

H.A. N^o

HOUSE OF ASSEMBLY

SUBJECT

H.O.A. MEETING

3 JUNE 1971

QUESTIONS AND ANSWERS

(25 TO 36)

PERTINENT PAPERS

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SUBJECT

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NO.

APPENDIX A

Questions asked by the Hon. Members at the meeting of the House of Assembly held on the 3.6.71.

No. 25 of 1971

Oral

The Hon. M. K. Featherstone

Sir, when are the recommendations of the Marsh Supplementary Review with regard to teachers going to be implemented?

Answer:

The Minister for Education and Recreation:

Mr. Speaker, I suppose I could answer the question by saying what I have to say last of all - this would be a very brief answer - but I thought that perhaps the Hon. Member opposite would welcome some background. If the House will indulge with me for 2 or 3 minutes, I will do this:

Sir, the Marsh Supplementary Review of Allowances for Teachers of December, 1970, completed the review of teachers' salaries made by Mr. Marsh in July of that year. The effect was to create a superstructure for teachers' salaries on similar lines as in the U.K. Headteachers' and Deputy Headteachers salaries and the number of posts of responsibility are calculated according to the site and category of the school. These recommendations increased the number of posts with allowances available to teachers in Gibraltar from 60 to 92, thereby improving the career prospects of teachers and providing suitable incentives for good teaching standards and the acceptance of special responsibilities:

Briefly it was proposed:

- (a) that the new salaries and allowances should be applied from 1 January, 1971, for existing holders of allowances;
- (b) that after 1 January, 1971, allocation of posts of special responsibility should be made for each school as soon as possible, on the assumption that they would be absorbed into any reorganisation involved in developing a comprehensive education system;
- (c) that in the case of Headteachers, payments in excess of the July, 1970, recommendations should be made, pending reorganisation, on the basis of non-pensionable temporary allowances.

It will be remembered that these recommendations were not accepted by the Gibraltar Teachers Association until February of this year - thus making it impossible to consult the GTA and Headteachers until the GTA had accepted the Supplementary Review, including the new posts of responsibility offered to the profession.

The proposals have been fully implemented, as far as the allowances of Headteachers and existing holders of posts of responsibility are concerned, and the necessary steps have been taken to implement the remaining proposals as soon as practicable.

It is clear that the creation of these new posts of responsibility has widespread effects both for the career prospects of teachers in Gibraltar and on the organisational structure of the schools. Careful thought has therefore been given to the many implications arising from implementing these important proposals. Consultations have been held with the GTA on the method of applying them and with each Headteacher on the organisational requirements of their school. It must be appreciated that because of their importance these consultations necessarily took some time.

In order to avoid disruption during the school year it has been further agreed that appointments involving transfers to different schools should not be made until September, 1971.

Where teachers are appointed to posts of responsibility in their existing schools and the Headteacher is able to confirm that these responsibilities have in fact been carried out by the teacher since the effective date of the Marsh Supplementary Review, 1st January, 1971, then retrospective payment of the allowance will be made as appropriate.

Applications for these posts of responsibility are now being considered and it is expected that appointments will be made before the end of the term.

SUPPLEMENTARY TO NO.25 OF 1971

HON. M. K. FEATHERSTONE:

Sir, will the Minister not agree that even though there was some delay in getting agreement from the Gibraltar Teachers Association, an inordinate long time has passed since February? We are now in June Sir.

HON. L. DEVINCENZI:

Sir, I do not necessarily agree with that suggestion. First of all, when the proposals were made to the GTA in February and when in fact we thought that the negotiations had been completed the GTA turned us down. It was only after that that they accepted. We are now at the beginning of June, the posts were advertised on the 13th of May, there has been in fact a gap of about two and a half months. During that period consultations have been held with the Gibraltar Teachers Association as well as with about twenty headteachers. This procedure takes a lot of time. In fact, many of the Heads have been consulted more than once; they have come with some recommendations, they have asked for advice; it has been a process of going backwards and forwards. As I have pointed out in my reply, if a teacher has been carrying out the job before, even though the appointment is made at a later date, he will not lose any salary. The appointment will be retrospective to January 1st.

HON. M. K. FEATHERSTONE:

Once again Sir, does it not appear that the Minister wishes to shift the blame for delay onto the Gibraltar Teachers Association, who I believe published a communique complaining about this delay. Are we always to suffer these delays until questions are brought up in this House?

HON. L. DEVINCENZI:

Sir, as I said before - I don't know whether the Hon. Member heard me - these posts were advertised on the 13th May, that is, before the question was brought to the House. In fact the closing date was the 21st May.

The Hon. I. Abecasis

Sir, what emoluments and allowances are being paid under contract to aliens employed with the Crown Agents in the Glacis Housing Estate?

Answer:The Minister for Labour and Social Security

Sir, the House should bear very much in mind throughout my answer that without labour from abroad the Glacis Housing Project would come to a standstill and that the Government inherited the situation from the contractors. This is therefore an exceptional case.

When late in 1970 and due to their financial difficulties, Humphreys Ltd., gave up the contract for the housing and school project at Glacis, Government took steps to ensure that work on the project should continue with the least possible disruption, and to safeguard the position of the workers employed there. These included a number of skilled Portuguese tradesmen whom the company had recruited from France. Because these men had been accustomed to the higher wages in France, the terms of their contracts had had to be made attractive enough to induce them to come. The Crown Agents had no option but to honour their contracts, and to offer similar terms to additional workers of the same nationality whom it has been necessary to bring from abroad in order to maintain and, if possible, increase the rate of progress on the works. The wages and allowances being paid to these skilled men are: basic wage for a 42-hour week £14; overtime pay on a 55-hour standard week £6.50; away-from-home allowance £5; messing allowance £7 (in lieu of free meals, the arrangements made for which fell through) and guaranteed bonus of £3.

In addition they draw between £2 & £3 a week as productivity bonus bringing their total earnings to £38 a week, in addition to a terminal gratuity of £80 at the end of the 6-months' contracts.

Other aliens recruited locally by the Crown Agents are paid, basically, the wages obtaining in official employment but, as a 55-hour standard week is worked, and they are also eligible for payment of bonus, the earnings come to about £21.06 in the case of tradesmen and £17.25 for labourers.

I think it is fairly evident to everyone that very good progress is being made now particularly since the Crown Agents took over on this major housing project which Government is determined should be completed with the least possible delay, so as to be able to re-accommodate in really good conditions as many Gibraltarians as possible from those who have been patiently waiting on the housing list for years. The same considerations, of course, apply to the completion of the new school being built by the Crown Agents.

SUPPLEMENTARY TO NO. 26 of 1971

HON. I. ABECASIS:

Mr. Speaker, how does the Minister reconcile this statement with the one he made to the Information Services two weeks ago, when he said, and I quote: "That the average earning of a Gibraltarian was £16.49, while those of Portuguese workers was £15.64." He gave the impression that the Gibraltarians were much better off than the Portuguese when in fact, from what we have just heard, a Gibraltarian worker will have to do quite a good number of hours overtime in order to get anything near what a Portuguese is getting under contract with the Crown Agents.

HON. M. XIBERRAS:

Sir, in the first place, may I say that I have made available to Members opposite copies of the extracts of statistics from the two Employment Surveys which have been produced already, albeit, not under the Statistics Ordinance. I am perfectly right, therefore, in saying that overall for all portuguese working in Gibraltar, and overall for all Gibraltarians working in Gibraltar, the member is quite right in quoting me as saying that the figures published in the press are correct. That is, that the average overall pay for Portuguese in Gibraltar is lower than the average overall pay for Gibraltarians. It is for this reason that I have made it quite clear in replying to the Member's question, that we are dealing with an exceptional case of contract workers, employed on a Government project of exceptional nature. Furthermore, even though I have answered his question fully, may I add that the Crown Agents are a profit making organisation and therefore the terms which they offer to their workers is a matter for their own concern. And that Government, whilst having an interest on general wage levels, is not directly responsible for the rates being paid to the workers on particular projects run by the Crown Agents.

HON. I. ABECASIS:

Is it not a fact, Mr. Speaker, that certain employers in Gibraltar are finding it difficult to retain workers because they also want to go and work for the Crown Agents?

HON. M. XIBERRAS:

Sir, anticipating this question I had a long chat with the man in charge of the project at Glacis and he assured me that he would not knowingly take on any worker from any other Construction Firm. The control of Employment Ordinance states that a worker comes here for a particular job and that he cannot change over from one job to another without the consent of the Director of Labour. We have not been getting all the cooperation which we require from individual employers, on the question of notifying changes in employment and reasons for changes in employment. Furthermore, the Crown Agents in Gibraltar have assured me that they will take any steps which Government considers necessary to liaise more fully with the Department of Labour and Social Security and they are willing to meet, under the Chairmanship of someone in my Department, other Contractors who have had similar problems. My advice therefore is that employers should represent and that the matter should be followed up by my own Department. I do not think any lose talk about wage deferentials which does not take into account particular circumstances in which workers are working, be they from United Kingdom or from Portugal, is for the good of Gibraltar.

HON. SIR JOSHUA HASSAN:

Will the Minister answer the question: Yes or No?

HON. M. XIBERRAS:

Will the Member put the question again, if he is able to?

SUPPLEMENTARY TO NO. 26 of 1971 (Contd.)

HON. I. ABECASIS:

I said whether it was not a fact that a struggle existed in some project in Gibraltar because some of the workers wanted to go from their present employment to the Crown Agents in order to try and get £38 which the Portuguese are getting?

HON. M. XIBERRAS:

Sir, the movement between employers is quite well known to the other side, especially to the Hon. and Learned Leader of the Opposition who introduced into this House a law prohibiting people from moving to one job and another. . .

HON. SIR JOSHUA HASSAN:

Answer. . .

HON. I. ABECASIS:

And we got rid of it. . .

MR. SPEAKER:

Order . . .

HON. M. XIBERRAS:

However, I am glad to say that the pull by one firm of workers from another has been reduced, despite the fact that that Ordinance has been allowed to lapse by the present Government. I can state as a fact that poaching, or even drifting from one employment to another, is not as common nor is it feared by myself, as it was in the lifetime of the last Government.

HON. SIR JOSHUA HASSAN:

Answer the question: Yes or No.

HON. M. XIBERRAS:

Sir, if the Hon. and Learned Leader of the Opposition is an employer he knows that he can attract workers from anybody else by offering higher salaries but if the employers act in a responsible manner then obviously the pull will be less, and drifts can be avoided. But we are not going back to the situation where no one can change his job.

HON. SIR JOSHUA HASSAN:

Without lecturing us anymore, will the Minister answer the question whether in fact there is a demand or a drift, in the terms of the question, of people wanting to leave other employment and go to the Crown Agents? That question has not been answered despite the lecture.

HON. M. XIBERRAS:

Sir, if the Hon. and Learned Leader of the Opposition wants to take anything I say as a lecture, he is perfectly entitled to do so. However, if the Hon. and Learned Leader of the Opposition has any particular case in mind then perhaps I could go into greater detail having ascertained that in one construction firm there had been representations to my department to this effect. But what I have done is to point out the safeguards which this Government has taken to avoid any undesirable drifting between employments.

HON. I. ABECASIS:

Sir, is the Minister also aware that in one of these particular projects there was a threat, an industrial threat, because the Moroccans wanted to get the same chance as the Portuguese are getting? Are you aware of that?

SUPPLEMENTARY TO NO.26 OF 1971 (Contd.)

HON. M. XIBERRAS:

Sir, I am aware of this, and perhaps the questioner was aware of this when he formulated his question. It was precisely this that I wanted to draw out from the questioner. The causes of the case which has arisen, and which the member has referred to, are not quite as simple as one man paying higher rates than the other. There are other causes which I would not like to bring before the House at this stage. Perhaps the Hon. Member is aware of them.

HON. I. ABECASIS:

Would the Minister agree that the ordinary Gibraltarian worker is perfectly entitled to be disappointed that although the offer was made that he would be getting parity of wages with Britain he is now getting less than any imported labour coming to Gibraltar?

HON. M. XIBERRAS:

Sir, I think this is perhaps another point of the question. I shall have information on parity of wages to bring before the House, not the kind of cheap statement the Hon. Member has just made, but statistics which will show . . . (Cries of Shame)

MR. SPEAKER:

Order, order.

HON. M. XIBERRAS:

Sir, I think that if the other side was not in a position to offer, or even attempt to reach parity of wages, that is their funeral. This Government stands by parity of wages, but it will resist any attempt to judge contract workers, and this is being done with constant insidiousness on the other side, this is perhaps the first open manifestation, in order to minimise the efforts that have been made already to reach parity of wages with the U.K. I also have, Sir, on the interpolation of the Hon. Member opposite, a little statement to make later on on the so-called two-job society, which perhaps the Hon. Member has also read in the press. But this kind of criticism on the basis of contract workers, who are here for six months and who Gibraltarians cannot replace because they do not have the skills, thanks to the activity the last Government showed, is a most unfair thing. A contract worker gets more money than a regular worker in any circumstances.

MR. SPEAKER:

We must not fall into the temptation of making question time into debate time. I think we must answer questions and ask supplementaries and I feel that we have ventilated this question enough. If of course it is the wish of Hon. Members to debate the matter this in fact, can be done, at the appropriate time. Next question please.

The Hon. I. Abecasis

Sir, when will the Government publish the revised Housing Allocations Scheme?

Answer:

The Minister for Housing and Public Works

At the meeting held in December 1970, I informed the House that the Housing Allocation Committee had, after careful study and hard work, made considerable progress with the Revision of the Housing Allocation Scheme and that various recommendations had already been accepted and were being applied. I also said that the provisional scheme incorporating all the new recommendations would be published in January 1971. However, further developments have forced us to delay its publication.

2. On the 16th March 1971, I stated, inter alia, that the Revised Scheme was now completed and that it only required ratification by the Council of Ministers and, then, printing. Certain issues arose, however, which required further consideration and these I have discussed at great length with the Housing Allocation Committee and I am now awaiting the Committee's further comments and recommendations on these specific issues.

3. I am sure that the House will agree that, in the first revision of the Scheme in 10 years, every effort should be made to ensure that the present environmental circumstances of applicants are carefully provided for.

SUPPLEMENTARY TO NO.27 OF 1971

HON. I. ABECASIS:

When will it be published?

HON. J. CARUANA:

Mr. Speaker, I did say in my statement that I was awaiting the further comments from the Housing Allocation Committee on the specific issues which arose after the Scheme was thought to have been completed.

HON. I. ABECASIS:

The fact remains, Mr. Speaker, that in December 1969, that is almost 18 months ago, I was given an assurance that the Scheme was being revised in December 1970 it was stated that in January it would be published; in March 1971 it was stated that it was ready for publication, it only required ratification by the Council of Ministers. Now, on the 3rd of June we are told that there are more complications and that further amendments are needed. On the information I have, Mr. Speaker, there have only been four amendments.

- (1) the awards of points for waiting time, which is just an adaptation of the existing one;
- (2) points for sharing, which existed before;
- (3) exclusion of enclosed balconies from the assessable area, I don't think it would take much wisdom to do that; and
- (4) the awards of points for mixing of sexes.

To do these four simple amendments it has taken Government nearly 20 months, how long would they have taken to produce a new scheme themselves?

HON. J. CARUANA:

Mr. Speaker, I am not making any excuse whatsoever, and the Hon. Member, in attempting to simplify the problem, has stated dates which I myself mentioned in my answer to his question. I have mentioned December 1970; I have mentioned March 1971. I have not referred to 1969, which was when this question first arose. It is a year Mr. Speaker, but in simplifying the problem, it has only gone to show exactly what a mess we inherited in the Housing Section. (Cries of hear, hear.) Furthermore, Mr. Speaker, it

SUPPLEMENTARY TO NO.27 OF 1971 (Contd.)

is not the Government, as such, which is specifically proposing the new Revised Scheme, it is the Housing Allocation Committee which is composed of laymen. As I have stated repeatedly in this House, the Committee has, to date, met 24 times, and this is not bad going in the 14 months since it was constituted.

HON. I. ABECASIS:

Perhaps the Government have now learnt their lesson and in future they will say "as soon as possible" and not be bombastic and say "next week", "ready", "almost there". Perhaps they will now say "in two years time" and we shall wait.

HON. CHIEF MINISTER:

With all due respect Mr. Speaker, that is not the case, we have ~~always been criticised for saying as soon as possible,~~

HON. SIR JOSHUA HASSAN:

.....

MR. SPEAKER:

Order, next question.

The Hon. I. Abecasis

Sir, what are the terms of reference of the person who has been recently interviewing people with a view to reporting to the Government on the question of rents in Gibraltar?

Answer:

The Minister for Housing and Public Works

Mr. Speaker, one of the persons whom I believe Mr. Wyles has interviewed in Gibraltar is the Hon. Questioner himself.

Sir, Mr. L. P. Wyles, F.R.I.C. a District Valuation Officer, 1937 to 1970 and latterly in charge at St. Helens, Lancashire, recently arrived in Gibraltar to undertake a rent review. Mr. Wyles completed his enquiries and left Gibraltar on Friday 28th May 1971, after a stay of 8 weeks.

2. The Terms of Reference of his appointment were:

To review the system for determining rents in Gibraltar and in the light of the relevant socio-economic factors now obtaining to make recommendations with a view to determining a more equitable level of charges which would be more in line with economic rents for the different types of housing accommodation provided and maintained by the Gibraltar Government.

3. During the course of his visit Mr. Wyles interviewed a number of interested persons who, he felt, could make useful contributions to this investigations. These included representatives of the TGWU, the Gibraltar Trades Council (as I understand and I have said before the Hon. Member himself) Estate Agents, and, I believe also, the Leader of the Opposition.

SUPPLEMENTARY TO NO.28 OF 1971

HON. I. ABECASIS:

Mr. Speaker that is quite right, I met the gentleman for one and a half hours and we had a discussion, but when I ask what were his terms of reference he said, well, this is an informal chat, I want to exchange views on the subject. This is why I have asked for the terms of reference. Now, will the Government give this House an assurance that no one will be deprived of decent accommodation because of lack of income?

HON. J. CARUANA:

This assurance the House can have.

HON. I. ABECASIS:

Thank you, and furthermore will the Government give an assurance that further opportunities will be given to the people that have seen Mr. Wyles to see him again before any actual increases in rent take place?

HON. J. CARUANA:

Mr. Speaker, Mr. Wyles left on Friday the 28th of May. As regards his report, this will be addressed to His Excellency the Governor and no doubt will later go to the Government, who can agree or disagree with it, and make changes or otherwise to the context of this report.

HON. SIR JOSHUA HASSAN:

Presumably, when the report is considered by the Government and the Government take an attitude on it, we will have an opportunity of discussing any proposed action by the Government arising out of it. This is usual in the United Kingdom.

HON. J. CARUANA:

Mr. Speaker, it is a matter of great interest; I myself have not seen the report yet, so I cannot vouch one way or the other, but it is a matter which we shall certainly consider.

SUPPLEMENTARY TO NO. 28 of 1971 (Contd.)

HON. SIR JOSHUA HASSAN:

No, there is a point of great principle involved here, and that is that the rents of Government housing is fixed administratively whilst rents for private houses are controlled by law; and whereas any recommendation that would affect private houses would have to be suggested by means of proposed legislation where we could discuss it, rent for Government houses could possibly, strictly speaking, be fixed administratively. This is a matter of very great importance and what we would like is an assurance that before any decision is taken on the principles, or the approach to the basis in which Government rents are assessed, the matter will be discussed in this House.

HON. J. CARUANA:

Mr. Speaker, I think that the best time to consider this question is when the time comes and the report has been digested by the Government in the future.

HON. SIR JOSHUA HASSAN:

But I think this is very unsatisfactory because when the time comes and the report is digested, for all we know we won't know that it is done. We did not know that Mr. Wyles had been appointed until the gentleman concerned came along to me and, with the greatest respect to the Minister who has been answering questions said: "Are you the Minister for Housing?" I had to apologise and say no. The question of the administration of the report, is I think, very simple, I don't think the Government should be shy to say that of course, there will be an opportunity of discussing anything which affects rents of Government Housing. I am not asking anything more than that. Of course we could raise this question by motion, but one would like to feel that in a matter of this import, which applies to everybody, and some of us who live in Government quarters may have to declare an interest, will be discussed in this House for the benefit of everybody.

HON. J. CARUANA:

We share the sentiments of the Hon. Leader of the Opposition in this respect, I am sure that what Mr. Wyles meant was "are you the shadow Minister for Housing?". However the question of rent, government rents, is a matter for the government and I cannot give any assurance on this question, at this stage, without further advice.

HON. SIR JOSHUA HASSAN:

I can assure the Hon. Minister that I can understand what Mr. Wyles told me better than what the Hon. Minister might suggest he might have told me.

MR. SPEAKER:

Next question.

The Hon. A. P. Montegriffo

Can Government give an assurance that the Ambulance will be properly manned when called out to a case?

Answer:

The Minister for Medical and Health Services

Yes Sir. The Ambulance will be manned in the same manner as it has been since 1961.

SUPPLEMENTARY TO NO.29 OF 1971

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HON. MISS C. ANES:

Sir, as a matter of fact the fir decided to send me an anonymous note Post. I have been informed that the authorities, consist of two ambulance stationed at Waterport and the one on H.M. Dockyard. The drivers of each o duties at their posts but are immedia ambulance. Whenever possible a secon if no one is immediately available, an the driver goes on his own and, if ne despatched as soon as possible.

HON. A. P. MONTEGRIFFO:

Is the Minister satisfied with this sort of arrangement?

HON. MIS

Sir
the Hon.

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ments they were made in the time when
Medical Services. (Cries of shame)

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