House agrees I propose that the Committee Stage and Third Reading of this Bill should be taken at the present meeting. Sir, I commend the Bill to the House.



Mr. Speaker then invited discussion on the general principles of the Bill.

There being no response Mr. Speaker then put the question which was resolved in the affirmative.

The Bill was read a second time.

HON. ATTORNEY GENERAL:

Sir, I beg to propose that the Committee Stage and Third Reading of this Bill be taken at a later stage in this meeting of the House.

This was agreed to.

HON. ATTORNEY-GENERAL:

Sir, I beg to move that the House resolves itself into Committee to consider the next four Bills on the order Paper, clause by clause.

This was agreed to and the House went into Committee.

*House in Committee:*

HON. ATTORNEY GENERAL:

Sir, I have to inform the House that the Income Tax (Amendment) Bill will not be proceeded with at this meeting.

HON. SIR JOSHUA HASSAN:

Sir, why didn't we get some notice of this. We have been working on this Bill quite hard. When was it decided not to take this Bill today?

HON. FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, there has been a number of representations received about the Bill which were not cleared until very early this week, and I wanted to give notice to the House of certain amendments which I propose to bring to the notice of the House. And because I did not want to spring the amendments on the House without notice, because they were only drafted yesterday, and in fact I only got them this morning, I asked the Honourable and Learned Attorney-General to ask leave of the House to postpone this until the next meeting.

HON. SIR JOSHUA HASSAN:

It would be convenient if this side of the House were told about these matters a little in advance. We have been working on this Bill. We have certain ideas. In view of what has happened perhaps the Honourable Financial and Development Secretary would circulate the proposed amendments as soon as possible and not just the three or four days as required by the Standing Orders before the next meeting of the House.

HON. FINANCIAL AND DEVELOPMENT SECRETARY:

I will certainly circulate them, Sir, as soon as possible, within the next week.

HON. SIR JOSHUA HASSAN:

This will facilitate our own work because we may be working on the same lines on some of the amendments.

The Genocide Ordinance 1969.

The Bill passed the Committee without amendment.

The Criminal Justice Administration (Amendment) (No. 2) Ordinance, 1969.

The Bill passed the Committee without amendment.

The Supreme Court (Amendment) Ordinance, 1970.

The Bill passed the Committee without amendment.

*Resumption.*

House resumed.

HON. ATTORNEY-GENERAL:

Sir, I have the honour to report that the Genocide Ordinance, 1969, the Criminal Justice Administration (Amendment) (No. 2) Ordinance, 1969, and the Supreme Court (Amendment) Ordinance, 1970, have been considered in Committee and agreed to without amendment. I now beg to move that they be read a third time and passed.

This was agreed to and the Bills were read a third time and passed.

*Motion on the Adjournment.*

HON. SIR JOSHUA HASSAN:

Sir, I would like to raise a matter now formally which I raised with the Chief Minister some little time ago and he asked me for a little time. This is that although I appreciate fully the fact that no dates can be given in advance for a number of reasons, at least we should have some indication and I am not asking him to say that now — but at the next meeting he should have some indication of when the following meeting is going to be held. It would be helpful to this side. I now he has got to take a number of matters into consideration, such as the presence of the Minister on his right, and various other matters. But one of the important things is that we should have some idea . . . .

HON. MAJOR A. J. GACHE:

On a point of Order, Sir. I have heard this reference to me yet again. May I say, Sir, that the Honourable Member was a great absentee from Gibraltar in the days when he was Chief Minister. In the days when we were in a crisis there were many week-ends when he had to be brought back from Tangier, Sir. Maybe even from Spain. Therefore, I hope, Sir, that if we are going to have difficulty in this House . . .

HON. SIR JOSHUA HASSAN:

Spain? I was raising a matter of principle. The Honourable and Gallant Member does not seem to have a sense of humour, so we have got to suffer that. But the main point is this question of a possible date. In the old days the adjournment was to a fixed date. I am not asking for that, but I would ask the Chief Minister, between now and the next meeting, to take this into account. The most I would expect would be for him to say: "We hope the next meeting will be within three weeks or within four weeks or five weeks", otherwise there could be a long lapse and we would not know. We are also interested in knowing what the programme of the House is.

HON. CHIEF MINISTER:

Mr Speaker, it seems by the way that the Honourable Leader of the Opposition began to speak that I was more interested than he was in getting the dates right. I assure the Honourable Member on the other side of the House that if I could I would certainly give him a firm date. But the process of Government is very much undetermined and, therefore, I would really be misleading the Opposition if I were to give them a date, or even an approximate date. And rather than be accused subsequently of having led them up the garden path, I think that it is fairer for me to say that perhaps if he looks at the pattern of things — he can take it or leave it—the way things are going so far it would seem that it is towards the end of the month. But certainly I would not like to commit myself one way or another.

The House then adjourned sine die.

The adjournment was taken at 7.45 p.m.