

HOUSE OF ASSEMBLY
CEREMONIAL OPENING

HANSARD

OF MEETING 13 JULY 1972

HELD ON

OFFICE COPY

REPORT OF THE PROCEEDINGS OF THE HOUSE OF ASSEMBLY

The First Meeting of the First Session of the Second House of Assembly held in the House of Assembly Chamber on Thursday 13 July 1972 at 11 00 am.

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PRESENT:

Mr Speaker (In the Chair)
(The Hon A J Vasquez MA)

GOVERNMENT:

- The Hon Sir Joshua Hassan CBE MVO QC JP - Chief Minister
- The Hon A W Serfaty OBE JP - Minister for Tourism, Trade and Economic Development
- The Hon A P Montegriffo OBE - Minister for Medical and Health Services
- The Hon M K Featherstone - Minister for Education
- The Hon A J Canepa - Minister for Labour and Social Security
- The Hon I Abecasis - Minister for Housing
- The Hon Lt Col J L Hoare - Minister for Public Works and Municipal Services
- The Hon H J Zammitt - Minister for Information and Sport
- The Hon R H Hickling CMG QC - Attorney General
- The Hon C J Gomez CBE - Financial & Development Secretary (Acting)

OPPOSITION:

- The Hon Major R J Peliza - Leader of the Opposition
- The Hon M Xiberras
- The Hon P J Isola OBE
- The Hon W M Isola
- The Hon J Caruana
- The Hon L Devincenzi

ABSENT:

The Hon A Mackay CMG - Financial and Development Secretary) Who were away
The Hon J Bossano) from Gibraltar.

IN ATTENDANCE:

P A Garbarino Esq ED - Clerk to the House of Assembly

PRAYER:

Mr Speaker recited the Prayer.

ADMINISTRATION OF OATH OF ALLEGIANCE:

Mr Speaker took the Oath of Allegiance and administered the Oath to the Honourables Sir Joshua Hassan, A W Serfaty, A P Montegriffo, M K Featherstone, A J Canepa, I Abecasis, Lt Col J L Hoare, H J Zammitt, R H Hickling, C J Gomez, Major R J Peliza, M Xiberras, P J Isola, W M Isola, J Caruana, L Devincenzi.

CONFIRMATION OF APPOINTMENT OF THE SPEAKER OF THE HOUSE OF ASSEMBLY

Motion re:

HON CHIEF MINISTER

I have the honour to move that the appointment of Mr Alfred Joseph Vasquez as Speaker of the House of Assembly be confirmed. Most of the members of this House are already aware of Mr Vasquez's talents and ability as Speaker and of the totally impartial and courteously firm manner in which he ensured,

whenever there was a danger that we might be carried away, that the business of the House proceeded in a smooth and orderly way. His knowledge and command of procedure are such that we rarely even try to claim tactical loopholes in the Standing Orders. It is with great pleasure that I commend this motion to the House.

HON MAJOR R J DELIZA

Mr Speaker, it is a great honour for me to support this motion. I fully associate myself with the words expressed by the Chief Minister, but I would just like to add one or two more words and that is to say, I am not only impressed by ^{HIS} ~~your~~ work in this House, but also by the way ^{HE HAS} ~~you have~~ enhanced this Assembly, in the work ^{HE HAS} ~~you have~~ done outside this House, both in the ante room and also away from Gibraltar in the United Kingdom, and this side of the House fully supports the motion.

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

MR SPEAKER:

In accepting my re-appointment I am more than ever aware that the main characteristics of the office of Speaker are of necessity, authority and impartiality.

In thanking His Excellency the Governor and Hon Members for the trust they continue to place on me let me give an assurance that in the exercise of my duties I will always bear these characteristics in mind, never forgetting the quotation from Laundy's "The Office of Speaker" to which I made reference when I was first appointed to this office.

"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."

Thank you, Gentlemen, very much indeed.

ADDRESS BY HIS EXCELLENCY ADMIRAL OF THE FLEET SIR VARYL CARGILL BEGG,
GCB DSO DSC

HIS EXCELLENCY THE GOVERNOR:

Mr Speaker, Honourable Members of the House of Assembly.

Once again it is my privilege to address the House of Assembly, this time on the occasion of the opening of its Second Session, following a general election. The Constitution has now been in force for almost three years, and this is perhaps an appropriate time to take stock, glancing backwards with some satisfaction - and looking forward, with hope.

It is with regret that I note the retirement and death in the course of the last session of the House of Sir William Thomson. He was the first Speaker of this Assembly. Of his merits others have spoken eloquently in this Chamber: it falls to me, for sad reflection, to deplore his death, and the loss to this House and the people of Gibraltar of such a dedicated and respected servant. It is with pleasure however that I see in his place, Mr Alfred Vasquez, the present Speaker, whose chairmanship of the House over the past two years has commanded general acclaim.

I should like to extend a warm welcome to those new members on both sides of the House who will be attending our proceedings for the first time. And to those who have been members of the House during the past three years - those who for one reason or another are no longer here today as well as those who are - I would say this. You have been privileged to form an integral part of the new legislature of Gibraltar, as established by the Constitution Order in Council of 1969, during its first session. That Constitution was not, when it came into force on 11 August 1969, altogether an easy one to administer. It presented a number of initial problems; but thanks to the popular will to make the Constitution work, these have been successfully overcome and we now are building up a body of constitutional practice and convention that gives life to the letter of the law.

What to me has been, and is, of particular importance and satisfaction is that the spirit of the Constitution has been so well understood, and acted upon by honourable members of this House. That spirit is particularly manifest in the preamble of the Constitution, and in its first chapter which deals with the protection of the rights and freedoms of the individual; but it runs through the entire document and can perhaps be summed up in one brief phrase. "Fair play for all".

And it is, in attempting to achieve that aim of "Fair play for all" that honourable members have in the past session spent a great many hours of labour in this chamber, in the lobby of the House and elsewhere. For it is of course part of the Westminster parliamentary tradition that members who are possibly strongly opposed to each other's policies can work together in amity for the common weal and can discuss their political differences without rancour or acrimony.

This House has in the course of the past session seen examples of this constructive understanding, in the manner in which such items of legislation as those concerning statistics and housing have been handled. In these instances the Government has put forward particular proposals; the Opposition has offered critical but constructive comment; and this has been accepted on the Government side, and incorporated in the legislation finally approved by the House. In such a manner does the quest for the

best possible solution to a particular problem grow out of the debates and procedure of this House, to the advantage of the people here represented. And perhaps it does not come amiss if I add that no less an authority on parliamentary procedure than the Clerk of the Overseas Office at Westminster has recently had much praise for the manner in which the work of the Assembly is conducted.

In this coming Session there will continue to be a need for a constructive, co-operative approach to our problems, and a need for the strength and unity of purpose that comes from harmony within this Chamber: for it is in this Chamber that the voice of the people properly finds expression. It is my fervent hope, Mr Speaker, that the harmony of our community may continue to be reflected in the actions of this Assembly.

Mr Speaker, Honourable Members, I declare this second House of Assembly open and I pray for God's blessing and guidance on your deliberations.

HON CHIEF MINISTER:

Your Excellency, it is with great pleasure that I rise here today, once more on this side of the House, to thank you for opening this second House of Assembly and for your kind and encouraging words. Although we have spent the last three years in Opposition in this House, and have been outside the mainstream of Government activity, we are fully aware, as is everyone in Gibraltar, of the great interest that you take in Gibraltar's affairs as well as of the support that we have had from you and of your great commitment to the welfare of the people of Gibraltar.

As your Ministers we will, by all the means at our disposal, serve the best interests of the people of Gibraltar in every way. We will carry out our responsibilities for defined domestic matters in the local sphere and uphold the position of British Gibraltar, in accordance with the wishes of the people and the Preamble to the Constitution to which Your Excellency has referred.

The inaugural meeting of a new House of Assembly, because it must take place within 30 days of a general election, cannot be the occasion for a detailed, comprehensive forecast of the Government's legislative programme or for a complete statement of its future policies. It is nevertheless a suitable occasion for a re-statement, backed by the authority and the power to give effect to them, of the more important pledges made by my Party in its election campaign.

It is natural that one of the main preoccupations of all of us should be the cost of living. It is vital both that everyone in Gibraltar should be able to earn a decent living wage and also that the Government should take steps to ensure that this, when secured,

is not immediately dissipated by an automatic rise in the cost of living which leaves us precisely where we were before, if not actually worse off. In other words, we must learn to control inflation. We are fully aware of the difficulties of achieving this but pledge ourselves to seek the cooperation of Unions, traders and consumers for this purpose and, with that cooperation, to give this matter the highest possible priority. We have already made it clear that our long-term aim is a family wage and that we do not accept the need for two jobs as a foundation for society. We are committed to increasing wages in the forthcoming Biennial Review to the same extent as the Service Departments.

In the important field of industrial relations the Government seeks conciliation with the Unions. As long as the Unions' main priority is to protect and improve the working conditions of their members and their standard of living and that of the community as a whole, they will get a friendly reception and a ready response from the Government. In so far as the private sector is concerned, the Government will endeavour to persuade employers and Unions to get together in an effort to set up joint negotiating machinery.

The Government is committed to the introduction of an "occupational-related" pension scheme which would provide, for contributors, pensions more closely related to their pay on retirement.

Supplementary Benefits and Family Allowances will be kept under constant review to ensure that they bear an adequate relation to wages and the cost of living.

The Minister concerned has already started to put in train the major overhaul of our medical services which we have pledged. Our ultimate aim remains the establishment of a viable and efficient National Health Service.

The Government intends, in this forthcoming Session, to present and pass the long-awaited new Education Ordinance which follows on the report of a Commission specially set up to investigate and recommend on the education system, taking into account new UK legislation and local requirements.

We shall also accept responsibility for getting phase one of the new comprehensive system into satisfactory working order; and shall prepare for the implementation of phase two, planned for September, 1973.

The immediate efforts on these two phases will be supplemented by a longer-term plan upon which the Minister is now working, and about which details will be announced as soon as practicable.

We are also reviewing the whole system of Government scholarships, with a view to making the system smoother to operate and more positive

in application.

Our housing policies will include the modernisation of older accommodation and exploration of the possibility of introducing a Housing Corporation to encourage people to own their own flats. The Government will give great emphasis to the small things that count in the running of our City and which were previously the responsibility of the City Council. We will do everything possible to develop the private sector of our economy. We fully recognise the great importance of defence spending but know, from our experience in Government, that it is possible also, if there are no doctrinaire reasons to prevent it, that the encouragement of the private sector can only be of benefit to the community as a whole. This is a bonus that can be of benefit to all concerned, both directly, by the creation of more competition among employers, and indirectly, by increasing economic activity and adding to the revenue available to the Government for use in the social services without detriment to the position of the Service Departments. At the same time we have a mandate to increase the personal allowance so that the amount of tax payable by the lower income groups is reduced.

I stated at a Press Conference held on the 27 June 1972, in response to a question, that I thought consideration should be given to amending the Elections Ordinance in order to alter the system of voting. The present system, we have found from experience so far, results in a one-man majority and it seems desirable, in the interests of greater stability and flexibility, as well possibly as giving more scope to independent candidates, that the system should be altered to enable the electorate to cast their votes in this way if that is their wish. We propose to institute discussions with the Opposition on this question in due course.

A recurring theme in our election campaign was that of participation. We will encourage this wherever possible so that anyone in Gibraltar who is prepared to give his time, his knowledge and his efforts for the good of the community will have every opportunity of doing so. In our manifesto we stressed the importance of consultation and participation in industrial relations; we pledged ourselves to encourage youth to participate at all levels by inviting youth organisations to take part in as many Government Committees as possible; we spoke of participation in the Port; we said that in order to ensure greater participation by all sections of the community in the affairs of our City we would create advisory committees in all appropriate Government activities.

I now re-state this principle and reiterate the statement I made at a Press Conference, immediately after taking office as Chief Minister, that we look forward to a period of reconciliation. I then said that we offered the hand of friendship to everybody so that we might be united as a community. In order to achieve this, we must bring down

artificial barriers and make full use, for the public good, of every positive contribution that can be made by public spirited persons in all spheres of our community. We share Your Excellency's hope for a constructive and cooperative approach to our problems by all members of the House, in an atmosphere of healthy criticism and opposition. Without in any way departing from this pattern, the House should give the lead to the community in harmony and cooperation. For our part, we pledge ourselves to the people of Gibraltar to do all we can to ensure this and to carry out to the best of our ability the responsibility which they have entrusted to us. Thank you, Sir.

HON MAJOR R J PELIZA:

Your Excellency, before delivering my address I would like to express on behalf of my friend and colleague Joe Bossano, his regret and great disappointment in being unable to be here today for the opening of this new House of Assembly. I should explain that Joe Bossano was asked by us at very short notice to stand for election, and it was only because he has a great sense of duty and is very public spirited that he said he would, but to do so he had to interrupt his examinations, come to Gibraltar, and return to the University of Birmingham to continue with his tests. I am glad to say that notwithstanding ~~that~~ he has ~~passed~~ and that we shall have Joe Bossano in this House not later than the 26th of this month. He is at present settling his affairs in England, and arranging for his wife and three children to return to Gibraltar where he will take up permanent residence as from the 26th of this month. And he should therefore be here in this House when we start the next working session, and then we are sure he will be able to make a great contribution to this House, first because he is a first class honours economist and secondly he is now a man of letters as well. So we, on this side of the House, share his regret and disappointment.

Having said that Sir, I would like first of all to associate myself with your words on the last Speaker, Sir William Thomson, and having done that I would like to start by saying what a great honour it is for us to be here in your presence for a second time and for me particularly to have the privilege to address this House in your presence, even if it is not ^{from} in the same side of the House as last time.

Sir, we pledge ourselves to undertake the essential role of the Opposition with ~~keenness~~ and a high sense of responsibility. During our term in office of nearly three years we set a high standard of administration and can account for many sound and solid achievements. We are therefore justifiably in a position to demand at least similar results from the new Government. There is ample evidence in facts and figures to show that we inherited a depressed ~~community~~, and a deficit ^{economy}.

of £368,000. We had to face all this at a time when the Spanish Labour force had just been withdrawn, the frontier totally closed and the Algeciras ferry boat stopped. Looking back we are satisfied that these restrictions, clearly intended to make Gibraltar surrender, were frustrated and then turned to the advantage of the people. Furthermore, we are satisfied that we are handing over a buoyant economy, a substantial revenue reserve of £1,400,000 and no deficit. Additionally there are £300,000 put aside for improvement and development projects and our budget ensured a surplus to meet the pay and salary awards of the biennial review now under way. My colleagues and I envisaged an overall increase within the 40-hour week in the region of £5 to £6 weekly. This would meet rises in the cost of living, as well as generally improving the standard of living. Had we been returned to Government, we would have continued to work for this immediate aim which would have been a significant step forward towards our objective of equivalent parity of earnings with Great Britain. It is our earnest hope that a successful outcome to the present negotiations on these lines is not far off. Once these increases have taken place we will have taken a further step in achieving a high wage, high salary, and high productivity economy which we initiated on taking office and which has been proved the right policy for the economy of Gibraltar. Her Majesty's Government must take cognisance of the fact that Gibraltar depends mainly on its income on the United Kingdom Official Employers and that if this income is not forthcoming in the future to meet the rise in the cost of living, the Gibraltar economy will not be able to sustain its people. It is this concept that prompted our Government to introduce the cost of living formula, a policy which we hope will be continued in the future. We also trust that the principle of the cost of living formula will be statutorily extended to the private sector. Her Majesty's Government has repeatedly stated that they will support and sustain Gibraltar through its difficulties. We have always said that the best way of supporting and sustaining Gibraltar is through the earnings of the working people who form the vast majority of the Gibraltarians and who, in turn, through their spending power help the wheels of local commerce to turn, provide the revenues that goes to pay for our social services and thus ensure that the prosperity so generated can be shared by all. In our view the people of Gibraltar interpret the principle of support and sustain not as a temporary expedient but as an honourable pledge to ensure that the will of the people of Gibraltar to remain British forever in a British Gibraltar should not be crushed by the savage restrictions imposed by the Spanish Government. I feel confident, too, that this was the intention of Her Majesty's Government when in their first White Paper on Gibraltar issued in April 1965 it was stated that the policy of Her Majesty's Government was and I quote, "to stand by the people of Gibraltar in their present difficulties and take whatever ^{measures} may be required

to defend and sustain them". At this critical juncture when the will of the people is being put to the test in more subtle ways than ever this support and sustenance are vital. It is my sincere belief that the people of Gibraltar to use a referendum word voluntarily will never opt out of their British heritage, but it is clear that to uphold our British heritage as set out in the preamble of the Constitution, it is necessary to have the economic strength to resist the Spanish blockade. It has come as a great shock to us that Gibraltar should have been excluded from the sterling area. As Integrationists we always feared that this could happen not only in this respect but also in others, if we did not get on the United Kingdom side of the barrier, a barrier which we could clearly see growing up. Gibraltar should be on the same side of the barrier as the Isle of Man and the Channel Islands. We shall press for this question to be resolved speedily. In view of our forthcoming entry into Europe, and our general isolation from the rest of the world it is difficult to understand or interpret this move by Her Majesty's Government to put Gibraltar outside the United Kingdom sterling area. We trust that this situation will illustrate in a tangible way to all Gibraltarians the importance of integration with Britain for Gibraltar, in a fast moving and changing world. For similar reasons we shall also continue strongly to press for the attainment of real United Kingdom Citizenship so essential to the dignity, self respect and international status of Gibraltarians. The coming talks between Sir Alec Douglas Home and Snr Lopez Bravo due to take place in London in six days time is so important to the future of Gibraltar and the Gibraltarians, that I feel to be duty bound to repeat and have recorded in this House the position of the Integration with Britain Party. Our position remains as firm and as clear as it has always been, that is to say, that we shall not entertain any proposal which involves any transfer of British sovereignty in any manner of form or a lease or any concessions that would undermine the position of Gibraltar, or the Gibraltarians now or in the future.

We do, of course, wish to see a return to normality and if the Spanish Government cannot see their way ^{to} end the harassment of our people we are confident that normality will return in the context of the Common Market of which we shall form part with Britain six months from now. I started by saying Your Excellency, that the Opposition has an important part to play. And this does not just mean opposing for the sake of opposing. It certainly does not mean being vindictive or acrimonious, nor being inhibited or constrained to the detriment of the people we represent. From this side of the House, we shall urge Ministers to administer their Departments efficiently. We shall ensure that everyone receives equal and fair treatment and that none is favoured at the expense of others.

We uphold the view that Government and Opposition is a creative combination that leads to progress. We believe there are common interests in any community and that unity is only genuine and beneficial when all parties can freely agree on stated objectives. But we do not believe in unity as an expedient. We shall safeguard our democratic system of Government, which has been so beneficial to the people of Gibraltar during the past three years. We shall oppose any attempt from whatever quarter it may come to derogate from the position of this House as a centre of the democratic rights of the people and above all we shall always act with frankness and sincerity in the best interests of Gibraltar and remain ready as an alternative Government prepared to assume responsibilities of office, whenever called upon to do so, Sir.

ELECTION OF MAYOR OF GIBRALTAR:

Motion re:

HON CHIEF MINISTER:

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

On the last occasion on which the election of the Mayor came before this House I said, from the benches opposite, that our view was that the Mayor of Gibraltar should be a member of this House elected by the people. I said this because we did not wish to bind ourselves to a convention which would mean that the Speaker would always necessarily be the Mayor. Having made that reservation at the time, we went on to support the motion to elect the Speaker as Mayor on that occasion. It now gives me great pleasure, with the same reservation in mind, for the record, to commend to the House the motion that Mr Vasquez be once more elected Mayor.

HON MAJOR PELIZA:

Your Excellency, it is again a great honour for me to support the motion, which shows that there are times when there can be unity in this House. We know that Mr Vasquez did perform his duties as Mayor as we did expect it would happen; with impartiality and in no way reflecting one side or the other of the House, and because we were proved right that this perhaps would be the best solution to this kind of problem that could be faced in this House, we suggested the idea and we now fully support it. I would just like to add that I do support this motion because we do have faith and agree that he is the man who should take it and not because we do not think there might not be some other person on the other side of the House who could do it just as well.

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

MR SPEAKER:

Your Excellency, again I wish to thank the House for the further honour you have done me today in re-electing me Mayor of Gibraltar. I will as in the past endeavour to fulfill the duties of Mayor to the best of my ability, and always of course in the best interests of the City of Gibraltar. Thank you all very much indeed.

ADJOURNMENT:

The House then adjourned.