

HOUSE OF ASSEMBLY

HANSARD
OF MEETING

HELD ON 12 MARCH 1974

VOL I

REPORT OF THE PROCEEDINGS OF THE HOUSE OF ASSEMBLY

The Eleventh Meeting of the First Session of the Second House of Assembly held in the Assembly Chamber on Tuesday the 12th March 1974 at the hour of 10.30 o'clock in the forenoon.

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 P Montegriffo OBE, Minister for Medical and Health Services.
The Hon A W Serfaty OBE JP, Minister for Tourism, Trade and Economic Development.
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 Zammit, Minister for Information and Sport.
The Hon J K Havers, OBE QC, Attorney General.
The Hon A Mackay CMG, Financial and Development Secretary.

OPPOSITION:

The Hon M Xiberras, Leader of the Opposition.
The Hon P J Isola OBE.
The Hon W M Isola.
The Hon J Bossano.
The Hon J Caruana.
The Hon L Devincenzi

ABSENT:

The Hon Major R J Peliza (Away from Gibraltar).

IN ATTENDANCE:

Mr P A Garbarino, ED, Clerk to the House of Assembly.

PRAYER.

Mr Speaker recited the prayer.

CONFIRMATION OF MINUTES.

The Minutes of the Meeting held on the 29th January 1974, having been previously circulated, were taken as read and confirmed.

COMMUNICATIONS FROM THE CHAIR.

Mr Speaker said he was sure he was voicing the feelings of all Honourable Members of the House in congratulating and offering his best wishes to the Honourable Lieutenant-Colonel and Mrs J L Hoare on the occasion of their Ruby Wedding Anniversary.

DOCUMENTS LAID.

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

Exchange of letters between the Secretary of State for Foreign and Commonwealth Affairs and HE the Governor regarding the reciprocal Health Service Agreement with the United Kingdom.

Ordered to lie.

The Honourable the Minister for Tourism, Trade and Economic Development laid on the table the following document;

The Control of Advertisements Regulations 1974.

Ordered to lie.

The Honourable the Minister for Labour and Social Security laid on the table the following documents:

- (1) Report on the Activities of the Industrial Training Board, together with a statement of Receipts and

Payments for the year ending 31st March 1973, as required by section 26 of the Industrial Training Ordinance 1970.

- (2) Report on Inquiry into the Profitability of the Bakery Industry in Gibraltar.

Ordered to lie.

The Honourable the Minister for Public Works and Municipal Services laid on the table the following documents:

- (1) The Traffic (Parking and Waiting) (Amendment) Order 1974.
- (2) The Traffic (Fixed Penalty) (Procedure) (Amendment) Regulations 1974.

Ordered to lie.

The Honourable the Financial and Development Secretary moved the suspension of Standing Order No.43(5) to lay on the table a stencilled copy of the Draft Estimates of Revenue and Expenditure for 1974/75.

This was agreed to.

The Honourable the Financial and Development Secretary laid on the table the Draft Estimates of Revenue and Expenditure for 1974/75.

Ordered to lie.

STATEMENT BY THE CHIEF MINISTER

P A Y E

The Government proposes to introduce with effect from 1 April 1975 a system for the compulsory deduction of income tax from earnings at source on lines similar to PAYE in the United Kingdom. Suitable modifications will however be made to take account of circumstances in Gibraltar.

It was hoped that the scheme could be introduced with effect from 1 April 1974, but the advice given by the PAYE Adviser who recently visited Gibraltar was that, on practical grounds, implementation would not be possible until April 1975. Sufficient time must be allowed in which to draft the necessary legislation and have it approved by the House. Various forms must be designed and printed, and standard deduction tables for use by employers must be calculated. Consultation with employers will be necessary. Moreover, the Government is anxious to ensure that both employers and employees have sufficient time and opportunity to understand how the system will work. To this end, and to help in general with the introduction of the scheme, an Income Tax Officer with experience of PAYE will be coming shortly from the UK on secondment to Gibraltar.

Under our present system for collecting income tax both the assessment to tax and the amount payable in any one year are related to income which was earned in the preceding year. By contrast, under the new PAYE system, tax will be assessed on current income, and deducted at source from that income as and when it is earned. As from April 1975 therefore those liable to income tax on earned income will be paying tax in weekly or monthly amounts on current 1975-76 incomes. But any outstanding tax owing in respect of assessments for 1974-75 or earlier years would also have to be paid at the same time.

To avoid this possibility of having to pay two amounts of income tax at the same time, those liable to income tax on earned income will wish to ensure that they have paid in full before 31 March 1975 any tax assessment in respect of 1974-75 or earlier years.

Since April 1972 an arrangement has been in force with the Official Employers whereby, even before receiving an assessment, employees make voluntary deposits throughout the tax year towards their total tax liability. Many employees are using this scheme and should therefore find no difficulty in meeting their 1974-75 tax liability before 31 March 1975. Nor indeed should they find any difficulty in making the transition to PAYE in 1975-76.

With regard to those Employers who do not operate a system of voluntary deductions, spread over the whole year, the law does at present require that compulsory deductions

are made by instalments over a period not exceeding six months. But the burden of income tax to the employee is clearly much less onerous if spread over a twelve month period than over a six month period.

The Government therefore most strongly urges those employers who do not yet operate a voluntary scheme for the benefit of their employees, to do so in 1974-75 as quickly as possible. The Income Tax Department stands ready to provide whatever assistance is needed. Equally the Government urges employees who have not yet done so, to join a voluntary scheme for 1974-75. In this way, the tax burden will be spread more evenly over the year as a whole. Moreover, by joining a voluntary scheme any tax liability for 1974-75 or earlier years should without difficulty be settled before 31 March 1975; thus avoiding the possibility of having to pay two amounts of tax at the same time in 1975-76.

Finally, participation in a voluntary deposit scheme now, will help those concerned to get used to the idea of tax being deducted from income at source, prior to the statutory introduction of PAYE.

Thank you, Mr Speaker.

HON M D XIBERRAS:

Sir, we had the opportunity of speaking to another man who came over from the United Kingdom on PAYE and we made it clear to him on behalf of the Opposition that we were in agreement with the principle of PAYE, which if I remember rightly appears in the IWPB election manifesto. As to the method of implementation, this side of the House will give consideration to what the Chief Minister has had to say and will make its views known in due course.

STATEMENT BY THE MINISTER FOR PUBLIC WORKS

1. In response to Question 143 of 1973 I undertook to give a report to this House when the investigations into the defects of Penney House had been completed. It will be remembered that hair line cracks were first observed in 1970 and that by

middle of 1973 the cracking had become so numerous and enlarged as to cause concern.

2a. The Rom River Company, a firm of Structural Engineers, in conjunction with officers of the Public Works Department, carried out an immediate and detailed inspection of the cracking and adjoining areas of the columns and prepared a report regarding the structural condition and safety of the building. This was received in September 1973.

2b. It was found that the concrete in many of the defective columns contained a high chloride content which had corroded the reinforcement steel. It was also discovered that much of the concrete was of a poor quality and porous. This porosity of the material allowed the entry of salt air which caused further extensive corrosion of the steel reinforcement.

2c. It had also been established that the structure was under-designed and, even if no other defects had been apparent, strengthening of the whole structure would be necessary to bring it up to acceptable standards of safety.

2d. As a result of this report it was decided that the building had to be evacuated as it was deemed to be unsafe.

3a. Much more exhaustive and detailed inspections were therefore considered necessary because the whole of the reinforced concrete frame was now suspect and stripping of the rendering was essential to investigate the extent of the defects.

3b. It became apparent during this later inspection that many other parts of the reinforcement concrete framework were in fact similarly affected and that the extent of the deterioration was sufficiently widespread to make reinstatement difficult and expensive.

4a. Other alternatives of remedial action therefore have been considered and it is thought the most practical and economic solution would be to provide load-bearing brick walling to relieve the reinforced concrete framework from load. The order of cost would be in the region of £120,000 to £150,000. The estimate assumes that much of the existing ironmongery, doors, windows and other items can be salvaged and that no serious problems arise regarding plumbing and electrical installations.

4b. A major problem would still exist in that the beams and columns would still carry a certain, though limited, amount of load whilst the floor slabs would remain fully loaded. However no signs of distress are visible in the latter at present, but this could perhaps occur at some later date.

4c. If it is decided to reinstate the building, the nature of the work is such that Consulting Engineers would have to be appointed to prepare the design, contract documents, carry out other related work and supervise the appointed specialist contractors.

5. The opportunity could be taken for the ground floor garage spaces to be converted into 8 bedroom sitters, if so desired. The additional accommodation would cost about a further £5,000.

6. It is the implications of these factors that still have to be thoroughly investigated before a final decision - on both economical and safety grounds - can be reached.

HON J CARUANA:

Mr Speaker, whereas the statement of the Honourable and Gallant Minister for Public Works has added various points of great interest concerning the architectural condition of the building, which this side of the House and the public did not know, his statement, however, as he rightly ended, is inconclusive since the Government has not taken a final decision on this issue, which is in fact the point of the question in front of the House today. At this stage, Mr Speaker, irrespective

MR SPEAKER:

You can't discuss that. We have been quite liberal, but

HON J CARUANA:

Would the Honourable and Gallant Minister, and the Government, irrespective of whatever conclusions are reached, conclusions which in any event will be expensive and very costly to the rate payers of Gibraltar, undertake on the grounds of what

he has disclosed today, a public enquiry to look into and report on the professional performance of the architects and engineers and those concerned with the building in question, since it is of the most serious ...

MR SPEAKER:

You must make questions of a length that can be answered. I think perhaps we might stop there. You have asked a question which could be answered, then you can ask another one.

HON J CARUANA:

The question is, Mr Speaker, whether the Government will consider, in view of what has been said in his statement, which are very serious points bearing on the professional judgement and professional supervision, whether they will make a public enquiry to look into and report as to the reasons why this should have happened.

HON LT COL J L HOARE:

Mr Speaker, this of course is one of the problems that have to be looked at, discussed and a decision given. I cannot at this stage commit myself one way or the other as to whether there should be a public enquiry, I think we must go a little bit deeper into this, but I will certainly keep that point in mind and let the House know as soon as we come to a decision what that decision is. If necessary it can then be debated.

HON J CARUANA:

Mr Speaker, I am very grateful to the Honourable and Gallant Member opposite, but is he not aware that in his statement he has said that in the report of the consultants, Rom Rivers, it is said that the concrete has a high content of chloride which has added to corrosion; that the concrete is poor and porous allowing salt air to penetrate; that the steel re-inforcements are lacking; and that the whole building has been under designed? These are very

strong words and require in fact immediate action. Whatever action is taken regarding the building itself, whether it is demolished or reinstated or whatever it is, I think that the persons responsible for this should be brought to account. It would not be the first time in the history of architecture here professionals are brought to account on this, and certainly this House and the people of Gibraltar in such a serious case should be put in the picture. I cannot comprehend why at this stage the Honourable and Gallant Minister for Public Works, and the Government as a whole, are still vacillating as to whether there is a need for a public enquiry into this case.

HON. LT. COL J. L. HOARE:

Mr Speaker, I hope that it is not being assumed that the Government is not concerned about this or that it will hide anything that is disclosed. But I am conscious of the fact that two of the principal characters in this drama, if I may put it that way, are dead. These are relevant factors, and, therefore, it is doubtful whether anybody can get the full story. These are the factors that have to be considered. We are already working trying to get the history of this and we will consider and we will keep the House informed of what we find and then we will have an enquiry. But because of these factors it is doubtful, to say the least, what value we will get from a public enquiry because the people who could give us the greatest help have left this world.

HON. J. CARUANA:

Mr Speaker, I thank the Honourable and Gallant Member for that answer. I hope he will take heed of the request from this side of the House and I would ask of him if he could state to the House whether, since the last report or investigation or scrutiny or whatever was carried out on the house, that in fact anything done to the House up to this stage has proved effective or whether in fact the situation is deteriorating, since this, Mr Speaker, would undoubtedly hold a great question of responsibility as to whether the House should remain standing for much longer or not.

MR SPEAKER:

You are referring to Penney House?

HON J CARUANA:

Absolutely, Mr Speaker, I am referring to the building itself and not to the House!

HON LT COL J I HOARE:

Mr Speaker, the fact that we have bricked in the ground floor and in this way given additional support has as far as is practical made the building safe and from that respect there has been no deterioration since these reports were written. We have inspected throughout and we have found this contamination widespread, and we are going on and on and on. This will be a very exhaustive, a very laborious process; taking samples from each and every room, each and every wall, each and every corner, getting them analysed and so on, but there has been no further deterioration because we have taken the load off the columns by the bricking in of the front.

HON J CARUANA:

Mr Speaker, in those last remarks of the Honourable and Gallant Minister for Public Works, has he taken into account the part of the statement in which he states, rather doubtfully and in contradiction to what he has just said, that the estimates in his statement of £120,000/£150,000 assumes that much of the existing ironmongery, doors, windows, and other items, can be salvaged, and that no serious problems arise regarding planning and electrical installation. There is in that statement a doubt as to whether these items are going to be there at all.

He is saying now that so far there has been no deterioration, and yet in his statement he is saying that it is assumed that this will not be affected.

HON LT COL J I HOARE:

I am afraid the Honourable Gentleman on the other side has

misunderstood. If we provide low load bearing brick walling throughout all the building they may present plumbing problems, you may have to change the piping, you may have to change all the electrical circuits and all the rest of it. It is not just a question of load bearing walls on the bottom, they have to be put throughout the house, at every floor, and this is what is meant by that paragraph. We would like to do as little damage with the stuff we take off so that we can re use it.

HON P J ISOLA:

Mr Speaker, I would like to ask for some clarification. The Honourable Minister has informed us that the report was received in September 1973. I don't know if this is the report he was referring to in January when he told the House that it had not yet been received and which he told the House would be published in full, in answer to supplementary question No.5 of 1974. He was asked whether the report on the investigation into the structural defects of Penney House would be made public. He answered, yes; he was asked, when, and he said, "I cannot know until the report is received". Then later on he said: "I have not had anything but the initial report from the technicians and until they send it there is nothing I can do about it. We are ready to consider the report as soon as it arrives and take the appropriate action, but until it arrives we cannot do a thing".

The clarification I am seeking is, that this statement made by the Minister seems to be rather a definitive statement: is he making this statement without regard to the report that he said had not yet arrived; is there one to arrive; could we just be told how this statement fits in with the statement he made to the House in January 1974 when he informed us that decisions could not really be made until the report had been received in Gibraltar. Could we have some clarification.

HON LT COL J L MOORE:

Yes, certainly, Mr Speaker. There have been two reports. The preliminary one made by the Ron River Company in conjunction with the Public Works Department in September, and what has very recently been received is a report resulting from the much more exhaustive and detailed inspection which have been carried out since.

HON P J ISOLA:

Sir, can I just ask: are the conclusions or the announcements made here based on the September report or the one received recently which is more detailed.

HON LT COL J L HOARE:

On the second one obviously.

HON P J ISOLA:

The statement refers to the September 1973 report.

HON LT COL J L HOARE:

This was received in September 1973 and that was mentioned right at the very beginning of the report. And it was as a result of that report that the building was evacuated. There was a later report, and this came as a result of a later inspection. This is the report of the later investigation which is still being investigated insofar as to which is the best way of meeting the defects. These are decisions which have to be taken now by the Government. It is these factors, and their implications, direct and indirect, that we have still got to decide.

HON J BOSSING:

Mr Speaker, could the Honourable and Gallant Member explain for my benefit what is the distinction between the question of reinstatement of the building, which is referred to in 3(b) and in 4(c) of his statement, and the remedial action of 4(a) costing £120,000/150,000. Are they different things costing different amounts, or what.

HON LT COL J L HOARE:

No, there were various ways of reinstating: ~~that, I mean,~~ one would have been to have built concrete pillars at intervals, at every two feet, but we have been looking at

the alternative method of doing it best and cheapest, and this is by providing load-bearing brick walling, and it is this remedial action, this ~~is~~ reinstatement, which is estimated to cost between £120,000/150,000.

HON J BOSSANO:

I take it then, Mr Speaker, that remedial action referred to here will be a reinstatement of the building, and that although it appears to be suggested in 4(c) that what is being considered is whether to reinstate or not to reinstate the building, does not suggest that the building might be pulled down. Is that the case?

HON LT COL J L HOARE:

Obviously, this is one of the things that has to be considered as well, whether it is much more economical to pull down and rebuild or to reinstate. These are the final decisions which have to be taken, but this thought of pulling down and rebuilding is not the one that we have immediately in our mind. We may have to be forced to this conclusion, taking all the other considerations, but at the moment it is not in our minds at all to pull the building down.

HON J BOSSANO:

I apologise to the Honourable and Gallant Member, I am not trying to be difficult, Mr Speaker, it just seems to me that the way it is expressed gives to my mind a different impression. This is why I am seeking clarification. In 4(c) it says: "If it is decided to reinstate the building, the nature of the work is such that Consulting Engineers would have to be appointed". That suggests to me that reinstating the building will cost more than £150,000 and that the work in 4(a) is not reinstating the building. Surely this is the logical linguistic consequence of what is written on the statement.

HON LT COL J L HOARE:

No. I am sorry if this has misled the Honourable Member on the other side. This is all part and parcel of the same

paragraph and it is to indicate that the reinstatement job would be outside the capabilities of any force available in Gibraltar, and this is why I used the word "supervise the appointed specialist contractors and Consulting Engineers". This would be a delicate expert job beyond the scope of the Public Works Department.

HON J BOSSANO:

And would the Minister not say, Mr Speaker, in that case, that if the alternative chosen is to reinstate the building it is likely to be lengthy and expensive and consequently very different from what the tenants of the building were originally given to understand. They were being given temporary.....

MR SPEAKER:

We must not..... I have been very very liberal at question time but that was question time. If it is important it can be debated, but we must draw the line somewhere.

HON M KIBERRAS:

I must tax the Minister with the report which the Honourable and Gallant Member has mentioned. I too was under the misapprehension that this statement was on the basis of the September 1973 Report, which in my mind was the initial report referred to as not having been received in January this year. But I gather that this is the final report, which the Minister has just received, and may I ask him whether he intends to comply with his undertaking that he would make this public, and if so, can he give the House an indication as to when?

HON LT COL J L HOARE:

I do not remember giving this undertaking. I will look at this again and see how much can be made public. A great deal of it of course is just sheer technical data, and it is a continuing series of reports, it is not just one report,

a continuing series. And it has been going constantly backwards and forwards since September. But I will certainly look into the question of summarising those various reports and making a separate pocket report on the same, because, as I say, a great deal of it is on stresses and strains, and chloride content and chemical, and all the rest of it, which would be of no, or little, value here. If I gave that undertaking I will certainly see that there is a precis made of the various reports which were made and make this public.

This was the intention of this statement, to give a precis of the report.

HON M D XIBERRAS:

I find that most unsatisfactory, Sir. Does the Minister not recall his first reply to question No 5 of 1974 which read: "Will Government make public the report of the investigation into the structural defects of Penney House?" The Minister for Public Works and Municipal Services, in the written part of his answer: "Yes Sir."

Sir, I am bound to say that a potted version of the report or reports, as it now appears that there are several reports, in a matter concerning some £120,000 or so, if this option is taken, of public money, a potted version is not at all satisfactory for this House, might I suggest. And for the public, Sir, I do not think it offers any satisfaction. There are bound to be other issues which are associated with Penney House, buildings of around that time, which people would like clarification on, and only an authoritative report by the persons who have been engaged by Government to look at Penney House is going to satisfy them. Therefore, Sir, the request of the Opposition for the public enquiry into this, made by my Honourable Friend Mr Caruana, still stands, but certainly we hold the Honourable and Gallant Member to his undertaking, given in reply to Question No 5, that he would publish the whole report, make public the report of the investigation into the structural defects of Penney House.

HON LT COL J L HOARE:

If I made that statement then I will most certainly honour it,

but I give warning that it will make very dull reading.

HON J CARUANA:

Sir, may I ask the Minister a completely different question. In this last report received, Mr Speaker, can the Minister tell us whether the question of any upheaval caused by new constructions surrounding Penney House have been responsible in some way for the damage ?

MR SPEAKER:

No, we are not going to go into the report. That is precisely what I am not prepared to do now. It is not relevant.

HON J CARUANA:

Mr Speaker the other relevant question which might be very pressing for the surrounding area and people concerned there is whether it concerns any question of land subsidence in the district as against the building. Whether this has been discounted in this report. I think people, probably because of the time it takes Government to publish reports, can not wait that long.

HON LT COL J L HOARE:

I made it clear, I think, in my very first answer, that there is no subsidence at all in that area.

MR SPEAKER:

We will now recess until 3.15 pm this afternoon.

The House recessed at 1.00 p.m.

The House resumed at 3.15 p.m.

BILLS

FIRST AND SECOND READINGS

The Regulations of Wages and Conditions of Employment
(Amendment) Bill 1974.

The Honourable the Minister for Labour & Social Security moved that a Bill for an Ordinance to amend the Regulation of Wages and Conditions of Employment Ordinance by making provision therein to protect persons from unfair dismissal and for other incidental matters be read a first time.

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

The Bill was read a first time.

SECOND READING

HON A J CANEPA:

Mr Speaker, I beg to move that this Bill be now read a Second Time.

~~For~~ The purpose of this Bill is to give employees protection against unfair dismissal. In November, 1972, when replying to a question in the House, I said that Government was sympathetic in principle towards any measures that could be taken to protect employees from unfair dismissal and that the whole matter would be carefully studied to see what could be done. It is as a result of long and careful deliberation by myself, my department, the Honourable the Attorney-General, and subsequently the Labour Advisory Board, that I am glad to bring today this Bill before the House. The Bill, ~~which~~ in spite of its prosaic title, marks a major step forward in the labour legislation of Gibraltar and which I ~~like~~ ^{prefer} to call by its more unofficial title of the Unfair Dismissals Bill.

Broadly speaking, Mr Speaker, the Bill embodies relevant Sections of the United Kingdom legislation on the subject, adapted to the needs of Gibraltar. It gives employees, with some certain exceptions, protection against unfair dismissal by their employers whether they be in the public or in the private sector. Those employees who are not covered by this protection are those who have less than two years service with their employer, and those who are over the age of 65 for men or over the age of 60 for women, or who may be over whatever the retirement age may be for their particular employment. However, it is significant to point out that in both these cases the employees will be able to complain of unfair dismissal if dismissed for exercising, or seeking to exercise, the right to belong or not to belong to a trade union or to take part in its activities.

Excluded completely, Sir, from the unfair dismissal provisions are the husband, wife, or close relative, of the employer or his spouse; employees working for less than 21 hours a week for their employer; and those who are ordinarily working outside Gibraltar. And I think, Sir, that I should also say that seamen, casual workers, and domestic workers in private dwellings houses are also excluded by virtue of the definition of an employee in Section 2 of the principal Ordinance.

In the United Kingdom the unfair dismissal provisions do not apply to employees in undertakings with fewer than four employees, and a similar proviso was in fact inserted in the original draft of the Bill which I took to the Labour Advisory Board, but the Government has accepted the unanimous recommendation of the Board that protection should be extended to all employees irrespective of the numbers employed in a particular undertaking. Generally speaking the practice will be for an employee who considers that he has been unfairly dismissed to make a complaint to the Tribunal, which if it finds a complaint justified will consider whether it is practicable and equitable for the employee to be re-engaged by the employer, in which case it may recommend such terms as it considers reasonable. Alternatively, or if its recommendations for re-engagement *is* not accepted by the employer the employee, or both, the Tribunal will award compensation to be paid by the employer and of such amount as the Tribunal may consider just and equitable, but within the prescribed maximum.

The Bill, Mr Speaker, provides that where an employee claims to have been unfairly dismissed it will be for the employer to show the reason for dismissal. Dismissal on the grounds of an employee's capabilities, qualifications, conduct, or for other substantial cause, is fair if it is reasonable in the circumstances for the employer to have dismissed the employee on these grounds, on the grounds of lack of qualifications, misconduct or loss of capability. Dismissal by a statutory requirement or redundancy is also fair; unless in the case of redundancy, the employee who is dismissed is selected for dismissal in contravention of a customary arrangement or an agreed procedure for redundancy.

The Bill also provides that it is unfair to dismiss an employee for exercising his rights to belong or not to belong to a trade union, or to take part in its activities and in the case of a lock-out, dismissal is not unfair if at the end of the lock-out the employee is offered re-engagement in his old job or in another one suitable to him. In the case of a strike it is not unfair to dismiss an employee for taking part in a strike or in irregular industrial action short of a strike. But if, however, the employee is selected for dismissal or for non-re-engagement from among those who took part in the strike because he exercised his right to belong or not to belong to a trade union or takes part in its activities, then the dismissal is unfair.

Sir, there are also provisions in the Bill on the question of pressure being brought to bear on an employer. If pressure is brought to bear causing him to dismiss an employee unfairly, the Tribunal is bound to disregard such pressure, and it is bound to deal with the question as though in fact no such pressure had been exercised. And the sort of pressures which are outlined in the Bill are those of a strike, or irregular industrial action short of a strike. Under such circumstances an employer could claim where an award of compensation is to be made against him, that his action was due to pressure exerted upon him by another person and that this constituted an unfair industrial practice. In that case the employer may ask for this third party to be joined as a party to the proceedings and if the Tribunal were to find the employer's claim were well founded it could require the third party to pay a contribution to the compensation, and the amount of this can, if the Tribunal were to consider it to be just and equitable in the circumstances,

it could be sufficient to constitute in fact a complete indemnity to the employer. Where the third party, Sir, is an official of a trade union, and it is shown that he was acting in his capacity as such, the Tribunal may order the contribution to be paid by the trade union concerned.

Mr Speaker, the composition of the Industrial Tribunal, which in the United Kingdom consists of three persons, a lawyer and two other lay members with relevant experience of industry, will in our case be prescribed by regulations, as will the procedures for hearing complaints and the enforcement of awards. On the question of appeal Sir, appeal will lie on a point of law, on a question of law, from the Tribunal to the Supreme Court against any decision of the Tribunal.

Now, Sir, the House will note that the Bill proposes that the Crown shall be bound in the right of the Government of Gibraltar or otherwise, but that there is provision for the safeguarding national security. And so, where a certificate of the Deputy Governor certifies that action has been taken for this purpose, that is for the purpose of national security, the Tribunal is required to dismiss the complaint.

Mr Speaker, in bringing the Bill before the House, the Government has also taken the opportunity of dealing with a small number of other matters, apart from unfair dismissal, where practice has shown that there are deficiencies in the present Ordinance, and these are covered by Clauses 2, 3 and 4 of the Bill. In particular, in the past, the Courts have not been empowered to make an order for certain payments in lieu of notice by employers to be made, and failure to make such payments is now being made an offence and the Court will be empowered to make an order for payment to be made. The Government is also amending the principal Ordinance to make it mandatory on all employers, instead of those who employ 10 or more persons as at present, to supply such employee with a statement of the wages due showing also any variations from this in the amount paid and also the reasons for such variations. This has been done, Mr Speaker, in accordance with the requirement of the International Labour Organisation's Convention No. 82 on social policy, and it will therefore bring Gibraltar into conformity with this particular convention.

It is hoped, Mr Speaker, that this small amendment will facilitate the work of officers of the Department of Labour and Social Security in obtaining and ensuring compliance with the law. I should also like to stress to the House that the Unfair Dismissals Bill is in no way intended to supersede, remove or interfere in any way with any of those functions which at present are performed by officers of the Department of Labour in their role as conciliators. Their services will remain available to representatives of employers, representatives of employees and to the public in general and they will have the duty of investigating complaints of dismissals and other labour problems, and of conciliating and attempting to reach an agreement or accommodation between the parties concerned. The difference will be that where it is not possible for officers of the department to reach a conclusion on certain dismissal cases which is satisfactory to both parties, the employee can take the matter to the Tribunal. The number of such cases in the recent past have not been large, but they have constituted an area of dissatisfaction and unhappiness which the Bill now seeks to eradicate.

Mr Speaker, the Bill which I am introducing in the House today is, as I have already said, modelled on the UK legislation of unfair dismissal and adapted as necessary to suit conditions in Gibraltar. I have personally been able to confirm in discussions which I held with trade unionists in the United Kingdom last September that the UK legislation is eminently acceptable to them and that the machinery and procedures which have been established there are considered to be working very satisfactorily.

In bringing this legislation to the House the Government wishes to express in a tangible manner the concern which it has to ensure security of tenure in employment for all workers, and it is my hope that the Bill will therefore be generally well received by the labour movement in Gibraltar and that it will become a charter enshrining the protection of persons against unfair dismissal.

Mr Speaker I commend the Bill to the House.

Mr Speaker invited discussion on the general principles and merits of the Bill.

HON J BOSSANO:

Mr Speaker, the Honourable Minister for Labour and Social Security has obtained the views of UK trade unionists on how well disposed they are to the UK legislation which he has borrowed to produce this Bill. I think it is desirable that the views of Gibraltarian trade unionists should also be taken into account in respect of the Bill before the House finally passes the Bill, and since the Committee Stage is not going to be taken at this sitting of the House, there is of course time to put right a number of things in the Bill which need amending. The Bill, as the Honourable Minister has pointed out, has got first of all certain Sections at the beginning which seek to improve that is at present available under the Regulation of Wages and Conditions of Employment Ordinance, and this part of it has got our full support. It is right that we should from time to time review our labour legislation, both to bring it into line with the improvements that have taken place in other parts of the world, and in the light of our own experience as to how well it meets our needs here. As far as the principle enshrined in the new part of the Bill of unfair dismissals, we on the Opposition fully support the view that legislation against unfair dismissal is desirable and necessary, because although the burden for ensuring fair treatment for employees has fallen almost entirely on the shoulders of the organised trade union movement in Gibraltar up to now, it is right that workers should be afforded protection by the law and not just use brute strength, as it were, in order to get justice. However, the law as it stands contains provisions which to our mind do not go sufficiently far in giving the protection that is being sought. Unless the Government itself brings forward amendments we shall at the appropriate stage be suggesting the ways of dealing with this problem, and I would draw the attention of Members in particular to the question of dismissal as a result of industrial action - section 28(j) - where on my reading of that section it seems to me that in order for a dismissal to be classed as unfair by the legislation the employer has got to admit that the individual has been sacked both because he has been on strike and because he has exercised

the right in Section 28(f), that is, the right in connection with electing to join a Trade Union or to participate actively in the work of the trade union. Now it would require a small amendment to make that Section read that the dismissal can be classed as unfair for either of those reasons, and not for both. It seems to me that there is a loop hole that can be used quite effectively to escape what the law is attempting to do. I would also question whether in fact the dismissal of the entire labour force of a particular enterprise should be allowed because the workers in that particular industry or in a particular firm decide to take industrial action. I cannot see why it should be left open for an employer to dismiss all his employees, and perhaps replace them with other employees, for example contract labour or a similar sort of way out of a situation, particularly I am thinking of the private sector, where the Transport & General Workers Union has been doing a lot of work in an attempt to introduce trade unionism, and where once they have managed to get the membership in the Union, very often they find themselves having to fight against bad employers who seek to dissuade or even to intimidate their employees to get them to leave the Union. I think the loop hole that is left in this section needs to be closed otherwise the Ordinance will fail to achieve the objective that the Minister has said today he is aiming to achieve by the Bill.

I cannot see either, Mr Speaker, why we need to exclude for example the range of blood relationships in 28(d), where we have persons who are relations of the wife of the employee being excluded from the provisions of the Ordinance. Nor do I see why we need to exclude those over the age of 65 since with the inadequate pensions such as we have in Gibraltar - we provide an old age pension but not a retirement pension - it is invariably the case that senior citizens over the age of 65 stay in employment unless through physical disability they find it impossible to carry on working. It seems to me that the Bill as it stands now is not going to produce the results the Minister for Labour and Social Security is hoping to get and it is in a spirit of cooperation and support of the principles enshrined in the Bill that I put to the House, for the consideration of the Government, the point, the weaknesses, that I see in the present draft.

HON W M ISOLA:

Mr Speaker, there are just a couple of observations which I would like to make. I do not wish to repeat what my friend, Mr Bossano, has just said on the general principles of this Bill before the House, which on the whole this side of the House welcomes. But if we go to the limit of compensation awarded, which is 104 week's pay or £3120, whichever is the less, gives one the impression that the sum involved is in these cases of unfair dismissal can at times be quite substantial. Now I do not see anything here, perhaps I may not have seen it or may not have read it carefully, but there is nothing here which states who can represent the party that has been dismissed in this Tribunal. Perhaps the Minister can tell us if for instance a Trade unionist can represent the person who has complained that he has been unfairly dismissed or whether Council is allowed to appear on behalf of one side or the other, or indeed, if the case is a complicated one as it would appear by the sum of money involved, whether legal aid would extend to the person appearing before this Tribunal.

The other main point, Sir, to which I would like to draw the attention of the Minister is Section 28(q). The whole object of this draft before the House is the question of unfair dismissal, and under Section 28(q) it only states that an appeal should lie on a question of law from the Tribunal to the Supreme Court against any decision of the Tribunal under this Part. It would occur to me, Sir, with respect, that the majority of appeals of this nature might not well be a question of law but a question of fact. It might be reasonable just to go into the merits of whether this Section 28(q) should read that an appeal shall lie from the Tribunal to the Supreme Court, thus allowing the aggrieved party to appeal either on a question of law or on a question of fact.

MR SPEAKER:

If there are no other contributors I will ask the mover to reply.

HON ATTORNEY-GENERAL:

One small point, Mr Speaker, Sir. As no doubt the Honourable

Mr William Isola has seen, Section 28(p) (ii) gives the Governor power to make rules for the purpose of hearing complaints by the Tribunal for the enforcement of awards. Now, it is envisaged that rules made by the Governor will in fact provide for legal representation before the Tribunal.

HON M XIBERRAS:

Mr Speaker, as my Honourable colleague, Mr Bossano, has said, the Opposition welcomes fully the general principles of the Bill and can vouch for the needs for such legislation. May I bring to the notice of the House a case that occurred some time ago that may well illustrate the need for such legislation. It concerns a Mr Levy, whose place of business is in Cornwallis Parade, who employed a young Gibraltarian girl whose mother is a Portuguese, and pressure was brought to bear on this girl - and I swore I would not let the occasion pass without saying that publicly - through the fact that the shop assistant's mother had a room, or two rooms I believe and the girl was not only threatened with dismissal from the shop owned by Mr Levy, but the family threatened with eviction from the house owned by Mr Levy too because she had signed a petition circulated by the Shop Assistants Association at that time.

I think there is indeed a general need for this type of legislation, however few the cases similar to the one I have just referred of which there is ample proof in the Department of Labour & Social Security, but I would like to put it in the general context before the Minister proceeds to sum up this debate. As the House is aware this legislation in the United Kingdom forms part of the hated Industrial Relations Act and is perhaps its only redeeming factor. It is no secret that the Union in the United Kingdom showed an intense dislike of the Industrial Relations Act, and I am glad to see that this is about to be done away with on the consensus of - it appears - both sides of Industries in the United Kingdom. The relevance of this to our present debate is that the legislation before the House now is meant on the whole to promote the general purpose of the Industrial Relations Bill, or if I may put it in another more favourable way, it comes about to sugar the

pill of the Industrial Relations Bill which we in Gibraltar were successful in not having when it was in the United Kingdom.

Sir, it is important to realise that unfair dismissal is not the only consideration behind this part of the legislation in the United Kingdom. If it were then other people, not included now in the Bill for all purposes, such as the over 65's, would not have been excluded from the full scope of the legislation. Surely there can be unfair dismissal of the person over 65 just as much as there can be for a person at the age of say 30. A society owes as much of a fair deal for the pensioner who is still at work because he has to work, as to the person who is in the regular age for employment, up to 60 or 65. I would like to see all parts of the Bill guided by the consideration that all people in employment are entitled to the security of tenure of their job which the Minister for Labour & Social Security spoke about, irrespective of their age, once he is of course permitted by the law in a particular occupation. I should say also, Sir, that in my time in office, I put the suggestion with these warnings to the Transport & General Workers Union and offered them a booklet on unfair dismissal which must have been around somewhere and I warned them that this was part of the Industrial Relations Bill, as I have said, and also that at the time there was a body of opinion in the United Kingdom which believed that the introduction of this kind of legislation would lead to a general undermining of the right of the Union, the practice of the Union, to take up the cases of its members. In other words that employees might very well prefer to go to a lawyer and fight their own case on this rather than go to the Union and have a case argued by the Union.

This contention is put side by side with the other more meritorious arguments in favour the Bill, are put side by side in this booklet to which I have referred. I think it is particularly important at a time when the Transport and General Workers Union especially appear to be making inroads in that part of our economy where there has been resistance to trade unionism, mainly in the private sector, I think it is important that nothing should be done, knowingly or without knowing it, to

undermine this expansion, because in the last recourse there is no better safeguard for labour than the organisation of its own force, of its own power.

Therefore, whereas the argument that the law should apply to these cases if a compelling one, it has its limitations, and certainly the power of organised labour should not be sacrificed to the power of this Assembly of making laws from time to time.

I would like to make sure that the Minister has consulted, therefore, the trade union movement in depth about this and that he is absolutely certain that the trade union movement itself is aware of the full implications of this Bill.

Sir, the other point which has been raised by my Honourable colleague, Mr. Bossano, will no doubt come for discussion at the Committee Stage, and we hope that the Government will take the amendment against the background of general acceptance, of welcoming of the Bill, which this side of the House made clear it does both welcome and accept. But also I would like to see, even when this legislation comes about, a review of progress on this - perhaps it is early days to seek a review of progress now - but I think it is a very sensitive area which we are entering and I would like to see the full weight of this House behind the idea of preventing unfair dismissal. I would feel much more satisfied that the Bill was working if the Minister would come to the House saying: "Well, the unions have found it useful, there is no need to repeal it as is going to happen to the major part of the Industrial Relations Act in the United Kingdom."

The specific addition I have made to this, Sir is could Government consider introducing some sort of provision in the Bill whereby those who conspire to bring about an unfair dismissal would also somehow get their just deserts. In other words, in the case of Mr. Levy, if Mr. Levy is using his pressure on the point which is not covered immediately by this Bill, by this legislation, could we make sure that he gets his just deserts in some way or other. That he is brought to book.

MR SPEAKER:

We are talking of the general principles and it is invidious I think to refer to a particular case on the general principles. When we are in Committee and we are dealing with this section; perhaps it is very pertinent. It is right that you should refer to incidents, but no more.

HON M XIBERRAS:

Put in a general way, Sir, that the Bill should make provision for cases in which pressure is brought to bear indirectly on an employee for his unfair dismissal, and we know, Sir, that in Gibraltar we are particularly prone to this because of the size of the place and the inter-connection between various concerns. My mention of Mr Levy was purely to bring the matter really to light. That was the pattern in my time.

HON A J CANEPA:

Mr Speaker, there are one or two points made by the Honourable the Leader of the Opposition, and by the Honourable Mr Isola, which are of a more legal nature, such as the last one which I shall discuss on my own with the Attorney-General, and seek guidance from him, in particular this point that the Honourable Mr Xiberras has made about those who conspire to bring about the dismissal of the worker. I imagine that apart from the fact that already they can be joined by a third party to the proceedings and be made to pay, in fact, the whole of the compensation that the Tribunal may judge appropriate, apart from that, I think that there could be an offence against the general law of conspiracy quite apart from the provisions of this particular legislation.

The Honourable Mr Isola also referred to the question of legal aid. This is the kind of thing I imagine that would have to be considered in the regulations prescribing the procedures to be adopted by the Tribunal. Quite apart from legal representation in the sense of a lawyer, any worker bringing a complaint to the Tribunal would I imagine have the full backing and help of his Trade Union Representative. Now, Sir, on the more

wider aspects which are of a rather more political nature, the Honourable the Leader of the Opposition rightly said that this was probably the only part of the infamous UK Industrial Relations Act which had found favour with the Trade Union. This is of course the case, and perhaps it was done in the UK by the Conservative Government hoping at the time to sugar the pill. But I am glad to say, Sir, that we have been able to take it out of the context of the Act, this Bill really is the provisions of unfair dismissal^{al} of the UK Act, taken out of its context, and therefore, in spite of the shortage of sugar that I referred to this morning, we have been able to offer the sugar without the unpalatable pill.

Reference was made both by the Honourable Mr Bossano and the Leader of the Opposition to the question of consultation with the trade union movement in Gibraltar, and of course, I am glad to say that I have consulted the Trade Union movement. In fact, had we been integrated with the United Kingdom there would have been no question of such consultation and the matter could not have been referred to our own Labour Advisory Board: we would have had to take it as a pill with a bit of sugar. The consultation, Sir, was very full, very frank, and very detailed. Not only in the meetings of the Labour Advisory Board but also subsequently prior to the publication of the Bill. I also informed the leading representatives of employers on the employers side of the Board. By leading I mean those who have evinced a greater interest and who had participated much more fully in the discussions that took place within the Board on the merits of the Bill. I consulted them as I said prior to the publication of the Bill on a number of amendments which were introduced into the Bill after it had gone to the Labour Advisory Board, and after consideration by Council of Ministers of the points that had been raised by the Board. So consultation has been, as I say, very full, and in fact from a press release issued by the Transport & General Workers Union last weekend, at the end of last week, I think it was clear that they were satisfied that they had made a very considerable contribution to the drafting of the proposals in the Bill.

Sir, the Honourable Mr Bossano referred to the question of dismissal of workers who go on strike. This is one of the

two points that the Transport and General Workers Union referred to in their press release, and let me say, Sir, that when the matter was discussed at the Labour Advisory Board, there was no unanimity on this particular point between the employers' side and the employee side. No, the situation was not like that on all points, there was a great deal of unanimity on other matters. On this particular point the employers on the one hand, as I re-call it, were afraid ~~that in~~ a very small undertaking - and I say a small undertaking because I think it is unlikely that an employer who employs a reasonably large number of workers could possibly afford to sack the lot of them even if they went on strike. I don't think that that is a realistic appraisal of the labour situation in Gibraltar. The kind of employer who might sack his employees if they had resorted to industrial action would be one with a small undertaking, with a handful of workers, because he might feel he could find replacements somewhat readily. But the employers for their part were afraid that unscrupulous employees could absent themselves from their place of employment almost indefinitely and then when the employer attempted to dismiss them they would allege that they had given him notice of strike action, and, therefore, he would not be able to dismiss them. This was their view on the matter. Not only would he not be able to dismiss them but he would find it very very awkward to take on a replacement because he might then find himself in ~~the~~ position, because of the provision of the new legislation, that he would not be able to dismiss that replacement to take on his previous employees if such a recommendation was made by the Tribunal. On the other hand, the employee side, the Trade Union representatives, ~~they~~ naturally feared victimisation following industrial action. And more recently Sir, when I discussed the matter with the Co-ordinating Secretary of the Transport and General Workers Unions, he expressed to me his fears that employers who only employed ~~this~~ handful of workers, particularly young girls, might victimise them by dismissing them in the event of a strike. I have told him that I am prepared to accept that his fears could be well grounded, this could happen, and, therefore, I have assured him that I intend to keep this matter under very close scrutiny, and if in future evidence is brought to me that there is abuse as a result of this - I will refer to it as an apparent loophole - then I shall

about the position
of

give the matter further thought and I am prepared to review the position and bring any amendment that may be necessary. This is obviously the kind of legislation which one must be prepared to improve upon in the light of the experience that is gathered in the application of the law. Indeed, I shall also be very interested to see generally on the question of amendments, whether in the near future in the United Kingdom any amendments are introduced into this particular part of the Industrial Relations Act. If the Act is repealed, whatever may be substituted to fill the vacuum in ~~this~~ place, I shall be very interested to see what happens in the provisions of unfair dismissal and what amendments may or may not be introduced. And I shall be prepared to accept them on their merits and see whether they can be profitably adapted, modified, and applied to our situation in Gibraltar.

So I do have a fair open mind about it.

There is one other point that the Honourable Mr Bossano referred to, the question of the range of blood relatives. Now, that in fact, Sir was widened - it is wider in this Bill that I am bringing to the House today than what it is in the United Kingdom. In the United Kingdom it is the close blood relatives of the employer who were excluded and it has been widened here to include his spouse, specifically, Sir, on the unanimous recommendation of the Labour Advisory Board. And perhaps for the sake of all Members of the House, I should say that the composition of the Labour Advisory Board is that there are five representatives of the employers, private and official, and five representatives of the employees, ~~five~~. So it is very well balanced and has a very wide representation. On their unanimous recommendation this particular subsection in the Bill was amended to exclude blood relatives of the spouse because of the special circumstances in Gibraltar, because of the nature of the small undertakings that we have.

On the other point, the non-exclusion of persons over the age of 65, the same sort of doubt, or the same sort of sentiments were expressed at the Board that have been expressed here today. In particular the fact that - something which I certainly recognise - that many people over the age of 65 in Gibraltar do have to take up

employment because of the inadequacy of their occupational pension or of their old age pension as well in some cases, and, therefore, they ought to be afforded some measure of protection. There was a very full exchange of view and the Board agreed that the provision should be retained as drafted but that the matter be kept under review for the future, so that progressively as the level of pensions improved in Gibraltar, and as there was less of a need for people to take up employment almost through necessity, the position could be improved upon.

Of course in the exchange of views that took place there were worries that by affording this kind of protection to people over the age of 65 the employer could find it difficult to, I won't say dismiss, but to retire the employee and there might be difficulties in promoting younger men to fill up the vacancies. People could well stay on if they were fully able to discharge the functions of the post: their qualifications, their conduct is exemplary, their capabilities are there to the full, vacancies would not be created and there would be dissatisfaction among the younger employees of the firm. These are aspects that were brought up at the Board and on balance it was felt that the position should stand at the moment and be reviewed in the future. And another point, Sir, which has not been brought up today, but which I think ought to refer to in all fairness to show also the extent of consultation at the Board and with the Trade Unions, was the second point mentioned in the press release of the Transport and General Workers Union; that of the stipulated period of two years service for qualifications for application of the law. And again there, Sir, the attitude of the Government is an exploratory one really. We have discovered that in the United Kingdom this particular provision was introduced, the two year qualifying period was introduced, because when the legislation was enacted there were fears that the machinery could be overloaded by the number of complaints received unless this limitation was written into the law. I have given the Board a solemn undertaking that I will have this period, this qualifying period, reduced to one year if we find after the legislation has been in operation for say 12 months, that in fact our own machinery is not being overloaded. I can reiterate that undertaking to the House here today, Sir. If our own machinery is not swamped by the number of complaints dealt

with - and I very much hope that it won't - then in a year's time, having reviewed the position, I will bring an amendment to the House reducing this period to one year. There should be no difficulty in that.

All in all, Sir, I hope that the attitude that is adopted by the House generally, and later on in Committee Stage, will be as constructive an attitude as it has been today. I think the Bill as a whole is a progressive piece of legislation: I am concerned to protect the employee in bringing this to the House and not the employer - let us put that matter straight - I am concerned to protect the workers, and if it is judged from that stand point, Sir, then should we not be able to accept any amendments, I hope that it will not be seen that ones attitude is destructive but that one will be judged for other motives. I hope that one's motives will not be traduced in *any* way, or wrong motives ascribed to the Government because we may or may not be able to accept, at this point in time let me say, any particular amendment.

As I say, Sir, it is very much my hope to improve on this piece of legislation in the light of experience, both in Gibraltar and in the United Kingdom, and as I say, if that is the attitude which is adopted, then I am sure that we can all contribute to a piece of legislation which will be worthy of what it seeks to do.

Thank you, Sir.

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

The Bill was read a Second Time.

HON A J CANEPA:

Mr Speaker, I beg to give notice that the Committee Stage and Third Reading of the Bill will be taken at the next meeting of the House.

THE ARBITRATION (1958 NEW YORK CONVENTION) ORDINANCE, 1974.

The Honourable the Attorney-General moved that a Bill for an Ordinance to make provision for the recognition and enforcement in Gibraltar of foreign arbitral awards in accordance with the provisions of the 1958 New York Convention be read a first time.

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

The Bill was read a first time.

SECOND READING

HON ATTORNEY-GENERAL:

Mr Speaker, Sir, I have the honour to move that this Bill be now read s. second time.

As Honourable Members will be aware, it very often occurs when persons enter into a contract, an agreement, there is a provision in that agreement that if there should be a dispute it can be resolved by arbitration, doing away to start with at any rate of the necessity of going to court and having the matter argued out there, possibly at great expense. We have, as I think every other country has, an Ordinance, the Arbitration Ordinance which makes general provision for arbitaation, where there has been an agreement to arbitrate, and in particular it provides that where there is an arbitration agreement, if one of the parties to the agreement start to bring court proceedings, then the court proceedings can be stayed and the matter can be decided by arbitration; secondly, there is a specific provision as to how any award of an arbitrator can be enforced. Now these provisions, prima facie, relate to what I might call "domestic agreement" that is, agreements made in our case, in Gibraltar, in the case, shall we say, of the United Kingdom in the United Kingdom. But there is also

provision for staying proceedings which are brought in a court where there is an arbitration agreement made in some other country, and also provision whereby an arbitration award made in another country can be enforced, in our case, in Gibraltar.

As long ago as 1923 there was an arbitration protocol signed in the United Nations to which Her Majesty's Government of the United Kingdom was a party, and we in Gibraltar made provision in our Arbitration Ordinance, which ^{are} there today, for the stay of proceedings ^{where}, if there was an arbitration made in some other country, and also for the enforcement of awards made in another country. In 1958 there was a new convention at New York on arbitration and the United Kingdom is considering becoming a party to that convention and has invited Gibraltar to say whether or not she would also wish to have the Convention ^{/be} applied to her. There is no reason why we should not do so; it is to our advantage, and therefore, the Bill before the House today makes provision, the necessary provisions, for Gibraltar, if the Convention is applied to her, to stay if necessary, court proceedings where there is an arbitration agreement of one of the parties of the Convention or to enforce in Gibraltar any arbitration award made in a Convention country. Equally of course, if there is an award by an arbitrator in Gibraltar that award can be enforced in the courts of any other country which is a party to the Convention.

I think I have spoken out of all proportions to the importance of the Bill but I did consider it necessary that Members of this Honourable House should understand, or I hope will understand, what this apparently imposing piece of legislation is about.

Mr Speaker, I commend the Bill to this Honourable House.

MR SPEAKER:

Before I put the question to the House does any Honourable Member wish to speak on the general principles and merits of the Bill?

HON M D XIBERRAS:

Mr Speaker, the Honourable Member who has introduced the Bill

has disenchanted me; I thought this was something to do with the next visit to the United Nations when I saw the words "New York" on the Bill !! Frankly Sir, in these matters we tend to follow the advice we get from Foreign and Commonwealth Office I suppose and I am afraid that there is little we can add from this side of the House. Were we to be from time to time better apprised the situation ourselves, then perhaps I would give due justice to all the many things that the Honourable and Learned the Attorney-General has had to say on this Bill, but I am afraid that we shall have to take his word for it and subscribe to the Bill.

MR SPEAKER;

Does the Honourable Member wish to reply?

HON ATTORNEY-GENERAL:

No, Mr Speaker.

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

The Bill was read a Second Time.

HON ATTORNEY-GENERAL:

Mr Speaker, Sir, I beg to give notice that Committee Stage and Third Reading of the Bill should be taken at the next meeting of this Honourable House.

THE MISCELLANEOUS AMENDMENTS ORDINANCE, 1974.

The Honourable the Attorney-General moved that a Bill for an Ordinance to make miscellaneous amendments to certain Ordinances 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:

Mr Speaker, Sir, I have the honour to move that this Bill be now read a second time.

As Honourable Members will see the Bill makes amendments to three Ordinances. I hope that I have set out the reasons very fully in the Explanatory Memorandum, but in case Honourable Members have not got round to reading the memorandum, if I could perhaps expound very shortly. As far as the amendment to the Animals and Birds Ordinance is concerned, at the end of last year the United Kingdom, together with all other members of the European Community, became parties to a Convention for the prevention of hardship and cruelty to animals whilst in transit. We, as part of the Community, have to honour our obligation and for that reason we passed at the end of last year the Transit of Animals Rules. These relate to international transit, not to transit within Gibraltar. Now, the definition of 'animal' in the Convention is much wider than the definition which we use in our own Animals and Birds Ordinance. We could have amended our ordinance but that would have made it somewhat artificial and, therefore, it was considered more desirable to provide that although the normal definition, the present definition, should stand in the Ordinance, yet if it was necessary to do so because of any international convention or treaty which applied to Gibraltar, to make Rules, then the definition in those Rules could be different to that which is used in the Ordinance.

The second amendment is to the Companies Ordinance, and I may say that this has the approval of the Law Revision Committee. It merely provides that where a company, a private company, wishes to pass a special or an extraordinary resolution there is no need, as there is at present, or as it is thought to be at present, for the

company to call a meeting and vote on it, it can instead obtain the consent in writing of all its members, and upon such consent being obtained, then the resolution is validly passed. This must provide in the articles that it can be achieved this way, but this does to a very large extent protect the minority, as if there is no meeting the consent must be unanimous.

The last amendment is to the Coroner's Ordinance. Until 1967 we followed in our Coroner's Ordinance, as we do in many other Ordinances, the Law in the United Kingdom, and that provided that the Coroner imposed a fine; suposing a jury man who had been summoned didn't turn up; or a witness did not turn up; or refused to give evidence, the Coroner imposed a fine, the papers had to be sent to the Supreme Court, and the Supreme Court then took the matter up and recovered the fine. This is unnecessary, quite frankly, and there is a much more simple procedure, that is, to send it for enforcement to the Magistrates Court, and that is what is now doen in the United Kingdom. But what we have done here, which is an innovation, it is not done in the United Kingdom, that is give the person fined by the Coroner a chance to show cause why the fine should be set aside. Every Member will agree that if a man is fined there should be at least a chance for him to show why that fine should be set aside. At the moment there is no provision whatsoever. However good his reasons may be the fine is imposed by the Coroner, then that fine must be paid, and now in our amendment we are giving the man a right to at least go to the Coroner and say: "I had a good reason for not attending as a jury man, or attending as a witness, would you consider setting the fine aside". It is, if I may put it this way, simple fair play. Mr Speaker, I commend the Bill to this Honourable House.

MR SPEAKER:

Before I put the question does any Honourable Member wish to speak on the general principles and merits of the Bill?

HON W M ISOLA:

I have a very small point, Mr Speaker. I do not know whether

it is normal for a draft Bill to come to the House which deals with completely different ordinances, one dealing with birds, the other dealing with companies, and the other dealing with the Coroner. I thought, for those people who had to follow these occasionally that those should be brought in three different amendments, such as for instance, the Companies (Amendment) Ordinance, the Animals and Birds (Amendment) Ordinance, and the Coroners (Amendment) Ordinance. I think, with respect to Her Majesty's Attorney-General, this is a little confusing. Otherwise, this side of the House of course agrees to the amendment, but for neatness' sake I would imagine the presentation would have been better by three different drafts, each of these amendments are totally different and divorced one from the other. I am just saying this perhaps so that if we have another Amendment Ordinance it might be presented to us as three different draft Bills.

HON ATTORNEY-GENERAL:

Of course if there were three different draft Bills there would not have been any need for a Miscellaneous Amendments Ordinance. Now, I do not know whether the Honourable Member was in the House at any time last year, but if he was he will recall that there were two such Bills during the course of the year which did deal with very varying subjects. I accept that it can be confusing, and I would certainly not advise Government to adopt this procedure if the amendments were controversial or in any degree of substance. It is I think a great saving of time and that is why this procedure has been adopted. One further point I would make, that in each year when we produce the index of the laws, in this case, each of these three Ordinances when appearing in its place in the index will carry a reference to this particular Amending Ordinance. So anybody looking at the index can see straight away that the Animals and Birds principal Ordinance is in fact amended perhaps by an Animals and Birds (Amendment) Ordinance, but also by a Miscellaneous Amendments Ordinance.

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

The Bill was read a Second Time..

HON ATTORNEY-GENERAL:

Mr Speaker, Sir, I beg to give notice that the Committee Stage and Third Reading of this Bill should be taken at the next meeting of this House.

THE COMPANIES (TAXATION AND CONCESSIONS) (AMENDMENT) ORDINANCE, 1974.

The Honourable the Financial & Development Secretary moved that a Bill for an Ordinance to amend the Companies (Taxation and Concessions) Ordinance (Chapter 165) 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 FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I have the honour to move that this Bill be now read a second time.

Mr Speaker, Sir, the main purpose of this short Bill is to provide that if henceforth an Exempt Company, exempted under the provisions of the Companies (Taxation and Concessions) Ordinance applies to be given non-resident status then the decision whether or not it should be given non resident status should be determined not as at present, by the conditions which stand in Section 17 of the Companies (Taxation and Concessions) Ordinance, but shall be determined, as in all other cases of companies and individuals apply for non-resident status, under the conditions of the Exchange Control Ordinance, where the question belongs.

Sir, the proposed amendments to the principal Ordinance are motivated purely by exchange control considerations

affecting external status. That is to say, there is no intention at all to disturb the general conditions under which a company may obtain exempt status under this Ordinance. Nor, indeed I may add, is any major restructure of exchange control conditions in our minds. I submit, however Sir, that this House will recognise and agree that the designation of any company as non-resident for exchange control purposes must be subject to overall exchange control considerations which are not directly linked to the policy governing the administration of the Companies (Taxation and Concessions) Ordinance. And as exchange control requirements which fall within the scope of the Exchange Control Ordinance are susceptible to unforeseen changes which are liable to happen suddenly and have to be adapted to the prevailing circumstances at short notice, we need to have flexibility in their regard and this is not possible if the conditions to determine the status are, as at present, set out under rigid conditions as they are at present in the Companies (Taxation and Concessions) Ordinance.

Sir, as I have indicated, if companies registered in Gibraltar under the ordinary Companies Ordinance, these not being exempt companies, seek to make application for external status, then this is done under the Exchange Control Ordinance. The relevant section in the Exchange Control Ordinance, Section 43, gives the Financial and Development Secretary discretion as to the conditions which must be complied with, and this provides the necessary flexibility to vary such conditions in accordance with changes and circumstances from time to time. As a result this amending Bill before us would apply to exempt companies exactly the same conditions as are applied for the same purpose to ordinary companies. Also, I have said that no major changes are foreseen in the Exchange Control conditions which would be imposed under the Exchange Control Ordinance, and in fact these conditions, having in practice been found to be quite acceptable to non-resident, non-exempt companies, there is no reason at all that I can see to suppose that such changes would create any difficulties to exempt companies which might seek and obtain non-resident status in the future. But the alternative to the amendment now proposed would be that where certain exchange control conditions were essential but would have clashed with the existing provisions of Section 17 of the Companies (Taxation and Concessions) Ordinance, then the application for non-resident status would have had to be rejected. The

proposed amendment, Sir, I submit, is a much more sensible approach.

Sir, that is all that there is to the general principles of this Bill.

As it is, however, an amending Bill, in which Members have only the legal text before them, the amendments of the relevant Section and Subsection of the principle Ordinance, it might, with your permission, Sir, be helpful if I just briefly explained what is involved in the Clauses, one by one, in the amending Bill.

Clause 2 of the Bill. In that Clause the amendment to Section 1 of the Ordinance is nearly declaratory and introduces in the first sub-paragraph a provision that a person designated as a non-resident of the scheduled territories under the Exchange Control Ordinance shall also be regarded as a non-resident of Gibraltar for the purposes of the Companies (Taxation and Concessions) Ordinance. The other two subparagraphs of the Clause are simply a repetition of what already stands in the principal Ordinance.

Clause 3 of the Bill amends Section 6 of the Ordinance by adding to the requirements which must be observed by exempt companies, one further requirement to the effect that any breach by a company of any undertaking given by it in order to obtain non-resident status under the Exchange Control Ordinance, shall lead to the forfeit of its exempt status.

Clause 4 of the Bill withdraws the power from the Financial and Development Secretary to designate a company under the Companies (Taxation and Concessions) Ordinance as non-resident of the scheduled territories, leaving this to be done under the Exchange Control Ordinance.

Clause 5 of the Bill is designed to allow companies which have been designated non-resident in the past under the conditions of Section 17 of the Exempt Companies Ordinance, to continue to operate under these conditions. It was because of the need to preserve these existing rights that Section 17 has not been repealed.

Sir, at the Committee Stage I shall be moving a further small amendment to the clause to make clear that these

reserved rights apply only of course to companies which were both non-resident and exempted in the Tax Exempt legislation, and fixing an appropriate date amending the date before us in the Bill, for this purpose.

Clause 6 of the Bill, for the same purpose as clause 5, safeguards the non-resident status itself of the companies concerned, as clause 5 preserves the conditions under which they may operate, again with an appropriate amendment in the operative date.

Sir, I shall also at the Committee Stage, be moving a further simple amendment to the Bill which is purely to put beyond doubt the existing provision of the Ordinance that companies which elect, as they may do under Section 10 of the Ordinance, to pay income tax under the Income Tax Ordinance, will not thereby be relieved of the full liability to pay the fixed sum under the Companies (Taxation and Concessions) Ordinance.

Thank you, Sir. I commend the Bill to the House.

Mr Speaker invited discussion on the general merits and 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 FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I beg to give notice that the Committee Stage and Third Reading of this Bill should be taken at a later stage in these proceedings.

This was agreed to.

THE FINANCIAL PROCEDURE (AMENDMENT) ORDINANCE, 1974.

The Honourable the Financial and Development Secretary moved that a Bill for an Ordinance to amend the Financial Procedure Ordinance, 1973 (No 1 of 1973) to allow reallocation of monies

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 FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, I have the honour to move that this Bill be now read a second time.

Sir, at a recent meeting the House was informed that section 65 of the Constitution requires that on every occasion when the House approves supplementary expenditure there must at the same time be an Appropriation Ordinance. Under our past practice the schedules of supplementary estimates brought to the House in the course of the year included any excess over the approved estimates, subhead by subhead, without taking any account of savings. Honourable Members expressed understandable concern that schedules of supplementary expenditure drawn up on this basis were in future to be accompanied by a corresponding Appropriation Bill, then the effect would be that the House would be asked at intervals during the course of the year to over appropriate under the various heads of expenditure. This of course did not happen under the previous system whereby, however many supplementary schedules there might be in the course of the year, there was only one Appropriation Bill after the end of the year which took account of the actual excess of expenditure on the various haads, by comparison with the approved estimates, after allowing for any savings as between subheads within the same head.

Sir, the Chief Minister expressed appreciation of Members concerned and at the last meeting outlined ideas of how to alay this concern. Accordingly, in order to overcome this difficulty, the Bill which we are now considering proposes to confer on the Financial and Development Secretary the power of virement, so that if additional expenditure is required on any subhead he may re-allocate

to that purpose savings or expected savings on other subheads within the Head. The House would then be asked to approve in the Supplementary estimates, and correspondingly in the Appropriation Bill, only the net amount of the excess expenditure head by head after making allowance for savings. This means, Sir, that, as the Chief Minister indicated in his statement of the last meeting of the House, there will be an obligation on the Financial and Development Secretary before he brings supplementary estimates to this House to ascertain whether there are or are likely to be savings on other subheads within the head in question which could eliminate the need for a supplementary provision or else reduce its amount. Sir, I certainly give the undertaking to the House to respect this obligation.

The Financial and Development Secretary would also be required under the Bill to report to the House all reallocations made. Reallocations would be reported at the same time as the Supplementary Estimates were submitted, if in spite of the reallocations there were still needs for a supplementary approved on any subhead. And where reallocations of savings were sufficient to cover the excess expenditure so that a submission to the House for a supplementary vote became unnecessary, then the reallocations would nevertheless be reported to the House within a period of not more than three months.

Sir, I commend the Bill to the House.

MR SPEAKER:

Before I put the question to the House does any Honourable Member wish to speak on the general principles and merits of the Bill?

HON J BOSSANO:

Mr Speaker, the debate to which the Honourable the Financial and Development Secretary referred to, took place in fact last December when the Supplementary Appropriation Bill (1973-74) (No. 1) was brought to the House and if I remember correctly it seemed the Attorney-General who held the view strongest that there was a need for continuous Supplementary Appropriation Bills to be brought to the House in conjunction with Supplementary Estimates. I myself felt that the point

of view of the Attorney-General was not one that was crystal clear to everybody else. My own reading of the requirement of the Constitution does not in fact tally with the Attorney-General's and it would seem to me that the logical consequence of what the Attorney-General had to say in the matter was that the way it had been done previous to this, since the 1969 Constitution came into force, was unconstitutional because the reference originally was made the Financial Procedures Ordinance and subsequently stated that it was not in contravention of the Financial Procedure Ordinance but in contravention of the requirements of Section 65 of the Constitution. Now, as far as this particular amendment is concerned, Mr Speaker, we welcome the amendments if this is the only way the Government can see for meeting the misgivings of the Honourable and Learned the Attorney-General so that the Financial and Development Secretary can get on with the job, but whilst accepting that we can support this amendment to the Financial Procedure Ordinance, if this is the only way that the Honourable and Learned Attorney-General is willing to accept so as to permit supplementary estimates to be brought to the House without the House having to appropriate sums of money which are likely to produce at the end of each year a huge amount of money having been appropriated by the House and not having been spent because in fact other factors may have prevented other subheads from meeting to the full the sum appropriated. If this is the only way the Attorney-General can see to meet the difficulties that he envisages the conflict that it is to between the way that it has been done before and what he interpreted the requirement of Section 65 of the Constitution, then as far as we are concerned we support in principle and we will support the Bill throughout its passage in the House, but, nevertheless, I would welcome a contribution from the Honourable and Learned the Attorney-General because as far as I am concerned, certainly, I cannot see that this particular Section can meet the objection that he raised originally which as I said I do not think is a valid one. If it is in fact the case that Section 65 quite clearly requires the Financial and Development Secretary to bring an Appropriation Bill to the House every time he brings estimates, then I do not see how we in this House can amend the Constitution by amending the Financial Procedure Ordinance. Now, I pointed out in the course of the debate in December that my reading of Section 65 clearly required an Appropriation Bill to go hand in hand with the

supplementary estimates where a head of expenditure was being exceeded, where the Financial and Development Secretary foresees that he is going to require a sum of money in excess of the money that has already been appropriated for a head of expenditure - That is what is mentioned in Section 65 - then he requires supplementary appropriation. But if we look for example, Mr Speaker, at the instance we have had of the operation of the Honourable and Learned Attorney-General's interpretation of this clause of the Constitution, at one instance we have had so far, that if the Supplementary Appropriation (73-74) Ordinance, we find that for example under Head V the House was asked to appropriate an additional £6,891 for the Electricity Undertaking.

Now, the electricity undertaking in the original Appropriation Ordinance, at Budget time last year had voted to it almost £½m - £437,680 - so the House appropriated this sum for expenditure under Head V and then during the course of the year we were told that we needed to appropriate to the Head an additional £6,000. I would have thought, Mr Speaker, that what the Constitution required us to do is to appropriate additional sums to that Head when we are nearing the exhaustion of the original £400,000. Not because we are going to need £6,000 in a subhead when there may be a savings of £20,000 in another subhead of the same Head of Electricity because by voting £6,000 more to the Electricity Head we are increasing the total provision of that head from £437,000 to £442,000. But that does not do anything to the individual subheads in that particular head and, therefore, I cannot see that the requirement in the Constitution originally set out necessitates voting money to Heads of expenditure unless we are exhausting money that was originally appropriated. I would have thought, for example, the case in point of the electricity undertaking would be one where the House would have been required by now, in view of this colossal fuel price increases that we are hearing about where we would have had to appropriate additional expenditure. And yet, all we have had is additional expenditure of £6,000 in one Appropriation Bill, with no mention of fuel increases. They are all in fact re-votes from the previous year to complete work, as far as the Appropriation Supplementary is concerned.

It seems to me that this is a case where one would have expected the original sum to have been exhausted by this stage and the Financial Secretary to be in difficulty

because he could not carry out the work of the Electricity Department without having more sums appropriated by the House, and yet we have not had that happening but what we have had is a case of re-votes from the previous year requiring a supplementary appropriation, whereas the Head at the time was nowhere near being exceeded.

I appreciate, Mr Speaker, the concern that the Government has shown and that the Honourable Financial and Development Secretary has shown, to ensure that whatever greater freedom he gets in the law to use efficiently Gibraltar's money, he uses that freedom to good effect, but, nevertheless, he makes sure that we, the elected representatives of the people of Gibraltar, have an early opportunity of knowing how it is being done and debating it. This concern is gratifying for us because I myself feel most strongly that the traditional role of an elected Chamber such as this must be to keep a close watch on the way the Executive uses public funds.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir.

MR SPEAKER:

Are there no other contributors?

HON CHIEF MINISTER:

Mr Speaker, I would like to just say a word. Although I have not been able to follow all the intricacies of the arguments of the Honourable Mr Bossano I was concerned in seeing that the undertaking I gave at the last meeting was carried out. This matter was raised at the December meeting, I made a statement at the last meeting, and we have now got this Draft Bill. But I think it is only fair to say that if the Attorney-General, who is the legal adviser of the Government, feels that a certain section of the Constitution means what he thinks it means, unless there is a Tribunal - I do not know which Tribunal, Human Rights, Supreme Court, somebody to deal with the

question of interpretation; after all it has always been said that the interpretation of the law at any time is anybody's choice - then the advice that he gives on this question must be followed. The next best thing is to keep, as the Honourable Mr Bossano has said, as much information as possible without the need of mounting up Appropriation Bill after Appropriation Bill in a way that will keep a clear check and will reflect better the additional monies required to go along during the year. And I am glad that at least he thinks - whether we have done it the way he would have done it if ~~he~~ had been the Attorney-General with the Consumers representative in his office too, or whether we have not achieved that - I think that if he concedes that we have then I am very pleased.

HON M XIBERRAS:

Sir, I was hoping that the Honourable the Attorney-General would offer some comments to what has been said by my colleague, the Honourable Mr Bossano, because as Honourable Members are aware, the power of the unconstitutional is rather a serious argument to present against any innovation from whichever side of the House it may come. I recall quite distinctly that the Honourable and Learned the Attorney-General was most emphatic on the unconstitutionality of the general indication towards the proposal that was made at that time. And for the record even, we would have welcomed, as I say, his comments on the matter.

I am grateful to the Honourable and Learned the Chief Minister for putting this legislation before the House after such short time since it was suggested by Honourable Members on this side, and I have no doubt that the increased flexibility which it provides will be of benefit to this House whichever Government is in power. I feel that the legislation as presented to the House, still offers the House and the public a safeguard that the Opposition, the House as a whole will be able to keep tabs on public funds and how they are spent and this liberalisation of the way in which the Treasury presents matters which are of concern to this House is most welcome. I only wish that an equal degree of liberalisation was introduced in other respects, notably and publicly in respect of the Education

Ordinance, where a bit of all centralisation would not be amiss.

I hope that at some stage the Honourable and Learned the Attorney-General will make known his views on this matter to Honourable Members on this side of the House.

HON ATTORNEY-GENERAL:

I have not the advantage of being in the House when this debate started: I was outside and it was perhaps not easy to hear the argument, the speech, of your friend, the Honourable Mr Bossano, for that reason I did not feel it appropriate when I came back into the Chamber that I should

/take up I would reiterate, however, if I am not in point, cudgels on I hope I will be forgiven, that I am quite satisfied that an argument where there is a supplementary estimate there must I had only be a Supplementary Appropriation Bill. For what it is heard worth, when we were advocating this legislation and partly put presented our views to London, London came back and said forward. that the Attorney-General is correct. Look at it this way, you have got your Head of expenditure, where let us, say £1m has been approved. The Head in the Appropriation Ordinance does not of course show what are the constituents that go to make up of those £1m, it does not show the sub-head. Surely, if at any time one of those sub-heads is going to be exceeded, then it must follow that the whole head itself, prima facie, will be exceeded, except that there may be eventual savings, but prima facie if the subhead is going to be exceeded and you are going to need supplementary appropriation, then the whole Head is going to be exceeded. It may turn out in the end that it is not going to be exceeded but to start with, to take your supplementary estimates, the Head is going to be exceeded so you must have a Supplementary Appropriation Bill.

MR SPEAKER:

Does the mover wish to reply?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Sir, for a reason I shall say, if only, Sir, to say this:

that I think that the Honourable Member, Mr Bossano, traced very clearly and very accurately the course of events which have led to the Bill today, and I was going to confirm, the Honourable and Learned the Attorney-General has himself confirmed, that the decision that whenever a supplementary estimate is brought to the House an Appropriation Bill must also be brought. That derives from Section 65 of the Constitution and in no ways from the Financial Procedure Bill which is something that we brought to the House. So there it is and I am very glad that the Honourable Mr Bossano said that this being the case, and if we cannot think of a better way of proceeding, then so be it. We have not been able to think of a better way.

I must say that I look on the new arrangements to some extent with some forboding because this is clearly going to impose a considerable obligation on the Financial Secretary. He has had it before, we have always of course intended to seek savings from department before coming with supplementary estimates, but now we are obliged to do so, and more carefully perhaps, and in small cases as well as large cases where we might not have done this to the same extent. I would also like to acknowledge the trust which the House has placed on the Financial Secretary to do this and it will be realised that in considering for this purpose where there are savings that might be very clear, where there might be savings is not going to be so clear and where there might be savings there are going to be permanent savings through the year this is one thing, and there will be other considerations where even although the reallocations are going to be brought to the House, whether it is going to be thought right to reallocate to something considerably different from the purpose for which the money was voted and approved. There will be cases for example in the Miscellaneous items Head of expenditure, and I shall have to use discretion. Whether it will be in accordance with the wishes of the House, even to keep down supplementaries to reallocate funds from one purpose to another purpose if these purposes are markedly different in nature, or for a new purpose. So I only say, Sir, we have not been able to think a better way: I hope the system will work out to the advantage of all of us, and I am grateful for the manner in which the House has accepted this.

Thank you, Sir.

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

The Bill was read a Second Time.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I beg to give notice that the Committee Stage and Third Reading of the Bill should be taken at a later stage in the meeting.

This was agreed to.

THE LOCAL LOAN (NO 4) ORDINANCE, 1974.

The Honourable the Financial and Development Secretary moved a Bill for an Ordinance to make provisions for raising a loan in Gibraltar not exceeding one million pounds 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 FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I have the honour to move that this Bill be now read a second time.

Sir, may I first point out to the House, and apologise for three typographical errors which have occurred in the Bill as printed.

In the eighth line of Clause 3 of the Bill the word 'as', which appears between the words 'Governor' and 'may' should be deleted.

In the third line of Clause 10, Members will see a printing error: the words should of course be 'thereof'.

Finally, in the fourth line of Clause 11 (1), the word 'and' should be deleted.

Sir, I regret these typographical errors and they will be corrected.

Sir, with the raising of the £500,000 loan in 1972 the financial limit on the statutory powers to borrow locally, as last determined in the Local Loan (No 3) Ordinance, was exhausted. Accordingly, the purpose of this Bill is to seek authority for further borrowing powers which are put in the Bill at the figure of £1m.

Sir, the House will recall from the 1973 Budget session that about £500,000 of capital works on the Improvement and Development Fund were, in 1973-74, to be financed by borrowing. In the first place the Bill now before us will enable the Government to raise up to £500,000 by the issue of debentures to cover those 1973-74 capital expenditures for which approval was given by this House during the 1973 Budget. I might here add that to any extent that this loan might not be taken up by private subscriptions there is sufficient march in the various funds administered by the Government. At the same time, however, the Bill also seeks authority for the Government to raise by borrowing a further £500,000, or up to that amount, to cover the cost of future capital development projects for which in due course approval from this House will be sought.

Sir, I commend the Bill to this House.

MR SPEAKER:

Before I put the Bill to the House does any Honourable Member wish to speak on the general principles and merits of the Bill?

HON J BOSSANO:

Mr Speaker, the raising of loan funds to meet expenditure on capital projects will win the approval of this side of the House and the only criticism that we have to level is the belatedness of the move. We have been advocating the use of loan funds since the first working session of the House in October, 1972, when the Government first proposed transferring £200,000 from the General Revenue Balance to the Improvement and Development Fund, and at that time it was suggested to the Government that it was better to keep that money in the General Reserves, where the Government and the Financial and Development Secretary would have more freedom in the use of those funds, and to raise loan capital which could be repaid or amortised over the life of the project. The logic of the situation is that it is the generations who benefit from a capital project who have to meet the cost of the project gradually instead of the entire burden being placed on one year's budget. Similarly, Mr Speaker, a year ago when the Government came to the House seeking to increase taxation the Financial and Development Secretary intimated that the measures he was taking included a provision for a transfer to the Improvement and Development Fund and that part of the taxation was designed to achieve it. Again it was suggested to the Government that instead of raising the sum by taxation it would be better to raise it by loan capital. We do not have, Mr Speaker, the Hansards of last year's meeting and, therefore for the moment it cannot be verified. Perhaps if we are going to have additional funds devoted to the production of Hansards in the forthcoming Financial year this thing could be settled without doubts in the minds of any. But the fact remains that I have a clear recollection of this being the case, Mr Speaker, and I have also a clear recollection of the fact that the Honourable the Financial and Development Secretary said at that time that in addition to the money that is going to be transferred, loan capital was also going to be raised. Now we have a Bill which gives Government the power to raise this loan capital, a Bill which is being brought to the House a year after the Government said it was going to do it, a year after the House was presented with the Estimates showing colossal deficits on the Improvement and Development Fund. Of course it has been possible to delay the matter because,

happily for the Honourable the Financial and Development Secretary, happily for the Government, the deficit has not materialised. And because they did not materialise the Government has been able to keep capital work going, nothing has come to a standstill, and we now have a Bill, Mr Speaker, if I may come back to the Bill, we now have a Bill, Mr Speaker, that seeks to do what the Government was hoping to do a year ago.

Now, whilst it must make us happy on this side of the House to see the Government eventually coming to its senses, it is regrettable, Mr Speaker, that the cost of servicing the loan which this Bill seeks to raise is going to be infinitely greater than it might have been if it had been done earlier, because there has been an astronomical increase in interest rates over the past year and, therefore, the Government will presumably, as a result of bringing this Bill now instead of earlier, find itself with the need to take heavier taxation measures than what otherwise would have been needed in order to provide for the interest payments on a loan of £1m, £2m, or whatever it is that they will actually raise in the forthcoming months. And it is a sad thing that it will be the Gibraltar taxpayer who will have to pay for a mistake of the Government. But perhaps it is poetic justice because they themselves, Mr Speaker, made an astronomical mistake themselves when they voted the wrong way in 1972.

MR SPEAKER:

Does the mover wish to reply?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, only to say that both sides of the House are in agreement that there must be a balance in the financing of capital expenditure between borrowing and provision from the revenue. Had we raised the loan a year earlier we might have been able to raise a proportion of it by private subscription at a lower interest rate than will now apply, but that is only a small part of it and we must remember that the balance is likely to be taken up by our own Government Health Fund.

MR SPEAKER:

I did not want to interrupt you but I think the Honourable the Leader of the Opposition wanted to say something. I did not want to interrupt the speaker but I did take note that you wanted to speak.

HON J CARUANA:

Whilst it has already been stated that this side of the House welcomed the raising of loan funds for the use of capital works, we also take note of the fact that some of this money is going to be directed towards projects which were provided for in 1973/74 under Appendix G, the Improvement Development Fund. We understand or assume that it will mean the two projects such as the Refuse Destructor and the Desalination Plant. Am I correct in assuming this, Mr Speaker?

MR SPEAKER:

I would not like to interrupt your speech, and if the mover would like to reply, he can reply now and that will be the end of the matter.

HON J CARUANA:

I would like to continue with this. Are we right in assuming that this expenditure for 1973/74 in part goes to the Refuse Destructor and the Desalination Plant, and having assumed this, and having perused and gone through Appendix G for the forthcoming year, we see certainly no projects which will require the expenditure anywhere near the other £2m to be raised by this loan fund. I think we would welcome any clarification on this point, if there is any clarification to be sought, or to be made, or perhaps the Government is raising a loan fund for some other rainy day which has not been taken into account for the coming financial year.

I think this side of the House would welcome clarification as to where this money is intended to go because we are sure the Government must have some indication as to how this money is going to be spent.

MR SPEAKER:

Will the mover now reply.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Sir.

HON M D XIBERRAS:

Sir.

MR SPEAKER:

I asked whether there were any contributor, and there were not. I did realise that there was going to be an interruption and the mover has given way. But we must not open the debate again now.

HON M D XIBERRAS:

Mr Speaker, the point I would like to make, and I think is important in view of the large sum of money involved in this Bill, is connected with the one made by my Honourable friend, Mr Caruana, and that is that whereas half of this £1m is going to go to projects we know about, the other half is about projects about which we know nothing. Also, Sir, where there is a blend in respect of the projects we know about, a blend between money from Her Majesty's Government and money from Gibraltar raised on loan, we do not know what the mix is going to be in respect of the £½ m, the use of which we have no indication how it is going to be. In other words, I would have expected that the Government should have sought authority for £½m to finish the projects which are already before the House, the House knows about, and then come to the House for another £½m in respect of future projects, and at the same time present to the House evidence of how Her Majesty's Government was going to contribute towards these projects. Or are we to understand that future developments will be in the order of £½m and that Her Majesty's Government is not going to provide anything towards this future development. I

think that these are pertinent questions to be answered by the Financial and Development Secretary and I would say that if this information is not given then we would be allowing the Government to raise at least £½m for a purpose which is not known to Honourable Members on this side of the House and to the Public in general.

MR SPEAKER:

Will the mover now reply.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, on the last point. We are concerned only with the raising of money to meet expenditure on local projects, quite separate from those financed by Her Majesty's Government through aid. We need the authority of the House to be able to raise money locally. That has been the practice in the past and this we are doing again. We are coming to the House to say that we have now reached the point in using up our resources in the Improvement and Development Fund where we need more cash and we are going out to borrow £½m. We have come to the House with this Bill seeking authority for an overall new lending limit of £1m, which simply means that we shall have authority to raise further loans as and when it may be necessary in due course to finance further development and expenditure. I think the answer to the Honourable Mr Caruana is that it is perfectly true that our Improvement and Development Fund expenditure in 1973/74 has progressed more slowly than we thought, not surprising for all sorts of reasons including supplies difficulties. Had it not been so we should have had to raise this money earlier. We should have had to come to the House earlier for the authority to go for more borrowing, but in fact there has been money in the Fund to pay the Bills up to now.

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

The Bill was read a Second Time.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I beg to give notice that the Committee Stage and Third Reading of the Bill shall be taken at a later stage in this meeting.

This was agreed to.

MR SPEAKER:

Do all members agree to this happening this evening?

THE SUPPLEMENTARY APPROPRIATION (1971-72) ORDINANCE, 1974.

The Honourable the Financial and Development Secretary moved that a Bill for an Ordinance to apply further sums of money to the service of the year ended the 31st day of March, 1972, 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 FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, I have the honour to move that this Bill be now read a second time.

Sir, the purpose of this Bill is to seek the approval of the House for the appropriation for expenditure in the financial year 1971-72 of two sums together amounting to £8,467 which were disclosed in audit to be expenditure in excess of the sums appropriated under the relevant Heads in the Appropriation (1971-72) Ordinance, 1971, and the Supplementary Appropriation (1971-72) Ordinance, 1972.

I should explain, Sir, that one of these items was £6,508 under Head XVI Miscellaneous Services, in the Expenditure Estimates, which represented a payment to the Gibraltar Broadcasting Corporation which was wrongly charged to the Improvement and Development Fund in the first place and subsequently charged rightly to the Expenditure Head. The payment was in respect of the purchase of equipment spares during the years 1968 and 1969 in the 15 month period ending on the 31st March, 1971, for which together claim was only made by the Corporation later in 1971.

Sir, the other item was £1,959 under the Pensions Head XVII representing certain pension payments which had been debited to a Suspense Account. In both cases the payments were only charged to the Expenditure Head after the enactment of the Supplementary Appropriation Ordinance.

Sir, at the Committee Stage I shall also be moving an amendment to the Bill as presented to the House in order to delete the proposed appropriation now of a further sum of £2,137 under Head XII Public Works Non-Recurrent, since this excess over the monies already appropriated under that Head was in fact offset by a corresponding reduction in sums appropriated under Head XIV, Telephone Service, to which the expenditure was related.

Sir, I regret these occurrences, this is a tidying up Bill which I must commend to the House.

MR SPEAKER:

Before I put the question to the House does any Honourable Member wish to speak on the general principles and merits of the Bill?

HON J BOSSANO:

I referred earlier to the importance I attach to the functions that this House have in controlling the Executive. We, as the democratically elected representatives of the people, have a function vis a vis the establishment, the Executive, which has been the traditional road of democratic institutions ever since Parliament was established, and I am concerned that so late after the event, so late after the closure of the financial year, we should find that the figures need altering. I think, Mr Speaker, that mistakes can occur, and what I think is sad is that we should have such a cumbersome machinery that the audit which is required to take place under the Audit Ordinance within a year of the closure of the financial year, that the report should have been prepared by the Principal Auditor within three months of receipt by him of the accounts and this should have been done within nine months of the closing of the financial year. So this thing should have come to light by March of last year. And here we are in March 1974 and we are still amending things. I think the importance of this, Mr Speaker, is that this House is responsible for appropriating sums of monys that are going to be spent, and if we do our job seriously, if we do not think we are just here to rubber-stamp things but to do a good job of analysing how public money is being spent, then we must be concerned at the delay that is involved in bringing figures right up to date. We on this side of the House, particularly during the course of 1972, had a number of questions asking the Honourable the Financial and Development Secretary to give us up to date information on how the finances for the year 71-72 were going, and later on to a lesser extent we did the same for 72-73.

I wish to make it quite clear that I do not for a moment wish to suggest that there is any question of any misappropriation of public funds in any of this. I appreciate that this is a technical error that can occur, my concern is that the figures that we get should be accurate, but I am not for a moment suggesting that any inaccuracy that may occur is a deliberate attempt to misuse public money which would involve corruption of public officers. If ever I entertain any doubts on that matter I have had my doubts completely put at rest when that oracle of the right, the President of the Chamber of Commerce, made allegations of that type, because I am quite sure that if Mr Stagnetto believes this to be true it must be utter and complete nonsense. For me that provided incontrovertible proof. So I do not wish to suggest that they be associated at all in any way with anything that Mr Stagnetto might have said in another place. But as far as the amendment in the Bill is concerned I have looked at the figures and I have looked at the original 1971-72 Ordinance, and the new addition in fact brings the figure in the Supplementary Appropriation Ordinance to £1m. I looked at the actual expenditure figures in the approved estimates of 1973-74, where on page 11 the

actual expenditure figures for 1971-72 are shown, and I found in fact that by and large the figures were accurate. In fact there are some half-a-dozen instances where there is a difference of £1 between the actual expenditure figure which appeared in that column and the actual expenditure figure that is produced by adding the supplementary appropriation to the original appropriation. Now, I am not going to quarrel with difference of £1 in a vote of £100,000, but just to set my mind at rest I would like perhaps the Honourable the Financial and Development Secretary to tell the House which of the two is in fact the accurate figure: the one that appears in the approved estimates or the one that is arrived at by adding the vote that has been appropriated by the House on two different occasions. In addition, Mr Speaker, as a matter of information again, perhaps the Honourable the Financial and Development Secretary would take the opportunity of elaborating somewhat on how the figures for the Supplementary Appropriation Ordinance are arrived at. The House will recall that in December I questioned the Supplementary Appropriation Ordinance that was brought to the House in respect of the year 1972-73, when the accounts for that year were being closed. There was an original figure which was subsequently changed and this side of the House abstained because I did not find the explanation that I was then given satisfactory. If I can remind the Honourable the Financial and Development Secretary he told us that the total sum involved was incorrect because it over-estimated - if I may use that word in a non-technical sense - it overestimated the amount of supplementary appropriation that was required by adding up the final column of Supplementary No 5 of 1972-73. In fact I have added up the final column now and there is a discrepancy between the figure there and the figure that there was in the Bill. So that figure could not have been obtained that way, Mr Speaker, and if we will look, if you will be so lenient, Mr Speaker, as to allow me to do this, it is related to the general principles of the Bill, because I am talking about the way Supplementary Appropriation Bills' are drafted, how they are constructed, so it is the principle that I am talking about. If we look at Supplementary Appropriation Bill for 1972-73 and at the Estimate No 5 of 1972-73, we find in fact that there are certain Heads of expenditure in the Supplementary Appropriation Bill that are not in Estimate No 5, and consequently one could not obviously obtain those Heads of expenditure by adding up the Heads of expenditure that are in Estimates No. 5.

MR SPEAKER:

Are there any other contributors to the debate before I ask the mover to reply?

HON CHIEF MINISTER:

I would like to say one word, Mr Speaker, and that is that if there was any need to prove that Members of this House are not nitwits Mr Bossano's contribution has helped to do that.

MR SPEAKER:

Would the mover like to reply?

HON FINANCIAL & DEVELOPMENT SECRETARY:

I accept strictures as always. In all our estimates of course we do not go beyond £1 into pence, and, therefore, if we have a sum of thousands of pounds we add to that a sum of thousands of pounds we do not go back each time to find whether it was £263,000.15p to which we are adding 10p or 20p, I think that would explain the fact that in two columns amounting to large sums there can be a difference of £1. How the sums presented to the House in Supplementary Appropriation Bills are arrived at: they should show the excess of actual expenditure over the approved estimates, which itself was covered at Budget time by the Appropriation Bill and Ordinance. It is true, as we all recall, that recently in this House I had to amend a Supplementary Appropriation Bill that we brought here, Mr Speaker, and I explained that the figures under the various Heads of expenditure which were included in that Supplementary Appropriation Bill had mistakenly been drawn up from the figures in the latest schedule of supplementary estimates. And these supplementary estimates in that year have not taken account of savings as the Appropriation Bill should do, and furthermore, the column of Heads of expenditure in the latest schedule of supplementary estimates did not include all Heads of expenditure and on some other Heads of expenditure there were earlier Supplementary Estimates. I explained all that and I gave what I hope was the 1972-73 Supplementary Appropriation Ordinance would be found to be the right figures.

I say, Sir, I accept strictures where they are due, as we do in the Treasury. On the present occasion we are coming with £8,000 odd and that is not as much as in previous occasions. We are catching up with this, Sir, and I think I may just add this that before we had our Financial Procedure Bill last year, as I recall, we did not have these specific time limits for the presentation of the accounts to this House. We have got time limits now and we shall try to adhere to these times as best we can.

Mr Speaker then put the question which was resolved in the affirmative.
The Bill was read a second time.

HON FINANCIAL & DEVELOPMENT SECRETARY:

Mr Speaker, Sir, I beg to give notice that the Committee Stage and Third Reading of the Bill should be taken at the next meeting of the House.

HON ATTORNEY-GENERAL:

Mr Speaker, Sir, I beg to move that this House should resolve itself into committee to consider the following Bill clause by clause:

The Education Bill, 1973;
The Companies (Taxation and Concessions) (Amendment) Bill, 1974;
The Financial Procedure (Amendment) Bill, 1974; and
The Local Loan (No 4) Bill, 1974.

The House in Committee.

The Education Ordinance, 1973.

Clause 1

HON M K FEATHERSTONE:

Sir, I beg to move that Clause 1 be amended by substituting the figures '1974' for the figures '1973'.

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

Clause 1, as amended, stood part of the Bill.

HON L DEVINCENZI:

I am in agreement with the amendment to Clause 1, but may I just take this early opportunity, since we are in committee Stage, Mr Speaker, to just say a few words....

MR SPEAKER:

We are dealing with the Bill Clause by Clause. You are entitled to say what you like on each particular clause.

Clause 2

HON M K FEATHERSTONE:

Sir, my Honourable Friend the shadow Minister for Education, Mr Devincenzi, has given me a list of amendments that the Opposition propose to put and we have come to an amicable agreement, Sir, that in Clause 2....

MR SPEAKER:

I am afraid that it cannot be done that way. The amendment will have to be moved by the mover of the amendment - and I am delighted to hear that you are all going to be in agreement so that it can be carried - but we must follow procedure. Perhaps if the Honourable Mr Lloyd Devincenzi would move the amendment to Clause 2 that he proposes, we could consider it.

HON L DEVINCENZI:

Mr Speaker, I beg to move that Clause 2 of the Bill be amended by the addition of the new definition: "'Minister" means the person charged with the responsibility for education by the Governor under Section 48 of the Gibraltar Constitution Order.'

Mr Speaker, I do not think I have to say anything on this, this is self evident if one looks at the Constitution.

MR SPEAKER:

Considering that there is going to be a vote in favour I will not propose the question. But anyone who wants to speak in favour of the motion please do so, otherwise, I will put the question.

HON M D XIBERRAS:

I would like to say a few words in favour of this amendment, Sir. This is an important amendment and no doubt we shall have the principle repeating in the course of this Bill, but Honourable Members will recall the main debate, indeed the debate on the Medical and Health Service, Bill there was considerable discussion about the propriety of using the word 'Minister' in the present context, or the context of the Medical and Health Services Bill. On that occasion, Honourable Members will recall, I asked the Honourable and Learned the Attorney-General whether in his view it was constitutionally correct for a Minister to be included in an Ordinance in the context we are discussing at present. I take it now that the Honourable and Learned the Attorney-General has no objection from his point of view for the word 'Minister' being introduced in this context.

It is an important amendment, I feel, constitutionally, insofar as it is no longer the Head of the Department that figures as almost the executive authority, or has the responsibility for the executive authorities in a Bill of this nature, but the Minister, the elected representative of the people, and I certainly welcome this innovation which was discussed as I say in the Second Reading of this Bill and before that in the Bill introduced by the Honourable Mr Montegriffo in relation to the Medical and Health Services. I take it that it is a very valuable move because it now gives some authority, or at least the appearance authority, to individual Ministers in the Council of Ministers which we have always had in the matter of collective responsibility, and I very much support this. It may appear to Honourable Members opposite that this will draw us away from integration, with which we integrationists believe wholeheartedly.

HON CHIEF MINISTER:

Mr Speaker, I think this is certainly welcome and it was as the Leader of the Opposition said first introduced in the Medical Bill by the Minister for Medical Services. And so long as there is no doubt that the subject is a defined domestic matter, and since "Governor" under the Constitution in a defined domestic matter means the Council of Ministers, and since the Council of Minister have got Ministers in it who are responsible for the various departments, I think it looks better, it is better, and it reflects, if I may say so, constitutional progress.

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

Clause 2, as amended, stood part of the Bill.

Clause 3, was agreed to and stood part of the Bill.

Clause 4.

MR SPEAKER:

Now, here is the time when perhaps both the Minister for Education and the mover of the other amendments might tell me whether they are in agreement and on which of the two amendments because they are incompatible with each other. If one amendment is withdrawn and the other is allowed to go through it will facilitate matters.

HON M K FEATHERSTONE:

As far as this side is concerned we will press on with our amendment and doubtlessly the Opposition will press on with theirs. This is not an agreed amendment. We have only agreed on the one referring to 'Minister' and the consequential amendments stemming therefrom.

MR SPEAKER:

Then we will have the amendment moved by the Member who gave notice first which is the Minister. So you can move the amendment to the clause.

HON M K FEATHERSTONE:

Sir, I beg to move that clause 4 be amended by the deletion of subclause (1) thereof and by the substitution therefor of a new subclause as follows:-

"(1) Any school established by the Ministry of Defence shall be exempt from the provisions of this Ordinance other than such provisions as the Governor may order in the Gazette specify."

Sir, I have received certain representations about this part of the Ordinance and I feel it is somewhat invidious to put in that they should be exempt from some part and not others. It is possibly better that they should be made totally exempt, with the proviso that they can then come in as may be required by Order.

I therefore commend this amendment, Sir.

Mr Speaker then proposed the question.

HON M D XIBERRAS:

Sir, just as a moment ago I was welcoming the change, the unanimity of this House, in substituting the word 'Minister' for that of the Head of the Department, as far as the education is concerned, now, two moments later, I must decry this amendment on the Government side. I am sorry to have to do it of course because I made clear during the Second Reading of this Bill that I appreciated that there might be constitutional impediments of allowing the Minister to do as much in the direction of incorporating the MOD schools in Gibraltar within the one system of education which we in this House feel should exist in Gibraltar, and I am sure this is the case. I am sure too that among the representations that the Honourable Member received there must have been some from this side of the House which indicated that it was hardly consistent with the dignity of this House of Assembly to have schools in Gibraltar which were subject to Ordinances issuing from this House side by side with other schools which Gibraltarians attended, but in no way subject even to the meanest considerations education-wise. I must have said that we could not afford to have the two communities, namely Protestants and English on one side and Catholic Gibraltarians on the other. And I mean this, Sir, I can see that the Honourable Member has tried to go part of the way to meet this representations. I can see that the way in which he has tried to do it is no doubt the only way possible in the present constitutional circumstances and if I may describe it, it has been to take away completely from this House the direct power of bringing in the MOD schools, at which Gibraltarian children attend, from the jurisdiction of this Ordinance, and has allowed the Governor in the Gazette to say which of the conditions of this Ordinance shall apply to the MOD schools. To me this epitomises how ridiculous the situation is, when we are talking about very ordinary educational and general considerations: we are talking about health, we are talking about very general considerations which should apply to any educational establishment in Gibraltar, and here this amendment on the Government side, whilst I accept that it is a step towards the meeting the idea that was put forward in this House. Epitomises how ridiculous it is, that the Governor should in effect have to legislate especially himself and personally in respect of MOD schools. I do not think that Honourable Members on either side of this House could be happy with that situation, and in this context I would like to harken back to the reply given to me by the Honourable and Learned the Chief Minister in respect of the Constitutional Committee which was going to be set up. It is matters like this, amongst others, which need looking into, otherwise we in this House are going to be open to the charge of being nitwits by people like Mr Stagnetto, and perhaps the Honourable Mr Stagnetto - he is not to be honourable! - perhaps Mr Luis Stagnetto, the

President of the Chamber of Commerce deserves more than just an aside here or there from Honourable Members of this House. But I do think, Sir, that this amendment introduced by the Honourable Mr Featherstone shows very clearly, and I ask all Members of this House notice how ridiculous this situation is and to report that this House does consider this situation to be ridiculous.

If I may use an analogy, are we to ask whether the public health facilities are to be applied to certain areas where MOD has lands? Is the Governor to legislate especially for these areas? Are we to carry the division in Gibraltar to that extent and are we going to limit the powers of this House in that fashion? Are we still going to call Gibraltar a democracy run by Honourable Members of this House?

I appreciate the work that has been done by the Minister in trying to meet the representations made, I very much appreciate those, and I commend the sentiments which I have expressed on behalf of Honourable Members on this side of the House to Honourable Members opposite.

MR SPEAKER:

Before calling on the mover of the next amendment to this clause, I would like to bring his attention, just in case he wants to speak now, that the effect of this amendment will be that this amendment will be negative completely because there will be no subclause 1(a) to amend by the time that he comes to his motion, so if he wants to contribute anything he can do so now.

HON L DEVINCENZI:

Mr Speaker, I am glad you have mentioned this point, it does gain us some time, but I do feel, Mr Speaker, that as the Honourable the Leader of the Opposition has said, it is quite amazing that for example part III Section 16, which comes under Clause 4(1), which goes on to say - if I may just read two or three lines - "pupils shall be educated in accordance with the wishes of their parents." "There should be an equality of educational opportunity for all and pupils should be educated according to their abilities aptitudes and needs." In fact this is very important. "There shall be a fostering of a sense of community and awareness and understanding of other peoples of the world". Mr Speaker, this is just one of the Parts that I would have liked to have seen included here. That the MOD should not come under the ambit of this Ordinance, especially perhaps this part, is to say the least, ridiculous, Mr Speaker. I would certainly have liked to have seen the MOD included completely within the ambit of the Ordinance and perhaps exempted where the Governor might specify, rather than the other way round.

MR SPEAKER:

Are there any other contributors before the mover replies?

HON M K FEATHERSTONE:

One thing that I do think is rather ridiculous in what has been said so far is that it would appear that the Opposition has the idea that the MOD schools must be some type of very backward school and therefore need to be guided by our Ordinance so that we can put them into good order. I should have thought that they are subject to the UK Education Act which must be as good as ours at least, and the people who are pledged to integration what they can see wrong with it I really don't know. The main thing is, Sir, that until we are in a position constitutionally to say that the MOD will have no right to establish a school on their own property, until we say that any MOD child must attend a Gibraltar school, I cannot see that we are doing any great harm in letting them have their own school which they run under the UK Education Act, I think an Act which an integrationist must say is a reasonable good Act, otherwise they may want to integrate the UK with us, and maybe the UK can conform to our Act. We do not force any Gibraltarian child to go to any MOD school, they opt for it, Sir. As far as the Honourable Mr Devincenzi says, he has read out: "pupils shall be educated in accordance with their parents' wishes etc," he did not read out the first part, Sir, which says: "so far as is compatible with the provision of efficient instruction and training and in avoidance of unreasonable public expenditure etc etc." The position, as I said earlier, Sir, if this Bill is to go ahead for many years, I envisaged a time when all Gibraltarians can be educated in schools run by the Government of Gibraltar, where, if they then opt to go to some other school, on property that is not ours, under what would appear to me to be a pretty efficient Education Act, then we should not interfere. But we are leaving the door open, that should we feel that something is blatantly wrong we can then make regulations and we can then go into the matter. As it is, Sir, I see there is nothing incompatible or ridiculous in allowing the MOD to have on their own property their own schools run under their own system.

HON M D XIBERRAS:

Mr Speaker, I am sorry that I credited the Minister with more sense than apparently he has shown. It was not the Integration point that I was making, the Gibraltar point, but of course we can. The Honourable Mr Featherstone apparently even when he is praised refuses to believe that he is being praised, and must put his foot in it. Well, if it is not the intention of the Minister to try

to take away powers from the Governor, by whom I mean His Excellency the Governor, and to pass them on to this House, I wonder why he belongs to the Association for the Advancement of Civil Rights at all! I have no doubt, Sir, that the trick can work several times, I doubt whether there is any shred of labour in the Gibraltar Labour Party, and any shred of advancement of Civil Rights in the Association.

However, let me put it that way, that the point was made in perfectly good faith and Honourable Members on this side of the House, all of whom I assume were interested in general decolonisation, and who from time to time make strident speeches on the subject, will welcome this opportunity of saying that whether it is MOD land or not the school is in Gibraltar, it has Gibraltarian children, and just as if the Christian Brothers were to set up a school, I think we give them right to, even though the money should come from Ireland. Yet the general health regulations and what not that would be applied would be those of Gibraltar. The Gibraltar Government, the House of Assembly Regulations and laws made by this House of Assembly, and this is the point that I was trying to make. But the Honourable Member apparently has not even tried to achieve the point which I thought he had taken, and which I made in the Second Reading of the Bill. So, if he is still so obsessed against integration that he cannot take the praise which I perhaps undeservedly have given to him, then let the matter be. Now, I wonder whether he could now explain to the House what the Governor means in this amendment. Does it mean the Minister for Education or does it mean the Governor, His Excellency the Governor.

HON M K FEATHERSTONE:

Sir, since this would be something that would be gazetted it would be from the Governor, meaning the Governor in Council of Ministers.

HON M D XIBERRAS:

Just some time ago, this is the Governor in Council, the Governor? Council of Ministers? I would welcome further clarification on that point. (Discussion follows)
(Discussion follows).

HON M K FEATHERSTONE:

Sir, 'Governor' there would be Governor in Council, I am informed.

HON M D XIBERRAS:

Then it is the Governor in Council. In other words, just a moment ago we were all in glorious unanimity saying that the Minister, the elected representative of the people, should figure in the Ordinance in various places, Clause 2 which we have now passed, and now the Minister who has just been given powers in one Clause of the Ordinance, and will be given powers in other Clause of the Ordinance is arguing in favour of the Governor in Council, that is the non-elected side of the Government having powers to make regulations in favour of MOD schools.

HON CHIEF MINISTER:

First of all the Governor in Council is not the non-elected part of the Government, there are five senior Ministers there, and secondly it is surely the area where matters of common interest are argued. It is there, as Honourable Members opposite who have had experience of Governor-in-Council where these matters are thrashed out, not on a question of votes but on a question of discussion. What I cannot really understand from Honourable Members opposite is: one moment they proclaim the importance of the Dockyard economy, of the British presence, service spending and so on, and yet, when it comes to a small thing like this, which has possible developments of going into their schools with whatever expertise or whatever ability we have to watch them, they resent the fact that they have their own schools.

I think the regrettable part of it is not what we are discussing today, the regrettable part is that the experiment that we introduced many years ago of having schools for everybody, including the service people, did not work, and it would be interesting to find out why it did not work. It certainly was not our own fault in Government to try and keep school with the people together. There were other things such as conditions, and people, and promotion, all these things, that caused the difficulties. And these are the things you have got to go to the roots to see the problem. This is just the legacy of going back on a policy which we tried and which, unfortunately, not through our fault, failed.

HON M D XIBERRAS:

I think Sir, first of all that Honourable Members on this side, at least some of us, have had experience of the place in which these grey matters are discussed, we have had experience. Now, our conclusions from that experience appear to be somewhat different from the Honourable Learned Member's. This is the point precisely which I was seeking to make clear and the Honourable the Minister for Education misunderstood or chose to misconstrue, I don't know.

The point is this, Sir, that we cannot accept that there should be this split of two educational communities, and that this should be accepted by this House seems to me to be detrimental for the future of education in Gibraltar, and the young. So what the Honourable and Learned the Chief Minister has just had to say about the experiment that took place and failed because of differences in careers on wages amongst teachers and so on, is a very relevant factor. And it is because I do not wish to let go of this particular device, or this particular chance, to try to bridge the gap in one manner or another between the two communities that I made the encommm of the Minister which I did make. But unfortunately the Honourable Member opposite stood up and said something about integration. Well, on any count, Sir, some of us have come from this certain place with experience of discussions of these grey matters and we have said: "The right to our land." I have not said 'integration' here now, but some Honourable Members opposite have said, as a result of an experience such as the Honourable and Learned the Chief Minister has described of discussion of great matters, have said: "the right to our land," and of course I shall not dwell very much on that one. But I would have thought that it was the intention of this amendment to go as far as possible in the direction at least of unifying the communities and at least asserting the power of this House, and the power of the democratically elected members of this House to legislate on very ordinary normal matters in respect of education, in any shape or form, whoever land belongs to, whether it is MOD land, Christian Brothers's land, or anybody else's land. What has the ownership of the site got to do with general education and consideration, about health about this, that, as my Honourable Friend Mr Devincenzi, suggested.

I would hate to see the Minister for Education despair, perhaps I have misinterpreted him. But despair and say first of all that he was not too sure who the Governor was. "It must be Governor in Council." Of course it has to because if it is a grey matter it must be the Governor in Council. And this is far less satisfactory than what we were asking him to do, and that, is bringing the general education consideration within the jurisdiction of this Bill and of this House. That is the way to progress towards democracy, not to give up and say: "Very well, we shall legislate for the Gibraltarians schools and the Governor in Council can legislate by notice in the Gazette for the MOD schools." That is not a very good principle for this House to accept. This is perhaps what I may have misunderstood, but I would like to be clear. Before we vote in favour or against this amendment I, would like to be clear about what the purpose of this amendment is.

HON CHIEF MINISTER:

One thing is certain, that if we had the amendment proposed by the Honourable Mr Devincenzi we could not alter things ourselves, if it is not by agreement, unless we are independant, and there we come to the whole basis. We are masters up to a point in many things and on others we are not masters. What we have to do is be more masters and do it gradually, and this is the intention of the amendment.

It is no use passing a law that is going to be a dead letter because it is not admitted by the MOD. That would be living in a fool's paradise. What we have to do is to convince them to accept our standards. That is what we have to do.

HON M D XIBERRAS:

The Honourable Member is quite mistaken when he says what we have to be is more independant. Of course we accept that the constitution now provides for certain grey matters, we accept this but if as the Honourable Member has used the word 'independant', if parliament in Britain had given us in Gibraltar, this House, the powers to decide - not the Governor but Members in this House - the power to decide whether MOD Schools came under the jurisdiction of this House or not, we would not be independant, we must very well be integrated and this House would have the power to decide what happened in MOD school. There might even be contributions direct from Britain to support our schools also. This is under that system. But even accepting that we are neither independant nor are we integrated, and in which direction it is wiser to go, the public in Gibraltar must at some stage decide. Sir, what I am saying is that it is important, because of all the arguments all the things that have been said in connection with this clause, with great indulgence from the Chairman which we greatly appreciate is since this is a matter of great principle, very great importance within the limitations of the present constitution it is very important to know what the intention of the Minister is, and this has still not been explained. Can I put it in the words of the Honourable and Learned the Chief Minister is he despairing that this House, is despairing even temporarily that this House should have a say - I do not mean the Governor or the Governor in council but this House - this legislation produced by this House should be applicable in certain respects to MOD, or if he is saying: it is better to do it through the Governor because in this way the wishes of the House will be applied to MOD schools through the Governor. May I have an answer to that question.

HON M K FEATHERSTONE:

Sir, I must apologise to the Honourable the Leader of the Opposition for provoking him. It was not intended as a provocation. If he was

praising me, praise from him to me is such a rare thing that I just do not recognise it when it comes. The position, Sir, is that however much we would like to apply theories etc we have to live in the present day world. The situation at the moment is such, as I see it, that it is at the moment better that we apply the amendment as we have it, that in the light of experience in the light of effort we can perhaps take over in a period of time the MOD schools etc by showing them that perhaps by joining into our system they will be just as well off, if not better off than they are under their own system, I do not think, Sir, to try to use a sledge hammer at the present juncture would have any result.

HON P J ISOLA:

Mr Speaker, Sir, could I

MR SPEAKER:

By all means, if it is anything new which can be considered, but otherwise....

HON P J ISOLA:

You will no doubt guide me. This Bill came to this House and it touched on matters referred to in the despatch to the Governor on the Constitution which reserved for consultation in Gibraltar Council, I think, Ministry of Defence Schools. Now, this Bill presumably was taken to Gibraltar Council. If it was not I am very surprised it was not because then the Government is acting unconstitutionally and not in accordance with the despatch of the last but one Secretary of State, because as this affected matters reserved to the Governor this Bill of course should have gone to the Gibraltar Council before coming to this House. So on this side of the House we can only assume it did and Gibraltar Council, that is both sides, appear to have agreed to leave in Parts VII, IX and X. So after discussion in Gibraltar Council, no doubt the Chief Minister using his elected majority managed to get Part VII, IX and X included in the Bill. And this Bill has been standing there for some time. Now we come to this House and the Minister for Education even gives up those three Parts and just confines it to such parts of the Ordinance as the Governor may by Order in the Gazette specify.

I would ask the Minister one or two questions: by doing this he is presumably giving up for those children in Ministry of Defence schools the right to religious education as contained in Part VII of the Ordinance, and to me it seems that the Government must be

taking the matter rather lightly when they come with a Bill which specifically protects those rights, such as they are, and within two months comes with an amendment taking them away. Mr Speaker, the fact that the matter infringes on non-defined domestic matters, does not mean that it cannot be legislated upon in this House. There are a great number of matters in Gibraltar that affect the Ministry of Defence and members of Her Majesty's Services. We have just done one today I think: unfair dismissal, which is being applied to the Crown in right of the Government of the United Kingdom as well. Well, that being the case, I cannot conceive how, having waited as we all have for a great number of reasons and there is no use going into them because that involves an accusation and a counter accusation, having waited for so long for this Bill we find it does not legislate and does not cover a number of our own children of Gibraltar at present being educated in Ministry of Defence schools. And I would have thought that this was a matter of sufficient importance for the Governor and for the Minister of Education to take up in Gibraltar Council and say: "The education of the children in Gibraltar is my responsibility it is my responsibility to see that at least certain principles are accepted by everybody running schools in Gibraltar." And I am sure there will be no difficulty in accepting for example the principles in Section 16 of the Ordinance. They are wide and reasonable and indeed there should be no problem, I would hope, in accepting the principles contained in Part IX of the Ordinance, and Part X. It is for me a matter of great surprise that the amendment should now take away these parts. Mr Speaker, it does not say much, and I say this with due respect to the Minister, it does not say much for the elected members on the Government side if all they can come and do now after having proposed that certain parts of the Ordinance should be included and should be applicable to the Ministry of Defence, is to come back and withdraw these proposals from the House. It does not say much for their ability, let me put it that way, for their ability to discuss and to argue in Gibraltar Council, and if necessary to appeal to the Secretary of State on the matter.

On this side of the House we obviously regard this as a matter of fundamental importance. Not a question of us wanting to run the Ministry of Defence schools, but it is very much a question for us of making sure that in certain fundamental and basic principles everybody in Gibraltar subscribes to the same set of rules.

Sir, I would invite the Minister to withdraw that amendment.

HON L DEVICENZI:

Mr Speaker, as I understand it, normally "Governor", means "Council of Ministers", and also means "Governor in Council." Now, if the word 'Governor' here is Governor in Council, shouldn't it be specified here. How would anyone reading in this Ordinance, the ordinary layman, give an interpretation to Governor there. Should it be by order of Governor in Council? Should this stand as it is at the moment? Perhaps, Mr Speaker, you might give a ruling or someone might care to make an amendment. Is it in order to have the Governor there as it is, whether it means Governor in Council. That is my first point. The other point I wanted to make was, Mr Speaker, that I would have understood if the Honourable Mr Featherstone, when defending his amendment, would have based it solely on the fact, or the assumption, that under the Constitution there is nothing very much we can do about it. But certainly not to try and defend the position as it is. My last question is that when the Honourable and Learned Mr Peter Isola said: "I assume that this must be taken to be Gibraltar Council", the Honourable and Learned the Chief Minister said: "no". Could we have that cleared too. Did it go to Gibraltar Council or did it not?

HON A J CANEPA:

First of all let me state quite clearly that the Bill did not go to Gibraltar Council, it only went to Council of Ministers. That clears that particular point. I don't think there can be any doubt, Sir, that certainly the sentiments of all the Elected Members of the House point to this House having as much of a say, through the legislation that we enact, in what goes on in MOD property. But in respect of this particular Bill there must obviously be certain difficulties - because whilst we have done it with the Bill on "Unfair dismissals", - the official departments are bound by it. I can think of other Ordinances, e.g. the Factories Ordinance, where the Factory Inspectors are entitled to go into HM Dockyard and inspect the place and so on - all that points to the desire which this House has to be able to look into these matters. Now, where do we part ways? Why cannot the same principle be applied to this Bill. I am not aware, Sir, what the legal or the Constitutional difficulties actually are, but that they are there I have no doubt. And I have no doubt, Sir, because I am also aware of the fact that the MOD set up schools wherever in fact HM Forces are based - in Germany, in Cyprus - and the set-up there is the same as the MOD schools here, and I do not think, I stand to be corrected, but I do not think that they are subject to the German system of education or the system of Education of Cyprus. I think that they operate their own set up, they have their own Burnham scales for the teachers, or supra-Burnham scales, and so on. And whilst obviously we would like to have very much of a say on what goes on there I don't think that the mere fact that we send Gibraltar

children to the MOD schools, or rather, we don't send them, they elect to go, there, they don't have to, that in itself is not sufficient reason, any more than if German protestant children happen to attend MOD schools does that give the state Government or the federal Government a say within those schools. That we would like to see this, I have no doubt, and I think we share those sentiments, and we shall try to bind the Crown or MOD whenever we can, but here I imagine there are certain difficulties.

I don't know what they are but they must be there.

HON J. BOSSANO:

Mr Speaker, I would just like one point clarified. The Honourable Minister for Education said we should not take a sledge hammer to the problem. Presumably he means that the amendment that was going to be proposed by this side, which should have included two more parts in that Section, was a sledge hammer, not the original three parts he was proposing himself, because he must have been satisfied that he was not taking a sledge hammer to the problem originally, otherwise he would not have put them there in the first place. What I would like the House to know is whether it is that he has had second thoughts on the desirability of what he proposes to do, or whether it is that he has had representations from the MOD, or he has had a sledge hammer applied to him in respect of this Section. He has been told he cannot go ahead with what he proposed to do. I think that although the addition that was going to be proposed by my Honourable Friend, Mr Devincenzi, would not have been a sledge hammer, it would have been a minor extension of the slow process of gaining recognitions for the elected members of the Gibraltar Government, which is a process of the decolonisation which presumably we all want, whether we are integrationist or believers in the right to our land, unless it happens to be not our property. Whichever complexion we have, we all want presumably, and that I hope we are in agreement on, we all want a bigger say for people who are elected rather than for people who are appointed. Therefore, I would say, Mr Speaker, that we on this side would have preferred our amendment to have been accepted, but as second best we are quite happy to support the Minister in his original proposal to have part VII, IX and X, and we are quite willing to do what we can to help him to combat the sledge hammer that might or might not have been applied to him to get him to withdraw that part.

HON M D XIBERRAS:

My Honourable Friend has suggested two ways, and I think it is very relevant that since it has come, Mr Chairman, since it has come to the House in the Bill, I am sure that there must be something in the Standing Orders or somewhere which provides that the serious

proposition published in a Bill, such as that made under Clause 4 of the Education Bill, the inclusion of the various parts, and since this must have been a serious proposition and now there is an amendment produced by the mover of the Bill at the Second Reading, I think it would be only fair for the Honourable Member to state why it is that he wishes to take things out, because if I may suggest a third alternative, it would be this. That since it was he who suggested that some of the powers should be contained in the Bill and he now brings up the suggestion that the Governor in Council should put in the Gazette all considerations that pertain to MOD schools, perhaps he could marry up all these ideas. If he is willing to stick to his original suggestions, and that is, leave in the part which he originally proposed to put into the Bill, then would be prepared to say: "and for all other parts the Governor in Council may by notice in the Gazette show the applicability of other Sections of the Ordinance to MOD Schools." Now I would put that as a serious suggestion to the Minister. I don't know whether he has got the import of it or not.

MR SPEAKER:

I am saying this definitely now. The Minister will reply and that will be the end of the debate. We are not going to get anywhere: we have debated this clause long enough. You have the right to reply and that is the end of it.

HON M T FEATHERSTONE:

Sir, let me put it quite clearly what the situation is at the moment. I propose the amendment as standing here. I can inform the Opposition that the Order that will be published in due course in the Gazette specifying which parts and provisions will come out very shortly, will include the three parts that I have got and probably many other parts, but this is something still under negotiations and I do not want to force with a sledge hammer at the moment something that we can get and we will get I think by much more successful means.

HON M D XIBERRAS:

Sir, why does not the Minister leave him the Bill what he has got there

MR SPEAKER:

Order. I have now said that we have discussed the Clause long enough and I will put the question.

Mr Speaker then put the question and on a vote being taken the following Hon. Members voted in favour:

GOVERNMENT:

The Hon Sir Joshua Hassan
The Hon A W Serfaty
The Hon A P Montegriffo
The Hon M K Featherstone
The Hon A J Canepa
The Hon I Abecasis
The Hon Lt Col J L Hoare
The Hon H J Zammitt
The Hon J K Havers
The Hon A Mackay

The following Hon. Members voted against:

OPPOSITION:

The Hon M Xiberras
The Hon P J Isola
The Hon W M Isola
The Hon J Bossano
The Hon J Caruana
The Hon L Devincenzi

The amendment was accordingly carried.

Clause 4, as amended, stood part of the Bill.

MR SPEAKER:

We will now recess until tomorrow afternoon at 3 o'clock.

The Committee recessed at 7.05 pm

Wednesday, 13th March, 1974

The Committee resumed at 3.00 pm.

Clause 5

HON M K FEATHERSTONE:

Sir, I beg to move two amendments to this Clause. First amendment is to delete the words "Gibraltar Technical and Dockyard College" and to substitute the expression "Gibraltar and Dockyard Technical College". The second expression, Sir, of course is the correct name of the College and it was incorrectly put in the Draft Bill.

The second amendment, Sir, is to delete 'Lord Commissioners of the Admiralty' and put in substitution the words 'Ministry of Defence, Navy'.

MR SPEAKER:

This is one amendment to the clause otherwise there might be a need for two votes.

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

Clause 5, as amended, stood part of the Bill.

Clauses 6 and 7 were agreed to and stood part of the Bill.

Clause 8

HON L DEVINCENZI:

Mr Speaker, I beg to move that clause 8 be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

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

Clause 8, as amended, stood part of the Bill.

Clause 9

HON L DEVINCENZI:

Mr Speaker, I would like Clause 9 amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

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

Clause 9, as amended, stood part of the Bill.

Clauses 10 to 15 were agreed to and stood part of the Bill.

Clause 16

HON L DEVINCENZI:

Mr Speaker, I beg to move that Clause 16 be amended by the insertion immediately after paragraph (e) of a new paragraph as follows:-

"(f) that no pupil with a place at a recognised university or place of further education shall be deprived of the benefit of such further education through lack of means."

And also that paragraph (f) be re-numbered as paragraph (g).

Mr Speaker, on Clause 16 I am surprised that the Government has not seen fit to include this sort of wording and this sort of undertaking. As I understand it there is a body of people who are working on this question and the Minister is expecting some recommendations. I think that one can safely say that the recommendations are going to be on the lines suggested by this amendment, but even if they were not to be, this is a commitment which the Government could very well undertake, regardless of the recommendations. It is a well known fact that the Government do not always accept all recommendations and, therefore, I see no good reason why, even if this were not to be recommended by the people now studying this matter, that the Government could not by themselves undertake to do what I am suggesting.

I think, Mr Speaker, it is high time that a progressive society such as ours should have this sort of commitment. I am fully aware that this sort of thing does cost money, but so does Penny House and other things, so this is something more than a penny. Perhaps if we can ensure that the maximum number of people who have been accepted at a recognised university or other recognised institutions do have the facilities and the opportunities to go for further studies. Perhaps then we would not have things like Penny House happening.

Mr Speaker, quite seriously, I do most sincerely recommend this amendment to the Government and I would be very interested to hear what the Minister has to say on this matter.

Mr Speaker then proposed the question.

HON M K FEATHERSTONE:

Whilst I would be fully in sympathy with the Honourable Mr Devicenzi's amendment if we lived in Eutopian conditions and we had unlimited finance at our disposal, I am afraid I have to resist the amendment. This amendment, Sir, goes even further than the law in Great Britain. One would like perhaps to be in advance of the UK, but looking at our financial position this would possibly mean that we would be facing a scholarship bill perhaps in the region of £2/300,000 per year. It is very interesting, Sir, that this amendment has been brought forward by a gentleman who when they were in office had the opportunity to put it into practical effect and did not do so. Now that they are in the Opposition it is very easy to try and throw it onto other people's shoulders as a very good thing to do.

I agree it is a good thing to do if one had the practical resources, but we do not have, so we have to live within the constraints we have. As I have said, Sir, there is a Committee studying this and I think the results of their deliberations will be to improve the scholarship position, but I cannot accept, Sir, that we should legislate at the moment to improve to the very wide extent that this amendment has. I must therefore resist it.

HON L DEVICENZI

Mr Speaker, it seems to me that even if the Committee were to recommend that the thoughts behind the amendment should be carried out, it would not be done because of financial limitations. One does accept that there are financial limitations, it is always the case with everything, but here again, Mr Speaker, one has very often to import people from the UK to do things which perhaps could very well be done by Gibraltarians. These people not only cost us money but they have to be housed and in fact given priority above Gibraltarians in this respect. This perhaps is not all that important on its own but it is a fact, and again perhaps the Minister or the Government could see their way to accepting that if it is not possible for every pupil, to be granted a scholarship then at least perhaps a 75 or 80%, a commitment to a much greater extent than there is at the moment.

It is true, Mr Speaker, that we were in Government for two years and ten months. During that period we did increase the number of scholarships substantially. Not everything could be done in that period but again this is again past history. What I am interested to know is whether now that the Government's expenditure and income is much greater that there should be a far greater commitment. I would like to put this to the overnment most seriously, that if they cannot accept that no pupil should be refused, certainly that a very high percentage should be helped and perhaps I would like to see that included - 75% or 80%, or a good amount.

HON CHIEF MINISTER:

Mr Speaker, Sir, one point that occurs out of this amendment, which I don't think, to be quite frank, any Government could accept because of the unknown commitments. I was reading in one of the national papers the other day that there are between 600 and 700 places in Universities which have not been taken up this year in the United Kingdom. Now this could - I don't say it will - but this could reduce the qualification for entry into Universities to a very low requirement and this could of course put the commitment on the Government to do so. I think the policy of the Government has been shown by the increase in the number of scholarships and within the possibilities as any Government would want to do, we would extend this as far as possible. This is a Government commitment. If in fact we had some relaxation, and there are quarters where it is said this could come, in the very heavy escalation which is going round the world for a number of specific facts, and these were relaxed in some way and we had a bonus in the sense that anticipated expenditure in these items where produced, then I think the Government would certainly devote an element of that bonus, if it could afford it, as a priority, if he had to re-distribute that money, as a priority towards further education.

I think this is a commitment, but I really feel apart from the natural desire we have in this respect, I really feel that this is a commitment that I am sure the Honourable Member who has proposed this, if he were in the shoes of the Minister himself, having regard to what this would mean with his colleagues and the financial implications could not accept it, but what I would like to say is that the fact that we do not accept it in the wide terms of the amendment, does not mean that we are not interested in extending as much as possible the availability of monies for scholarships.

HON L DEVINCENZI:

Mr Chairman, could the Chief Minister answer just one question, and that is, is it a fact that these 600 places were at Universities, or were they Polytechnics.

HON CHIEF MINISTER:

No, no, Universities. I think it was either in The Times or in The Telegraph, which are the papers which I normally read much more carefully than the others. In fact I was going to cut it out and give it to my colleagues, but I am quite sure of that, there is no doubt about it. Whether they were in certain particular subjects or not I don't know, but if the commitment is there and so long as the places are available in any particular subject, anybody with very low marks could possibly get in. I am just saying that because I think it is relevant to the way that this section is drafted.

HON L DEVINCENZI:

Mr Speaker, this is appreciated, and perhaps one might, at this particular point in time, be going a bit too far perhaps in asking even at any recognised University or other place of further education. I suppose it is the Government's responsibility ultimately to provide the money. But again when the Chief Minister mentioned the possibilities that if standards were low this could be the case - I am sure this is not going to come about but - even if this were to be the case, in order to provide a safeguard so that not just anybody who has just perhaps one 'A' level or so could go because he has a place, one would like to see nevertheless a commitment by Government where - and I am just thinking aloud - a student with A levels with sufficiently high grades who has attained a fairly high standard, once he has attained this, and once he has gone through the mill as it were, then that student should be assured a scholarship. This would of course require a lot of sacrifice, certainly on those of the lower income group where perhaps their education at an earlier age has not been an easy passage because perhaps they could not afford extra tuition anyhow I do think that there must be an extra commitment so that those who really go through the mill and make a very big effort know that at the end of the day their sacrifices, their hard work, would not go unrewarded. Perhaps the Government might do something on these lines.

HON M K FEATHERSTONE:

Sir, I do not want to, as I have said before in the House, anticipate the report of the sub-committee that is working on regulations which will follow very shortly after the passing of this Bill with regard to the award of scholarships. Without anticipating completely, Sir, I think I could say now that these regulations will state quite clearly that if a person obtains certain qualifications - I think if I look at the United Kingdom law this will remind me, it is based on the UK regulations - that if a person is ordinarily a resident of Gibraltar, and if he obtains certain qualifications in A levels, he will automatically qualify for a scholarship. I cannot say yet what those qualifications will be but we are very much in sympathy with the suggestion of the Honourable Mr Devincenzi. We are also looking at other points similar to the UK Regulations and I am very optimistic, Sir, that the work will be done and the regulations put forward very quickly after the passing of this law and I am also very optimistic, Sir, that the number of people who will be able to have scholarships starting September 1974, will be an improvement over last year of anything of 40-6%.

HON L DEVINCENZI:

Mr Speaker, I certainly welcome this news, and this move on the part of the Government. I wonder whether the Minister could say whether, if the recommendations were to be on the lines he has just mentioned, that people with such grade should be given scholarships automatically, I wonder whether the Minister would say at this point if those were to be the recommendations, whether those would be acceptable to Government.

HON M K FEATHERSTONE:

I can assure you, Sir, that by the time that the Government makes those regulations they must be acceptable to Government. I think that Government is fully aware of the need to send as many people as we possibly can for further education. We are not only aware but we are very willing to do so, Sir. I am sure I will have the sympathy and support of my colleagues in the Regulations that I want to put forward, Sir, and to this end I don't think I would be asking perhaps too much if the Honourable Member would bear with us in this. Perhaps he would withdraw his amendment appreciating that although Government wants to do everything that is possible it is not easy to put down in statute that this must be done when it is a practical impossibility.

HON M. D. XIBERRAS:

Mr Chairman, may I reiterate what my colleague Mr Devincenzi has said welcoming the announcement by the Honourable Minister for Education of a possibility of an increase in the number of scholarships of the order he has mentioned, but may I revert at the same time to the purpose, the general purpose of this amendment. I am not one of those persons who would say that having a declaratory clause in the Bill before the House is more important than the actual granting of scholarships, but I think Honourable Members will appreciate that the substance of this clause is very important indeed. After all, Gibraltar has gone to its various stages, like most developing territories; we have had compulsory primary education about which Government has had an obligation, then compulsory secondary education about which Government has had an obligation, and the obvious third phase is our responsibility in respect of University or further education. It is to give Government commitment, or general commitment to the Government's involvement in the process of further education that this amendment has been couched. As we know in Gibraltar we do not have Universities, and we have only one college of further education. We have an Industrial Training Centre. We have links with the MOD and the DOE where some of our Gibraltarians attend.

May I say in passing that we do not make half as much of these opportunities for the training that is required in these areas as we could, and in passing may I exhort the Government to try and develop the scheme that was put forward at the time of the last administration by DOE and embraced by the Gibraltar Government simultaneously, of technician training which in itself is a very important part of the further education of people, which the Minister has referred to from time to time. May I also say that there is obviously scope for dovetailing the various areas from which finance is available for the purpose of further education and I refer to areas other than Government. But when all had been said about finance, there remains the general Government commitments to further education. I don't for a moment accept that the costs would be as high as the Honourable Member has said. This at least is subject to debate and scrutiny. I do appreciate that it is a very heavy burden and I think the House should welcome the spirit in which my Honourable Friend Mr Devincenzi has approached the whole matter. Let me make it absolutely clear that what one is asking for is not Eutopia but a commitment which a community in our state of development should be prepared to give to further education.

Sir, when Brother Hopkins resigned, this was one of the most important points that he made, even before he resigned in fact. The point that he made was that nobody should be debarred from further education and he underlined this point with the thought that in the particular circumstances of Gibraltar if there was one thing that we could give our children it was a good education, especially further education, which would stand them in good stead wherever they went. It is not a thought which I would subscribe to in absolute terms, but certainly it is a thought which should contribute to our general approach to this subject.

When we come to the tourist votes of course there shall be ample opportunity to discuss other matters but for the time being I must address myself to the less glamorous subject at hand.

Sir, the obligation which the Opposition seeks to obtain from the Government is not an unreasonable one, provided the right form of words can be found. And I don't think that what the Minister for Education has had to say on the subject makes acceptance of this amendment any more difficult. In fact it makes it easier, we are more optimistic after hearing what the Minister has had to say. Now, could I propose that the Minister undertakes to see if a form of words can be found which enshrines this commitment to further education in the Ordinance, so that as we move forward into the '70s, as I believe the Minister said, with a new Education Ordinance, everybody in Gibraltar is aware and conscious of the Government's interest and obligations in respect of further education. I do not think that it would be possible to find a form of words immediately, but perhaps out of the deliberations of this committee with the Minister there might be a form of words. I am practically certain that the committee itself would welcome such a statement in this law. Minutes of Committees are often forgotten, whereas the law of Gibraltar is less so.

Sir, I wonder whether the Minister would give a thought to what I have said and perhaps indicate whether he is in favour of coming to the House at a later stage and including, if he thinks it is possible, this general commitment to further education. May I also ask the Minister to bear this in mind, not as the Chief Minister was saying, specifically in respect of UK places of learning, but also of further education here in Gibraltar. I think the Government of the day would have a rather strong weapon to use in the struggle that has been going for some time for the Gibraltarianisation of posts in the UK Departments and for the general

MR SPEAKER:

You are now departing from the point at issue. We are talking about a particular amendment to a particular clause.

HON M D XIBERRAS:

Yes, and in support of this I am saying, Sir, that further education is not confined to the United Kingdom. As far as Gibraltarians are concerned, further education ought to take place here. There is a college already which is run jointly by the Government and MOD, and that this, in the case of DOE would provide employment for about 16 Gibraltarians at a pretty high level. So, I wonder if the Minister would also consider the advantages of having this amendment in the legislation as a 'weapon', as leverage for the Gibraltarianisation of posts in the UK department, for the opening up of careers in private industry here in Gibraltar with the bigger firms, and generally in the furtherance of, pardon the repetition, further education.

HON M K FEATHERSTONE:

Sir, I am very willing to look into this and perhaps come back either at a future date with a substantive amendment to the Bill itself if so considered necessary, or to put it in the Regulations when they come out.

It is rather a pity, Sir, that this suggestion had not been made to me somewhat earlier. The Bill was published a considerable time ago, I made a statement in the House that any suggestions and ideas would be very welcome even at this late date this suggestion is still fully acceptable to us. I will look into it and I will try and get something out of the wash if it is at all possible.

HON P J ISOLA:

Am I to understand, Mr Chairman, the Minister to be giving some sort of undertaking that we will have at some future date some declaration of general policy in the law with regard to this subject? It does seem to me, looking at Section 16, that the question of further education and scholarships, being a very important part of the education of young people in Gibraltar, should obviously have a mention in that section. And although perhaps this particular amendment may be considered to be too wide - I would have thought it wouldn't be - but still if we are told by the Minister this could cost £2/300,000 a year, well, obviously we must assume that the Minister is speaking accurately and is in possession of the facts about this, and perhaps that commitment is one that is too high. But I think what certainly on this side of the House we would like to see, and obviously should be seen, in an Educational Ordinance, is a declaration of policy on further education contained in the section of the Ordinance, or the part of the Ordinance, which deals with educational policy.

If your policy is to ensure that the education of a child is a full education, then obviously that must take into account further education and University training. We cannot unfortunately give University training in Gibraltar and, therefore, obviously, one must look further afield.. But there is obviously a need in an Education Ordinance which it is said is going to take us into the 80's - I rather doubt it, Mr Chairman, but still - it is said by the Government it is going to take us into the 80's then obviously not to have a paragraph, a declaratory paragraph, on further education and scholarships policy in the policy section of the Ordinance is retrogressive. And although one can think of amendments to the present amendment, perhaps that cannot be done on the spur of the moment, but certainly before withdrawing the amendment I think we would obviously like to see some undertaking in the matter, something more definite, or else we could probably take a chance and suggest a further amendment. But I don't think we can come back to it later, the thing will have been passed later on. It is a question of either having an undertaking from the Minister now, putting this one in and amending later, or having one that perhaps doesn't put such a high financial burden on the Government but does declare that, for example, no pupil who could benefit from a University or further education should be deprived of that benefit through lack of need.

MR SPEAKER:

I understand that what the Minister has given is an undertaking to deal with the matter by regulation.

HON P J ISOLA:

Mr Speaker, I don't think this is satisfactory from the point of view of the Opposition, because obviously regulations can be made and unmade without debate. I would have thought that this being education we would have thought that this would have been in this particular section.

HON M K FEATHERSTONE:

It should not be thought that Government is completely forgetting in parts III - which says, Policy - the whole question of further education because when we get to clause 17, which I am sure the other side has read very assiduously, we do have subsection (a) which provides or assists in providing such facilities for further education as the Governor thinks fit. We do provide for the granting of scholarships, etc, and other financial assistance, including loans for further education and higher education. We do have later on in the Bill, Sir, a clause establishing Colleges of Further Education. It is not overlooked at all.

HON P J ISOLA:

Mr Chairman, that is true but of course that is in accordance with the general principle set out in section 16, that is why on this side of the House we want the general principle set out that relate specifically to University training and further education.

Mr Speaker then put the question, and on a vote being taken the following Hon. Members voted in favour:

OPPOSITION:

The Hon M Xiberras
The Hon P J Isola
The Hon W M Isola
The Hon J Bossano
The Hon J Caruana
The Hon L Devincenzi

The following Hon. Members voted against:

GOVERNMENT:

The Hon Sir Joshua Hassan
The Hon A W Serfaty
The Hon A P Montegriffo
The Hon M K Featherstone
The Hon A J Canepa
The Hon I Abecasis
The Hon Lt Col J L Hoare
The Hon H J Zarnitt
The Hon J K Havers
The Hon A Mackay

The amendment was accordingly defeated.

Clause 16, stood part of the Bill

Clauses 17 and 18 were agreed to and stood part of the Bill.

CLAUSE 19

HON L DEVINCENZI:

Mr Chairman, I beg to move that clause 19 to be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

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

Clause 19, as amended, stood part of the Bill.

Clause 20

HON L DEVINCENZI:

Mr Chairman, I beg to move that clause 20 be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

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

Clause 20, as amended, stood part of the Bill.

Clause 21 was agreed to and stood part of the Bill.

Clause 22

HON L DEVINCENZI:

Mr Chairman, I beg to move that clause 22 be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

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

Clause 22, as amended, stood part of the Bill.

MR SPEAKER:

We will now call clauses 23 to 40 and any one who wishes to propose anything in any of these clauses can then do so.

Clauses 23 - 40

Clauses 23 to 26 were agreed to and stood part of the Bill.

Clause 27

HON L DEVINCENZI:

Mr Speaker, although it is not in the notice I gave you, in Clause 27 and Clause 28 here again the word 'Governor' appears where the word 'Minister' should appear. To follow the same pattern as in the other amendments, I am, therefore, proposing that clause 27 be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

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

Clause 27, as amended, stood part of the Bill.

Clause 28

HON L DEVINCENZI:

Mr Speaker, I beg to move that Clause 28 be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

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

Clause 28, as amended stood part of the Bill

MR SPEAKER:

Now we have before us Clauses 29 to 40. Are there any matters which any Member wishes to raise on them?

HON M K FEATHERSTONE:

Sir, without wishing to steal the Honourable Mr Devincenzi's thunder, I think he might like to say something on Clauses 29 and 30.

MR SPEAKER:

Well Gentlemen now I am going to start calling clause by clause.
Mr Clerk as from clause 29 will you start calling.

HON CHIEF MINISTER:

Mr Speaker, could there not be an omnibus proposal that in all the clauses where the word 'Governor' appears, the word 'Minister' should be substituted.

MR SPEAKER:

No, I am afraid we cannot do that.

Clause 29

HON L DEVINCENZI:

Mr Speaker, I beg to move that Clause 29 be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

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

Clause 29, as amended, stood part of the Bill.

Clause 30

HON L DEVINCENZI:

Mr Speaker, I beg to move that Clause 30 be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

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

Clause 30, as amended, stood part of the Bill.

Clause 31

HON A J CANEPA:

I believe sub-paragraph (4) has the word 'Governor' although I am not sure whether it is the proper one there or whether it ought to be 'Minister' there. ~~Perhaps it should be Governor there.~~

MR SPEAKER:

Your attention is being drawn to clause 31 subclause (4) where in the third line we have: "may appeal against such refusal to the Governor who may confirm the refusal or may direct the Director to grant the approval for which application was made."

HON L DEVINCENZI:

Mr Speaker, I beg to move that clause 31 subparagraph

MR SPEAKER:

You want to say that sub paragraph (4) of clause 31 be amended by the substitution of the word 'Governor' by the word 'Minister.'

HON L DEVINCENZI:

Yes, Mr Speaker, sub paragraph (4) be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

MR SPEAKER:

I think it is my duty as Chairman to bring to the attention of the House that this perhaps is a different interpretation. We are doing a fair mount and the Committee may be under the misunderstanding it is similar. It is not for me to judge whether it is or it is not similar, but it is for me to bring to the attention of the Committee that it might or might not be.

HON A J CANEPA:

Mr Speaker, I don't think, with all due respect, that the Director would refuse to grant approval for the establishment ~~or conduct~~ of an independant school without consulting his Minister. I am sure he would consult him, and if he did consult him, as he ought to, I don't think appeal ought to, therefore, lie to the Minister. I think this is a slightly different one, Sir.

HON L DEVINCENZI:

Mr Speaker, I am quite prepared to accept that. On the other hand if the responsibility for education lies squarely with the Minister, suppose the Governor refuses an appeal and even he is wrong - we are talking now of education which is a defined domestic matter - and here we go the whole hog or nothing at all. Who is the Governor in this case, on a defined domestic matter, purely defined domestic matter, to judge whether the Minister was right or wrong in granting or not granting.

HON ATTORNEY-GENERAL

Mr Chairman, in this particular subclause there has been a refusal by the Director and an appeal to the Governor, who is, in my opinion, exercising here a quasi-judicial function, to decide whether or not he should allow the appeal against the refusal of the Director. I think in those circumstances it is proper to leave in this clause 'Governor' rather than 'Minister'.

HON L DEVINCENZI:

Mr Speaker, here again, as the Chief Minister said yesterday, one has to accept fully what the Honourable and Learned the Attorney-General says. I for one cannot argue with him on that point. I think the Honourable Mr Peter Isola seems to agree, or partly agree, and, therefore, under the circumstances, with reservations, I withdraw that amendment.

Clause 31 was agreed to and stood part of the Bill.

Clauses 32 to 34 were agreed to and stood part of the Bill.

Clause 35

HON L DEVINCENZI:

Mr Chairman, I beg to move that clause 35 be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

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

Clause 35, as amended, stood part of the Bill.

Clause 6 was agreed to and stood part of the Bill.

Clause 37

HON L DEVINCENZI:

Mr Speaker I beg to move that clause 37 be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

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

Clause 37, as amended, stood part of the Bill.

Clauses 38 to 40 were agreed to and stood part of the Bill.

Clause 41

MR SPEAKER:

I think the Minister for Education has an amendment to Clause 41.

HON M K FEATHERSTONE:

The Hon. Mr Devincenzi was going to bring up the Governor again.

HON L DEVINCENZI:

I would be quite happy with the Governor's views this time!

HON M K FEATHERSTONE:

Sir, I would propose, therefore, that in clause 41(1) the word 'Minister' is substituted for the word 'Governor'.

MR SPEAKER:

At the same time if you will bring in your amendment we can take a vote on both.

HON M K FEATHERSTONE:

I also propose Sir that in clause 41(4) the word 'Clerk' should be deleted and substituted by the word 'Secretary'.

I think, Sir, that the word 'Secretary' is the word used throughout the rest of the Draft Bill and it should be the same for the sake of uniformity.

HON P J ISOLA:

Mr Chairman, on this particular amendment, whereas 41(1) seems to be in order, I wonder whether the Minister, as far as 41(2) is concerned, is seeking powers to appoint a representative of churches and protestant community. I think the word 'Governor' should stay there, shouldn't it? It should only really be to 41(1) you said 41(1)? Then that is alright.

MR SPEAKER:

41(1), let us be very clear on this.

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

Clause 41, as amended, stood part of the Bill.

Clause 42

HON M K FEATHERSTONE:

Sir, I would propose that clause 42(1) be amended by the insertion immediately after the words 'religious education' appearing therein the words 'within the school curriculum'.

I would also propose, Sir, that the word 'Governor' where it appears in clause 42 should be amended by the word 'Minister'.

Sir, if I may just explain the reasoning for the amendment in 42(1). This was a representation from one of the religious bodies that felt that it might be better if the original thinking of the law put religious education as part of the general curriculum and not as to use the phrasing of the Mock Turtle in Alice in Wonderland 'and extra'.

It is obvious, Sir, that this is the general thinking: religious education must be an intrinsic part of the school curriculum, it is not a thing that should be classed as an extra or anything outside the normal education provided, and I think, Sir, that these words make it completely clear to the satisfaction of everybody.

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

Clause 42, as amended, stood part of the Bill.

Clauses 43 and 44, were agreed to and stood part of the Bill.

Clause 45

HON L DEVINCENZI:

Mr Speaker, I would like to move that clause 45 be amended by the substitution of the word 'Minister' for the word 'Director' where the same appears and by the substitution of the word 'shall' for the word 'may' in the first line and by the addition of the following words at the end thereof.

"and such pupils if of compulsory age are hereinafter defined shall be subject to the provisions of Part 9 of this Ordinance except insofar as the Director may otherwise prescribe."

Mr Speaker, the reasons for bringing this amendment is that one feels very strongly that there must be again a commitment - and I don't think I am talking now of £200,000 - by the Government to ensure that the Director through the Minister, must make provision for the compulsory education of physically handicapped children. I think that it is somewhat unfair that that section of the community which is already handicapped in the sense of by their having been born with some deficiency or other handicap in life, should be left more or less at the discretion of the Director whether provision should be made for the education of these children. This is a point, Mr Chairman, where I am rather surprised that the Government has not seen fit to include the word 'shall' rather than the word 'may' which is in very vague terms to say the least.

I do not know whether the Government intends to vote in favour of this amendment, and I will have more to say of this, but I will give the opportunity to the Minister to say what he has to say on this amendment. After that I shall certainly come back to it unless of course the Government agrees with it.

Mr Speaker then proposed the question.

HON M K FEATHERSTONE:

The first part, the substitution of the word 'Minister' for 'Director' is quite acceptable and it is also quite acceptable that it should be mandatory, that the word 'may' should be changed to 'shall'.

As regards the second part, Sir, I am not too happy that this should be added. Parents have got the right under the Part IX of the compulsory education not to send their children to a school at all as long as they can prove they are giving sufficient and useful education at home. In the instance of the handicapped child, it is a most difficult area to decide whether they are getting sufficient useful education at home; it might lead to a lot of unpleasantness, a lot of unhappiness and I feel that in this instance it would be preferable not to make it mandatory that Part IX should apply to handicapped children. It must be mandatory that the Minister should provide the opportunity of education to such children, but I think we must leave the final decision to the parent whether they take up this opportunity or not.

HON L DEVINCENZI:

Mr Speaker, in this second part one sympathises with the views of the Minister here. It is a somewhat valid point. As you will see in this amendment, the last line says: "as far as the Director may otherwise prescribe." So there is again provision for him not to do so. But again on this one, I think some representations were probably made to the Minister by the Society for Handicapped Children. I have not had an opportunity of seeing everything, but I was told in fact in Main Street about this, and very loosely, and in fact I brought this one in because of this information. I wonder could the Minister explain perhaps what were the views of the Society on this one, which must have gone into all the aspects of this? Could the Minister just amplify somewhat on the views of the Society?

HON M K FEATHERSTONE:

Sir, speaking from memory, we had representations. I think that the first part of the amendment from the Honourable Mr Devincenzi practically covers all the representations of the Society. I don't think that they demanded that the compulsory school age part, the applications of Part IX, should also apply, and I do accept that he has a saving phrase or clause insofar as the Director may prescribe, but you can have difficult Directors. One doesn't want to have a clash with the parent in such a delicate matter and I would prefer, if he could see his way to doing so, if he could take the second part of the amendment out.

HON P J ISOLA:

I think the Minister would be wise to revise his views on this. The position as far as the compulsory school age is concerned is that all children between 5 and 15 must attend school, and there is no escape clause. Here what we seek to do is to do exactly the same for handicapped children but we do give them an escape clause. In other words, if there is really a hard case the Director can exempt. Now, my experience of the compulsory school age was that there were cases of children within the compulsory school age who were the only people who could help at home and parents sought to remove these children at the age of 14 for very good reasons, to help the sick mother, the father had to go out to work, the mother was sick and there was nobody to look after her, and so forth. These were very difficult cases. But then you got to the stage where there was the question of the child or the parents. It was a hard decision to make and in all cases you had to say, if the future of the child is at stake he must carry on going to school and the side of the parents is a matter for the welfare authorities to look into and help. And if there was a really genuine case perhaps a blind eye was turned. As I see it, in the case of handicapped children, there is a much greater danger because parents tend to be obviously quite naturally far more protective and they tend to look only at one side of things. Some of them are embarrassed, are shy, and so forth, and the idea surely of that particular Section 45 is to ensure that even handicapped children have every educational opportunity possible. We fear on this side of the House that unless one tends to bring in the State, or make the State responsible, and unless one tends to say: "these children have to be educated just the same as any other child. They have got this handicap but they have got to be educated," and unless you do that there would be a tendency that the children themselves might suffer. But what we do is put the escape clause. Obviously we put it in these cases because obviously with handicapped children there may well be cases where exception would have to be made. But certainly as a principle of policy there is no reason at all why handicapped children should not be compulsorily educated in the same way as every other child, especially as the Minister is under an obligation to provide educational facilities. So, really, this is a Clause that I would have thought educational prudence, educational policy, would demand to be put in, and there is the escape clause for a really genuine case, escape where the Director can act, or if the Minister feels this matter to be an essential human problem, the exception could come from the Minister. I would recommend to the Minister that sound educational sense demands that this particular clause is put in.

HON A J CANEPA:

Sir, I think that the Honourable Mr Peter Isola is mistaken in this sense, that the duty which parents have to make provision for the

education of their children does not necessarily entail regular attendance ~~at~~ school, and in fact there is a saving clause again here in Clause 50, right at the end of that page 280, "or otherwise." In other words, parents may make arrangements for the full time education of their children at home provided that the Director is satisfied with the arrangements that are made. Therefore, Sir, if the education of handicapped children is made subject to Part IX there is nevertheless the opportunity for parents to make whatever arrangements they may deem ~~at~~ home provided of course the Director accepts this. So really I don't see that the amendment will fully cover what the Honourable Mr Isola wants to cover.

HON P J ISOLA:

I thank the Honourable Minister for Labour but I think that he is arguing the same way as I am. There is in fact provision in Section 45 for education of handicapped children in the house of the pupil, it is there specifically. I mean this is accepted, this may be the answer but there are equally cases where the house of the pupil is not satisfactory. This is why you have to have a compulsory provision where there may be a difference of opinion. I mean this is the educational part. One would expect the Director worth his mettle or equally a Minister worth his mettle, to look at this obviously in a proper manner, but let us not get away from it. There are occasions when the education of the child, or the interests of the child, demands education in a specialised institution, even though the parents may not think so. It could be because of the character of the parents, the make up of the home and so forth. This is why there is the escape clause and one would expect the Director to be human.

HON CHIEF MINISTER:

Mr Speaker, Sir, we are really dealing, and I am sure every Member who is contributing to this debate on this clause, is equally conscious according to the point of view that it looks at it. We are dealing with a very emotional and a very delicate part of the education. Fortunately in the last few years parents have realised that their handicapped children must form part of society and not kept at home so that they are not seen by other people. They now realise that they can be partly happy or fully happy within their limitations, but I would be rather wary of agreeing to this at this stage when in fact we are told that the mover has proposed what ~~he~~ thinks are the views of the Handicapped Children Society. We are going to have the beginning of a handicapped school we hope in the coming year. And I would rather be chary to impose a compulsion until they have been fully consulted on the point, and if in fact they feel, and I would rather take, with the greatest

respect, their advice on this, because it would be very envidious as between one parent and another, that a particular child has been exempted when another child has not. This would make it very difficult for decisions to be taken. It is a very delicate subject and I would suggest that we leave this for the moment until the views of the Handicapped Society is obtained. If they share the views expressed on the other side we will have no hesitation in bringing an amendment to cover it. The intention is there, the obligation to provide it is there, but I would rather leave it for the moment in that way because we might be treading a little too quickly on a sensitive part. It is no use saying no when the Association has not been consulted or when the Minister tells you that as far as he is concerned the first part of the amendment covers all the representations.

It is a delicate area, we want to make sure that we do the best for them, we may have different views about it but it is better to make sure first than to have to come here to have a withdrawal of something that is done in those circumstances. For that reason I would suggest that either the amendment is withdrawn on that undertaking, that if it is felt strongly by the Society that this should be done, or that we put it to the vote.

HON L DEVINCENZI:

Mr Speaker, I welcome what the Honourable and Learned the Chief Minister has said, and again I do share his views that all everybody is doing here is to look after the interest of handicapped children. I also agree that the Handicapped Children's Society should be consulted fully on this, but as I understand it they do so, and perhaps the Minister will recollect that he has it in writing they would like it to be mandatory.

I also welcome very much that the Chief Minister has said that a site has already been earmarked for the Handicapped Children's Centre and I would certainly welcome if the Chief Minister would take this opportunity, although this may not be very relevant at this particular moment, I don't know, but since we are in Committee Stage, whether he could amplify on how soon this may come about and how far the Government is committed to doing this. Coming back to the amendment before the House, it is my understanding that the Handicapped Children's Society have recommended that that should be mandatory. Would the Minister care to confirm or deny this?

HON CHIEF MINISTER:

I am afraid I cannot say much more about this. We are anticipating the proposals that are going to be made in connection with the Estimates about the school, except that the Government is fully committed, with the help of the Handicapped Society Fund too, and our own fund, to have a Handicapped School. Mr Chairman we want to make sure we do the right thing. Could we proceed and leave this clause pending for the moment until the Minister finds out if he can from his department whether in fact these representations cover compulsion or not. We want to make sure we do take the right decision.

MR SPEAKER:

We can of course postpone deliberations on this clause until a later stage.

HON CHIEF MINISTER:

If we could do that we could proceed with the rest and come back.

HON M XIBERRAS:

I fully understand what the Hon and Learned the Chief Minister has had to say on the problem and I accept. . . .

MR SPEAKER:

May I say this. If we are going to decide to postpone deliberation of this Clause to a later stage, then let us do it.

HON M XIBERRAS:

I am quite absolutely certain that the Society for Handicapped Children recommended that education should be compulsory as for everybody else and I was going to say something in support of this.

MR SPEAKER:

All I am saying is that it has been proposed by the Chief Minister that the deliberations should be deferred to a later stage. If that is accepted then whatever has to be said can be said when we come back to it. Or we can do this clause now whichever you decide.

Then by agreement of the House we will postpone the deliberations of this clause to a later stage.

Clauses 46 to 48 were agreed to and stood part of the Bill

Clause 49

MR SPEAKER:

I think Clause 49 is one of the Clauses which requires the standard amendment, Mr Devincenzi!!

HON L DEVINCENZI:

Mr Speaker, I beg to move that Clause 49 be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

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

Clause 49 as amended, stood part of the Bill.

Clauses 50 to 53 were agreed to and stood part of the Bill.

Clause 54

HON M K FEATHERSTONE:

Sir, I beg to move that clause 54(1) be amended by the deletion of the words "insofar as resources permit" appearing therein, and by the substitution therefor of the words "in conjunction with the Director of Medical and Health Services."

The intention here, Sir, insofar as resources permit, seems to put a certain amount of doubt on whether medical inspection is going to take place or not, and since also at the same time it is obvious that the Director of Medical and Health Services must be involved, it is thought wise to bring him into the Bill in this position at the same time, Sir.

Mr Speaker proposed the question.

HON L DEVINCENZI:

Mr Speaker, I welcome the amendment by the Minister. In fact this was one of the amendments which we had and withdrew after we saw that the Minister was going to propose it himself. It is in fact very clear that the words there were not needed. It did imply a sort of limitation that should not have been there and all I would say is that I welcome the amendment and that we are voting in favour of it.

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

Clause 54, as amended, stood part of the Bill.

Clauses 55 and 56, were agreed to and stood part of the Bill.

Clause 57

HON L DEVINCENZI:

Mr Speaker, I beg to move that clause 57 be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

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

Clause 57, as amended, stood part of the Bill.

Clauses 58 to 63 were agreed to and stood part of the Bill.

Clause 64

HON M K FEATHERSTONE:

Sir, I beg to move that clause 64(1) be amended by the insertion immediately after the words "attendance at a school" in the sixth line, Sir, the words "between the hours of 8 am and 5 pm."

The intention here, Sir, is that these are the normal school hours and obviously that should be the times which should be put in to make the position completely clear.

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

Clause 64, as amended, stood part of the Bill.

Clause 65

HON L DEVINCENZI

Mr Speaker, I beg to move that Clause 65 be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

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

Clause 65, as amended, stood part of the Bill.

Clauses 66 and 67, were agreed to and stood part of the Bill

Clause 68

HON M K FEATHERSTONE:

I propose an amendment in Clause 68 that the words 'child or' be put in immediately before the words 'young persons' wherever they appear. The original intention of this clause

MR SPEAKER:

May I make very clear what you are doing. Are you changing your amendment of which you have given written notice.

HON M K FEATHERSTONE:

I have just turned it round. Said the same thing another way: Immediately before the word 'young persons' wheresoever they appear the word 'child or'.

MR. SPEAKER:

That is correct.

HON M K FEATHERSTONE:

The original intention of this amendment, Sir, was where a young person was employed in a job where there was no statutory minimum wage and the Director thought that the wages being paid were not

satisfactory, he could fix the wage etc. Now, Sir, the law is also permitting children: children according to our law are people who have not passed out of compulsory school age, to be employed and an earlier provision says that before they may be employed permission must be granted by the Director.

The Director can rescind that permission if the employment is interfering with the education of the child, but it does not satisfactorily cover the instance in which a child was not having his education interfered with but was being employed at an extremely low wage which would be completely unfair. The power here, Sir, would be once again that should such an event occur the Director can establish wages for the child, an hourly wage or whatever it might be, and in the event of any difficulty there would be the opportunity of arbitration through the Director of Labour and Social Security.

Mr Speaker then proposed the question.

HON M D XIBERRAS:

Has the Minister taken advice on this particular one about fixing a minimum wage for a child?

HON M K FEATHERSTONE:

This was from representations from the Principal Youth Officer. Yes.

HON M D XIBERRAS:

There seems to be something wrong then, the fixing a minimum wage for a child who is not supposed to work. This is the purpose of the amendment.

HON M K FEATHERSTONE:

You might get the instance of a child doing some small job, or menial job, and he is paid 3p an hour which would be grossly unfair. Then the Director will say: "I don't think this is sufficient." The only way this could have been stopped previously if a child was being grossly underpaid was if it was interfering with education. If it was not interfering with his education, the Principal Youth Officer represented to me, he could be really employed at slave labour wages. This will now stop that possibility by allowing the Director to say "This job is not interfering with his education, he may continue in his job, but you must pay him this minimum wage per hour."

HON M D XIBERRAS:

I can understand how the occasion can arise and how it does arise in fact in the case of delivering newspapers and things like that, I understand that. What appears to me to be somewhat odd was giving somebody powers to fix a minimum wage for a child when I don't think there is any recognition of children of school age working in any other legislation. This is what seems odd to me. I am not for a moment advocating that there should be exploitation of child labour.

HON CHIEF MINISTER:

It is the negative way of doing it. It is not saying you have to have a minimum wage but saying you will not work for what you are being offered because we do not think that that is fair.

HON M D XIBERRAS:

I appreciate that but you are giving the Director almost, I would say, power to fix a wage. It just doesn't seem to run along with the other things.

HON ATTORNEY-GENERAL:

I think that it is virtually impossible to introduce legislation which could fix a minimum wage for a child because the diversification is so great. A child of 8 or 9 who might at week-ends have a job, it would be impossible in any legislation to provide what he should be paid. It depends on what he did. And for this reason it has to be done on an ad hoc basis and we have chosen the fairest way we can, that the Director will in the first place decide what he thinks is fair, in view of what the child is called upon to do, but there is of course recourse to the Director of Labour and Social Security if necessary. It is protecting the child and it is the only way really that this can be properly done.

HON M D XIBERRAS:

Mr Speaker, I wasn't asking for this at all. I am not asking for statutory powers to control wages of children. What I am saying is that in my recollection there is no other law in which there is any statutory recognition of a child working. It seems to me if one starts talking about the rates at which a child should be paid then one is sort of unconsciously aiding and abetting the employment of children, let me put it that way. I am not for a moment either advocating exploitation of child labour obviously.

What I am saying is do we need to put that on the Director: is it the Director's place to say, of his own bat, you can deliver the Gibraltar Evening Post for 3p but not for 2p. This is what I am saying. I had better mention the Chronicle, as well!! This is the point which I am making, I hope Honourable Members opposite, and the Minister in particular, will understand what I am saying.

HON M K FEATHERSTONE:

I do, but I think it must also be accepted that it is an established fact that children do odd jobs here and there and they do get paid for it, either one just blindly carries on and pretends it doesn't exist, or one has to accept the fact that it does exist and in allowing it to exist one has to put some limitations on it, which is the intention of this Bill. The first limitation is as we have said: "no child may work without the Director's permission."

HON M D XIBERRAS:

Another point, Sir, and that is, that the Youth Welfare Officer to my mind should not have this sort of power in respect of school children, neither should to my mind the Director cross wires and have powers in respect of wages and so on of people who have left school. They are functions which are quite different, and this sort of power in respect of a child still at school seems to be generally against legislation in Gibraltar and UK. It seems to me to be but this is just intuition of course.

HON A P MONTEGRIFFO:

No one would like to see children working, but the fact remains that they do. They do errands, they may be paid for doing errands, and for delivering or selling newspapers, they do come, and they do very well, and as the Honourable the Attorney-General has mentioned, there is such a wide field in which children do make a few pence here and there, and we know this. And we must try to legislate to stop to exploitation of these children. If we haven't got anything in the statutes then it is going to be laid open for worse evils than turning a blind eye and assuming that they are not going to work.

HON P J ISOLA:

The only problem here is that probably the best way of stopping children from being exploited is to prohibit their employment. If I may look a little ahead, Section 72 talks about the provisions

of this Ordinance being in addition to and not in substitution for any enactment relating to the employment of children or young persons, or for giving effect to any international convention regulating employment. Is the child as a unit to be recognised as a person you can employ. It seems to me that by setting rates for jobs for children the legislature is in effect giving its blessing to the employment of children, and I would have thought that we should have been reluctant to do that. I mean, if a child does the odd job and gets paid for this, you know, well and good, but if we are going to start having a rate for a young child we are going to find that children under 15 or 14 it doesn't matter, but at a younger age, being sent out to work by their parents. This is like a return to the 19th century. I would have thought that we would not by legislation encourage that practice. I would have thought that if we want to prevent the exploitation of children we must make their employment difficult rather than just ensure a living wage. We want to protect it rather than encourage it by putting rates for jobs and so forth. It is a difficult one I know but I think it is one we should tread very warily.

HON ATTORNEY-GENERAL:

There is of course already the safeguard in Section 63, that if the work is of such a kind as to be prejudicial to the child's health, or otherwise stopping him from obtaining the full benefit of education, then the Director may impose restrictions. They are safeguarded there. As far as the wage goes it is an additional safeguard. I don't think you will ever preclude children willingly taking on a job to make a bit of extra pocket money, but if there should be anything inimical, the health of the child, not only must we comply with any international convention there might be but then we have got the powers here to say 'No.'

HON M D XIBERRAS:

Sir, in respect of health and things of the kind, we are treating the child, as a child, but I think we are treating the child as an adult when we are beginning to talk about his minimum wages and so on. A child's place in the law is at school and not at work, and, therefore

HON M K FEATHERSTONE:

Perhaps I didn't make myself clear at the beginning. Let me try and recapitulate the whole situation. It is a fact that children of 12 or 13, both here as in England, do go on their own initiative looking for some type of job, in particular I believe in Britain they do newspapers distribution round houses, various little odd

things, washing a car at weekends and so on. Now, the position obviously must be, either you say they cannot do this at all and they will still probably do it, or you have to accept it. But in accepting it you must make the maximum safeguards going. Our first safeguard is: no child may be employed without the Director's permission and the Director must consult the Headmaster of the school and the child's parents. Well, the parents need not even be educational grounds. Having given that permission the child then starts work. If it is found that the child is for example distributing or selling newspapers, and he starts perhaps at 6 o'clock in the evening and is still doing it at 9 o'clock, and he is not able to do his home-work, it is interfering with his education, immediately the Director can rescind that permission. But if the child is not suffering at all in his educational fields then the Director has no right to rescind the permission unless it otherwise affects his health. Only if it affects his health or prevents him from obtaining the full benefit of the education provided. The Principal Youth Officer represented to me that these safeguards are excellent. You can still get the youngster who has got a job say of washing cars and the person who got him to wash the car says: "Right, but I am only going to pay you 10p for a car". Almost slave labour. Wouldn't it be fairer that you could also rescind that permission, or fix a minimum that he should get for what he is doing. He wants to work but don't let him be exploited. Therefore, we put in that if he is doing such work then the Director can see that he is not being exploited, can fix some minimum figure.

HON M D XIBERRAS:

It is also possible for the father of the child to say "You go and work, there is a minimum wage". Oh yes it could happen, why not? You go and work, you must work at that rate and you must fetch this money and I shall make representations to the Director so that he fixes the minimum for a, b, c, and d. This is what used to happen. Now all the other provisions that the Minister has mentioned to my mind apply in consideration of the school-going status of the person concerned and not by virtue of his money making, or his capacity to earn. And this is the other consideration. With all due respect to the Principal Youth Officer I myself would rather see a sort of more of this rather than accept this one. I don't know how my colleagues feel about this.

HON L DEVINCENZI:

Mr Chairman, this is quite frankly one of the situations where we can hear both sides and one tends to agree in part with all speakers. I mean, there is something to be said for everybody. If one considers

everything and sees where the balance goes, I do accept fully that children do work and also that they will continue to work. This will be unavoidable. The only danger here that I see, and I see it as a real danger, is what the Honourable the Leader of the Opposition has said and that is whether it might not encourage parents to send children to work. There the wages or whatever they are given begins to be attractive then - I am not going to say they are going to force them to go, no, I don't think we have that in Gibraltar - but I think there could be a tendency where children might be encouraged to do so. If this were to be the case, and I don't know whether it would be, if there is a chance, a possibility, and I think the possibility does exist, where children might be encouraged, even if only a small percentage would be encouraged to work, then the object of the exercise would be defeated and on balance again I am not happy with it on this particular point. The possibility of children being sent or encouraged to go to work. And I think it will be very difficult for anyone or even the Director to be able to assess whether that child is now doing his home-work properly or suffering in some way or other. This is something which in printing looks very nice. The Director can stop them if he considers the child is suffering, but would the Director or the Headteacher for that matter, notice that the child is suffering or how much he is suffering educationwise because he is working. I think there is a danger there, even a small one but there is a danger.

HON A J CANEPA:

All those speakers who have up to the moment contributed to the debate on this particular clause have taken into account the fact that at present, under the Children and Young Persons (Temporary Provisions) Ordinance, parents are entitled to make arrangements within certain limitations for the employment of their children. And I remember saying when the Second Reading of the Bill was taken that I welcomed this particular Part IX of the Bill because I thought that it went much further than the existing legislation which is to be repealed by this Bill, in this sense, that at the moment the Children and Young Persons (Temporary Provisions) Ordinance stipulates a maximum number of hours that a child can work, and by a maximum being stipulated parents who want to force the issue could always arrange for a child to work that maximum number of hours and the Director could do nothing about it. Here, however, the Director is being empowered to consider each case on its own merits, to judge the circumstances of the child. For instance, if a child is in an examination class, ~~in which case~~ *then* obviously it is not desirable that he should work the maximum number of hours now being allowed for under the existing legislation. And I said that it was a step forward and I certainly welcomed it because I saw it in that way. The Director can now make ad hoc arrangements for a particular child, or ad hominem arrangements for a particular child bearing in mind the circumstances ~~completely~~ of the case.

HON M D XIBERRAS:

I wouldn't like to get involved any further in arguing this point. This may be so but my intuition says no. And the Honourable Minister for Labour has a great regard for intuition, as we all know.

Mr Speaker then put the question, and on a vote being taken the following Hon Members voted in favour.

GOVERNMENT:

The Hon Sir Joshua Hassan
The Hon A W Serfaty
The Hon A P Montegriffo
The Hon M K Featherstone
The Hon A J Canepa
The Hon I Abecasis
The Hon Lt Col J L Hoare
The Hon H J Zammit
The Hon J K Havers
The Hon A Mackay

The following Hon Members abstained:

OPPOSITION:

The Hon M Xiberras
The Hon P J Isola
The Hon W M Isola
The Hon J Bossano
The Hon J Caruana
The Hon L Devincenzi

The amendment was accordingly carried.

Clause 68, as amended stood part of the Bill.

Clause 69

HON M K FEATHERSTONE:

Mr Speaker, I move that clause 69(1) be amended by substituting 'Principal Youth and Careers Officer' for the words 'Youth Officer'. The post has been upgraded and this is the new title of this Officer.

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

Clause 69, as amended, stood part of the Bill.

Clause 70

HON M K FEATHERSTONE:

Mr Speaker, I move that Clause 70 be amended by substituting 'Principal Youth and Careers Officer' for the words 'Youth Officer.'

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

Clause 70, as amended, stood part of the Bill.

Clauses 71 and 72, were agreed to and stood part of the Bill.

Clause 73

HON L DEVINCENZI:

Mr Chairman, I apologise for the repetition. I beg to move that Clause 73 be amended by the substitution of the word 'Minister' for the word 'Governor' wheresoever the same appears.

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

Clause 73, as amended, stood part of the Bill.

Clause 74, was agreed to and stood part of the Bill.

Clause 75

HON L DEVINCENZI:

Mr Speaker, I beg to move that Clause 75 be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

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

Clause 75, as amended, stood part of the Bill.

Clause 76

HON L DEVINCENZI:

Mr Speaker, I beg to move that Clause 76 be amended by the substitution of the word "Minister" for the word "Governor" where the same appears.

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

Clause 76, as amended, stood part of the Bill.

Clause 77.

HON L DEVINCENZI

Mr Chairman, I beg to move that Clause 77 be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

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

Clause 77, as amended, stood part of the Bill.

Clause 78, was agreed to and stood part of the Bill.

Clause 79.

HON L DEVINCENZI

Mr Chairman, I beg to move that Clause 79 be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

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

Clause 79, as amended, stood part of the Bill.

Clause 80 was agreed to and stood part of the Bill.

Clause 81.

HON L DEVINCENZI

Mr Chairman, I beg to move that Clause 81 be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

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

Clause 81, as amended, stood part of the Bill.

Clause 82.

HON M K FEATHERSTONE

Sir, I beg to move that Clause 82(1) be amended by the insertion immediately after paragraph (X1) appearing therein of a new paragraph as follows:-

"(Xli) the award of scholarships and matters related thereto"

And consequently, Sir, if this is approved paragraph (Xli) as originally in the Bill will be renumbered paragraph (Xlii).

It seems to be a little confusing here, Sir, there is no (Xlii) to make (Xliii). We will have to make the present (Xli), (Xlii).

MR SPEAKER

Let me see that again. The present (Xli).

HON M K FEATHERSTONE

If we put in a new (Xli) which will be "the award of scholarships and matters related thereto" and paragraph (Xli) as at present to be re-numbered as (Xlii). There is no (Xlii).

MR SPEAKER

(Xli) to be re-numbered (Xlii) not (Xliii).

HON M K FEATHERSTONE

Yes, Sir. The intention here is that as we already have powers under Part III, Policy, to provide for the granting of scholarships, etc., it is fitting that we should have the power to make regulation with regard thereto.

MR SPEAKER

Let me see, so you are adding that Clause 82 be amended by the insertion immediately after paragraph (Xli).

HON M K FEATHERSTONE

No. After (Xl) Sir.

MR SPEAKER

After paragraph (Xl).

HON M K FEATHERSTONE

A new one - (Xlii).

MR SPEAKER

Then what you did was right - paragraph (Xli) will become (Xlii).

HON M K FEATHERSTONE

(Xli) will become (Xlii).

MR SPEAKER

That's correct. That paragraph (Xli) will become (Xlii).

Mr Speaker proposed the question.

HON L DEVINCENZI

Mr Chairman, there isn't much for me to say here except that, we welcome that there has been this amendment on the part of the Minister, and at least the word 'scholarship' does seem to be getting some prominence. I very sincerely hope that this will be backed by solid deeds in the not too distant future.

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

Clause 82, as amended, stood part of the Bill.

Clauses 83 to 89 were agreed to and stood part of the Bill.

SCHEDULE.

MR SPEAKER

No. Before we do the schedule we have to go back to Clause 45, which we left in abeyance. Am I right in saying this?

Clause 45.

HON M K FEATHERSTONE

Sir, may I move an amendment to the amendment

MR SPEAKER

Now you want to make an amendment to the amendment proposed by Mr Lloyd Devincenzi, to Clause 45. Is that correct?

HON M K FEATHERSTONE

Yes, Sir. Perhaps I will explain before I give you the amendment, Sir. We have got out from the files a letter from the Society and they are in agreement with Part IX, Sections 49 and 50, which is compulsory education, but they do say that although it should include handicapped children there must be a saving clause of exemption on medical grounds, and, therefore, Sir, perhaps we could propose an amendment, which I shall have to write out for you, Sir.

MR SPEAKER

We might perhaps recess for a quarter of an hour which will give you time to write your amendment and we will come back to it.

MR SPEAKER

Well we are now in Clause 45.

HON M K FEATHERSTONE

Yes, Sir.

I believe, Sir, that Clause 45 as originally proposed by the Honourable Mr Devincenzi has the substitution of the word 'Minister' for the word 'Director', the word 'shall' for the word 'may', and then I would propose that the rest of his amendment should be amended to read as follows:

"and such pupil, if of compulsory school age as hereinafter defined, shall be subject to the provisions of Part IX of this Ordinance unless the Director of Medical and Health Services has certified to the Director that in the interests of the pupil he shall not be so subject, or in such other cases as the Director may think fit."

MR SPEAKER

Right. I will propose the question before the House which is an amendment to an amendment which is that the amendment proposed by the Honourable Mr Devincenzi be further amended by the substitution of all the words appearing after the word 'and' and by the insertion in its place of the following words:

"and such pupil if of compulsory school age as hereinafter defined shall be subject to the provisions of Part IX of this Ordinance unless the Director of Medical and Health Services has certified to the Director that in the interest of the pupil he shall not be so subject, or in such other cases as the Director may think fit."

Now that is the proposal which is an amendment to the amendment.

HON L DEVINCENZI

Mr Chairman, I welcome this amendment to my amendment. It is, if I may say so, an improvement to our amendment. The principle we were after has been accepted by the Minister in full, and we have no hesitation in voting in favour of the amendment to the amendment.

Mr Speaker then put the question, which was resolved in the affirmative. The amendment to the amendment was accordingly carried.

MR SPEAKER

The amendment to the amendment is carried and therefore the question before the House which I will put now is that Clause 45 be amended by the substitution of the word 'Minister' for the word 'Director' where the same appears and by the substitution of the word 'shall' for the word 'may' in the first line and by the addition of the following words at the end thereof:

"and such pupil if of compulsory school age as hereinafter defined shall be subject to the provisions of Part IX of this Ordinance unless the Director of Medical and Health Services has certified to the Director that in the interest of the pupil he shall not be so subject, or in such cases as the Director may think fit."

The question was resolved in the affirmative.

Clause 45, as amended, stood part of the Bill.

Schedule - Part I

HON L DEVINCENZI

Mr Chairman, I beg to move that Part I of the Schedule be amended.....

MR SPEAKER

Just a second, we have got to be careful and make sure that there are no amendments proposed by the Government to Part I of the Schedule.

There are none. Then you are perfectly in order.

HON L DEVINCENZI

Mr Chairman, I beg to move that Part I of the Schedule be amended:

- (1) by the substitution of the word 'Minister' for the word 'Governor' where the same appears;
- (2) by the addition of a new paragraph to be numbered 7 to read as follows:

"the Chairman of the Committee shall be the Headteacher and where there are more than one Headteacher in the Committee then the Senior Headteacher shall be the Chairman of the Committee."

Mr Chairman, at the Second Reading we did discuss this subject

rather thoroughly. I think it is an important amendment and we feel that the Committee, something which we welcome wholeheartedly, and which will undoubtedly do a good job, should, nevertheless, never be in a position to by-pass the Headteacher, and they could do so if the Headteacher is not the Chairman of the Committee. I quite accept that even if the Headteacher is a member of the Committee and will undoubtedly know all the goings-on of the Committee, nevertheless, I think it would be right, proper and equitable, that the Headteacher holding the position the responsibility that he does as the Head of a school, should at all times be the Chairman of the Committee.

I fail to see any reason why the Government should not be in favour of this amendment. Of course I would grant that the Headteacher chooses not to be the Chairman that would be another matter, although I doubt whether this would ever be the case.

As the amendment stands we are asking that the Headteacher should be the Chairman as I fail to see and I doubt very much whether any Headteacher would not welcome this appointment. I would like to hear what the Minister has to say on this if he is against this amendment.

Mr Speaker then proposed the question.

HON M K FEATHERSTONE

Sir, the Honourable Mr Devincenzi has proposed two amendments. The first one is the now rather recurrent amendment of the 'Minister' for 'Governor', which we fully accept. I am afraid, Sir, that we cannot see our way clear to accepting the second amendment. I don't think the situation can be put.....

MR SPEAKER

Let us be very clear on this one. He has moved one amendment in two parts: which is the one that you are referring as the one you accept?

HON M K FEATHERSTONE

The one we accept, Sir, is the substitution of the word 'Minister' for the word 'Governor'.

The second one I am referring to is the Chairmanship of the Committee. I don't think the situation can be any clearer than it was put by my Honourable Friend Mr Canepa when he said in the general debate that as regards the position of the Headteacher in a School Committee it is not vital that it should be the Headteacher as Chairman, that in the UK it is often a prominent citizen of the Local Education Authority. You might get a situation here where there may be two or three small schools having the same Committee, the Headteachers

themselves might feel that it would be more convenient to have a prominent citizen as Chairman, it would be less invidious for them. Under the amendment which I wish to bring later there will be proposed how committees elect their Chairman. I think we can do no better as far as ordinary School Committees to leave the situation in the hands of the Committee themselves, and I am afraid, Sir, that we must resist this amendment.

HON M XIBERRAS

I find this attitude of the Minister's rather surprising, particularly in view of the proposal which he intends to put to the House at a later stage in which he is going to propose that in the case of the Gibraltar and Dockyard Technical College the Principal should be the Chairman as prescribed by this law. Yet in the case of other schools the Minister insists that the Chairman should be elected. I think the Minister has still not given us the reason why he would have the Chairman of the Government School Committees elected. Perhaps he is drawing a parallel to public schools where there is a Board of Governors and the Headmaster is a member of the Board of Governors, ex-officio. But that is only because the Governors generally represent the people who pay the money towards school, or who are entrusted with a special responsibility as regards the schools. In the Government schools the Headmaster surely is responsible to the Director who is responsible in turn to the Minister elected by the people. And it is the Headmaster who has the responsibility for that school. I myself was responsible, as I said in the House before, for making the suggestion to the Commission on Secondary Education on the establishing of these Committees, and this is recorded in the Secondary Educational Commission's Report and my intention then, as explained fully to the Commission, was hardly to undermine the position of the Headteacher which, a Chairman, being someone other than the Headteacher, would certainly do, but rather to bring society and school together as is right and proper, especially in the secondary schools. If we are to have one comprehensive school for the whole of Gibraltar, perhaps co-ed perhaps not, but one secondary school, then the character of the Headteacher is going to mould the character of the pupil over a long period of time. And it is right and proper that the Headteachers should be subjected in this committee to the feeling, the views, and opinion of society, the change of view, feelings and opinion of society. That is one kettle of fish, but it is a completely different kettle of fish to place in a position of quite great authority over the Headteacher a person who may not be an educationalist, who may not be directly responsible for the school, and one who according to this Ordinance would have direct recourse to the Minister and the Director as head of that committee as Chairman of that committee.

We have not objected to those references in the Ordinance where these channels between the Chairman of the Committee and the

Director and the Minister appear because we are taking everything on this particular amendment and hoping to see the Minister accept this amendment.

Now, it could be quite an unpleasant situation, and I am sure no Headteacher especially in a place the size of Gibraltar is going to welcome a law which makes him just another member of the Committee. How can he possibly exercise his lawful authority, which this Ordinance has enhanced if I may say so, if he is not the Chairman of that Committee. I agree entirely that even if the Headteacher were declared to be ex-officio Chairman of the Committee the views of the Committee should be made known regularly and faithfully to the Director and to the Minister. The minutes should be submitted regularly and the Committee as a whole should see the Minister and so on. That I think is perfectly proper because the views of the Committee are important. But they should be channelled, submitted through the Headteacher who should be the Chairman, statutorily of this Committee. Now, what is there against this proposal, why is there in favour of the proposal which the Minister intends to make. That it is elected, it is an elected Committee. Well, of course, that Committee should elect the Chairman would be a step in the right direction. Look at all the other Government Committees we have. How many elected Chairman do we have there? We have very few. The majority of them are appointed, the vast majority, I would say are appointed directly by the Governor and that Chairman is charged with a certain responsibility. And who better of all the members of this Committee we are creating to be the Chairman than the Headteacher of the school.

If one of the purpose of this Ordinance is to enhance the position of the Headteacher, then we should do nothing in the Ordinance which detract from his authority, his rightful authority. We don't want a tyrant but we do not want a person who is in the hands of a Committee in many important respects. We want him to be in a position of authority. Could there not be - thinking now of the worst - could there not be a system whereby the Chairmen of different Committees ran to and from the Department of Education and are consulted by the Minister over the heads of the Headteacher. And what would that do to the position of the Headteacher. I repeat that the purpose of the Ordinance is to enhance, to determine the functions, obligations, duties and so on, of the Headteacher. But do we want a network for the Minister or the Director, an unscrupulous Minister or - not for a moment am I talking about the present incumbent - but unscrupulous Minister - and certainly not about the present temporary incumbent of the Directorship - but could we not have a network whereby the Director or the Minister, if they were unscrupulous, could go to each of these Committees and determine, find out information that the Ordinance says he is entitled to, behind the back of the Headteacher. It is much better to confront the situation if the Headteacher is worthy of censure by the Director or the Minister having it out with the Chairman of this Committee, or with the Headteacher as

Chairman of that Committee, bearing in mind what is minuted in the minutes of the Committee.

Sir, why has the Principal of the Gibraltar and Dockyard Technical College disagreed with the idea that there should be somebody over him in the particular Committee for the College? If not what particular reasons are there for not having the elective principle applied in the case of the College. Is it that a parent could not be found, well versed in the question of the Technical College as in comparison a parent and the Headteacher of the Junior School? The point is quite other than that. The point is that the authority of the school rests, especially in a Government set-up, with the Headteacher. And what the Committee, because of its composition, is supposed to do is to guide, to my mind, guide the Headteacher, make the Headteacher alive of the feelings of the community.

May I end by saying, Sir, that certainly in my mind, and I was told by the Commission that nobody had suggested this up to then, there was no idea of having something, an antagonism, the possibility of a permanent antagonism between Headteacher and Committee. It was a question of cooperation, and if there is cooperation let us have the Headteacher there ex-officio, let us have all the community represented, and let us have the give and take of committee work. But let us have the man who is responsible in the Chair. Responsible for the staff, the minutes, responsible for all aspects of that Committee, responsible for the communication of minutes to the Director and to the Minister, but let us not have the Headteacher trying to wean things from the Chairman, wean opinions, wean favours from a parent, or whoever it is is the Chairman of the Committee.

I think, and I describe as such, that this is practically the greatest danger in this Bill as it has been presented, and I very earnestly ask the Minister that to reconsider his views or at least explain the reasons behind his own proposal.

HON A J CANEPA

Mr Chairman, I think that it is eminently desirable that in the case of the majority of the School Committees that are to be set up for our schools in Gibraltar, the Chairman should in fact be the Headteacher. But I personally would not like to see that become law. I would not like to see that provision something statutory. I am sure that in practice, in the majority of cases if not in all of them, it will obviously be the Headteacher who will be elected Chairman, but I think that the Committee should be given a certain element of flexibility. It is not a question of undermining the authority or the influence of the Headteacher of the school, nor is it the case that this Bill, purely aims at strengthening the position of the Headteacher. It does that certainly but I think it also aims in setting up these Committees, to getting as much participation as possible by parents, something which to my

mind is somewhat lacking in Gibraltar. There is both in Gibraltar and possibly more so in UK a danger that as teachers develop more and more of expertise they see themselves set up as educationalists, as experts in the field and that the views of parents are not worthwhile. One almost gets the feeling sometimes that teachers might resent the participation of parents as an intrusion in the affairs of the schools. But as I say, I do accept that it is desirable in the majority of cases to have ^{the} Headteachers as the Chairman. But I would like to see an element of flexibility where it may not be entirely desirable in a particular school that the Headteacher, for one reason or other, should be the Chairman. There could be a parent appointed to that Committee, or somebody else, who might be far more suitable for a number of reasons. Neither do I like, and even less so do I like in fact, the other part of the amendment, which purports to make the Chairman the Senior Headteacher where a Committee is set up for a group of schools, ~~that I like even less so~~. It doesn't follow that the Senior Headteacher will necessarily be a better Chairman than a Junior Headteacher. The Junior Headteacher might be a more go-ahead person, he might be a person far more in touch with educational developments than his senior counterpart who could, let us face it, and it happens to the best of us, could have ossified in the post over the years. ~~So that one to my mind,~~ even if it were generally acceptable to make the Headteacher the ex officio Chairman of the Committee, I would certainly not like the added provision that it has to be the Senior Headteacher. ^{me} I would want again the Committee to have certain flexibility deciding who, in the best interests of the school or of a group of schools, is the person best suited to be Chairman.

HON P J ISOLA

The thing we want to avoid on this is what I would call the divisive element in not making the Headteacher the Chairman of the Committee. The idea of having a School Committee is to help education. Now, obviously the Chairman of the Committee is somebody from whom both the Director and the Minister will wish to take advice; that happens to all Chairmen, to all Committees. The Minister consults his Chairman: "How do you think the Committee will take this and so forth". By not having the Headteacher as Chairman you are creating a situation where you are going to have the Director or the Minister consulting two different people: the Headteacher and the Chairman. And depending on how a School Committee works so will the advice sought go. More weight will be given perhaps to the Headteacher of one school, more weight will be given to the Chairman in the other schools. This is bound to bring ill feelings, bound to bring an element divisiveness at school level which I would have thought was very dangerous. Secondly, if you have the election procedure you could have I suppose the representative of the Teachers Association, for example, being made Chairman of the Committee over a Headteacher,

possibly in the same school. And this I would have thought was not in the interest of good management or in the interest of education. Then, Mr Chairman, there is a third possibility. One of the duties of the School Committee under the article of management is to advise the Director on the use and care of school premises, on the items of special equipment which are required for the school, and a number of matters which are essentially the province of the Headteacher. Now if you have got a Headteacher as Chairman then there can be coordination. If you have not got the Headteacher as Chairman he may well take the view: "Well let the Committee find out what we need in this school". And he may tend to draw away from this important administrative duty of providing adequate equipment or advising on adequate equipment for the school. Again, this to my mind is clearly and obviously a very dangerous position to get into. Thirdly, Mr Speaker, I would like to look at the practical angle. Parents it is true are very interested on the question of education but it is not often that they attend meetings to do with education. They tend to come when there is a particular furore on, where there is a particular problem on, have co-education or not. A couple of letters in the press, then they all turn up. But I wonder whether this will occur in the day to day running of the School Committees. I think if we want a School Committee to be a success, and we all want them to be a success, it is important that a paid servant of the Government, that is the Headteacher, the most important person in a school unit, should be Chairman. The Director can call the Headteacher to account: how is it that the Committee has not met, and I think one can rely on the Headteacher, who will require the assistance of the Committee, you can rely on him at regular meetings of the Committee, and you can rely on him to make them alive. If you have a prominent citizen or parent or somebody else as Chairman of the Committee, I am afraid they have other things to do in life, they have other occupations, they have other jobs, they may have other businesses, and the thought of having a committee meeting is not always very attractive to them. I think we have all had experience as politicians, as Chairmen of Committees, how very difficult it is very often to get members to attend. Therefore, if you don't have a professional man as Chairman, a man who has the responsibility to run the school, the man who is responsible to the Director and the Minister, one may not find the Committees as successful a unit in the educational system as we would like it to be. But the worst part of it all is the potentially dangerous divisive element there is if you are going to have the Director or the Minister relying on a Headteacher and on a Chairman of a committee having two channels. This is bound to be divisive. And of course, Mr Speaker, I cannot see how it can be argued that in the case of a College of Further Education, the Principal of the College is automatically Chairman, with which we agree for all the reasons that we have set out, but in the case of School Committees the election procedure should be there. I do not

know whether the Minister has had pressure from the Ministry of Defence on this and he had felt that he has not been able to fight the pressure, or whether because he is convinced that there certainly is a very good case. But I cannot see how if there is a good case for making the Principal, the Chairman, I cannot see why objections can be taken to making the Headteacher the Chairman of the Committee. I think this will give a good start to the School Committees. I think this will bring cooperation between the Committees.

The Honourable Mr Canepa said that he hoped the Headteacher would be the Chairman of the Committee. But let us suppose there is a Committee where the Headteacher has been elected and there is a Committee where the Headteacher has not been elected. What sort of effect is that going to have on the Headteacher who has not been elected? What sort of interest is he going to continue to have in the school? It is very easy for a Headteacher, or for anybody, to make life difficult for a Chairman of a Committee. I think we all know this on practical grounds, I think, on grounds of efficiency, on grounds of getting everybody to pull together, in education on all these grounds.

I think it is desirable to make the Headteacher the ex officio Chairman of the Committee. He knows all about this. Let him start them off. If after a period of time the system is not working then perhaps one can change it, but I do not think the Minister is giving the system a chance of success if he has two different people responsible to the Director of Education: a Chairman of a Committee and the Headteacher of a school.

The point has been made whether there is more than one school. Well, again we think that if there is more than one school we have suggested a senior Headteacher. This is negotiable, let me put it that way. Although one would have thought, again in the interests generally of cooperation, we know how delicate these areas are, and I am sure the Honourable Mr Canepa is well aware of it and so is my friend the Honourable Mr Xiberras. I am certainly and I am sure my friend and colleague the Honourable Mr Devincenzi is, and this is why we have made this suggestion. I think it might be invidious for a Committee to have to select among different Headteachers who is the one they like most. I think if one makes the Senior Headteacher, or alternatively, I do not know whether we would object to the Director or the Minister appointing the Chairman of the Committee where there is more than one Headteacher present. Possibly the Director as a professional man. That could be the answer. I think he would go along with that, but certainly we would urge the Minister, if he wants his School Committee system to be a success, to accept this amendment which is tied up with all the various duties of the Committee which we do not feel can be done satisfactorily or well except through having a Headteacher as a professional Chairman of the Committee.

HONOURABLE M K FEATHERSTONE:

Sir, a very eloquent speech which carries a lot of weight. Perhaps I might first deal with the Honourable Mr Xiberras. It was rather interesting that in his speech on the general debate the Honourable Mr Devincenzi accused me that by and large the recommendations of the Commission had gone by the Board. Now, Sir, he also said that in the School Committee the Minister is going to put his spy: this spy is going to be the Director, or

his nominee. Yet, Sir, the Commission said that the Secretary of the Committee should be the Headteacher. And the Commission said "the School Committee shall at their first ordinary meeting each year elect from their number a Chairman." So, having followed the recommendations of the Committee on the one hand, I am accused on the other hand by the Honourable Mr Devincenzi, that I do not take any notice of the recommendation by the Honourable Mr Xiberras, "when you do take notice," well they are all wrong any way!

I would accept, Sir, that the Honourable Mr Isola has a great measure of sense in what he said. Sometimes he says, very sensible things. But there might be an instance in which you had two schools, the Committee meet, and neither Headteacher wishes to be the Chairman. What do you do then? That would be a very interesting case. And although I am accused very often of being very arrogant and difficult etc., I would try and go along as far as possible with the Opposition. I wonder if we might leave out this amendment completely, and if I can go a little forward, if they like, to look at Part III, on the amendment I am proposing, where we say: "The Committee of a school shall at their first ordinary meeting in each year elect from their members a chairman for the ensuing years", we could add that "the first preference must be to the Headteacher or Headteachers of the schools directly concerned." This would cover, I think, that it should be the Headteacher, if there is one school and wishes to take the Chairmanship. The Committee itself can choose from two or three different Headteachers, if there are two or three schools it need not automatically be senior one for the very good reasons that the Honourable Mr Canepa has put forward. It also covers where you do not want a Headteacher taking the chairmanship. I think this might meet the whole thing.

There is one point, Sir, I think it was the Honourable Mr Xiberras, I am not quite sure, who did mention that this Committee is going to deal with the things the school needs etc.; that the Headteacher knows best what is needed and is the best person to put it forward. Well, Sir, we have one Headteacher here who every year puts forward that they want an electric organ. And every year it gets refused. If you did have the Headteacher as the Chairman of the Committee you can run the risk perhaps of a narrow view point being pushed all the time, perhaps it fails in the end, but I do not see basically that the suggestion I have put forward in which perhaps we can meet all eventualities would be a difficult one. I am willing to put that amendment to my later amendment if the Opposition consider that this is reasonable and they can then withdraw this one.

HONOURABLE L DEVINCENZI

Mr Chairman, as the first speaker on the amendment put forward I am glad to see that the Honourable Mr Featherstone, who also at times makes some sense, is moving now in the right direction. (Some includes two or three times). But quite frankly, I am glad to hear that now he is moving in the right direction but I do not think he is going far enough. I think it should be made one of the duties of the Headteacher as the person responsible for the school, to be Chairman of the Committee. It could be argued that perhaps Headteachers might not wish to be the Chairman of the Committee. This could be an exceptional case, but again if it is made part of the duties of the Headteacher, then the Headteacher would have to accept it. I myself also see

great danger in not having the Headteacher at the head for the reasons enumerated by my Honourable Friend Mr Peter Isola, and quite frankly the reasons given by the Government so far have not been to my mind very conclusive.

I think the way we have dealt with this Ordinance generally has been one of understanding on both sides, and I think I would suggest more categorically to the Minister to reconsider his attitude on this one, notwithstanding the fact that he has already objected to it, and agree to our amendment, and perhaps by way of explanation he might also tell us whether there has been any consultations with the Headteachers on this one; where he has got his ideas that it should not be the Headteachers to be the Chairman; and also he might care to explain why he finds it palatable, to say the least, that the Principal of the Technical College, which is after all run on a 50/50 basis between the Gibraltar Government and the MOD, should in that instance be the Chairman.

MR SPEAKER

I will allow the Minister to answer these questions, but I think we have debated this particular clause long enough. We will put it to the vote immediately after. Does the Minister wish to reply?

HONOURABLE P J ISOLA

Mr Speaker, before the Minister answers, we do desire to meet in some way on this so we would propose an amendment to our own amendment which would enable the Committee to elect the Chairman from the Headteachers, as opposed to having the Senior Headteacher being the Chairman. We are anxious that responsibility for this should be saddled fairly and squarely on the Headteacher and that he should not be able to say: "I don't want to be Chairman", and then perhaps not even attend meetings or attend one or the other. We would like the Headteacher to be there. So I would suggest an amendment to the amendment proposed by the Honourable Mr Devincenzi to read as follows:

"The Chairman of the Committee shall be the Headteacher and where there are more than one Headteacher in the Committee, the Committee shall elect the Chairman from the Headteachers in the Committee."

I will have to write it out Mr Speaker, and I will read it as I have now drafted it.

"The Chairman of the Committee shall be the Headteacher and where there are more than one Headteacher in the Committee then the Committee shall elect a Chairman who shall be a Headteacher."

MR SPEAKER

I will now read the amendment to the amendment proposed by the Honourable Mr Lloyd Devincenzi which is as follows:

"That this amendment be further amended by the deletion of all the words after 'that' in the third line and by the substitution therefor of the following:

"The Committee shall elect a Chairman who shall be a Headteacher".

I think we shall put it to the vote because we have had a debate on the matter.

HONOURABLE M K FEATHERSTONE

We cannot accept that one, Sir.

HONOURABLE M XIBERRAS

Sir, in view of the fact that the Honourable Minister for Education intends to move certain amendments which as far as I know are still standing, we would like to know what the Government's position is on this.

MR SPEAKER

No, we cannot anticipate. We are dealing with an amendment to an amendment.

HONOURABLE M XIBERRAS

I thought it would have been helpful to the House in Committee to know what the general thinking of the Government is in support of the amendment on this particular Clause.

HONOURABLE M K FEATHERSTONE

Sir, ad nauseum, I would say once again: if this is withdrawn I am willing to amend paragraph 10 in Part III, which I think will cover all contingencies

Mr Speaker then put the question on the amendment to the amendment and on a vote being taken, the following Honourable Members voted in favour:

The Honourable M Xiberras
The Honourable P J Isola
The Honourable W M Isola
The Honourable J Bossano
The Honourable J Caruana
The Honourable L Devincenzi

The following Honourable Members voted against:

The Honourable Sir Joshua Hassan
The Honourable A W Serfaty
The Honourable A P Montegriffo
The Honourable M K Featherstone
The Honourable A J Canepa
The Honourable I Abecasis
The Honourable Lt Col J L Hoare
The Honourable H J Zammitt

The amendment to the amendment was accordingly defeated.

Mr Speaker then put the question on the original amendment and on a vote being taken the following Honourable Members voted in favour:

The Honourable M Kiberras
The Honourable P J Isola
The Honourable W M Isola
The Honourable J Bossano
The Honourable J Caruana
The Honourable L Devincenzi

The following Honourable Members voted against:

The Honourable Sir Joshua Hassan
The Honourable A W Serfaty
The Honourable A P Montegriffo
The Honourable M K Featherstone
The Honourable A J Canepa
The Honourable I Abecasis
The Honourable Lt Col J L Hoare
The Honourable H J Zammit

The amendment was accordingly defeated.

Part I of the Schedule stood part of the Bill.

Part II of the Schedule.

HONOURABLE L DEVINCENZI

Mr Chairman, I beg to move that Part II of the Schedule be amended:-

- "(1) By the substitution of the word 'Minister' for the word 'Governor' where the same appears.
- (2) By the addition of the words 'who shall be Chairman of the Committee' at the end of sub paragraph (a) thereof."

MR SPEAKER

May I ask the change of the word 'subparagraph' to the word 'clause 1(1)(a) thereof'. I think that would be the correct way.

Mr Speaker then proposed the question.

HONOURABLE L DEVINCENZI

Mr Chairman, this just follows logically on our previous amendment and of course I would imagine that the Opposition, from what I see (calls of "Government, Government") - I am just looking into the future - (laughter) that the Government will agree to this amendment.

HONOURABLE M K FEATHERSTONE

Sir, Government will accept the first part of this amendment but not the second part because it clashes directly with an amendment which will be coming later.

MR SPEAKER

I will put the question in two parts. That Part II of the Schedule be amended by the substitution of the word 'Minister' for the word 'Governor' where the same appears.

The question was resolved in the affirmative.

HONOURABLE L DEVINCENZI

Mr Chairman, I would gladly withdraw, in view of the amendment that the Government is bringing to part 2 of my amendment.

MR SPEAKER

Does the Honourable Member have the leave of the House to withdraw?

Leave of the House was granted.

HONOURABLE M K FEATHERSTONE

Sir, I beg to move that paragraph 1(2) and (3) of Part II the words 'school(s)' and 'school' be deleted and the word 'College' be substituted.

I also beg to move, Sir, that a new paragraph be added after '5' to read:

"6. The Director or his nominee to be Secretary to the Committee."

This ties up the Secretaryship of the Committee exactly the same as the School Committee, Sir.

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

Part II of the Schedule, as amended, stood part of the Bill.

Part III

MR SPEAKER

May I please be allowed to see whether the amendments which are being proposed by the Government and Opposition clash, because if they do it is the Government, because they gave notice first, who would have the right to propose them.

HONOURABLE L DEVINCENZI

Mr Chairman, I could in that case withdraw.

MR SPEAKER

There is a clash because you are both trying to amend paragraph 10.

HONOURABLE M K FEATHERSTONE

There is a measure of agreement in the Minister and Governor one, Sir.

MR SPEAKER

So, perhaps the right sequence is to take Government amendments, because they are the ones that gave notice first they gave notice in February, and once they have gone through, the Honourable Member can decide what he wants to do with his amendment.

So we will call on the Minister to move his amendment.

HONOURABLE M K FEATHERSTONE

Sir, I would propose that Part III of the Schedule be amended by the deletion of paragraph 4 thereof with a consequential re-numbering of 5-15 as paragraphs 4-14.

This one, Sir, removes the Headteacher being the Secretary of the Committee since already we have said under Part II that the Director is going to be the Secretary.

MR SPEAKER

This is basically a consequential amendment.

HONOURABLE M K FEATHERSTONE

Yes.

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

HONOURABLE M K FEATHERSTONE

Sir, I propose that paragraph 10 as printed, of Part III, be deleted and replaced by a new paragraph - and this is not exactly the same as on the printed paper, Sir, I have a copy for you - to read as follows:-

"Chairman 10 (1) The headteacher shall be the Chairman of the Committee unless he shall signify that he does not wish to be Chairman in which case the Committee shall at their first ordinary meeting in each year elect from their members a Chairman for the ensuing year. A Chairman shall be eligible for re-election.

(2) In the event of the death, resignation or cessation of membership for any reason of an elected Chairman a new Chairman shall be elected at the next meeting thereafter.

(3) If the Chairman is absent from any meeting, whether of a school or a college, the members present shall before any other business is transacted, choose one of their members to be Chairman for such meeting."

Sir, this I think will meet the Opposition's contention that the Headteacher should normally be Chairman, it also meets this side's viewpoint where the Headteacher does not wish to be Chairman. It also meets the Honourable Chief Minister's that in the event of the death of a Headteacher who is to take over, well, obviously the next Headteacher.

I do hope, Sir, we are not going to have a long controversy on this one, I think we have thrashed it out pretty well and I hope it will meet the Opposition's aspirations and, therefore, clears up the whole situation of the school and the Chairman of the College

I would point out, Sir, one little flaw. The Opposition seems to be a little obsessed every time one talks of College of Further Education that it has to be the Gibraltar and Dockyard Technical College. It is any College of Further Education, and as I have said, we hope to have more than just the Gibraltar and Dockyard Technical College in the years to come, and of course I am not simply thinking of then. There was no pressure by MOD in the thinking on this.

HONOURABLE M XIBERRAS

Of course Mr Chairman, this side will vote in favour of the amendment but I cannot help saying that it seems to me that there is little virtue in the Government stopping short about four inches from the amendment proposed by the Opposition. If the Headteacher is not going to regard this very important Committee as a job that forms part of his normal duties and if the Government in establishing this Committee is not going to see to it that the Headteacher accepts it as something that is absolutely within the scope of his normal duties, then quite frankly we are making less of a Committee than it deserves, both sides, so I think that in preserving the remote possibility of having an elected Chairman, what the Government has done by this amendment, is given these four inches through which the Headteacher, if he is thin enough, can wriggle out. This completely changes the whole idea of the Committee which should be a very important task of education that the community participation in their affairs of the school. We do not want to glorify PTA - Parents Teachers Association - what we want is a regular forum of consultation between society and the authorities of the school. It should not be left to the Headteacher as to whether he wants to be Chairman of the Committee or not, the Headteacher should be the Chairman and this is the first demand that the Parents Teachers Association should make on the Headteachers to my mind. I say this appreciating that we have moved considerably in the right direction and so on, but quite honestly I have to say this because I do not see the logic of it.

HONOURABLE A J CANEPA

Mr Chairman, one would not pretend for one moment that the monopolies on the expertise on education is on this side of the House, and neither would, I am sure, Honourable Members opposite, pretend that the monopoly lie on their side. I think, in this debate that we have been holding this afternoon, the five of us who in the main have contributed to the debate, have all in one form or another been associated with education for a number of years and we have all gathered a certain amount of direct or indirect experience of the workings of the school, and the working of the educational system. And, therefore, by

and large I am sure, whatever views we have been putting across on the composition and set up of the School Committees, are views which are held sincerely on the basis of the experience that we have gathered and not necessarily for any political reason

I think that the four inches which separate the Government from the Opposition are in a way vital, in the sense that they also meet some of the fears, some of the anxieties, that we have expressed on this side.

One thing that I did not say earlier on but I think perhaps I should say now is that in Gibraltar we tend to know everybody, we tend to know particularly, those of us who have been involved in education, we tend to know the personalities of Headteachers in our schools, and I am sure that there are some Headteachers who are very diffident people, very quiet people, they are quite happy to be involved in their school, to be dealing with children, maybe they have never even served on a committee, let alone Chaired one Committee.

MR SPEAKER

We must not open the debate, again, because that is the fear that I have now.

HONOURABLE A J CANEPA

No, Sir, I am going to end very shortly. And in allowing them to wriggle out of this one we are perhaps meeting the susceptibilities of people who have been appointed Headteachers in years past and who may sincerely and genuinely not feel that their personality fully qualifies them to take on the job. We should allow the loophole there and by and large, I am sure in 99% of cases the Headteacher will take on the job and be appointed Chairman.

HONOURABLE M XIBERRAS

Sir, may I say that I regard this as a political compromise across the floor of the House, but I must say quite honestly that I do not see the logic educationally of stopping at that point. I must say this in all honesty because it is not a question of only the four inches - four inches in a bar of steel holding up the ceiling is an important four inches. It is not a question of how near we are from each other, it is the logic of the situation. If we have such a Headteacher then what we are saying is we can afford to have Headteachers that cannot do A, B and C, and we should not force them into a position where they would have to take on this extra duty. This really is not in the interest of education. I accept what the Government has done in this, but quite frankly it is a political compromise, educationally is not sound at all.

HONOURABLE L DEVINCENZI

As usual, Mr Chairman, I would be grateful. I would just like to say that I do welcome the amendment, a great improvement on their previous position, but may I perhaps cut the four inches to three by suggesting - and perhaps the Minister can do so himself - that as the amendment stands it says "the Headteacher", and perhaps it could be "a Headteacher" in the sense where there might be more than one. There might be three schools and then it might be a

bit complicated to see who it would be. So perhaps the amendment could read 'a Headteacher' instead of 'the Headteacher'.

HONOURABLE M K FEATHERSTONE

Sir, we could make this a very serious complicated amendment. If one puts 'a Headteacher' you might get the representative of the GTA on that Committee, who is a Headteacher of another school, being eligible. I think we are hairsplitting here, I think we can leave it to the common sense of the committee to sort it out if there is more than one.

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

HONOURABLE L DEVINCENZI

Mr Chairman, I beg to move that Part III of the Schedule be amended by:-

"(1) the substitution of the word 'Minister' for the word 'Governor' where the same appears;

(2) by the deletion of sub-paragraph 2 in paragraph 11"

I am making this amendment, Mr Speaker, because this has already been accounted for and seems to be a repetition. In paragraph 11 it says once again: "In the absence of a Chairman at any meeting the members present may elect a Chairman for that meeting", and this is not necessary here.

HONOURABLE M K FEATHERSTONE

We wholeheartedly support these amendments

HONOURABLE M XIBERRAS

May I say a few words on the question of 'Governor' and 'Minister'. I think that in a very quiet way, with the full cooperation of the whole House, my Honourable Friend Mr Lloyd Devincenzi has carried out a "silent constitutional revolution" in the course of this meeting in suggesting the changes from 'Governor' to 'Minister', I think probably between 20 to 30 times, and I may say, Sir, that in my own time as Minister this was very much frowned upon.

MR SPEAKER

Yes, but we must not digress.

HONOURABLE M XIBERRAS

I am talking ad rem, I think. The importance of this for future Ordinances must not be underestimated by the House and I think this structure is one which all Members of the House will be grateful to him for bringing up for a first time and subsequent times.

Sir, I was going to rise on the Long Title to say a few words, but perhaps with your leave I could do so now.

MR SPEAKER

It depends what on

HONOURABLE M XIBERRAS

It depends generally on the people involved in doing this Bill

MR SPEAKER

On the people involved? Well, provided it is by way of general comment.

HONOURABLE M XIBERRAS

By way of general comment, and I will be very very brief.

I think the House has cooperated extremely well in giving birth to this Ordinance. Obviously the Minister for Education has carried the brunt of activities and I think he deserves to be thanked for the way he has presented the Bill and the way he has argued the point; the way he has kept in control of the arguments and so on. I have only had one occasion in which I have differed with him latterly. I think he has done a very good job of work if I may say so.

I am sure that other Members would themselves wish me to congratulate also Mr Devincenzi for the contribution he has made, as Mr Canepa, says the people who have been involved in the committed work in one way or another. Also the Honourable and Learned the Attorney-General perhaps even just for keeping quiet when all these "Governors" were changed for "Ministers"! One person I think deserves praise, and I think the Minister praised him in introducing the Second Reading of the Bill, and that is Mr Walter Henderson, who has now left the service, and the Minister referred to him, little knowing that perhaps by the end of the proceedings he would not be here in Gibraltar.

Whatever personal reasons led to Mr Henderson leaving the civil service, I think all Members of the House are at one in saying that as regards education he was an extremely knowledgeable Director of Education and one that has contributed very greatly to the many changes that have taken place, both at the tailend of the last Government, and at the beginning and what has gone of this one. I am sure Honourable Members will join me in wishing him well in his future appointment. I am sure he would appreciate this message from all Members of the House.

The Attorney-General is of course to be congratulated for writing all this stuff out, Members on this side of the House are sincerely grateful for that as well. We do hope that the Ordinance will be a successful if not into the 80's, at least, into the late 70's.

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

Part III of the Schedule was agreed to and stood part of the Bill.

The Schedule, as amended, stood part of the Bill.

The Long Title was agreed to and stood part of the Bill.

The Companies (Taxation and Concessions)(Amendment) Ordinance, 1974.

Clauses 1 to 4 were agreed to and stood part of the Bill.

Clause 5

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

I beg to move that clause 5 of the Bill be amended by the deletion of paragraph (b) thereof and by the substitution therefor of a new paragraph as follows:

"(b) by adding thereto a new subsection as follows:-

- (2) The provisions of this section shall only apply to a company which was both exempted and designated as non-resident before the 22nd day of March, 1974."

MR. SPEAKER

Do you wish to speak in favour of the motion now?

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

Sir, as I explained earlier the intention has always been that this clause should apply to all exempt companies under the Ordinance. It just makes doubly clear that those which are allowed to have the reserve right to the Section 17 conditions must have been both exempted and designated non-resident; and of course, Sir, the significance of the date is that we now have the 20th March which is the first possibility of gazetting what we hope will become the Ordinance.

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

Clause 5, as amended, stood part of the Bill.

Clause 6

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

Sir, I beg to move that clause 6 of the Bill be amended by the deletion of the word and figures "1st day of October, 1973" appearing therein and by the substitution therefor of the words and figure "22nd day of March, 1974".

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

Clause 6, as amended, stood part of the Bill.

New Clause 7

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Chairman, Sir, I beg to move that there be added to the Bill a new clause

as follows:

"Amendment of Section 10. Section 10 of the principal Ordinance is amended by the insertion therein immediately after subsection (4) thereof of a new subsection as follows:

'(4A) For the avoidance of doubt it is declared that where an election has been made under subsection (4) to pay income tax under the Income Tax Ordinance, annual tax shall be payable at the rate specified in paragraph (f) of that subsection notwithstanding that the amount of income tax payable is nil or is less than the amount of annual tax'."

Sir, this amendment, to ensure clarity, there is an option to companies to pay income tax under the Income Tax Ordinance, but even where they make that choice they are required to pay the fixed amount of tax under the Exempt Companies Ordinance, and this amendment makes it perfectly clear that if the amount of tax for which they were liable under the Income Tax Ordinance was less than the fixed amount of tax under the Exempt Companies Ordinance, then of course they would pay the latter and not be entitled to any refund after that, Sir.

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

New Clause 7 was agreed to and stood part of the Bill.

The Long Title was agreed to and stood part of the Bill

The Financial Procedure (Amendment) Ordinance, 1974.

Clauses 1 and 2 were agreed to and stood part of the Bill.

The Long Title was agreed to and stood part of the Bill.

The Local Loan (No.4) Ordinance, 1974.

Clauses 1 to 3 were agreed to and stood part of the Bill.

Clause 4

HONOURABLE J BOSSANO

In Clause 4 where the rate of interest is mentioned, I wonder if the Honourable the Financial and Development Secretary would care to clarify the reference made earlier on about loans being taken up by public funds, by special funds controlled by the Government, and the question of the rate of interest. I mentioned in the Second Reading of the Bill the question of the rate of interest having to be higher now than would have otherwise been because of the upward interest rate in the market. Can the Financial Secretary say whether there would be differential rates of interest as between loans issued to the general public and loans taken up by Government funds? That is one question I would like answered. And another whether this

fund, this special fund, that would take up Government loans, would include things like the Social Insurance Fund.

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

The funds which would take up part of these loans if there were not an adequate public subscription would include the Note Security Fund and the Social Insurance Fund. The rates of interest will be, as indeed the contract will be published in the prospectus for the loan, which may be expected to be seen fairly soon, and that rate of interest, Sir, will not vary. But I can say at this time that we do intend that the new debentures will be offered for a considerably shorter period than has been the case in the past and there will of course be, as in the past, opportunity for premature redemption by the Government, as indeed has been the case in the past, and as the Government has been willing to redeem on application.

Clause 4 was agreed to and stood part of the Bill.

Clause 5 to 9 were agreed to and stood part of the Bill.

Clause 10

HONOURABLE J BOSSANO

Mr Speaker, in Clause 10, on the question of redemption of a debenture, Clause 10(2), where it says "that from and after the date of redemption of any debenture the interest and the principal money represented by a debenture shall cease and the Governor shall determine whether any payment of the principal money shall have been demanded or not". I am not very clear about what the effect of this is, but is there a conflict between this and Section 11, where it seems to suggest that the whole of one half-year's interest on the debentures issued have got to be taken out of the Consolidated Fund whether or not the whole of the loan is still outstanding.

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

Section 10(2). "From and after the date of redemption of any debenture all interest and principal monies represented by a debenture shall cease and determine whether payment of the principal money shall have been demanded or not." That simply, Sir, is to provide, and is taken from previous Ordinances, that after the redemption date has been reached no further interest will be payable even if the holder of the debenture has not returned it.

Clause 10 was agreed to and stood part of the Bill.

Clause 11

HONOURABLE ATTORNEY-GENERAL

Mr Chairman, if I could anticipate. The interest which has to be taken out of the Fund is only the interest which falls due on a debenture, and, therefore, as the debenture under Clause 10 is no longer attracting interest then interest in respect of that debenture is not drawn from the Consolidated

Fund The vital words are: "on which the interest on a debenture falls due". It will not fall due if the redemption date is past.

HONOURABLE J BOSSANO

Mr Speaker, the thing that puzzles me about Clause 11 is the sentence where it says that the interest due, including any interest due on any debentures which may have been redeemed. If there is early redemption of part of the issue then what is the purpose of having the interest on that part also being taken?

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

The answer to this, Sir, is that it is assumed for this purpose that when we say 'including any which may have been redeemed' the assumption is that these have been redeemed by the Governor with the intention of re-issue as they will be. There is provision. These are redeemed no doubt on the request of the applicant and the purpose will be to transfer the debentures to another holder.

Clause 11 was agreed to and stood part of the Bill.

Clause 12

HONOURABLE J BOSSANO

In subclause (2) of Clause 12, in respect of the Sinking Fund it would appear to me that the minimum laid down of 1% would require 100 years for the sum to be in the Sinking Fund to reach the original sum issued.

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

No, Sir, it is 1% per half year. The standard 2% a year. The principal.

HONOURABLE J BOSSANO

This would require then 50 years instead of 100.

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

This is the contribution capital, but there is the contribution from the interest derived on a compound basis.

HONOURABLE J BOSSANO

I am thinking in particular, Mr Speaker, of the problem that the Government had in respect of the debentures that matured in 1972, where part of the money that was raised for the purpose of the Improvement and Development Fund was used in fact to repay the maturing debenture. Now, that suggests to me that the Sinking Fund was not adequate, so when the time came to repay the original debenture there was not money in the Sinking Fund, and I would suggest that if the Government is particularly thinking of issuing debentures without very long lives, then a Sinking Fund of considerably more than 2% per annum will have to be set aside. To set it at such a low minimum may create problems for the future. But if the law, Mr Speaker, says that the minimum is 2%, then it would be quite in order to set aside only the 2%, and

this would mean that when the rate of maturity is reached then there may be a sudden need to find the money in order to redeem the maturing debentures or else create new loans in order to redeem the old loans instead of tying up the Sinking Fund to the length of the loan.

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

I take the point. The provisions with regard to the Sinking Fund in 11(2) is certainly not less than 1% per half-year. We shall bear this in mind. The second paragraph of Clause 12 has been taken from Ordinances of the past. We were in a world of rising interest rates. If we now entered in a world of falling interest rates, the interest seems to rise, we might have to think about the level of the Sinking Fund.

Clauses 11 to 16 were agreed to and stood part of the Bill.

The Long Title was agreed to and stood part of the Bill.

The House resumed.

Third Readings.

HONOURABLE ATTORNEY-GENERAL

Mr Speaker, Sir, I have to report that the Education Bill, 1973, and the Companies (Taxation and Concessions) (Amendment) Bill, 1974, have been considered in Committee and agreed to with amendments, and that the Financial Procedure (Amendment) Bill, 1974, and the Local Loan (No.4) Bill, 1974, also have been considered in Committee and agreed to without amendment. I now move that the four Bills be read a third time and be passed.

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

The Bills were read a third time and passed.

HONOURABLE CHIEF MINISTER

Mr Speaker, I now move the adjournment of the House to the 25 of March, 10.30 in the morning, when the Financial and Development Secretary will continue with the agenda for this meeting in proposing the approval of the Estimates of Expenditure for the Financial Year ending 31st March, 1975.

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

The House adjourned until Monday the 25th March, 1974 at 10.30 o'clock in the forenoon.

The adjournment was taken at 7.00 p.m. on Wednesday the 13th March, 1974.

MONDAY THE 25TH DAY OF MARCH 1974.

The House resumed at 10.30 a.m.

ESTIMATES OF REVENUE AND EXPENDITURE 1974 - 75

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, the financial year 1973-74 draws to a close and we enter 1974-75 at a time of momentous events affecting the finances of all countries, and not least Gibraltar. On this occasion therefore I think it appropriate to discuss at some length the nature and the condition of our economy, and the problems and the prospects which face us.

It is true that the main objective governing Budget policy in Gibraltar is sound financial management, rather than economic management; that is to say, an exercise in balancing the budget annually, with adequate reserves, by matching necessary expenditure with suitable and adequate revenue measures. But economic management does come into this also. And the Budget is certainly an appropriate time for a broad review of our financial and economic policies.

In a more conventional economy it will be a crucial function of the Budget to regulate the level of economic activity, by control of Government expenditure and of private expenditure through taxation and controls on credit and bank lending. By these means it is sought to ensure on the one hand that no resources in the economy remain unused, whilst on the other hand that the level of aggregate demand for goods and services does not outstrip the productive capacity of available resources, and thereby create a state of inflation. In other words, to maintain full employment without inflation.

In our case the Budget serves a more limited function. We do not have much in the way of natural resources. We have no agricultural production, and little manufacturing production. Far from having to take account of any possible unemployment, we have need of a large imported labour force. But we should nevertheless examine the make-up of our economic activity, and consider the scope for economic policy decisions which will affect our public finances and our standard of living.

Essentially, our economic tasks are the following: to complement the activity of the Dockyard by improving the conditions for the growth of tourism, through private as well as public enterprise; to promote fair trading opportunities; and to make the public sector more efficient, both in the provision of services to the community and in the carrying out of our development projects.

In the services which we provide to the outside world we must ensure that we remain competitive, and do not price ourselves out of the market. This means that our policies in regard to wages and prices must be designed to prevent our getting out of line with the rate of inflation elsewhere, particularly in the UK. With regard to our public sector activity, which necessarily in this small community is disproportionately large, the economic objective is to stay within the rate of wage and price inflation which the other main sectors of the economy can bear.

There is another leg of our economic activity, that generated by the projects

financed by British development aid. We need this both to provide the schools and houses and other large projects which are beyond our own means to finance; but also for the valuable contribution it makes to Gross National Produce by creating employment and incomes, especially in the construction industry. We may be confident that Her Majesty's Government will continue to contribute in this way to our development programme, provided we are ourselves adopting responsible financial policies and playing our part, in keeping with our taxable capacity.

But now, of course, we are in a period of severe world inflation. How will this affect Gibraltar? In all importing countries the recent steep rises in the cost of oil and other basic commodities and foodstuffs must have adverse effects on real incomes. There is no way that we in Gibraltar can avoid sharing this experience, save by improving our efficiency and productivity.

At least we are in a more favourable position than many countries because of the nature of our main "export sectors", as I may call them, comprising services to the UK Departments and to tourists who are mainly British. When our cost of living rises as a result of higher prices paid for imports, again predominantly from the UK, we are able to increase earnings from our export sectors in the shape of compensating COLA payments and higher tourist expenditure to the extent that tourists still find Gibraltar price-wise attractive. This goes some way towards maintaining the value of our real incomes.

It is often said that Gibraltar imports but does not itself create inflation. I will however name one way in which I am sure we have been generating inflation. This has been by placing so much demand on the construction industry that supervision and efficiency have suffered and real costs have risen by even more than external factors decreed. We have had this in mind in framing the capital works programme for the coming year.

There is another economic aspect of the Budget. I have said that in Gibraltar the Budget is less concerned than in most countries with demand management that is with regulating the level of economic activity - what I may call the size of the economic cake - and with influencing the price level at which it is bought and sold. We tackle some of these problems of course in other ways. However, the budget here is very much concerned with a judgement about what part of the economic cake should be produced by Government for collective consumption, and what part should be produced and consumed otherwise. First, we must all recognise what it means when we make additional demands on Government - whether for better social services, for higher standards of subsidised housing, or for higher wages and salaries to Government employees. It means higher taxation. It means that we must all as individuals agree to enjoy relatively more of our standard of living in the form of collective consumption, and relatively less in the form of private consumption. We cannot have it both ways. And it is no use thinking that it will be sufficient just to tax the relatively better off, for one simple reason that this will not produce enough money. In the case of direct taxation, those least well off can certainly be spared; but to serve its purpose in raising revenue, income tax, for example, must apply realistically to the income range where the great bulk of incomes are. In the case of indirect taxation, we have a degree of choice to tax luxuries rather than essentials; but again, if the range of goods to be regarded as essential is viewed too widely, then not all of them can stay exempt. We have also to realise that such essentials as electricity and water must be paid for; and the strong economic and financial case holds good in their case too, that the bulk of the revenue should come from that group comprising the bulk of consumers.

Second, in an inflationary world, it is obvious that if we are to do no more than maintain the social and other Government services at their present level, money expenditure must increase. In a mere two years the cost of our public expenditure programmes has risen by nearly £2 million. It is equally obvious, but perhaps far less palatable, that our collective contribution through taxation must in these circumstances also increase.

Finally, it follows that questions about the proper level of taxation in Gibraltar, and the proportion of our income which we should surrender in tax of whatever form, can be answered not by looking at the levels of taxation prevailing elsewhere, but only by reference to the balance we have struck here in Gibraltar between collective and private consumption.

Well, then, how may we rate our recent progress, our present situation and our prospects in the period ahead? At the time of the budget two years ago we were in the favourable position financially that, with relatively modest additional taxation measures, the revenue was sufficient to cover a rising expenditure programme, with a surplus available to put to development. But even as early as that the signs were appearing of rising import prices. When these were compounded in Government expenditure with the cost of the 1972 Biennial Review, then inevitably we had to have a harder budget in 1973. But the rate of inflation subsequently developed at an increasing rate, putting still greater pressure on the budget. And now, with the unprecedented rise in oil prices particularly, the prospect for the budget is apparent, and will become more so as we proceed in this debate.

With regard to real incomes in Gibraltar, there were many indications that in 1971-72 they were rising. For a further period after July 1972 the Biennial Review served to maintain rising standards. And then the 50p award from April 1973 and the reintroduction of COLA with the first payment in October 1973 gave continued support to wages and salaries. But with the accelerated inflation we have experienced over the past year, real incomes as a whole have of necessity been subjected to considerable strain. Now the prospect for the immediately foreseeable future is that real incomes must on average suffer some fall. Bluntly this means that people's standard of living is consequently reduced. We must frankly face this, as people in many other countries, including the United Kingdom, are having to do.

There are however some measures we can take to mitigate the general position. First is to order our priorities in public expenditure and make all possible savings that would not seriously impair the public services. However desirable the improved services of all sorts being demanded of Government, and however tempting to think that we must keep up with the ever-growing complexity and sophistication of administration in all fields, in this small community we must try to be selective, if Government is not to take up a quite disproportionately large part of the gross national product at the expense of private consumption. I know how easy it is to say this, and how difficult to provide the answer. But if we agree - as I maintain - that it is the relative, and growing, size of public services in Gibraltar which poses the central problem of public expenditure, and therefore the central problem of our budget - if we agree on that and determine to give our collective minds to that problem, then perhaps we shall come up with some useful lines of thought for action.

Within our public expenditure there is a two-fold imbalance. First, a preponderance of non-industrial staff against an inadequate complement of industrial grades for the programmes of the Public Works Department.

All our fine development legislation and our careful drawing-board planning for the shape of Gibraltar to come is in contrast to the inability of our work-force to do more than patch up the worst faults in the Government housing stock, while private landlords are no better placed in regard to the maintenance and repair of their properties. Our legislation and our discoursing about comprehensive education are all very well, but for Management the task of organising an efficient labour force to construct the second comprehensive school within any reasonable cost is a real problem. So one could go on. All the specialised services now appearing in response to requests from all sides are no doubt desirable, but they lead to mushroom growth in the administration. The moral is that we must avoid over-loading our administration with more new legislation, services, investigations and enquiries than are essential.

No less important is the growing imbalance within public expenditure between labour costs, industrial and non-industrial, and non-labour costs. Unless we can correct this, there is a real danger that wage and salary costs could rise out of all proportion to non-labour costs, with the prospect at the extreme of a highly-paid industrial and non-industrial work-force which Government cannot afford to put to work.

In this as in other wider connections, we should never lose sight of the role of the policy for the use of manpower in Gibraltar which goes back to Beeching but is as important today as ever it was. Despite the limits to growth of GNP in Gibraltar, and despite our exposure to inflation, there is still considerable scope for growth in real incomes to the extent that we can succeed, not just in improving productivity, but equally important in attracting more Gibraltarians into employment. And here of course essentially I mean women. As is evidenced in the UK and many other countries, there is here a great range of opportunity, with useful re-deployment of the men replaced.

These then are the considerations which indicate both the limitations and the potential we have to work with in our economic management in Gibraltar and in framing our budget. It seems to me that these are the real issues to be borne in mind in this Debate, and that they should not be clouded by subsidiary considerations about the vagaries of the cash flow position in the Estimates at any time.

I now invite attention to the Financial Statement on page 2 of the Draft Estimates, and I will deal first with the recurrent budget. But if I may go back a little earlier, a useful point from which to start is the balance in the Consolidated Fund at 31 March 1972. This was £1,437,411, seen in the printed estimates for 1973-74. The actual outcome on the recurrent budget for the year which followed, that is 1972-73, showed a net improvement of £292,073 over the Revised Estimates, thereby converting an estimated deficit of £284,350 into a small surplus of £7,723. This improvement as between the revised estimate and the actual outcome was accounted for by an increase in revenue of £120,092 and a shortfall in expenditure of £171,981. However, the latter was more apparent than real, bearing in mind that the revised

expenditure estimate had included £225,000 in respect of 1972-73 Biennial Review payments to non-industrials, even though it was known (and made clear to this House at the last budget) that not all of this amount would actually be spent in 1972-73. In the event only £130,000 was so spent, the remaining £95,000 being carried forward for payment in 1973-74.

Reflecting the improvement in 1972-73, but taking into account a depreciation in investments of £18,287, the actual balance in the Consolidated Fund at 31 March 1973 was £1,426,847, compared with a revised estimated balance of £1,153,061 shown in the printed estimates for 1973-74. Happy I am indeed that the current financial year opened with a more favourable balance than anticipated, particularly in view of what has happened subsequently in the light of world affairs to our 1973-74 estimates, to which I now come.

The Approved Estimates for 1973-74 had forecast a surplus for the year of £339,150. On the expenditure side this took account of £300,000 for Biennial Review payments to non-industrials and £53,000 for nine months' payment of 50p per week to all Government employees, both shown as block sums because it was too early for them to be allocated to separate expenditure heads. On the revenue side it took account of additional measures taken in the 1973 Budget which amounted to £600,000. By contrast, we see now that the revised estimates for the year show a deficit of £222,628.

This movement from an originally estimated surplus of £339,150 to a revised estimated deficit of £222,628 might at first glance suggest a net worsening on the year's working of £561,778. Such a comparison overstates the worsening in that of the original surplus, £120,000 was in fact committed to expenditure, including COLA, which it was known would occur, but which as I explained at the time could not be allocated to expenditure heads. Moreover the revised 1973-74 expenditure estimate itself also overstates the true position for the year, by including the £95,000 of Biennial Review payments in respect of 1972-73. Discounting these two items, which amount to £215,000, we see nevertheless a true worsening on the year's working of £346,778. This net figure is in turn accounted for by an increase in expenditure of £362,598, only in a small part offset by a £15,820 increase in revenue.

The need to hold down supplementary expenditure is a constant refrain of mine. However, although large in absolute terms, this £362,000 increase in expenditure should nevertheless be seen in perspective, representing as it does an increase of 6% over the expenditure originally anticipated for the year. The main items accounting for this increase include Pensions (£31,000), Fuel (£55,000), Drugs (£29,000), grant to GBC (£18,000), payment of the 50p award for twelve instead of nine months (£17,000), new Public Works (£53,000), and water purchases in addition to the £40,000 provision in the original estimates (£50,000).

On the basis of the 1973-74 Revised Estimates we see a year-end balance in the Consolidated Fund at 31 March 1974 of £1,204,219. This is equivalent to a revenue reserve of less than eight weeks, and should not therefore be drawn on in meeting the 1974-75 deficit.

We come then to the draft Estimates of Expenditure for 1974-75 which, as shown, total £7,685,650. Provision of £310,000 is included as the estimated cost of COLA, shown as a single item under Head XVI - Miscellaneous Services because

at this stage these costs cannot be allocated to respective heads of expenditure. The recent unprecedented increase in world prices of fuel oil is fully taken into account. No provision has however at this stage been included for the 1974 Review of wages and salaries.

At this point I should explain to the House a change this year in the format of the Estimates which has created a new expenditure Head entitled Consolidated Fund Charges. Following the enactment of the Financial Procedure Ordinance and the establishment of the Consolidated Fund, this new head is introduced in accordance with Section 65(2) of the Constitution, requiring that those charges upon the Consolidated Fund approved by authority of the Constitution itself or by any other law, be shown separately from those items of expenditure which are to be included in, and require authority under, the Appropriation Ordinance.

These Consolidated Fund charges include the personal emoluments and allowances of certain Government officers, statutory pensions paid under the Pensions Ordinance and the Widows and Orphans Pensions Ordinance, and those public debt charges approved by law. These items have now been deleted from the heads of expenditure where hitherto they were shown, and have been transferred to this new head. Finally, although these charges are not themselves subject to further approval by the House during the Budget Session or under the Appropriation Bill, they are of course included in the summary figure of expenditure shown in the Financial Statement which on page 2 accompanies the draft Estimates. The Appropriation amount and the Consolidated Fund charges are identified separately on page 9 of the Estimates.

The draft estimates of expenditure for 1974-75 represents an increase of £804,302 or 12% over the revised estimate of expenditure for 1973-74. Of this increase, additional fuel costs - just the additional cost over what we were previously paying for fuel oil - alone account for no less than £500,000. The remainder of the increase corresponds to the estimated cost of additional COLA which is £250,000 on top of the £60,000 cost included in the 1973-74 Revised Estimate and which makes the total COLA cost in 1974-75 no less than £310,000, together with about £70,000 of other increases in personal emoluments consisting mainly of increments but including also some additional posts.

Since these items can account almost entirely for the difference in expenditure as between the Revised 1973-74 estimate and the Draft 1974-75 estimate, I do not think it necessary now to make a detailed comparison of expenditure between the two years. Nor at this stage is there any merit in my going into fuller explanation of the Draft Estimates for 1974-75 themselves, as we shall have ample opportunity for this during Committee Stage.

I therefore turn now to the Improvement and Development Fund. As with the recurrent budget, it may be helpful if I pick up the story from 1972-73. In the event, the actual deficit on the Fund for 1972-73 was £368,766, compared with a revised estimated deficit of £805,396. As a result, the closing balance in the Fund at 31 March 1973 was a surplus of £393,968, compared with a revised estimated deficit of £42,662, shown in the printed estimates. This improvement is more apparent than real, since in the main it simply reflects expenditure slippage from one year to the next on expenditure for which firm

commitments nevertheless existed.

Moving on to 1973-74 the revised deficit for the year is shown at £831,615 compared with an original estimated deficit of £802,527 shown in the printed estimates. In fact the expenditure slippage from 1972-73 into 1973-74 was almost offset by a combination of expenditure slippage from 1973-74 to 1974-75 together with the payment of £127,000 from the Glacis project insurance bond in 1973-74, in advance of the date anticipated. The deficit balance at the end of the current year, 1973-74, is now estimated at £437,647. This amount will be covered entirely by borrowing without the additional need, as originally envisaged, of a £200,000 transfer from the recurrent budget. (I should mention that no provision could be made in the Draft Estimates for the cost of servicing this loan, estimated at £40,000, before the Loan Ordinance was passed earlier in this meeting.)

We come then to the Draft Estimates for 1974-75, showing a deficit for the year of £351,710 which will require financing from local funds. This figure is also analysed in to its aid and local fund components in the paper now circulated. For ease of reference Members now also have a summary of the Local Fund projects, which cannot be so easily identified in Appendix G.

It will be seen that the estimated cost of the local funds programme of capital works proposed in 1974-75 is about £420,000. This may appear small compared with programmes we have attempted in recent years. But it is much more realistic. Apart from the financial considerations and the quite exceptional supply difficulties now arising from the economic situation in the United Kingdom and throughout the world, we have already reached a point where the size of programme we were attempting was beyond the physical resources of the economy. One evidence of this was the continuing slippage of expenditure, which led to criticism of our budgeting. But there are more serious effects.

I have referred already to the way we have been generating inflation by placing excess demand on the construction industry and thereby pushing up costs, particularly the price of labour. This has led to the situation that private contractors are tempted to pay whatever is needed in wages, overtime and other benefits in order to attract labour from wherever possible, including the Government's own labour force.

I shall be proposing later that £300,000 of the new expenditure programme in the Improvement and Development Fund in 1974-75 should be met from borrowing.

Of special importance this year is the position we see on the notional accounts of the Municipal Services shown at Appendix K of the Draft Estimates. These show a combined deficit of £746,382. The cost of fuel oil at the Electricity generator has risen nearly four-fold from £155,000 in 1973-74 to £585,000 in 1974-75, while for the less expensive fuels which serve at the Water distillers it has gone up from £100,000 in 1973-74 to £175,000 in 1974-75: a combined increase of £505,000. This is a devastating blow, and there is no better prospect than that oil prices will remain stabilised for most of the coming year at the present level, on which we have made our calculations. I can only repeat that Gibraltar is in company with most countries in the world in facing the implications of these price increases.

For other reasons the General Rate account also shows a substantial deficit of over £130,000 on its own account - leaving aside the deficits carried over from the Potable and Brackish Water accounts. Moreover, the Potable Water deficit itself is not entirely explained by increased fuel costs: apart from these, water production fails again as in recent years to be self-financing. The overall position on the Municipal Accounts will clearly therefore be prominent in the consideration of the revenue requirement and measures to meet it.

The actual revenue requirement will of course be built up from the starting point of the deficit of £405,000 in the Draft Estimates themselves, but taking into account also of all further expenditure commitments for which product provision should be made.

Improvement and Development Fund

Summary of Receipts and Expenditure

APPROVED ESTIMATES 1973/74

	Aid Projects		Local Projects	Total
	£		£	£
Aid Receipts	2,480,575	Local Receipts	37,712*	2,518,287
Expenditure	2,488,695	Expenditure	832,119	3,320,814
	<u> </u>		<u> </u>	<u> </u>
	- 8,120		- 794,407	- 802,527
				<u> </u>
		Opening Balance 1973/74	-	42,662
				<u> </u>
				- 845,189
				<u> </u>

*Excludes £139 150 in respect of insurance bond

REVISED ESTIMATES 1973/74

	Aid Projects		Local Projects	Total
	£		£	£
Aid Receipts	2,259,087	Local Receipts	160,093*	2,419,180
Expenditure	2,325,770	Expenditure	925,025	3,250,795
	<u> </u>		<u> </u>	<u> </u>
	- 66,683		- 764,932	- 831,615
				<u> </u>
		Revised Opening Balance		
		1973/74	+	393,968
				<u> </u>
				- 437,647
				<u> </u>

*Includes £127,000 in respect of insurance bond

DRAFT ESTIMATE 1974/75

	Aid Projects		Local Projects	Total
	£		£	£
Aid Projects	2,276,100	Local Receipts	68,004*	2,344,104
Expenditure	2,284,600	Expenditure	411,214	2,695,814
	<u> </u>		<u> </u>	<u> </u>
	- 8,500		- 343,210	- 351,710
				<u> </u>

* Includes £12,150 in respect of insurance lend

IMPROVEMENT AND DEVELOPMENT FUND

LOCAL PROJECTS: 1974-75

(A) HOUSING

3. 53 Flat Bastion Road	£ 250
6. Conversion of Police Club	10,000
7. 12 MSQ Rodgers Road	10,500

(C) MEDICAL SERVICES

3. X-Ray Room	5,000
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(D) OTHER DEVELOPMENT

1. Aerial Photographs	1,000
2. North Front Roads	1,000

(F) MUNICIPAL SERVICES

(a) General Rate Account

1. The Haven	1,000
2. New Sewage Rising Main from Bayside to Line Wall Road	12,000
3. Public Lighting - Improvement	4,030
4. Gardiner's Road Services	57,000

(b) Brackish Water Service Account

1. Replacing Mains (Phase I)	10,000
2. North Front Area	5,000

(c) Potable Water Service Account

1. Sea Water Intake	500
2. New Desalination Plant	87,500
3. Waterworks (Phase I)	8,600
4. Waterworks (Phase II)	5,000
5. North Front Wells	500

(d) Telephone Service Account

1. Extension of Exchange	9,000
2. Purchase of 2 PBE	3,859

3. 250 Additional lines (1973-74)	£ 5,650
4. 130 Additional lines (1974-75)	12,000
5. Direct Dialling-In	4,000
(e) Electricity Undertaking Account	
1. New Distributor at Glacis	581
2. Extension of 11 KV Northern Ring	541
3. Purchase of 16 KV Major Diesel Engine	6,000
4. Purchase of Switchgear	1,500
5. Improvement in King's Bastion	2,000
6. HV Substation Queensway	1,550
7. Salt Water Intake King's Bastion	1,200
8. Improvement Casenates Substation	2,600
9. Improvement Rosia Road Substation	4,500
(H) CAR PARKS	45,000
(I) ROADS	67,280
(J) REFUSE DESTRUCTOR	20,000
(K) HANDICAPPED CHILDREN	5,000
TOTAL:	<u>£411,214</u>

Mr Speaker, Sir, I have the honour now to move that this House resolves itself into Committee and consider the Estimates of Expenditure in detail Head by Head including Appendix G. Thank you, Sir.

The House resolved itself into Committee.

The House in Committee.

HONOURABLE M XIBERRAS

Sir, I was going to say that this is not the time to reply to the Honourable Financial and Development Secretary for what he has had to say, but we would welcome on this side of the House a copy of the speech he has made. I noticed that he was reading from copious notes.

MR SPEAKER

It is being circulated. Mr Clerk, you will call the Head and name it, and then you will call: "Personal Emoluments" and "Other Charges". I will give the Committee a chance to raise any matters under either Personal Emoluments or Other Charges in whichever Head we are dealing with, but I would ask Members to keep it in numerical order so that we know how we are progressing at any given moment.

Head I - Audit - Personal Emoluments.

HONOURABLE J BOSSANO

Mr Chairman, I would like the Financial and Development Secretary to clarify a point which in fact recurs under Personal Emoluments and in many of the other Heads as well. This is the fact that the Estimates for 1974-75, although higher than the Approved Estimates is lower than the Revised Estimates. Part of the difference is accounted for by a transfer to Consolidated Fund Charges, is this not so? But apart from that I have noticed that in respect of Personal Emoluments, the total for 1974-75 in fact is lower than the Revised total for 1973-74.

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Chairman, Sir, in the Revised Estimates 1973-74 there is provision for COLA: in the Draft 1974-75 Estimates there is no provision for COLA because it is provided for by £310,000 in Head XVI, Miscellaneous Services.

HONOURABLE J BOSSANO

Mr Chairman, the provision for COLA is shown as a separate item on page 2, "£60,000 Cost of Living Allowances with effect from 1st October, 1973". What COLA is this?

MR SPEAKER

We must not hold the House up whilst consultations are being held, otherwise we will never end.

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

There is £95,000 worth of COLA shown in the Revised Estimates 1973-74.

HONOURABLE J BOSSANO

I make it more than that actually, but if we look at this particular Head there is an item for COLA here "£1,338 Cost of Living Allowance in respect of 1973-74", which as the Financial Secretary says does not appear for 1974-75. When was this COLA paid because my understanding is that COLA payments took place in October and in January in the current Financial Year and these are in fact computed as separate items and not included in the Revised Estimates, according to page 2.

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

Sir, I think this is explained by the fact, as I said in the Budget speech, that the 1973-74 Revised Estimates now include £95,000 in respect of 1972-73 Biennial Review backlog.

MR SPEAKER

I think what he is trying to find out is the difference of what has been transferred to the new Fund and what appears in the particular Head.

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

There are two factors then, Sir, there is COLA, and there is also £95,000 of Biennial Review backlog attributed to 1973-74.

HONOURABLE J BOSSANO

If I may ask about this particular item, Mr Speaker, the COLA in the Approved Estimates, £1338, can the Financial Secretary say in respect of what COLA payment this is.

MR SPEAKER

You are now questioning the Estimates for last year, not this year.

HONOURABLE J BOSSANO

This year we have had a long introductory speech from the Financial Secretary saying how grave the situation is based presumably on his Estimates of last year's results. I do not know when I can question detailed figures on budget results unless it is when we are comparing last year with this year.

MR SPEAKER

Yes, but you are asking for explanations of amounts voted in last year's Estimates. That is what I am saying.

How it was allocated last year, how it was voted for last year.

HONOURABLE J BOSSANO

I am asking, if it has been spent, on what, Mr Speaker.

MR SPEAKER

It must have been spent on the votes. And one must accept that.

HONOURABLE M XIBERRAS

Mr Speaker, I think it would be very difficult to examine in detail the figures presented by the Government without reference to last year's expenditure, even on general lines or individual lines.

MR SPEAKER

I am not objecting. Let me not be misunderstood. I am not objecting to reference to last year's expenditure. I am objecting to last year's expenditure being questioned, and that is what the questioner get an explanation on.

HONOURABLE J BOSSANO

Mr Chairman, the Financial Secretary has said that part of reason why the Estimates of 1974-75 in respect of emoluments is less than the revised Estimates for 73-74 is that there is £95,000 backlog in respect of revised figures which will not recur in 74-75, and there is this element of COLA which is not present in this year's. This element of COLA appears here because it was voted last year, but it also appears on page 2 as an additional item.

MR SPEAKER

Well, that is fair enough, that is a question you are entitled to ask.

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Chairman, Sir, the COLA in the Approved Estimates 1973-74, the year April, 1973, that is continuing provision from the previous COLA formula.

HONOURABLE J BOSSANO

In April, 1973, Mr Speaker, if my memory serves me right, there was only the 50p award, not COLA. COLA was discontinued in July, 1972.

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

I do not think that COLA had been consolidated as early as that.

MR SPEAKER

Is the Member insisting on that fact?

HONOURABLE J BOSSANO

Perhaps, Mr Chairman, I had better clear it outside.

MR SPEAKER

You will have occasion on another Head.

HONOURABLE P J ISOLA

There is a point on this Head, which is a point of principle, as far as the Opposition is concerned. We are aware that we did vote in favour of a Bill that brought about this result but we are not happy with the result. I am referring here to the transfer of the salary of the Principal Auditor to the Consolidated Fund Charge which as the Financial Secretary told us earlier on in his address, is required under Section 52 of the Constitution. As he rightly said, as well, I think in the course of his address, these charges are not themselves subject to further approval by the House during the Budget Session or under the Appropriation Bill.

When we agreed to this particular Bill, and we saw it passed, we must confess that we did not fully appreciate the consequences of the particular legislation, whether as a result of the Constitution or of the Bill in question. We do not see why this House should be deprived of the right in respect of any person paid from public fund of reducing his salary by the customary £1 should it feel extremely dissatisfied with the manner in which the particular department has run its affairs. This is a matter we feel of Constitutional principle and I think it is unfortunate perhaps that we all agreed to this particular legislation. If I remember rightly we had no choice because it was under the Constitution, and it is one of the things that might well be discussed I think in a Constitutional Conference.

This House has an extremely good record in approving salaries of Heads of Departments over the years, I don't think anybody has been reduced even by the customary £1 on any occasion, but I think it is right that this House of Assembly should have the Constitutional rights of marking its displeasure with any particular department, or any particular officer of the Government, in this manner.

It seems to us wrong in principle that particular Officers of the Government should be free from this while others are subject to it, so we do hope on this side of the House that when this is looked at again we can look at that point.

HONOURABLE ATTORNEY-GENERAL

Mr Chairman, Sir, there is a provision under our Constitution, as under every other Constitution Commonwealth Country which I know, that the salary of the holders of particular offices shall not be reduced during their tenure of office to their disadvantage. This is contained in Section 68 of our own Constitution and, therefore, however much this House disapproves, perhaps, we shall say of my friend on my left or myself, it would not be possible to pass a resolution reducing our salaries or indeed of the salaries in this case of the Principal Auditor. It is, I suppose, included in Constitutions because it is felt that the holders of these offices should be so divorced from public opinion that they can take the action they consider necessary without the fear that this will be unpopular and that their salary would in

consequence be reduced. That is why, it is in the Constitution, and no resolution would affect that.

HONOURABLE M. KIBERRAS

Mr Speaker, I think, Sir, that every Commonwealth Country must have some provision for a Consolidated Fund and payment out of the Consolidated Fund to particular types of offices in the Government services. But the Honourable and Learned the Attorney-General has no doubt used the words 'Commonwealth country' in a very loose fashion. May I, rather than by reference to Commonwealth countries, speak by reference to the United Kingdom, where as the Honourable and Learned Member knows, certain types of offices do have their salaries paid out of the Consolidated Fund and are free from criticism in the House for very specific reasons. And I am glad that we on this side of the House agree with the Honourable and Learned Member for the main reason for paying salaries out of the Consolidated Fund, namely that the offices concerned should not be seen to be involved in any kind of public or political wrangle or debate. They must be beyond that and, therefore, we are very thankful that the intervention, the attempt, by this side of the House to reduce the salaries of the Principal Auditor at one time by £1 has been effective. Not only to the extent of depriving his successor from sitting on various committees which were the subject of political comments, but also in establishing the principle for years to come.

Sir, however, it is with reference to particular officers that this side of the House would accept the principle that this House is not entitled to comment upon the salaries, even the level of salaries, of individual offices or types of offices.

Sir, may I just say in passing that if this principle is accepted by this side of the House, it is by reference to the United Kingdom rather than to any other Commonwealth country, and may I say, Sir, that your own allowance, Sir, as Mr Speaker, and my own allowance as Leader of the Opposition, is paid, as Honourable Members are no doubt aware, out of the Consolidated Fund in the United Kingdom and I do hope that the Government will put right this anomaly with the United Kingdom.

Sir, this would no doubt place both yourself and myself beyond any direct pressure from Honourable Members in this House.

Therefore, Sir, it is the extent to which the principle of the Consolidated Fund has been taken into account in this year's estimates of expenditure, it is in respect of this that we have raised an eyebrow. And of course my Honourable Friend has also had a number of questions on figures. But I just want to clarify ab initio the position on the Consolidated Fund.

Head I - Audit - Personal Emoluments, was agreed to.

Other Charges.

Head I - Audit - Other Charges, was agreed to.

Head I - Audit was agreed to and passed

Head II, Cemeteries - Personal Emoluments.

MR SPEAKER

Those in favour?

HONOURABLE M XIBERRAS

Sir, I wonder if the Honourable Member who was so concerned with the state of the cemetery some time ago will tell us of the improvements that have been carried out there and particularly the success of the productivity agreement which has existed here, which was introduced here, and what is the position generally in the cemetery. The Honourable and Gallant Lieutenant Colonel Hoare had a great interest.....

MR SPEAKER

You can do that under "Other Charges".

HONOURABLE M XIBERRAS

I was thinking of this, Sir, because of the productivity agreement mainly.

MR SPEAKER

Which is in "Other Charges" isn't it?

HONOURABLE M XIBERRAS

Yes, perhaps that would be a more convenient time.

Head II - Cemeteries - Personal Emoluments was agreed to.

Other Charges.

HONOURABLE LT COL J L HOARE

On this question recently raised, Mr Speaker, the productivity agreement, together with the additional Grave Digger employed, is keeping the Cemeteries fairly clean, but they still have to be supplemented by labour from the Public Works Department now and again, particularly during the rainy season.

The House will remember that last year we voted money for a Dumper, 2600, and this was ordered in May - it arrived last week. I give this as an example of the delays we have in getting with materials. We hope that this will be in operation in the next two or three weeks and will speed up the work of taking rubbish away, particularly heavy stones which now have to be carted by hand.

HONOURABLE M XIBERRAS

Sir, is the Honourable and Gallant Member satisfied that the provision that he has in the Estimates will be enough to guarantee at least a good standard of "dying", if a good standard of living is not going to be kept up!!

HONOURABLE MR COL J L HOARE

Yes, Mr Speaker, I think a permanent force, what is provided for in the Estimates, is adequate. But it wants reinforcing at certain times of the year, according to season. We have carried out a great deal of other works, constructional works, down there, which has improved the Cemetery all round, and I am much more satisfied, although we are not fully satisfied, with the state of the Cemetery now than what it was last year or the year before that. There are gradual improvements going on the whole time at the Cemetery.

Head II - Cemeteries - Other Charges, was agreed to.

Head II - Cemeteries, was agreed to and passed.

Head III - Ecclesiastical.

HONOURABLE L DEVINCENZI

Mr Speaker, may I just ask one question here on the annual aid? It seems to be that we have been paying £1,000 over the years now - as far as 1972, 73, I can see, 74 - 75, in fact if I remember correctly it has been done for quite a while. I don't know how Members feel but I wonder whether this should not be revised as soon as possible. Surely there are expenses, increased expenses, increased costs, and if we accept the principle that we want to give this annual aid we should also accept the principle that if costs rise more we should also increase the aid.

HONOURABLE MAJOR R J PELIZA

Could we have the views of the other side, please, because it seems to me hypocritical. Either we want to support this or we don't. This figure has been there since way back in the 60's, I should say, if not before that, and perhaps this is the occasion, particularly now that the cost of living is shooting up. As we know £1,000 means nothing at all and I personally would like to hear the views of the other side of the House on this matter.

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

I can only speak from the Financial and Development Secretary's point of view, Sir, and that is that we are always willing in Gibraltar to consider a request for a deserving cause in response of needs, but such request to my knowledge has not come.

Head III - Ecclesiastical, was agreed to and passed

Head IV - Education - Personal Emoluments.

HONOURABLE L DEVINCENZI

Mr Speaker, I am just wondering whether the Minister wishes to say something on education generally, on the Head itself. If he does not perhaps I will ask a question on the items.

MR SPEAKER

I would like to keep the questions on items as they appear numerically in the Estimates, otherwise we never know how we are progressing.

HONOURABLE P J ISOLA

It would be helpful if the Minister would indicate to the House, in what is quite a substantial area of spending, any new items of expenditure, reasons for them, any new items affecting educational policy as he has announced in this House from time to time.

HONOURABLE MAJOR R J PELIZA

I think, Mr Speaker, this has been the practice in the past, if I remember rightly, and it is very helpful because it would avoid a lot of waste of time as we go along.

MR SPEAKER

That is a matter of opinion as a matter of interest. If the Minister wishes to make a statement, we are now on personal emoluments of course, he is free to do so, but we have got to be careful.

HONOURABLE M K FEATHERSTONE

Sir, last year I did make a fairly comprehensive detailed run-through and afterwards it appeared that we went through every item one by one. I think it would save time if I avoided that and I make the full statement on education in the policy statements afterwards.

MR SPEAKER

By afterwards you mean when we debate and not in Committee?

HONOURABLE M K FEATHERSTONE

Yes, Sir.

HONOURABLE L DEVINCENZI

Mr Chairman, I have a number of questions but on item 10, it is not a question, it is just that I would like to say that I am

MR SPEAKER

Is there any matter on which you want to ask anything before Item 10?

HONOURABLE MAJOR R J PELIZA

I certainly would. I find here: Education Officer, we are paying him a salary of £2,300 plus.....

MR SPEAKER

But I am not suggesting that Members should not ask questions. All I am suggesting is that we should keep in numerical order to know how we have progressed.

HONOURABLE MAJOR R J PELIZA

I think this is Item 2. Is that right, Mr Speaker?

MR SPEAKER

That is correct.

HONOURABLE MAJOR R J PELIZA

Well on that item, and this is why I was thinking that the Minister making a statement of policy would have been very advantageous, but obviously he is against it so there it is. Now, on this question I think we have already had discussions on this matter. We have the Administrative Officer being appointed acting Director of Education. Therefore I must ask the Minister now, is it justified in paying the Education Officer the salary he is getting if in his view he might be incompetent to take the place of the Director of Education when the latter is either on leave or he is not available at the present circumstances. I would like to hear what his views on this are, otherwise we are really expending quite a significant amount of money for no use whatsoever.

HONOURABLE M K FEATHERSTONE

Sir, I gather it is not normal to discuss staff matters and staff affairs across the floor of this House. The Education Officer is the Education Officer he is not a Deputy Director of Education, Sir. There is nothing that I have ever seen written down stating that should the Director be away the Education Officer should be the person appointed. In fact, Sir, I do believe that in the past, in absences of the Director, there has been a joint acting appointment.

MR SPEAKER

Yes but we must not fall into the trap of discussing who is going to act for whom in the absence of the incumbent on the post itself. We are debating the items of expenditure which is the salary of the Education Officer.

HONOURABLE M K FEATHERSTONE

Sir, am I to take it that it is suggested by the Opposition that we should reduce this salary?

HONOURABLE MAJOR R J PELIZA

No. What I am suggesting is that I would have thought, by the same premise that you were arguing before, that there is nothing down saying that the Administrative Officer would take the place of the Director of Education....

MR SPEAKER

We are not going to discuss that.

HONOURABLE MAJOR R J PELIZA

I am not, Mr Speaker, What I am trying to say is that it seems to me that if the Personal Emoluments of any vote surely I would say it must be the common practice for individuals within the department to act for others when for some reason or other there is any absence of the Head. And I would say the same applies to the Headmaster of any school. I could not possibly believe that one of the civil servants in the Secretariat would replace the Headmaster of the school....

MR SPEAKER

Yes, but we are not going to discuss that.

HONOURABLE MAJOR R J PELIZA

No, what I am coming back to is, the money available within the vote, is it suggested, therefore, that we are not catering in this case for substitution of individuals when for some reason or another they are away on leave or for any other purpose. I would like to have an explanation since I have got to vote that money, which I think is a very important post, that of Education Officer. To what extent in the amount that we are paying for are we catering for a person with qualities to replace the Director of Education if there should be a need for that. And if necessary - I am not saying reduce the vote - I say if necessary we should increase it to meet those requirements. I wonder what are the views of the Minister on that.

HONOURABLE M K FEATHERSTONE

Sir, in the normal circumstances when somebody is away for two or three days etc, or for a week, for illness etc, I think we do make provision: Item 13 has an acting allowance to allow for that, Sir.

HONOURABLE J BOSSANO

Sir, I would like to ask the Financial and Development Secretary in respect of Item 2. The increase £608. In the remarks column the only explanation given for that increase: "(a)" is the increment and Biennial Review. Can the Financial and Development Secretary say how much of the £608 was due to the Biennial Review, since it would seem that the Education Officer was held very highly by the administration in view of the very substantial improvement offered to him in the Biennial Review, well above everybody else.

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Chairman, Sir, I cannot say precisely how much is contributable to Biennial Review and how much to increment, but the bulk would certainly be on Biennial Review. It is relevant that there was a shortening of the scale in which this post is and there was a corresponding increased benefit of the lower ranges of that scale.

MR SPEAKER

It is not information that the Financial and Development Secretary can be expected to have at hand.

HONOURABLE J BOSSANO

It is not a precise answer, but perhaps he could say whether the relationship is say £500 Biennial Review to £100 increments, or £400 Biennial Review £200 increment. Is that sort of proportion, or is it half and half?

HONOURABLE FINANCIAL AND DEVELOPMENT SECRETARY

Much more like £500 plus Biennial Review.

MR SPEAKER

Any item before item 10?

HONOURABLE L DEVINCENZI

Item Number 4, Mr Speaker, the Supervisory Officer. Could the Minister say what this job entails, very briefly.

HONOURABLE M K FEATHERSTONE

He is one of the senior Clerical Officers of the department.

HON L DEVINCENZI:

Item 10, Principal Youth and Careers Officer. Again there has been a very substantial increase here and I am very glad to note this increase: we have here "Post upgraded in 1973". This is a very welcome thing to do. Again as a matter of interest could the Minister say roughly if the upgrading of the post accounts for most of the pay or is it in respect of the biennial review?

HON M K FEATHERSTONE:

Sir, this is a completely new post: it was before just a Youth Officer. Following the Corben Report, Sir, a completely new post was created designated as Principal Youth and Careers Officer, and perhaps, Sir, the wording of the estimates is technically very slightly incorrect because this was the old Youth Officer who is now upgraded to this post. We might have put two separate lines: one post abolished and a new post created.

HON P J ISOLA:

Do the duties of the Principal Youth and Careers Officer now vary from the duties he had before as Youth Officer. Does he now advise his young people on further education in the United Kingdom in terms of University education and so forth. Will he now be the person who deals with this aspect of youth?

HON M K FEATHERSTONE:

Sir, he has a completely new job description. I do not think he is the actual person who advises on this, I think he would be the person who would coordinate the work of the other people who would give us that advice. The correct person to give that advice is the Careers Officer who obviously works under the Principal Youth and Careers Officer. We would check up to see that that person was doing the job properly.

HON P J ISOLA:

Is the Minister referring to the Youth and Careers Officer then or is there another Careers Officer?

HON M K FEATHERSTONE:

There is a special person on the teaching staff who actually counsels on careers.

HON P J ISOLA:

Sir, could we then know why this particular post has been designated "careers"? Why is it that we have got this post designated Youth and Careers Officer and an additional new post of Youth and Careers Officer if he is not in fact dealing with careers?

HON M K FEATHERSTONE:

Sir, as I am sure the questioner is well aware these posts overlap considerably. The original question I believe referred to further education. "Careers" can refer to the person, who having left school or being on the point of leaving school, is seeking an immediate job: he is not even looking for further education. He is wanting to get into a job at the time. In this case it would be the Youths and Careers Officer who would actually deal with him. If the person is at school and is thinking of a long term future etc, then it would be the Careers Counsellor in school that would help him. But they overlap and they dovetail with each other.

HON M XIBERRAS:

I would like to put a point of general interest, Sir, to do with the Principal Youths and Careers Officer and his job description. As the House is aware, at one time the degree of autonomy with which the Principal Youths and Careers Officer was allowed to carry out his duties was the subject of comment by Honourable Members on this side of the House. Could the Honourable Minister for Education give an assurance that in view of the increased salary, an increased status of the Principal Youths and Careers Officer, there is no political interference with the job that he has to do.

HON M K FEATHERSTONE:

Sir, I can state that categorically. The position is I think fully in agreement with what the other side would wish to see and was announced quite clearly by Mr Corben in his report. The person in charge of the whole of education is the Director, and the Principal Youths and Careers Officer works to the Director, but as hitherto he is given a very great measure of autonomy but of course he is, and must be, subservant to his Director.

HON M XIBERRAS:

Sir, I am glad the Honourable Member has mentioned the Corben Report, and I don't intend for a moment to debate it, but I would say that the House would obviously have been interested in knowing what Mr Corben's thinking was on the whole of this section of Government since a number of posts have been created to help the Youths and Careers Officer, as he was then, Youths Employment and Careers Officer as he was then, and it is a matter for regret that the Minister for Education published only the bold recommendations made by Mr Corben but made no attempt to publish the substance of that report, which would have given the House better grounds on which to approve these salaries.

HON M K FEATHERSTONE:

Sir, those recommendations which were published did have wording to the effect of what we have done here so I think the other side were fully aware of what Mr Corben's thinking was on this.

HON M XIBERRAS:

Sir, I cannot for a moment accept that because as I have said earlier it is the recommendations that were published, but what I understand was quite an extensive report by Mr Corben on the Youths and Careers Service was not made available, for whatever reasons, by the Honourable Member opposite.

HON L DEVINCENZI:

Mr Chairman, Item 11. I welcome the appointment of a Female Youths and Careers Officer and I move to Item 12.

HON M K FEATHERSTONE:

Sir, could I comment on Item 11. We also welcome this appointment and I would like to say here that she did very good work indeed.

HON J BOSSANO:

Mr Speaker, on item 11. There is an increase in establishment here, and there are in fact Items 19, 21 and 26 where this also occurs. I would like to make a general point in relation to the estimated increases in the cost of personal emoluments at the end of this thing, I am just bringing the matter to your attention because I will refer back to this point when I make the general point.

MR SPEAKER:

There is no need to call the item. The next item is 12. We are taking them correlatively. Item 12 is being discussed now.

HON L DEVINCENZI:

Item 12, Mr Chairman, Education and Welfare Officer. I note that there has been a change in the designation of the post: previously it was called "School Attendance Officer". We have here the explanation: "(a) Increments and biennial review with effect from July, 1972". Surely the reason given here should have been a new appointment rather than increments and biennial review.

HON M K FEATHERSTONE:

Yes, Sir, this is a new post, rather similar to the Principal Youth and Careers Officer. If we had wiped out one post and put the new one in we would have run over into about four pages of estimates in some instances, but this is a new job description, an improvement of the post and of course perhaps a further note might have been added to it, I agree, Sir.

HON M XIBERRAS:

I wonder whether the Minister would give the House an indication of how - I am speaking in respect of item 14, Manager, Victoria Stadium - how the structure there is operating?

HON M K FEATHERSTONE:

Sir, for these estimates, because of the time factor, this post was included in the Education Vote. I understand next year it will be in a completely different vote under my friend the Hon Minister for Sports, so perhaps he would like to answer the question.

HON H J ZAMMITT:

Sir, in answering this it was really the time factor as the Minister for Education explained, but later on during the debate I will be explaining the policy we propose to follow in the Sports Centre and the Manager in particular.

HON M XIBERRAS:

I am grateful for that, Mr Speaker, I really do think perhaps the Honourable Member should have volunteered the information.

HON P J ISOLA:

Sir, might I say that I didn't want to miss the opportunity of listening to the Minister for Sports, but I do hope that the Minister for Education will think very very carefully before handing over Victoria Stadium which is so essential to the Development and Welfare of young people to another Ministry or another department in the Government.

HON M K FEATHERSTONE:

Sir, since this side of the House works very well together there is no danger of anything going wrong...

HON L DEVINCENZI:

Mr Speaker, I wonder, since there are so many of us taking part in the debate, going item by item, whether perhaps it would be better if the Clerk would call Items 18, 19, 20, 21 and see if anyone gets up. I have some as far as I am concerned up to 34, but there might be somebody....

MR SPEAKER:

Fair enough. We are on item 14. Will you call the item.

CLERK:

15, 16, 17, 18, 19, 20, 21, 22

HON M K FEATHERSTONE:

Sir, I have a comment on item 21. There is rather a peculiar expression "experienced Mistress" which I think should bear a little reference. Sir, the number here appears to have increased tremendously from 20 to 34; this was because, Sir, we have adopted a new policy and many temporary teachers, including some, who some little time ago on what was known as "the night of the long knives", were dismissed and afterwards were taken back again. When I came into office. Many of these people had been unqualified teachers for a very long period of time and we have now got through an agreement with the GTA, what is called a new post, persons who are qualified by experience, and this is part of the reason why there is such an increase in experienced Mistresses. They are experienced in teaching at least, Sir.

HON P J ISOLA:

Mr Speaker, linked with that last statement, is it reasonable to assume that there is now no likelihood of having any more persons appointed to the Experienced Mistress grade, in so far as now all staff will be qualified or trained, and I am linking that with the present temporary teaching existence from which I notice that out of 30 supply teachers 21 are full time. I wonder whether any of those on full time are in fact unqualified Teachers, and whether the Minister is not in effect going to find himself in a number of years time in the same position with those teachers.

Could I also ask the Minister whether the temporary supply teachers now full time, 21, which seems to me rather a large number, is an increase on previous years of supply teachers on full-time and if so the reasons for the need for this?

HON M K FEATHERSTONE:

Sir, with regard to the Supply Teachers, it is a decrease; as regards the making up of more Experienced Teachers, there are about five who are what I would call border line cases. When it was discussed with the Gibraltar Teachers' Association, certain lengths of service and conditions were laid down and there were about five people who were perhaps very close to it. It is highly probable that within the next year or so those will. After that I do not think any more will be made up.

HON P J ISOLA:

It is still policy not to take on anybody unqualified and has been for some years. It is still policy.

HON J BOSSANO:

Mr Speaker, from the financial side rather than from the educational, I just wonder how it is that we have the explanation in the remarks column that it includes supply teachers

MR SPEAKER:

I would ask Members to speak up otherwise, in hansards, we are going to have the winning numbers of the Gibraltar Government Lottery instead of what we are trying to say! perhaps a bit louder might help us all.

HON J BOSSANO:

I am sorry, Mr Speaker, I have got a cold and it is difficult. I wanted to know, Mr Speaker, how it is that we need to make provision in two separate items for supply teachers, that is items 22 and 34?

HON M K FEATHERSTONE:

Sir, temporary teaching assistance refers to a teacher who may come out here - perhaps he is graduate - does one year here and then leaves Gibraltar completely. He doesn't come into the permanent establishment. Some of them are I am afraid very much birds of passage but some of them are very usefully filling in gaps when we have need for them as such. Obviously, Sir, one hopes that temporary teaching assistance will go down as we get more student teachers returning having qualified and coming on to our permanent establishment.

HON J BOSSANO:

I am afraid that doesn't answer the question, Mr Speaker. My point was that in answer to previous questions put forward by the Honourable and Learned Mr Isola the Minister clearly indicated that this Item 22, where the explanation (d) refers to 30 supply teachers, 21 of whom are full time, includes supply teachers other than the ones they have just mentioned coming over from UK and may have a degree. Now, if these supply teachers are provided for here why do we need a separate Item 34, supply teachers, the explanation for which is that it provides for supply teachers which is patently obvious from the initial column.

HON M K FEATHERSTONE:

No, Sir, the second one. Item 34, supply teachers, are very temporary supply. If one teacher is away say ill for 3 weeks and you bring somebody in to fill up the post for those three weeks. These are, perhaps, it is the wrong choice of phrase, Sir, the odds and ends teachers who help us out, who are not here on any regular basis. The other one is on a regular basis working the whole year round.

HON P J ISOLA:

Mr Speaker, I welcomed his remark that he hoped there would be a reduction in the birds of passage, but it appears we are going to have a huge migration this year because he is providing for no less than an increase of 25% under this item. Is there any particular reason for the substantial increase for temporary assistance?

HON M K FEATHERSTONE:

I do not quite follow the 25%.

HON P J ISOLA:

I think £12,000 is roughly 25% to £49,000, which was the estimate.... Am I looking at the right one? yes.

HON M K FEATHERSTONE:

Oh, 25% of money, Sir.

HON P J ISOLA:

25% increase not on staff but in money.

HON M K FEATHERSTONE:

This is because in the biennial review the teachers did very favourably. I would like to comment on Item 32. This figure has increased, more than 25% in fact. It is partly, Sir, due to the restructuring in the Comprehensive Schools now that we are getting the schools into not only into shape, but they are becoming bigger comprehensive schools rather than as it was before, the old three streams still continuing and only the first and second years being fully comprehensive. With this year we are practically getting the whole school comprehensive, the whole set up is being restructured, and there will be more posts of responsibility.

HON L DEVINCENZI:

Item 33, Mr Chairman, there is an increase of £45 for the Coordinator. Mr Chairman, may I ask if this allowed is enough in view of the opening of the Teachers Centre which will involve more responsibility?

HON M K FEATHERSTONE:

Sir, the Teachers' Centre Warden is actually ^{earning} salary in the teachers' scale and he is then given an allowance which is equivalent to a responsibility post in the same way as any other teacher may be a head of a department etc. With the biennial review responsibility posts got an increase and this is the same increase applied here.

HON L DEVINCENZI:

Are there not different kinds of posts of responsibility and is not the allowance of £45 applicable to one of the lowest ones.

HON M K FEATHERSTONE:

No, this is one of the highest, this is a Head of Department's allowance.

HON L DEVINCENZI:

Mr Chairman, School Secretarial Service. Are these two posts full time and do they go to other schools? What sort of work do they do? Could the Minister just explain briefly.

HON M K FEATHERSTONE:

Sir, the amount here is pitifully small and we are hoping to increase it, but we do have financial restrictions. Some of these School Secretaries are full time at some of the schools, especially the two bigger schools, the Comprehensive School. The other schools some I believe have to share between two and some share between three. It is not as satisfactory as one would like unfortunately with the complexity of modern education there seems to be much more paper work which you cannot expect Headmasters to do and the demand for secretarial services is increasing.

HON L DEVINCENZI:

But could the Minister say how many are full time and how many are part-time?

HON M K FEATHERSTONE:

All the secretaries I think are fulltime, whether they work full time at one school is maybe what the questioner is asking. At the moment the two schools that have full time people entirely for themselves are the two Comprehensives.

HON L DEVINCENZI:

Do they deal with all complaints?

HON M K FEATHERSTONE:

No, they are not supposed to deal with complaints, they are supposed to deal with the secretarial works. The complaints mainly would be dealt with by the Headmaster or the Headmaster's assistant.

HON P J ISOLA:

Is it a matter of principle and policy that schools of a certain size should have secretaries, or is this inhibited by money considerations. Is it that they cannot have it because of the money or that there are not sufficient bodies available?

HON M K FEATHERSTONE:

It is a little bit of all of them, Sir. The amount of work is increasing depending on the size of the school and of course the amount of work will vary. Money is a very important factor but the persons who are trained secretaries for this sort of work are also not so easy to obtain.

HON L DEVINCENZI:

Mr Chairman, again here we have what seems to be a new allowance for the Warden of the Edmond Rice Home. What is this £60 for?

HON M K FEATHERSTONE:

Sir, I don't intend doing any streaking, but I have perhaps been caught a little with my trousers down on this one. I queried this and I found out that this had always been paid but nobody knows exactly how it was paid. It was paid out of departmental expenses somewhere: we only pay 3/5ths of it, the Department of Labour and Social Security pays 2/5ths. This is a small allowance that is made to the Warden of the Home. Why it was specifically picked out and put as an item this year I am not quite sure in fact, Sir. It is nothing new, it was paid before.

MR SPEAKER:

Right. Personal Emoluments.

HON J BOSSANO:

Mr Speaker, Sir, if I may, the point in respect of the whole head that I referred to earlier. Members will see that the estimate for 74-75 in fact is £7,000 less than the revised estimates for 73-74, in spite of the fact that several heads show an increase in establishment. The only item substantially where there is an apparent increase is in respect of cost of living allowance, which is the same item that I raised under the Head of Audit, the impression I had then was that the reason why there is an apparent decrease for that item is that the item was shown previously as a separate item because it was not consolidated into wages, but that now it is consolidated into wages, it has been shown separately. So in effect, although it isn't shown separately it is included in the total of £390,000 and there is still an explanation required for the difference.

HON M K FEATHERSTONE:

I think the Honourable Mr Bossano when he asked before was worried about this point and didn't quite understand the way the estimates had been done this year. The wages shown this year do not include in the column "estimates", the COLA element. The COLA element is fully covered in the Miscellaneous expenses at page 51, Item 32. I am being told here, Sir, there is a figure of £300,000 to cover all the COLA. Ours has been taken out of here completely and the COLA that anybody in the Education vote will receive will be coming out of the Miscellaneous expenses and that is why there is an apparent decrease here.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Chairman, I think I must add that I think the Honourable Mr Bossano is right when he says that the £27,463 under the Head "Approved Estimates 73-74" I had explained that that was old style COLA which had by the time the 73-74 Approved Estimates were drafted had not yet been consolidated. Now then it was as we know consolidated and in so far as we are talking about the same members of staff the £27,000 will be consolidated and included in wages and salaries.

HON J BOSSANO:

The position is, Mr Speaker, that these £27,000, although shown as a decrease here is in fact included in the increase column under different items and not as the Honourable Minister for Education said in the £310,000 provision for 74-75. Is that right or not?

Does the £310,000 provision for 74-75 shown separately under the Miscellaneous Head include this £27,000 or not, and if not, is this £27,000 included in the individual increase as shown under different items of personal emoluments?

HON M K FEATHERSTONE:

The consolidated part is included in the new salaries. However, if anybody in the education department receives any COLA, let us say, next July, that is coming out of the £310,000. If it had not been coming out of the £310,000, if it had been under the old system, it would have been put down in our estimates here "COLA allowance" perhaps another £20,000 and would have therefore boosted the estimates much higher and then it would have appeared to be as you say, an increase, whilst at the moment it appears to be showing a decrease.

HON J BOSSANO:

Mr Speaker, I accept that explanation entirely, but I am not querying the fact that there is apparently no provision for COLA because I had in fact noticed the provision under Miscellaneous estimates. What I am querying is how is it that with an increase in the establishment of the Education Department of something like 30 additional staff, the department expects to spend £7,000 less in personal emoluments given that the apparent decrease of £27,000 is only apparent and not real because it is a decrease as a separate item but it is in fact included in the estimate for 74-75 as part of the new salary structure.

HON M K FEATHERSTONE:

Sir, the revised estimates of £397,000 is only an estimate; the new figures, we have tried to work them as near as possible, based on actual expenditure, where for example it may say 159 teachers: there may be 159 teachers, they do not get paid for a full year, and there is some saving there. This is perhaps where there is a slight difference between revised estimating, which appears to be as a rule a little higher than normal actual expenditure. You may have a teacher that you have put in your revised estimates for the whole year, he leaves after 6 months, you save 6 months' salary. You do not get him replaced immediately.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, if I may add, there is one factor contributing to this as I explained in the Budget speech. There is in the revised 73-74 estimates £95,000 distributed which was in respect of 1972-73 Biennial Award payments. So there is that amount throughout the estimates to be taken account of.

HON J BOSSANO:

This is the only amount then, is it, Mr Speaker, that has to be taken account of?

MR SPEAKER:

Is this the only amount?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Sir, apart from the explanation which was given on the COLA, so far as I am aware, the amount.

HON J BOSSANO:

Well, Mr Speaker, part of the explanation given before was that in the original estimate there was cost of living allowance, which does not appear in the 1974-75 estimates. I think it has been accepted now that although it does not appear as a separate item the sum does in fact appear consolidated into individual wages. Therefore, as far as the COLA award shown separately in 73-74 the sum itself is part of the sum for personal emoluments.

HON ATTORNEY-GENERAL:

Forgive me for joining in the battle, Mr Chairman. I think the position is this: that the revised estimates for 1973-74 included part of the Biennial Review payment for 1972-73, so in 1973-74 you had instead of one year's Biennial Review you had something like 21 months.

HON M K FEATHERSTONE:

I think I could add to that, Sir, that as far as the Education Department is concerned they were one of the last to settle their Biennial Review, so it is more than probable that the revised estimates did include a considerable amount of 1972-73. I am told that that the back money was paid in July, 1973, for the 1972 period.

HON J BOSSANO:

I would like, Mr Speaker, otherwise I am going to have to keep on bringing the same matter up and I think if we settle it in one Head....

MR SPEAKER:

What is precisely what you want to settle?

HON J BOSSANO:

What I want to establish, Mr Speaker, is whether the estimates of personal emoluments for 1974-75, be it in this Head or in another Head, whether the fact that it differs from the revised estimates of 1973-74 is due exclusively to the fact that the 1973-74 figures include a backlog of non-industrials or is there any other reason as well. And in respect of the explanation given before

MR SPEAKER:

Let us have an answer to that one.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, if I may repeat. We have said I think two times already that the revised estimates for 1973-74 in these estimates include £95,000 in respect of arrears of Biennial Review awards which were in respect of 1972-73. So in that column throughout there is £95,000 that is not in the other. My Honourable Friend the Minister for Education has explained that of that £95,000 substantial part is expected to be in the Education Vote.

MR SPEAKER:

May I ask a question. The difference between the Estimates 1974-75 and the Estimates 1973-74, which is £6,671 is being transferred to Head XVI. Is that correct? Is that what you want to know?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I am sorry, Sir, but I don't recognise the figure that you have quoted.

MR SPEAKER:

1974-75, £390,625: 1973-74 it is £397,291.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, we have been speaking about both approved and revised.

MR SPEAKER:

Is that a short cut for you?

HON J BOSSANO:

Mr Speaker, what I have asked the Financial and Development Secretary is whether the difference between these figures, these two figures, is due exclusively to the fact that in the one year there was a backlog in 1972-73 which wasn't there in a subsequent year or whether there is in addition any other explanation.

HON M K FEATHERSTONE:

As far as one is able to do so one has worked out one's new estimates on what one is actually spending. If one is finding that although the normal complement is 159 there are not 159 teachers in the whole year, it is perhaps unwise, especially in the time when money is not as easy to throw around, to put in what one really thinks is really going to spend on salaries, so that perhaps there is some slight saving there. The majority of course is the fact that we have been including in the revised estimates some of the 1972 Biennial Review.

HON J BOSSANO:

Mr Speaker, this is new information, because obviously we are comparing two figures, then if the difference between these two figures do not appear to make sense it can be either because one is being underestimated, which is the sort of explanation which has been given now, or the other one is being overestimated. But I would still like the Financial and Development Secretary to tell me whether the difference between his revised figures for personal emoluments, be it on this Head or on any of the other ones, and his estimate of the cost of personal emoluments for 1974-75, the difference between these two figures, is exclusively the £95,000 backlog, or is there anything else. I have added up all these figures and I know what the figures come to.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I give the answer predominantly yes to the question, but as is the convention that we have known, you will see that the comparison that we make in the estimates is between the Draft Estimates for 1974-75 and the Approved Estimates of 1973-74. And you will see that by convention, in the column approved estimates 73-74, we make a detailed comparison right through each item. Under Personal Emoluments we do not make such a comparison with the column "Revised Estimates". That is no doing of mine that has been the practice all along. Now then, the answer to the Honourable Member is predominantly yes to his question, but of course many other things can be happening to the detailed items of the Head.

MR SPEAKER:

Right, we will leave it at that.

HON J BOSSANO:

Many other things can be happening undoubtedly but we have heard in the introduction to these figures how grave the situation is, the big burden that the cost of financing the non-industrial labour force in Gibraltar is and this is what we are talking about. Personal Emoluments is a cost of financing non-industrials. If there is a big burden here the Government is somehow planning to increase the establishment of the Education Department by 28 people at the cost of £7,000 less than they estimate it will cost them in the current financial year. Now, part of this apparent increase is explained, it seems, by the fact that in 73-74 there was the cost of the current year's wage increase plus a backlog. Now I want to know if this £95,000 differential which should appear between the two totals of personal emoluments is what accounts for virtually all of it. I appreciate that if there are decreases in other departments in terms of the number of non-industrials then one would expect a lower cost. One would not expect a lower cost with an increase in the establishment.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Chairman, if we look at the Draft Estimates 74-75 and the Approved Estimates 73-74 then we see all of these changes. There may be and there is a substantial difference. I gave the answer before, the main difference is the £95,000, but I make no consumant from this House that in the scrutiny of the Draft Estimates, 1974, we have been as severe as we could be, and if we have taken account of every consideration such as unfilled posts and whatever. If we are being a little more severe than perhaps we were in the previous years all to the good, Sir.

MR SPEAKER:

We will now take a vote on that.

HON M XIBERRAS:

Sir, the most important point. Is the Financial and Development Secretary saying that even though presentationally the House has been led to believe that there is an improvement in the staff, the Department of Education hopes to recruit in 1974-75, the costs of paying for that improved position is not reflected accurately in the figures produced in the estimates.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The answer to that is, No.

HON M XIBERRAS:

Then, Sir, to repeat my Honourable Friend's question, why is it that the cost of recruiting these new persons to the Department of Education appears to be less.

MR SPEAKER:

No, I think that it has been said that economy has been made on other matters. Isn't that correct?

HON M XIBERRAS:

On other heads?

MR SPEAKER:

On other items.

HON M XIBERRAS:

Sir, I think we are dealing with all the items under this subhead and I think this side of the House is entitled to know this, and have a clear exposition from the Financial and Development Secretary of what the reason is, because this is obviously a factor which is going to recur throughout most Heads of Expenditure.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Will it satisfy, Sir, if I say that we have been most carefully with the Ministers and the Departments, through each of the items that we see before us and we have provided for each of these items what we foresee to be the essential cost in the coming year. That is the way we have proceeded, Sir.

HON M XIBERRAS:

May I say, Sir, that if the Minister and the Financial and Development Secretary decided that they could afford to spend so much in the coming year then the details of expenditure on page 13 should reflect in writing what the two Honourable Members decided they could spend. Otherwise, perhaps the Honourable Financial and Development Secretary could have put down token provision for a number of extra teachers rather than lead us to believe that he can finance these extra teachers with the sum available at the base of the column "74-75".

HON M K FEATHERSTONE:

One of the things perhaps that seems to be in the Opposition's mind which they have not fully got clear is that some of the extra teachers are only here for six months of the year; they are not here for the full year, they are Student Teachers who having qualified will be returning in September and only six months is put in for this. Another point to bring out of the Biennial Review, Sir, just on a very rough calculation, estimating what teachers got as back money, and I believe they were paid in July, 1973, it is probable that £30,000 at least was paid in backmoney from the 72 Estimates in the Biennial Review. So if you then drop your revised estimates by that £30,000 you have got an increase. I think, Sir, the Opposition would be better advised to compare the Approved Estimates 73-74 with the Estimates 74-75 rather than to play around with revised estimates which at the moment are not showing a figure which is absolutely comparable because of this backlog and slippage.

HON M XIBERRAS:

The Opposition does not mind at all admitting the sense of any argument which is presented by Honourable Members opposite. What we are saying is that we would like to understand on what basis these figures have been calculated. If it is a question of having taken over a commitment from 72-73 and paid it last year for 73-74 and we are told that it is £30,000, then obviously we know we must add this to the £95,000 and so on which the Honourable Financial and Development Secretary was talking about. But let us have an explanation of this because otherwise we will have to raise it throughout.

My Honourable Friend says he has done the computations and apparently he is not satisfied. I am not satisfied perhaps for example with the argument given by the Minister for Education just now. As some people would be leaving half way through the year other people may be coming in!

MR SPEAKER:

I think we are putting the cart before the horse irrespective of whatever answers are given to this particular Head. Different considerations are going to apply to different Heads and we are going to have this debate all over again. We have been given an explanation by the Government: whether it is acceptable or not is another matter. But I do not see that we are going to go any further on this Head and I will put it to the vote unless something new is brought in. You cannot press for an answer if you realise the answer is not forthcoming. You are getting what you have been given and nothing else.

HON M XIBERRAS:

Sir, there is much virtue in the words "an explanation". What we would like is a convincing explanation of why the cost are so registered here because it might very well be that the same method has been applied throughout on other Heads.

MR SPEAKER:

Fair enough. It is my judgment that has to prevail as to whether we have got to the stage where we are going to progress or not. Whether the explanation is convincing or not is of course for the Opposition to decide and act on in accordance with their views. I have got to decide at a certain stage whether progress is made in the debate or a particular Head and that is where we are getting to now unless something new can be added.

HON M XIBERRAS:

Sir, I have no doubt that a decision now on your part would mean that the House has to deal with substantial sums of money £390,625 on the basis of incompleting information from the Financial and Development Secretary.

MR SPEAKER:

Well, that is accepted.

HON M XIBERRAS:

If that is the case, Sir, then this House makes itself open to the charge that it is not doing its business properly.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

With respect, the suggestion is that the figures in the Draft Estimates 74-75 have not been based on adequate information. Sir, I have already said that they are based on the most precise information. A summation, a calculation, of what would have to be spent on every person, a calculation made about how much there would be. How can it be suggested that the figures are brought to the House without having been based on adequate information.

HON. M. K. FEATHERSTONE:

Sir, I would add to that that it is a monstrous suggestion from a Member who has been a member of Government and must know how estimating is done, more so in a department like the Education Department where they well know that teachers come and go and you are some times three months without a teacher. You have to base your Estimate on what are the normal trend throughout the whole year, the way it has been done, by the Honourable the Financial and Development Secretary has said, has been almost under a microscope; every teacher has been taken account of, the salary has been computed, teachers coming back, how long they are going to be back, the ones you estimate are going to leave etc, and we come to these figures. I would refuse anything saying that these are incomplete or based on incomplete material but they are estimates.

HON. M. XIBERRAS:

Sir, before the Honourable Mr Bossano contributes further to this debate I must say that as far as I am concerned we have 30-odd people more employed than

MR. SPEAKER:

I have made a ruling on this one and will not allow it.

HON. M. XIBERRAS:

. . . . and we are not getting the reasons for

MR. SPEAKER:

Fair enough. That is an accepted stand from the Opposition. I accept that. All I am saying is that we have got to the point of no return and that the Government has given you as much as they intend whether the position is satisfactory or not is another matter.

HON. FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, I would be sorry to think the House has taken the position that an answer has not been given because I contend that the full answer has been given.

MR. SPEAKER:

It is the prerogative of the Opposition to judge whether that is so.

HON J BOSSANO:

Mr Speaker, if I may just put the point absolutely clearly. The issue is not how accurate the estimating in respect of 74-75 has been, which is a thing that apparently the Honourable Minister for Education has found objectionable, but that whatever accuracy has been used in 74-75 the same accuracy has apparently not been used in estimating the outcome of 73-74, because the totals of those two years, of those two estimates, do not square up. What we are asking for is an explanation as to why it is that the Government anticipates spending less in one year than in another on personal emoluments. And the importance of that is that when the revenue raising measures are to be taken we are going to make provision not only for what it is estimated is going to be needed in 74-75, however accurately that may have been done, but what it is estimated has been spent in 73-74.

HON A P MONTEGRIFFO:

The Members of this House, especially those who have been a little longer here some of them a little less, they know that you cannot compare the revised estimates of '74 with actual current expenditure estimated to be spent in 74-75. This is unrealistic. No estimate for the current year, by the time the year is ended, is not revised upwards. One tries when one starts estimating not to be too generous in estimating expenditure because then we would be raising money here which would not be spent and we would/raise taxes. So we try to be as realistic as possible in estimating expenditure. You cannot estimate until March '75 what the 74-75 recurrent estimate as presented to this House is going to be.

/have to

MR SPEAKER:

We will take a vote now. You are not going to get any further. Head IV Education -- Personal Emoluments were agreed to.

OTHER CHARGES

Hon W M ISOLA:

Mr Chairman, I note that there has been an increase like 33% on the books and equipment item. Can the Minister give me some idea how much of that is due to increased costs and how much of that due to the purchase of more books, stationery, library, etc?

HON M K FEATHERSTONE:

Yes, Sir. I am very pleased to have this question. When Mr Brown came out here he gave some figures by which capitation should be increased over a 3 year period, and that was estimated to be the end of the exercise. I have not accepted that, Sir. Those three increases have been made and this year we have taken last year's capitation figures, we have increased them by 20%. A figure of 100 has increased to 120, and then on top of that higher figure of 120 we have increased another 25% to allow for increased costs and so on. The total increase is 50% of which we have estimated 25% for improvements and 25% to meet the costs at source.

MR SPEAKER:

Any other questions on Other Charges?

HON L DEVINCENZI:

Mr Chairman, Contribution to Scholarship Fund. There is in fact a decrease from the Revised Estimates 73-74, to the 74-75 Estimates of £1,300. Little (d) explains "see appendix I". I do not think we have appendix 'I'. Will the Minister, apart from explaining why he hasn't got Appendix I, explain how do we go about this.

MR SPEAKER:

I do not know whether the Minister has but I definitely haven't.

HON M K FEATHERSTONE:

No, Sir, nobody seems to have it. Sir, once again we have done our sums on this. We have put in £45,000 but as I have already said, Sir, the Scholarship Subcommittee has been working very hard on regulation, these are practically ready now for submission to Council of Ministers, and as I have said before, I feel that this is going to give us an increase in the number of people we can send for scholarships of, I hope, 25-40%.

HON L DEVINCENZI:

Mr Speaker, if my memory serves me rightly, and we could refer to hansards once we have them available much quicker, that he mentioned the increase to be between 40 and 60%, not 25% and 40%, but nevertheless it is still, Mr Speaker, not good enough that we should be here now and that no one should be able to explain, or at least try to explain, how in spite of the fact that we have over £1,000 less, and in spite of the increase in costs, we are going to be able to manage having an increase of 40% in scholarships with the amount voted. Perhaps somebody should be here from the Department who could explain where Appendix I is. If it hasn't been printed perhaps it should be explained by the estimates being made by the department so carefully.

HON M K FEATHERSTONE:

Sir, I would not like to lay blame on anyone else, but I do not think that the printing of Appendix I has anything to do with my department. Once again, Sir, I must point out that these are revised estimates and I think the actual expenditure may show some considerable difference.

HON P J ISOLA:

On this question of scholarships, are we going to have an Appendix I eventually because I hope that we are not being told here "see Appendix I" and that we get the Approved Estimates of Revenue, after this House has discussed the estimates, suddenly having Appendix I inserted. If Appendix I is going to form part of the Estimates then we should have it while we are considering the matter. Certainly we should have Appendix I while we are discussing this particular item because we are told in the notes to the Contribution to the Scholarship Funds see Appendix I, and we have all been looking for Appendix I without success. That is one point. I think it is difficult to take the argument, Sir, further until we have Appendix I.

The other point is that I cannot for the life of me see how with the background of the Honourable the Financial and Development Secretary's address, that if we are to do no more than maintain the social and other Government services at their present level, money expenditure must increase, I do not know how we can reconcile that with the estimating for 74-75, against the background of the Minister's promise at the last meeting of the House, or an earlier meeting, of this stupendous increase in scholarships. The only conclusion one can draw from these figures, Mr Speaker, is that the stupendous increase in scholarships as proposed is going to be at the expense of the students themselves contributing far more to it than now.

MR SPEAKER:

We must ask the Financial and Development Secretary whether he can produce Appendix I by this afternoon, and if so we might recess.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I can say straight away that it is of course our intention to provide Appendix I in the same form as it appears in these estimates. They are being typed: whether I can produce it by this afternoon I will if I possibly can.

HON M XIBERRAS:

It might be convenient if I mentioned that Appendix I is not the only Appendix which is referred to in the body of the estimates which is not there.

MR SPEAKER:

Does the Honourable the Leader of the Opposition wish to draw the attention of the House to the other appendices which are missing.

HON M XIBERRAS:

I think Appendix H, and I think probably that is all that I have noticed.

MR SPEAKER:

Right, we will now recess until 3.15 this afternoon. If Appendix I is available we will continue with this head, if not we will postpone the Head until such time as the Appendix is available and we will proceed with the following Head.

HON P J ISOLA:

Mr Speaker, can I draw your attention to Head XIV in which there is a decrease in expenditure for the House of Assembly, and despite the current furore to save fuel, do you think, Mr Speaker, that you could have this House a little better warmed this afternoon. I think it is very cold in here.

MR SPEAKER:

Well may I say that producing heat is not as easy as producing Appendix I but I will do my best.

THE HOUSE RECESSED AT 1.00 p.m.

THE HOUSE RESUMED AT 3.15 p.m.

MR SPEAKER:

I understand that Appendix I is on its way so we will continue with the same Head but with the other items of the Head until we come back to that particular one when it arrives.

HON M K FEATHERSTONE:

Mr Speaker, may I crave your indulgence to return to Personal Emoluments to make an explanation.

MR SPEAKER:

I will allow you to make a personal explanation but we shall not go back to Personal Emoluments, if you know what I mean.

HON M K FEATHERSTONE:

I have checked up with my Department, Sir, who in July, 1973, paid all the arrears on the Biennial Review. Give or take a penny or two they paid £50,033. That was for a twelve month's period, Sir, of which nine months would relate to the previous year, the 1972-73 Estimates, roughly £37,000-odd. Therefore, Sir, if £37,000 were taken off the Revised Estimates 1973-74, you would get a figure of about £360,000: the Estimates for 1974-75 is £390,000, so there is really an increase of £30,000 in personal emoluments for this year over last year.

HON P J ISOLA:

From this Teacher Training and Development, I notice from the notes that 12 courses end in 1974, 5 in 1975 and 8 in 1976 and that 12 courses commence in 1974. I was under the impression that the emphasis on teacher training was going to be switched to Bachelors of Education degree and so forth because it was considered, Sir, that we had got to saturation point in the qualified position of the establishment. I am just a bit surprised to see that we are back again starting 12 courses in 1974. Is that due to departures from the establishment or what?

HON M K FEATHERSTONE:

Sir, once again I must make a comment that we have to do the estimating now. Certain things may be changing very rapidly during the year, but these 12 courses which were due to commence in 1974 were the awards that were given in September, 1973. These are the youngsters who have been doing one year's training as students. I would say, Sir, at this juncture, that when the committee has finished doing its work on Scholarship Awards generally, teacher training will come into it and there may be some quite radical changes. Possibly the two votes may almost be amalgamated: the Scholarship and Teacher Training. Part of the reason, Sir, for the rather large increase is that those people who are already at Teacher Training College will have to continue there and we have had a very great increase in the cost of the college from £250 to £650 and of course this expenditure we have to meet.

MR SPEAKER:

Item 4. Item 5.

HON L DEVINCENZI:

Mr Speaker, in spite of rising costs we find that the services for 1974-75 are less than both the Approved Estimates and the Revised Estimates of 73-74. Can the Minister explain where the changes have been made?

HON M K FEATHERSTONE:

Sir, I have to look up this one. Yes, Sir, the big decrease in this is the saving on transport. Last year Transport was put in with the services, I think, if I am right, Sir, when we put the amalgamation of certain headings.

Sir, there was no specific item last year for Transport it was amalgamated in the heading Services. The same has been done this year as we are spending less on transport and that is the reason for the reduction.

HON L DEVINCENZI:

Mr Chairman, can the Minister say why he is spending less. What has been cut. I know that a number of children are now paying, at least partly paying, but how has the big decrease come about in Transport?

HON M K FEATHERSTONE:

Mainly, Sir, because we are providing practically no transport.

HON MAJOR R J PELIZA:

Is this to do with the transport for children to schools?

HON M K FEATHERSTONE:

Yes, the transport of children to schools. We are now following the UK practice much more closely, where the distance they have to travel is not considered nearly sufficient to warrant transport at Government's expense.

HON P J ISOLAE

Is any provision being made for any transport of school children, and if so, perhaps we could be told what provision if any.

HON M K FEATHERSTONE:

Yes, Sir, the provision at the moment is £500.

HON P J ISOLA:

Could we be told who are the school children that are being transported.

HON M K FEATHERSTONE:

These are the Gibraltarian children who are being assisted with transport to the school at Europa.

HON L DEVINCENZI:

Are the Catalan Bay children still being provided with transport?

HON M K FEATHERSTONE:

They were getting it up to now but I think that we are not providing for them next year.

HON L DEVINCENZI:

Did you say that they are getting it now or not?

HON M K FEATHERSTONE:

They will be getting it up to the end of this financial year, they are not being provided for next year.

HON MAJOR R J PELIZA:

Has he^{arrived} at this conclusion simply because they are not doing it in England, or do you feel that all the money that was used previous - obviously a lot of thought must have gone into this, there must have been very very good reasons why this transport was supplied. In fact I understand that the services in Gibraltar provide transport and they know what the regulations are in England. There must be something in Gibraltar that requires this - for instance better public transport in England than there is in Gibraltar. Have you looked into all the circumstances, or just arrived at this conclusion because it isn't done in England you are not going to do it here?

HON M K FEATHERSTONE:

I have looked into this exhaustively. I wouldn't like to make any comment on the service transport but I believe they do run one bus for one person right across the Aerodrome to pick this person up and convey this person to Bayside school. I don't think that that is the correct way public money should be spent.

HON MAJOR R J PELIZA:

Has the Minister taken into account and in some circumstances it may be possible that some of the children may be missing school precisely because you have taken the transport away. It is not just a joy ride that I am thinking about, it is the need of taking those children to school in circumstances that obviously must have been warranted when the money has been spent for so long on this item. Suddenly at the stroke of the pen you have removed this. I would like to hear more about it please if it is possible.

HON M K FEATHERSTONE:

Well, the Honourable Major Peliza is as usual getting very heated up. It has not been provided so long in such quantities as one would have to provide it today if one were to give way to every demand for transport that comes up. The situation has been studied very carefully, Headmasters have been consulted, nobody is missing school, all the tremendous uproar that one had at the very beginning that people were not going to get to school, that they were going to get there late, has sorted itself out, and the situation is working quite satisfactorily.

HON L DEVINCENZI:

Mr Speaker, I am sorry I cannot agree with the last statement made by the Minister. I certainly have seen lots of children waiting for buses at a rather late hour, well after nine, but wouldn't it have been a good idea perhaps to have had a committee to study this report, the same as with the scholarships: to have gone into the whole matter and not just to have left it, getting advice just here or there at loose ends? It might have been worthwhile doing a good exercise on this one.

HON M K FEATHERSTONE:

One would think that the Honourable Gentleman had never been a Minister for Education. By the time he finishes he will have a committee for every administrative act that is taken by the Department.

No, Sir, it would not have been better to have a committee. This was the advice from my Director and I took it.

HON L DEVINCENZI:

I was not suggesting the creation of a new committee, one of those existing committees perhaps could have also studied the question of transport.

HON M K FEATHERSTONE:

They would have asked for overtime.

HON M XIBERRAS:

Mr Chairman, I am sure the Honourable Member opposite, the Minister for Education, is aware that even before he cut the vote on school transport there were a number of representations made for the extension of the same. I am sure the Honourable Member is well aware of that and I am very surprised he has not consulted the parents on this one. We in the Opposition can hardly regard the situation as satisfactory and I am surprised that the Honourable Member has come only forward at the instigation of this side to explain that as from the beginning of this financial year the school transport is going to be taken away and that some people who enjoyed it before, I believe I am right in saying, will not be provided for. Some people who thought that they would have the school transport will not now have it and this sort of cut is the sort of cut which is least welcome to Honourable Members on this side of the House.

HON M K FEATHERSTONE:

Sir, I am quite sure that any cut is not welcome to the other side of the House. I have looked at my figures again it is not £500 it is £1500. It allows for some phasing out of Catalan Bay. They agreed to a phasing out some time ago. It is not simply taking transport away from people: they did not have the transport in the first place, but because of the Bayside School the demand came up for transport. It cannot be provided for several reasons not least that we cannot get the buses to do it.

HON L DEVINCENZI:

Sir, perhaps the Minister would now like to explain his refreshments.

HON M K FEATHERSTONE:

Yes, Sir, as I was saying, the money spent on refreshment. We are finding, Sir, that all the amount of refreshments provided are not taken up: there is not a demand for them and we have put it down to a realistic figure. I am quite sure that if there is a demand for any slight increase it will come along without any difficulty.

HON P J ISOLA:

The Revised Estimate is £2,927 and the Estimate is £2,500.

HON M K FEATHERSTONE:

Sir, the Revised Estimates are made in September, one takes what one is purchasing and one says: "Well, if we purchase to the end of the year it will cost so much", and then you find that you have got a lot of tins or bottles or whatever it is left over, so you did not really need to buy it in the first place. We must not put all one's belief in the revised estimates as being the very last figures, the thing one has to have eventually is the actual expenditure.

HON P J ISOLA:

Can the Minister then give the House an assurance that **no** reduction has been ordered out on these supplies from his Department.

HON M K FEATHERSTONE:

I have said, Sir, we have put it to what we consider it a realistic figure based on current demand and expenditure and should there be need to increase it, it will come.

HON L DEVINCENZI:

The Gibraltar and Dockyard Technical College. Here we have a decrease from the revised figures, in fact even of the approved figures for 1973-74, a considerable decrease. Now little (b) explains the decrease as increased costs. That is an interesting one, but perhaps with the fuel crisis the Financial and Development Secretary might consider bringing down the cost of electricity using the same criterion!! Apart from little (b), which is a slight mistake obviously, it is neither here nor there, could the Minister explain.

HON M K FEATHERSTONE:

Yes, Sir, I do apologise for some of the marginal notes. I do not want to shame the last Minister for Education, Sir. Perhaps if the Honourable Mr Bossano being the Minister he might have found a blatant mistake in the Estimates which had gone on for what I can see for 15 years! When the personal emoluments for the Dockyard and Technical College were made out they used to include all the teachers who were teaching at the College. At the same time, Sir, under our own list of personal emoluments, we used to include all Gibraltarian teachers, some of whom were actually at the Dockyard and Technical College. Thus the same person was put into the estimates twice. We found that out this year, it was a matter of about £8,000 that was going into the Estimates every year twice: under the personal emoluments Head that we have already cleared and then again under the share of the Dockyard expenses, part of that share being personal emoluments. So we have made that saving of roughly £8,000. Now, Sir, if we take the Approved Estimates of £41,000 and deduct £8,000 we are left with £33,000. Then we come to little (b) increased costs which puts it up to £34,700. So there is a small increase but we did find an accounting mistake which apparently had been missed by many people for 15 years.

HON L DEVINCENZI:

Mr Speaker, I am grateful for that answer. May I ask now if the Ministry of Defence were getting the benefit of this mistake and I suppose they were getting it, are we having that money refunded?

HON M K FEATHERSTONE:

No, Sir, we checked that out very carefully, they were not actually getting the money. We were hoping to get a lot of money back but having checked we found they were not getting the money and that is why you will find that the actual expenditure always seems to fall short in one of the two Heads that we have estimated.

HON L DEVINCENZI:

Mr Chairman, I do not know about the other Ministers for the last 13 years before I was there, but I knew about this; but since they were not getting the money I let it go. (laughter).

HON CHIEF MINISTER:

That accounts for the 72-73 surplus of £7,000. (laughter)

HON M XIBERRAS:

Mr Chairman I would like to ask the Minister for Education what generally is the return for money spent which Gibraltar Government is getting out of the Gibraltar and Dockyard Technical College? Does he have any comments to offer now at estimates time.

HON M K FEATHERSTONE:

Sir, that is hardly a question to answer in the actual - I think we are getting a good return. Am I to understand that the Opposition do not want to vote this morning, they are not happy with the College.

HON M XIBERRAS:

No, except that it has been customary for the Opposition to ask what the money is being spent on. It has also been customary at Estimates time to give an indication what the various Departments are about throughout the year. I would have said that was ground enough for my question. If for instance the Technical College contributing towards industrial training, are there any plans to have the Gibraltar and Dockyard Technical College contribute towards industrial training for the private sector? This was certainly the thinking about two years ago.

HON M K FEATHERSTONE:

I would prefer to leave that for the general debate.

HON J BOSSANO:

Is the increased expenditure attributed exclusively to increased costs? Does that indicate that no expansion of the work of the College is intended in 1974-75?

HON M K FEATHERSTONE:

Sir, the increases here have allowed already for quite a considerable expansion which took place in 73-74 and they have because of that expansion needed extra staff, extra equipment, and that has been the continuing expansion.

HON M XIBERRAS:

Sir, the Government I believe appointed a Productivity and Training Manager to make sure that Government money was spent properly by the Gibraltar and Dockyard Technical College, and that the public in Gibraltar got a fair return for what was being put in. I would have said that any sum of money under this Head should be explained in terms of what the Gibraltar and Dockyard Technical College intend to do. I do not think it is a matter for the general debate at all it is a specific item.

MR SPEAKER:

If the Minister wishes to answer at the general debate it is his prerogative to do so.

HON M XIBERRAS:

Sir, at this rate he will be answering all questions at the general debate because the Minister cannot justify expenditure on a particular Head. This is a particular Head - share of the Gibraltar Government in running the Gibraltar and Dockyard Technical College, there is an increase asked for, a substantial amount of money to be voted for. I am surprised at the Minister that he does not want to answer the question at this time.

MR SPEAKER:

I think in fairness what is being asked is whether the money has been well spent, not whether the increase is justified. I want to be clear in my mind what you are asking now: justification for the contribution to the school.

HON M XIBERRAS:

Sir, what I am saying that we are voting a substantial amount of money, namely £34,751 as the Gibraltar Government's contribution to the running of the Gibraltar and Dockyard Technical College, I am asking the Minister for comments which would justify the expenditure of this sum. In fact there is a reduction over the actual expenditure for 72-73. That has been explained, and I am asking for a general comment on the amount of money that he is asking the House to vote for.

MR SPEAKER:

Well, it is his prerogative to choose when to answer that.

HON P J ISOLA:

The only point which I would like to make here, Mr Chairman, is that this to my mind is very similar to scholarships vote earlier on which we will talk about later. And that is that the money that you are going to spend dictates the expansion you are going to have if any. It would seem to me from the amount we are being asked to vote that there is no expansion intended of the services given by the Gibraltar and Dockyard Technical College to education in Gibraltar for 1974-75. Would that be correct? Because it is difficult to see how we then in the general debate hear what the plans are for the future it is very difficult to believe that those plans are anything more than dreams if the amount being voted for the services for that year are smaller, although I know that that has been explained, but are smaller than the amount for the previous year. The real question is: are there any expansions of the facilities the Gibraltar and Dockyard Technical College envisage for 1974, and if so, are these reflected in the amount that we are being asked to vote?

HON M K FEATHERSTONE:

As I have already said there was a considerable expansion in 1973-74. At the moment the idea is basically to consolidate that expansion and to bring into effect the opportunities that that expansion gives us. Any brand new expansion is not yet envisaged.

HON M XIBERRAS:

Am I to understand then that under the Industrial Training Ordinance, in which there were plans to expand the training in the private sector, and it was because of this that the House was on previous occasions asked to vote extra sums of money, that this expansion, so vital to the productivity of the labour force which the Honourable the Financial and Development Secretary was talking about, is at least to mark time and possibly to be curtailed in view of increasing costs in the coming year.

MR SPEAKER:

That is a very wide question to ask.....

HON M XIBERRAS:

It is, Sir, and it is a very big sum of money. It is £35,000, and industrial training, if I may say so, was to take place at two venues: one was the Gibraltar and Dockyard Technical College the other the old Construction Training Centre at Landport. These were the two institutions in which to carry out the industrial training basically. Now this is what I am asking for because in the general debate we might lose sight of these matters.

HON M K FEATHERSTONE:

Industrial Training will continue at the Industrial Training Centre, a measure of it will continue at the Technical College and some may even take place at other schools that have been suggested to us by experts from outside.

MR SPEAKER:

Right, any other item Members wish to raise in this Head?

HON W M ISOLA:

School furniture. I see that there is an increase, Mr Chairman, of £2,000 and under the heading of "School Furniture" it has a remark: "increased costs". Is this, Sir, a typing error, or am I to understand that the furniture which we bought previously last year for £6,000 the same furniture will be bought this year for £8,000?

HON M K FEATHERSTONE:

Sir, the furniture in this heading is the normal replacement of stuff that get completely useless and has to be thrown away. It is not a brand new, what I would call, a capital expenditure. This is a recurrent, replacement etc. Last year we replaced some £6,000 worth of furniture, this year we estimate the same amount of furniture - not the same furniture the same amount - would cost us about £8,000.

HON W M ISOLA:

There is one other, Sir, under Education Holidays for School Children. I see that in the actual expenditure for 1972-73, £12,508 was the actual expenditure. Last year's approved estimates for this year was £13,000 this year's approved estimates is £13,000. I see again on the side: "Increased costs". There is no doubt about it that the cost of travelling has increased quite substantially in the last 18 or 24 months: am I to understand from the Minister that because we are only estimating the same amount as we did for last year there will be less children going on educational holidays next year as opposed to this current year?

HON M K FEATHERSTONE:

Sir, I must apologise: this little (b) seems to be a bit of a printers devil he has got it here in all directions. The position, Sir, is twofold: it is not that one is cutting down in the number of school children etc, it is that one is exploring, as we have done in the past, where we can send children for a less expensive holiday. This is why quite a lot of children went to Portugal instead of to the United Kingdom, because we could send more children for the same amount of money. We had envisaged Portugal this year but I am not quite sure with the current situation whether that will bear fruit, but the intention is basically to send the same number of children although they may not go on quite as expensive a trip as they were doing before.

The second part, Sir, and this is something that whether one likes it or not, in a year when money is difficult one has to cut one's suit according to one's cloth. These holidays are in my opinion less essential to education than such things as books and equipment, and if one of the two have to be sacrificed by perhaps not being increased, then I felt the educational holidays should suffer that sacrifice rather than books and equipment.

HON MAJOR R J PELIZA:

Could the Minister give an assurance that in his attempts at finding cheaper holiday the children will go further than Eastern Beach!!

HON M K FEATHERSTONE:

Well, I think the ones that went to Portugal last year did go a little further than Eastern Beach!

HON MAJOR R J PELIZA:

The real point I wanted to make is that I noticed that you have done away with the £250, I think it is, for contribution to school dramatic funds, it doesn't need to have any number, No 18 seems to indicate "Purchase of van", the other is unnumbered. I notice that this has been deleted completely.

HON M K FEATHERSTONE:

Sir, I think the way one normally does estimates is that when there is no specific amount of money asked for in a year then it doesn't get a number.

Now, Sir, the reason this was taken out this year is, looking back, what we have been putting in sums of £150, £250 into this Fund. The Fund stood at £640, which is over 3 years' contribution, and I did not feel that at the moment we needed to swell it any more. It is just lying there idle, it will come back next year if and when a demand is made for it. But where a fund just seems to be getting money and building up for no apparent reason it seems somewhat futile to keep on pouring more money into it.

HON MAJOR R J PELIZA:

I would have thought that drama was a very important part of the curriculum of a child at school and that everything would be done by the Minister to ensure that that money was spent to the last penny. But what I find is that not only is the Minister not encouraging it, he is in fact discouraging it. Could he give an explanation?

HON M K FEATHERSTONE:

Sir, the Minister has followed exactly the same policy with regard to this Fund as his predecessor. Even in his predecessor's time it was building up. This year they have had demand on it, I believe that one was advertised in this House, there is the play "Macbeth" coming off, Sir, and they are drawings on the Fund. This Fund is for school dramatics not for any drama club just to come to the Fund and say: "this is an educational purpose, we want you to give us money". And this is where there is a difference. It is when the schools themselves are putting on dramatics that the Fund is there to help them. Now, they do not in many instances even come forward and say we need it.

HON MAJOR R J PELIZA:

My contention is that is that they shouldn't need to come forward, I think they should be encouraged to do that. Not just waiting for them to come but suggesting that they do come forward. I think it is a very important part of a child's education and it should be developed to a maximum.

HON M K FEATHERSTONE:

Sir, teachers well know that this Fund is there, they well know that the money is there to assist them if necessary - if the Honourable Member wishes we will issue a circular to teachers suggesting that there is a large fortune here, they had better put a few plays on, and get their hands on some of the money!

HON MAJOR R J PELIZA:

I would be most grateful if the Minister were to do that.

HON L DEVINCENZI:

Mr Chairman, since we deviated somewhat when calling the items out, there is one item, No 14, which has been skipped and may I ask the Minister: in curricula development services there is a decrease, and the note here does not fully explain it. Could he perhaps, Sir, amplify on that.

HON M K FEATHERSTONE:

Sir, this is in respect of tapes, films, etc at the Teachers' Centre. If Honourable Members remember I said last year that we wanted a fair amount of money for this to get it off the ground. It has now got off the ground and now we consider that this amount of money is enough to replenish and keep it running through this year. Otherwise when one puts extra money into something for an initial work it would appear the Opposition never want that amount to be decreased. We would have an education vote of about £2m then.

MR SPEAKER:

Right. We will now go to item 2, I think Appendix 'I' has been circulated now.

HON L DEVINCENZI:

Mr Chairman, we have here in Appendix 'I', which has arrived, a balance in the Fund at the beginning of the year of £288, and I see that there is a contribution of £45,000 as against £46,766 last year. Perhaps the Minister, who is no doubt well versed in the latest position of the Fund, will be able to explain how, with other proposals which he accepted to increase scholarships substantially, he intends to get the money for even a 40% increase in scholarships for the coming year.

HON M K FEATHERSTONE:

Sir, I had a meeting last Thursday with the Scholarships Sub-committee. We have been meeting every Thursday for the last seven or eight weeks, and I did ask their permission if there was no great objection to my giving some broad hints on the way we have been thinking, although I cannot give the fullest details.

The first point which I would bring out, Sir, which does not emanate from the Committee but emanates from the figures here - and I understand that Appendix I is never included in the Estimates, it hasn't been included ever, not last year nor the year before, never. I believe this is included in the printed copy but not in the draft.

We are estimating, Sir, as I say, for 1974-75 in March, 1974, and obviously if we were to take, and I do not want to be envidious, but if one simply took let us take the first person: a Mr G W, he is put down at £1,024, Sir. Now, the situation as far as we know it today is that if everything continued as before this House will have to vote £1,024 for this gentleman, and the same follows all the way down the list, Sir. Some time during 1974, it usually occurs about May or June, something we are not yet aware of, we receive a letter from OSFAS which is the Overseas something or other for assistance to students, and this letter says: "Of all the students you have in the United Kingdom, we are willing to pay the fees of ten" for example. And if Mr G W was one of the ten, then this House would not really have to pay out £1,024 for this gentleman, they would only have to pay out about £774, because the other £250 would be paid in England by OSFAS.

It would not be right for us to suppose at this juncture that OSFAS was going to pay any of these for us, although they have always in the last six or seven years covered us for a number of our scholarships. We do finish up with a balance of some £6,000 for new scholarships, but we hope with reasonable confidence that OSFAS will give us more or less the same as last year and perhaps a little more, so we may not have to pay out about £7,000. Then there would be about £13,000 really in the kitty. We would know that figure by September when the scholarships are actually issued. But we cannot know it today so we have to put in the figures as they are and show only £6,000.

Now, Sir, to come to the Scholarship Committee, the original thought for an idea we are pursuing was given to me by a number of students themselves. A number of the students who said: "we do not think it is fair at the moment, the way certain amounts of money are paid out for scholarships, more than is really necessary, we think it would be better even to have the same money spread out a little more, nobody would suffer hardship. Could you not look into this." This has been the idea we have been following as one of the two prongs that we are looking into - three prongs really but two prongs on the economic side. We are following closely the regulations in the United Kingdom, although we are going to be more generous. The second prong, Sir, the parental contribution, has been considered by many people here to be not consonant with what it should be and this is also being looked into.

When we have the final figures we feel that we should be able to send, as I have said - and I accept the correction from the Honourable Mr Devincenzi - 40%-60% more this year, taking into account the lesser amount which would be given, still without creating hardship, the increased parental contribution that we would exact, and the money that we hope with reasonable confidence will come in through the OSFAS scheme. I would not like to be pressed to give absolute details because I think it would be unfair on the sub-committee.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Chairman, Sir, I think I ought at this point inform the House that there are yet some corrections to be made to Appendix I which starts for example with an erroneous revised estimates 73-74 to bring forward. However, Sir, I am clear that these alterations would not affect the general arguments that have been going on.

HON J BOSSANO:

The Honourable Minister for Education is wrong in saying that Appendix 'I' has not appeared before, in fact it was in fact page 94 of last year's Draft Estimates.

HON M K FEATHERSTONE:

Perhaps the information was given to me wrongly.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I say this clearly, that my information is that Appendix 'I' has never been brought to this House at the stage of the Budget debate. It has, however, appeared subsequently in print in the printed Approved Estimates. That is the information to which I think the Honourable Minister was referring.

HON L DEVINCENZI:

The important thing is that even if it doesn't go to the House, Mr Speaker, the person responsible, whether it is the Minister or the Honourable the Financial and Development Secretary should be able to say the substance of the Scholarship Fund, and that is what amount is there. What is the balance of the Fund at such a date which is carried forward for the following year. As far as the Opposition knows the position of the Fund, there is no need of course to bring in details, every single name here, and when in fact they are going to finish their term in University. That is in fact what we needed here before and since the question was mentioned that Appendix 'I' should have been here we asked for it and we have got it here now.

HON J BOSSANO:

Last year, Mr Speaker, there was in the Draft Estimates a mention of the actual number of scholarships that it was intended to award in 1973 - 10 scholarships I think - and what we would like to know is the number, rather than how by juggling different amounts it is hoped to achieve an improvement in the number of students without necessarily involving greater overall expense. Can the Minister give an indication of how many people he expects will be able to go and study in the United Kingdom?

HON M K FEATHERSTONE:

I would hope, Sir, round about 25-30.

HON P J ISOLA:

I would like to say a word on these scholarships. I think it comes back to the question of realism. As my Honourable Friend here mentioned in the 1973-74 Estimates provision was made for 10 scholarships and the financial commitment was £8,084. For current years it appears that the financial commitment is to be £6,478 and we are told for 25. We are also told in Appendix I that the contribution from parents for 1974-75 will be less than it was for 1973-74. I think what we are interested in on this side of the House is not in possible permutations, which should have been worked out by subcommittees and we wish them well in this and we do hope we will get sensible results from it, but what we are really interested in is what is the financial commitment of the Government to promote scholarships for further education.

Put it this way, how far are Government prepared to increase the provision for scholarships because apparently on the figures before us this is just not being done for the coming year. And if it is not being done how can we be sure that there will be more scholarships awarded in 1974. Are we to gether this from promises and statements which, if the financial backing is not there, cannot be put into effect. Is the Minister going to come back to the House for more money for scholarships if he finds that in practice it is not possible to produce an increase of 40% in the number of scholarships awards by the various recommendations which are going to come out or might come out. We on this side of the House are interested. We know you have got to cut your suit according to the cloth, but we are a little concerned that this argument is being used perhaps too much where education is concerned Sir. We have had it in the holidays for school children - the Minister has told us he would rather have more books than holidays. On this side of the House we would think that in the circumstances of Gibraltar it is vital that the young people in Gibraltar get out and see a little of the world. This is educationally just as important almost than books and equipment, and we would expect the Government to make sacrifices in other votes but not in the votes for education. And certainly now we would want to know what is the financial commitment of the Government to increase scholarships which obviously the results in 'O' level and 'A' level examination in Gibraltar are obviously calling for.

HON M K FEATHERSTONE:

Sir, we are asking the House, and we fully agree that as many of our youngsters as possible could go abroad on scholarships if they are worthy of the education. After all, Sir, Essex University is a very good place, you learn a lot of things there. We are asking the House, Sir, to vote £45,000 this year to put into the Scholarship Fund. There is a balance in the fund of £6,000-odd, so if we put in £45,000 there will be £51,000 in the Fund. The Fund is committed to about £40,000, so

there is about £11,000 left for new scholarships. But, Sir, that is not really the situation. As I said, until we have had the result of the deliberations of this committee, until we have seen how it works out in practice, it is not going to be possible to say at this juncture exactly how many can go. I agree the £600 for parental contribution here means nothing, it is a figure that has been put in based on the old system, the new system might produce £3,000, £4,000, £5,000. At the same time the figures put in of £1,072 per person may be completely a different figure when we come down to it. What I am asking, Sir, is we put these £45,000 into the Fund, we wait till the regulations come out, we see how they are doing, if there should be a gross short fall we will come back to the House and ask for supplementary money.

HON M XIBERRAS:

Sir, I am certainly grateful for that assurance that the Minister would come to the House if he does require extra finance, I would also feel happier if he undertook to bring to the House before implementation any agreement of the recommendations of the committee, which as he has indicated might very well mean the introduction of a means test into the award of scholarships. This sort of consideration I think is important, as is the general level of allowances, and I am sure my colleagues and I would be very much happier if the Minister would undertake to bring to the House the proposals of this committee before he accepts them.

HON M K FEATHERSTONE:

When the deliberations of this Committee are ready they will go to Council of Ministers, whose job it is to govern. If they accept it, Sir, the regulations will be promulgated and laid on the Table of this House. It is Government's job to govern and Government will do so.

HON M XIBERRAS:

Sir, my great misgiving is the scheme of the Honourable Mr Featherstone announced in an AACR election manifesto some time ago, whereby a student would repay the cost of his scholarships, advanced by Government, over a period of 20 years. I would imagine that is the sort of advice

MR SPEAKER:

We are not going to start debating now the recommendations that that Committee has not yet made!

HON M XIBERRAS:

I do not think it is a very sensible idea to debate anyway, Sir.

MR SPEAKER:

That is another matter that is not within my power to decide. We must not go beyond that. We will take a vote on "Education - Other Charges".

Head IV - Education - Other Charges were agreed to and passed.

Head V - Electricity Undertaking - Personal Emoluments.

HON W M ISOLA:

I should like to ask the Minister for Municipal Services about the post of Deputy City Electrical Engineer. Is it the Government's intention to do without this post? As I see it the Department has been without a Deputy City Electrical Engineer from 1972-73. Could he possibly explain the reasons why we don't have a Deputy City Electrical Engineer?

HON LT COL J L HOARE:

Sir, I do not know where he has got that information from: we do have a Deputy City Electrical Engineer. His name is J Nuñez!

HON W M ISOLA:

I am sorry, is he then working without pay? (Laughter)
I see a gap: Engineer Group 'A' 2870.

HON LT COL J L HOARE:

Item 2, Deputy City Electrical, line 3 Engineer Group 'A', one item, £2870!

HON W M ISOLA:

I did not realise I was getting blind, too!!! (laughter)

Head V - Electricity Undertaking - Personal Emoluments was agreed to.

Other Charges - Recurrent Expenditure.

HON W M ISOLA:

Mr Speaker, under item 4 Fuel and Fuel Sundries, I note that the actual expenditure for 1972-73, £139,803 and I note that the estimate for 1974-75 is £584,500, an increase of something like 400%. In view of this enormous increase, which I know to a very large extent is beyond our control, has the Minister gone into ways and means whereby he may be able to get his fuel from other sources at cheaper prices?

HON LT COL J L HOARE:

Mr Speaker, let me make one little correction. It is totally outside our control, we produce no fuel here at all, unless I have been missing something. Therefore it is totally beyond our control. We do not set the prices we just have to pay.

HON W M ISOLA:

Sir, is this the price that we have been asked to pay for fuel on arrival at Gibraltar?

HON LT COL J L HOARE:

Mr Speaker, we use about 11,000 tons of thin fuel oil, and about 2,000 tons of Marine diessel. The price on the 1st of April, 1973, for thin fuel was £12.95 a ton. On the 1st of March, 1974, that had risen to £46.10 a ton. Marine diessel: 1st of April, 1973, £17.90; 1st of March, 1974, £66.50. There is absolutely nothing we can do about it.

HON M XIBERRAS:

Sir, I think the point of my Honourable and Learned Friend's question was whether this figure of over £½m - Fuel and Fuel Sundries - the big increase there was solely due to the increase in the price of fuel or did that include an element for the transportation of fuel to Gibraltar and so on.

HON LT COL J L HOARE:

I wouldn't know, Mr Speaker, what the division between that and the other is. We buy our fuel locally and we pay the local price. We do not charter tankers to bring fuel and of course we have to buy it on the spot.

HON W M ISOLA:

That is what I was trying to get at Mr Speaker. Has the Minister looked into the possibilities of Government bringing this oil directly to Gibraltar and not buying it locally in Gibraltar. Has he looked into the possibility whether it would be cheaper?

HON LT COL H L HOARE:

I say it would be cheaper if we had anywhere to store it: oil has to be stored somewhere. Where would we store it?

HON W M ISOLA:

I am not asking where are we going to store it, I am just asking the Minister whether he has looked into the possibilities of Government importing fuel oil themselves, and whether there is a possibility that they could buy a certain amount for three months, and then another amount for a further three months in view of the enormous increase which is going to affect the cost of living in Gibraltar substantially to all classes of the population.

HON LT COL J L HOARE:

But on what basis does the Honourable Questioner think that this Government could charter boats to carry this fuel cheaper than people who are doing this all the time regularly.

HON P J ISOLA:

Can they make arrangements through the Crown Agents for example? At least investigate. One is suggesting that the Minister should buy elsewhere, but in view of the very large increase in price doesn't the Government consider it worthwhile looking around a bit?

HON LT COL J L HOARE:

I think this is one of the problems - where we get the fuel from - that has been taxing the whole world not just Gibraltar. We have to get it from where we can get it. But I will take the point, I will see if we can bring it in bulk here, but where are we going to put it. Unless we take all the water away and put it in the waterworks I wouldn't know, because there has to be a great amount of room required for 11,000 tons of fuel oil of one kind and 2,000 tons of oil of a different kind, and yet still a third different kind of fuel for our distillers.

HON W M ISOLA:

The Minister has not quite got my point. My question to him was whether he had looked into the possibility, at least made the effort of seeing whether Gibraltar could import its fuel at a cheaper rate than we are buying this fuel locally, in view of the importance that fuel has right across the whole community. That is all.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

May I intervene here, Sir, and say this. It is common knowledge - you will read in newspapers - that larger countries than ours are paying nearly four fold for the fuel prices. These are fixed. Now, Sir, if I may say this. It has been suggested to me from time to time: couldn't we in view of rising prices in some commodities like sugar, I think the Honourable member said, couldn't we think of importing a supply of our own on our own Government behalf. But the idea has never been put to me that the Gibraltar Government might compete with the major oil companies in shipping fuel to this Rock. I think, Sir, it goes without saying, that we have not gone without thinking at all, but there is one possible way we have considered whether we couldn't economise on fuel. There is one way: we could use cheaper fuel in our plant. We have gone into that and we have come to the conclusion that the losses and additional expenditure, the risks to the supply that we would be liable to suffer, would not offset the saving by using cheaper fuel. We do, as I mentioned in my speech this morning, use considerably cheaper fuel in the water distillers when that is possible.

HON M XIBERRAS:

That is the sort of argument which we would like to see in support of the £2m extra which the Government will have to raise. I think what my Honourable Friend was saying not something as drastic as the Gibraltar Government shipping the fuel out themselves, but just that the Honourable Member should give some justification, some indication, of what different avenues have been explored before bringing to the House a figure as large as this.

Another one which I might invite the Honourable Financial and Development Secretary to comment on, or the Honourable and Gallant Minister for Public Works, is the proportion of . . . how much fuel has gone up here in Gibraltar compared to say the United Kingdom. We had a question earlier in this meeting which said that electricity was three times as expensive I believe here in Gibraltar - 40%. I beg your pardon I was thinking of the £3 on this, the Chief Minister's three times on television perhaps.

CHIEF MINISTER:

Don't mix up one thing with another.

HON M XIBERRAS:

Well, Sir, the 40% more expensive here than in the United Kingdom, and, therefore, I would like to know whether the company concerned was charging a reasonable amount for transportation to Gibraltar and so on. In other words, what other charges, what other increase apart from the pure increase in the price of fuel, people would be asked to pay for here in Gibraltar.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The freight and lighterage charges on fuel oil are very small in relation to the inclusive price of £46 a ton. We are in constant touch with the oil importing companies here and I am satisfied, Sir, that they serve us ^{reliably} and very well. And I will add one other remark on this fuel oil bill, and it is that we are providing for sufficient oil to generate only a little less electricity than we estimate we shall have used in 1973-74 because we are banking on the hope that there will still be some restraint in the use of this commodity which is soaring obviously in price.

HON M XIBERRAS:

Sir, I understand that this is a matter which has to be dealt with discreetly, the importation of fuel is very important to Gibraltar, but I think quite honestly that the figure is very large and that is why we welcomed at least the comments made by the Honourable the Financial and Development Secretary that the importing companies are not in any way making inordinate demands to Gibraltar in the question of transportation and so on. I think it is only fair that Government should stick out their necks and state so. Another thing Sir is the question of profit generally. We know the rates are generally fixed worldwide and we wouldn't expect a particular concession in respect of Gibraltar, but can we have an assurance that we are not being treated any worse than other parts of the world on this, bearing in mind that the oil importing companies are in a very strong position in Gibraltar and there is virtually no competition. This is the sort of statement which I would welcome from the Government's bench especially from the Honourable and Learned the Chief Minister.

HON CHIEF MINISTER:

Well, the question of dealing with the provision of oil. First of all one important concern which was reflected in questions asked at the previous meeting is about the continuity of supply. This has been maintained comfortably and in fact there has been no need, because on the one hand the supply has been forthcoming and because there has been an element of voluntary saving in fuel of about 9-10% to introduce any kind of restrictions other than those that were voluntarily put out. It would be very difficult at this stage to say whether one could get the oil from anywhere else. I think the continuity of supply is absolutely essential. It should be from the same source all the time. Whether it is the present source or another source, the continuity of supply is the most important thing. Of course, along with that is the point raised by the Minister for Municipal Services which is the question of storage. And if we could provide storage, the point is what would be the expense of providing such storage for ourselves

and would the continuity of supply be obtained? I can well understand the concern of Honourable Members now that they see things black upon white: this has been our concern from the very beginning, and short of giving any assurances about this we could certainly seek assurances from outside to see that we are getting a fair deal. We feel we are, but if in fact it is necessary to reinforce this we will ask higher up to see whether we are. We feel we are getting a good deal on this matter and I would like to say here that the General Manager is continuously trying to see what are the best terms he can get for Gibraltar, both on this and on other lubricants and so on. I don't see why we should not ensure that we are getting a fair deal, but we are getting a fair deal the same as anybody else who is paying for the profits of oil companies. Let nobody make any mistakes about it, they are not here for the sake of benefitting us, they are here for business, but what we must be sure is that they are giving us a fair deal. I am quite prepared to undertake to bring the whole matter to the notice of the Foreign and Commonwealth Office to get that assurance having regard to their experience in other places.

HON M XIBERRAS:

I am rather surprised to hear this has not been done already, particularly because Honourable Members on this side of the House made the point in connection with the question put to the Honourable and Learned the Chief Minister some time ago. That we would secure the good offices of the FCO, Her Majesty's Government, to ensure the best possible deal, and, therefore, I would have said that by this stage the Government would have been able to state quite categorically that we are getting, in the view of whoever it is, be it the importing companies, be it Her Majesty's Government, or even of the Government, that we were getting the best deal possible. This is the sort of assurance I think the public in Gibraltar requires from the Government which is going to ask it to pay close on £2¹/₂ more for its fuel.

HON CHIEF MINISTER:

What I have said does not mean that we have not been able to do something in this respect. I was going perhaps a little further to try and allay anxiety but my Honourable Friend the Financial and Development Secretary has done some spade work on that one.

HON W M ISOLA:

On the question of fuel. Some time ago, Mr Speaker, there was a scheme whereby they were going to use a different type of fuel and thus try to reduce the emission of fumes. This would have benefitted the residents of Kings Bastion and other residents around that area. Do I take it now that that scheme will now be put to one side in view of this enormous increase of the present fuel oil?

HON LT COL J L HOARE:

We did look into this and the only way one can reduce the fumes and the pollution generally is by using a more refined fuel the cost of which would really be prohibitive. This is an exercise in which we have been involved for some time, seeing how we can get rid of some of these fumes. Some of us work in offices which are very prone to these fumes, not only to people in King's Bastion., We ourselves get this and we have been looking into ways and means of extending the stacks so that the fumes emanate at a higher level. This would involve major works in the roofs. But I am having the Royal Engineer's, a special team is coming out this year, to have a special look at this very problem. We have sent people to the United Kingdom, to look into this effect, they have gone to the Isle of Man and to Jersey and to some other places to see how we can get rid of this very obnoxious smell which is obviously injurious to health. We are looking at this and we shall get rid of it just as soon as we can.

HON W M ISOLA:

Could the Minister for Municipal Services give some more information regarding repairs and maintenance to the station offices and buildings. What exactly is it intended to do?

HON LT COL J L HOARE:

I cannot detail this because there has been rather a large report on this by the Factory Inspector, who is insisting that we conform with the Factories Regulations, but also included in this of course is the move to Orange Bastion. We are getting the Stores and Workshops down there to ease the congestion at King's Bastion. I really cannot give you what the breakdown of this is.

HON W M ISOLA:

The Minister has just mentioned the question of moving stores. I am not very concerned with the question of moving stores under that heading. This as I look at it is repair and maintenance to make the lot of the employees of the Electricity Department a happier one.

HON LT COL H L HOARE:

This is allied to it, the moving of the Stores to Orange Bastion and the moving of the Workshops will take the congestion away from King's Bastion.

HON W M ISOLA:

Mr Speaker, it is quite a substantial sum of money, it is £11,000 we are being asked to vote under this Head. Surely, I am entitled to ask the Minister to give us a little more of a breakdown, more information. What is it intended to do with regard to repairs and maintenance. Is it King's Bastion or Orange Bastion? Where?

HON LT COL J L HOARE:

A little of everything. If the Honourable and Learned Questioner will look, he will find that already this year we are spending £10,000. This is a continuous process. We are moving as much as we can out of King's Bastion into Orange Bastion to make life for all the workers there more pleasant. But I cannot tell you whether it is two "Loos" or one set of showers or whatever. I do not think this is my province.

HON W M ISOLA:

It is very important, Sir, because here we are being asked to vote this money. The Government is being made to do this under the Factories Regulations so obviously there must be something wrong there if they are being made to do something under the Factories Regulations. I would have imagined that the Government would have led on this question and would not have waited to do so because of the Factories Regulations. They should have done this on their own without the Factories Regulations brought to their notice.

HON LT COL J L HOARE:

I am afraid this should have been done not last year or the year before but several years before that. And it has not been done before by the Factories Inspector because one was not appointed until recently.

HON W M ISOLA:

Item 21 - Training of Apprentices. Am I to understand that the same number of apprentices are being trained this year as there were two years ago?

HON LT COL J L HOARE:

Mr Chairman, this of course only covers apprentices at the Dockyard itself. Apprentices at the bench are covered under normal wages. This covers eight which is exactly the same as the year before. Four of these finish this year and we are looking to the Apprentices Selection Board for replacements.

HON W M ISOLA:

Sir, is it that the Government would like to have more apprentices training at the Dockyard and cannot find any, or is it the other way round?

HON LT COL J L HOARE:

The answer is that we cannot find as many apprentices of the right calibre as we would like. Let us not overlook the fact that the really good material is very much in demand by all the Technical Departments: Public Works; Telephones; and Electricity. Each has to have a share. Normally of course you give the chaps a choice, a preference, but I think this year - I have not seen the results of the Apprentices Board - I have an idea that 20 were selected for all the Government Departments.

HON M XIBERTAS:

Sir, I am a bit surprised to hear the Honourable and Gallant Member say he cannot find enough good material for this sort of apprenticeship. I think the Electricity Department is in fact the best type of apprenticeship from all the three branches that are taken up to the Technical 6 course, and I am practically certain that there are enough people, good people, to take up this sort of offer. I cannot recall the Electricity Department ever having had any difficulty over the recruitment of apprentices of this kind, rather the reverse was

the case, that it was the construction side, which was comparatively recently launched, that encountered difficulty in the recruitment of suitable persons. I think this middle line management is one on which a great deal of work was done before and I would hat to have to accept that we didn't have the people willing to take up this opportunity, which is a good opportunity.

HON LT COL J L HOARE:

Of course we are looking for these people, of course we are encouraging then, and of course we have got some very good people, this is clear evidence from the scholarships that we have awarded. If you look at the number of electrical engineering scholarships, OND Electronics, OND Technology, we find that we are getting some of this, but it isn't as plentiful as we would like it to be.

HON M XIBERRAS:

May I say, Sir, that if anything there was a surfeit

HON LT COL J L HOARE:

I am told by somebody who is directly involved with the education that whereas 3 or 4 years ago there were 60 boys in the VIth Form, there are now 80. Boys are in fact staying longer at school and are therefore not available for apprenticeships.

HON M XIBERRAS:

It was a very long time ago and I cannot quite recall under what, but we were talking about scholarships and the number of opportunities open to people, and I mentioned this type of course ending in the OND or TG course, as a good opportunity which should be added to the number of scholarship opening available. This is why I am so surprised that with an increase of numbers of qualified people in schools at 'O' level and 'A' level, the Minister should not find good material to fill this particular echelon in the Electricity Department, bearing in mind that the Electricity Department up to now has been the most attractive. You have had people so good in fact that it has been difficult to keep them at the level of TG. They have gone on to OND and HND and right up to Engineer. This is the kind of statement which I am very reluctant to accept from the Minister. He has got plenty of good material, the career prospect is clearly marked out, and I do not think he should have any difficulty at all in recruiting the right type of person.

HON LT COL J L HOARE:

If the right type comes along we will recruit them. Last year I am told that four were accepted. This year I think there is a total of 20 but I cannot give you the correct number by the various headings, but we are not getting as many as we would like. We are getting good material who are then progressing along the scales, as you rightly said, and it is clearly evident: all our Electrical Engineers are local. This is evidence of the progress being made towards that way, but we are not getting as many at the apprentices level as we would like. We could do with twice as many and we would be able to train twice as many.

HON M XIBERRAS:

May I just add on this one that we obviously welcome the amount of money spent on this. We have from time to time queried the costs of training at the Dockyard College itself and the Honourable the Financial and Development Secretary has had to give breakdowns, or has been kind enough, I beg your pardon, to give breakdowns of the cost of training Gibraltarians Apprentices at the Dockyard. It is a matter of great interest and we do hope that the Minister whose responsibility Industrial Training is will at some time try to put the whole question of Industrial Training, not only here in the Electricity Department but in construction training and even the connection with Her Majesty's Dockyard, the number of openings there. It is an area of great personal interest to me and I would welcome a statement by the relevant Minister at the appropriate time.

MR SPEAKER:

We will then take a vote on Electricity Undertaking - Other Charges - Recurrent Expenditure.

HON M XIBERRAS:

There is an important point I think, or one which could be an important point, generally on this but perhaps more specifically on fuel which escapes my notice which perhaps I could still bring it up. And that is that there was an indication by the Government that the voltage had been dropped in an attempt to carry out savings. I am not quite sure about this, but is it or is it not a fact that if the voltage is dropped the meter works on the time which the flow of electricity is allowed to go through and not exclusively on the volume of electricity which goes through the meter. I say this because even though my information is that it is the volume of electricity which is measured, it so happens that there has been very generalised complaints that the electricity bills around this time have been very much higher, disproportionately higher than they have been at a comparable time the previous year. We have investigated and checked against a number of bills over a similar period, we appreciate that there was Christmas intervening, but this has been

on a number of cases quite clear at Christmas, and I do not think entirely explainable by the fact that some times meters are not read in a particular month. I think this is of great interest to the consumer and the feeling has been generalised as I say that in fact the price of electricity in real terms has gone up without any notification.

HON LT COL J L HOARE:

No, the answer is that the electricity is measured by volume. The fact that we have lowered the voltage does not mean to say that you have used the same amount of electricity. Your meters have been recording that amount less.

HON CHIEF MINISTER:

I think there was some talk about increased bills, but on investigation myself on behalf of one of the consumers affected, it was found that most of these bills were for a period of six weeks. This also covered the Christmas period which is for 4 weeks normally.

HON MAJOR R J PELIZA:

Mr Speaker, I know that the Honourable and Gallant Gentleman said that it registered volume, but although the same volume is going through at the consuming end, what is going through in volume, is it more rapidly consumed than otherwise? This is what I am trying to ask. Although there is the same amount flowing through the meter, because of the quality of the stuff going through the flow, does it mean that you consume more?

HON LT COL J L HOARE:

What the consumer is charged is what goes through his meter and the amount of current going through the meter with a lower voltage records less than if it had a higher voltage.

HON MAJOR R J PELIZA:

I got that quite clearly. What I said is the quality of electricity going through up to, say, the heater, would it use more there and therefore consequently there is a higher flow going through?

HON LT COL J L HOARE:

No, in fact we have a certain amount of very delicate instrumentation which fluctuates very alarmingly by different powers, and the reduction of three makes no change at all.

HON M XIBERRAS:

Sir, not that I am a great expert on electricity, but this is a question of considerable interest to people. I think that it is true to say that it takes longer to heat a pot now than before. I think that this is so. In what way, if the volume of electricity going through the meter is the same, in what way is there a saving?

HON CHIEF MINISTER:

It is common sense. I think it is quite common sense. It is the fire, the electric fire; you are getting less volume and you are spending less and there is less consumption of fuel. As simple as that.

MR SPEAKER:

Yes, but we are not going into electronics.

HON M XIBERRAS:

Sir, obviously I appreciate what the Honourable and Learned the Chief Minister has to say, that perhaps you keep the fire on and less amount of heat is produced, and that is the only saving in the total consumption of electricity. But there is no saving for instance in fuel.

HON CHIEF MINISTER:

We are saving in fuel because people are consuming less.

MR SPEAKER:

Well, we will leave it at that, and we will take a vote.

Other Charges - Recurrent Expenditure was agreed to.

Other Charges - Non-Recurrent Expenditure.

HON P J ISOLA:

Offices and other Workshops. Is that a programme, a continuation of a programme, because there seems to be a reduction.

HON LT COL J L HOARE:

Yes, it is a continuation. The total job was £12,060, we tried to do £8,000 last year but we just couldn't. We only did £4,000, and the additional £1,000 is the increased cost of materials.

HON J CARUANA:

Can I ask the Honourable and Gallant Minister for Municipal Services how indispensable is the purchase of a pick-up van under item 36?

HON LT COL J L HOARE:

The pick-up van is one for which we are under great pressure by the trade unions to purchase for use by their industrials: to carry them backwards and forwards!

HON J CARUANA:

Irrespective of whether the trade union likes it or not, this House is concerned with the money of the tax payer, and this is a Head with a significant and excessive vote already, and I am sure that if the Government were to propose as a matter of policy for this year curtailing unnecessary expenditure, even the Trade Union would support that notion. I would like to know, in answer to my question, how indispensable is this vehicle at this time, this difficult time for Gibraltar. And I would like to say exactly the same under every Head of expenditure in this year's Budget.

HON LT COL J L HOARE:

Of course we have been looking at this and got vehicles off right left and centre where we thought that they were just desirable but not essential. This is essential primarily because, as I said, it is used by industrials going out, very often on emergency work. At the present time they have to wait for a lorry or something else to turn up, or the buses, or private cars very often to take them. This would be available to the industrial and would save time.

HON M XIBERRAS:

I am sure the Trade Unions would be even more pleased if the Honourable and Gallant Minister would give an assurance that the purpose of this van would be adhered to. In other words that it is going to be used to pick up the members of the Trade Union, the workers, and that it is not going to be used for other purposes, such as other vans in the Government service are being used currently.

HON LT COL J L HOARE:

I would like to have details of that, Mr Speaker, and then perhaps I could investigate, Sir.

HON M XIBERRAS:

The Honourable Member in his peripatetic activities, going round and about and so on, is no doubt aware of these examples, and if the Honourable Member wants somebody to tell him, to give him specific examples, perhaps I could do so. But in that case perhaps the Honourable Member might vacate that seat and allow my Honourable Colleagues to fill it! (laughter)

HON LT COL J L HOARE:

There is no need to say, Mr Chairman, that if I had spotted these I would have done something to stop them. I would not have talked about them, I would have done something about them. And I would be grateful, if the details are given to me, I will do something about it. But a general allegation gives no satisfaction either to me or to gentlemen opposite. I cannot investigate it.

HON J CARUANA:

Mr Speaker, item 48, will the Honourable and Gallant Minister for Public Works inform the House what capacity of fuel the reservoir intended to be converted will hold.

HON LT COL J L HOARE:

I think not even the City Electrical Engineer can tell you exactly what amount of fuel can be put in there. He is waiting for the thing to be done and then will decide what fuel he has got to put it in there when he has got the fuel.

HON J CARUANA:

Is the Minister trying to inform the House that he is asking for a vote of £1,100 for a reservoir, the capacity of which has not been determined yet? Are the Honourable Members on this side of the House expected to swallow that one?

HON LT COL J L HOARE:

I would hate you to swallow that, fuel is very distasteful! No, what I said, if he had listened, if the Honourable Questioner had listened, he would have heard me say that I do not think the City Electrical Engineer himself yet knows what kind of fuel is going to be put in this particular store, which was the question which was asked.

HON J CARUANA:

Not what kind of fuel, what capacity of fuel?

HON LT COL J L HOARE:

I am sorry I thought you said what kind. The capacity is 150 tons.

HON J CARUANA:

Mr Speaker, would the Honourable and Gallant Member opposite consider filling it with gas?

MR SPEAKER:

No, that is not

HON L DEVINCENZI:

Would the Minister confirm whether there is in fact going to be some widening of Naval Hospital Road. There is here provision for a distribution system modifications arising out of the proposed widening of Naval Hospital Road. £488. Could the Minister say whether this work is going to be carried out, not only the electricity side, but also the widening of the road?

HON LT COL J L HOARE:

Yes, I think that when we come to the Improvement and Development Fund you will find, Sir, that there is provision for widening this road. Why it has not been done yet, and I am moving over to another fund but I am going to give an explanation, is because the material for the special wall which has ~~been~~ raised has not arrived. This money £488 is wanted for resiting the lamps, renewing cables and new ducts. I think, Mr Speaker, 20 and 21 refer to works that are already completed and for which no provision has been asked for this year.

MR SPEAKER:

Right we will then take a vote on Electricity Undertaking - Other Charges - Non-Recurrent.

Other Charges - Non-Recurrent was agreed to.

Head VI - Fire Service - Personal Emoluments was agreed to.

Other Charges, .

HON W M ISOLA:

I do not know if my fellow Members on this side would like to ask questions but I would like to go down to Item 14. I think it is the purchase of new radio equipment. Is the Minister really satisfied that these £3,400 which seems an awful lot of money to spend on new radio equipment for the fire brigade, is really that important that it could not have waited another year? Has the existing equipment completely broken down, is it beyond repair, or is it just inefficient?

HON LT COL J L HOARE:

Mr Chairman, this is something that the Fire Brigade has been after for years and years and years. It has been turned down year after year after year. The position now is that it is becoming so interlocked with the Police net-work, on which it works, that both organisations are finding great inconvenience and great potential dangers.

HON W M ISOLA:

It is not that it is becoming inefficient, the only thing is that the reason they are asking for £3,400 is because it is mixing with the Police. But surely they can work together. Has it got to such an extent that, as the Minister said, it could cause acute danger.

Sir, £3,400 to purchase new radio equipment in such a small place like Gibraltar. I appreciate, Mr Chairman, that the Fire Brigade has been after this since I was the Minister going back to 1969 and we still haven't got it. It seems to me that at this particular time of the year, after listening to the Honourable the Financial and Development Secretary with his rather gloomy, to say the least, report on the financial situation in Gibraltar, that the Fire Brigade should come along asking for £3,400 to replace radio equipment which has become inefficient as it says under (h), but according to the Minister because it mixes with the Police!

HON LT COL J L HOARE:

This is one of the things that makes it inefficient, the fact that the firemen cannot get on to each other, to headquarters particularly in an emergency, because that same wavelength is being used by the Police for a hundred and one other items. The radio equipment which is being used today has completely outlived its life and it must be replaced.

HON M XIBERRAS:

Sir, has the equipment been ordered already? because if it hasn't it might very well go up in price before it has arrived and could then be in the region of something like £4,000. If it is just the jamming of the thing because of the communication by the Police, is the Minister sure something cannot be worked out to avoid incurring this expenditure now?

HON LT COL J L HOARE:

No, I don't think it has been ordered to ^{the} ~~that~~ extent that an order has been put in, but quotations have been received and this is one of the things that we have been warned about, that if we do not place an order within a certain time it will be more expensive, because prices are going to go up. Eventually one is going to have it, one must have this new equipment and, therefore, the sooner it is done the better particularly since I repeat, the present one is completely inefficient and useless. It has to be replaced now.

HON W M ISOLA:

Sir, Item 15 - Purchase of Radio Transmission Testing Equipment. Can the Minister give me more information on this particular item? because under (i) it has got: "required for the maintenance and testing of R.T. equipment."

HON LT COL J L HOARE:

Which is the same thing: Radio Telephony equipment. Now, then, the testing equipment is in fact to be spread over three years. The cost of that equipment is £1,500 and we are only getting a third of it this year. It is no good ~~to have~~ any equipment unless you can test it and find where the fault lies. I mean this is basic.

HON W M ISOLA:

Am I to understand then, Mr Speaker, that because we are buying this new radio equipment which is costing £3,400, and on which I am not entirely convinced by the Minister's argument, that is his prerogative, we have to buy something spread over three years, which is another £1,500 making a total of something like £6,000. Is that right?

HON LT COL J L HOARE:

£3,400 and

HON W M ISOLA:

£3,400, plus £1,500 over three years £4,900.

HON LT COL J L HOARE:

But we are not dealing with the other £1,000 we are dealing with the £500 now.

HON M XIBERRAS:

We on this side bear in mind that £4,000 is going to be spent on something which the Minister hasn't put up a particularly good case for and there must be other items which have been excluded by the Government for which these £4,000 could be more beneficially put.

HON LT COL J L HOARE:

- Mr Chairman, this is a matter which has already been thrashed out among Ministers themselves: what they have given up to make room for this.

Fire Service - Other Charges was agreed to.

Head VII - The Governor - Personal Emoluments was agreed to.

Other Charges.

MR SPEAKER:

Are you asking a question?

HON J BOSSANO:

Yes, I was asking the Government whether we are just transferring the Governor to the Consolidated Fund or all his staff as well.

MR SPEAKER:

Are there allowances for his other staff in the estimates?

HON J BOSSANO:

Yes, Mr Speaker, there are.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The Hall Porter and Messenger. No other staff covered by the Head "Governor".

HON A P MONTEGRIFFO:

Only one person in this vote is being consolidated.

MR SPEAKER:

Right, we have taken a vote. Other charges now.

HON P J ISOLA:

May I ask, this restoration work at the Convent is a continual thing, isn't it?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Chairman, yes, this was by agreement. We are doing this very very desirable work by stages, year by year.

HON L DEVINCENZI:

Mr Speaker, I understood that this restoration was being done by the DOE. It was done by us and then it was transferred to the DOE.

Other Charges was agreed to.

Head VIII - Judicial - Court of Appeal was agreed to.

Supreme Court, Personal Emoluments was agreed to.

Other Charges was agreed to.

Magistrates and Coroners Courts - Personal Emoluments.

HON M XIBERRAS:

Could the Honourable and Learned the Attorney-General give an indication of the staffing situation in the Magistrates Court.

HON ATTORNEY-GENERAL:

When you say the staffing situation, the staff is as you obviously see, the same as it has been. Are you enquiring as to whether it is considered satisfactory? As far as I am aware, yes.

Magistrates Court and Coroners Court - Personal Emoluments was agreed to.

Magistrates and Coroners Courts - Other Charges was agreed to.

MR SPEAKER:

We will now recess for approximately 20 minutes.

The Committee recessed at 5.00 p.m.

The Committee resumed at 5.30 p.m.

MR SPEAKER:

Head IX Mr Clerk.

CLERK:

Head IX Labour and Social Security - Personal Emoluments.

HON A J CANEPA:

View Sir, may I say that the department is at the moment fully staffed, and since this time last year the Family Care Unit, to which I made some reference then, has been finally set up with a full staff of four. This has resulted in a decrease of one Supervisory Officer post, and one Senior Clerical Officer post in the establishment in ~~view~~ of the creation of the posts of Family Care Officer and Probation Officer respectively.

The other significant change, Sir, in the staff of the Department has been the appointment of a Deputy Director of Labour and Social Security as from last June. The creation of this post was recommended by the Overseas Labour Advisor when he visited Gibraltar in November, 1972, and this was because he felt that the Department was under considerable strain and was finding it increasingly difficult to meet its obligations with the existing senior staff, particularly since the latter were, on the Labour side at any rate, almost fully occupied with the many problems associated with the employment and accommodation of imported labour.

HON J BOSSANO:

Mr Speaker, I would like to express the gratitude of the Opposition to the Minister of Labour for attempting to give us an explanation which we have not had on the other Heads of Expenditure so far. This makes it easier I think to go through the Estimates.

Would the Minister state in respect of Item 1, whether the increase in respect of the Director of Labour and Social Security, the £470, is the result of the Biennial Review, or has there been any differences in respect of this post due to the creation of a Deputy Director?

HON A J CANEPA:

Sir, that is entirely in respect of the Biennial Review and in those £470 I should imagine ought to be seen £109 of consolidated COLA, which he previously wasn't getting. It is a straight increase of £470 arising from the Biennial Review.

MR SPEAKER:

Any other items on Personal Emoluments?

HON M XIBERRAS:

Sir, may I associate my self with what my Honourable Colleague has said about the opening statement of the Minister. It is helpful for members on this side of the House. Could the Minister be equally enlightening about the progress in respect of old Thayer Report, and the Family Care side of the thing. What progress has been made, how many appointments and how many to go?

HON A J CANEPA:

I do not know whether it is entirely proper to do this under Personal Emoluments, there is an item under other charges which is Child Care. I wouldn't mind elaborating under that somewhat if he cares to put the question when we discuss "Other Charges".

HON M XIBERRAS:

I was referring to the staff situation. Miss Thayer made certain recommendations.

HON A J CANEPA:

Those have been implemented, Sir. She did make a recommendation that the Family Care Unit should be set up and that it should take over certain functions, and this has been done, Sir.

MR SPEAKER:

Right we can take a vote on personal emoluments.

Head IX - Labour and Social Security - Personal Emoluments was agreed to.

Other Charges.

HON A J CANEPA:

Sir, perhaps it would be helpful if I were to highlight what I at any rate consider to be the most important provisions being made. They are all important obviously but I would like to highlight those that I consider to be rather more important.

In the first place, Sir, ~~with regards to Item 2, that is Supplementary Benefits, the total increases under this charge, Sir, are of the order of the total increases under "Other Charges" I should say by way of introduction~~ are of the order of £57,000, which, Sir, represents an increase of some 18¹/₂% of the Department's revised vote for 1973-74, exclusive of course of Personal Emoluments, and the great majority, the bulk of that figure of £57,000, has gone to improvements ~~of~~ the various social security benefits. In the first place there is this additional provision of £21,500 under Supplementary Benefits over ~~the~~ revised figure for the current financial year.

Of the £21,500, about £10,000 of this reflects the substantial increases that were introduced in October, 1973. Last year, Sir, we made provision for six months, now of course there is a need to make provision for a further six months of the year, and that accounts for about £10,000. The rest, Sir, is earmarked for further improvements in the course of this year. And thus, Mr Chairman, fully conscious of the need to maintain and protect the standard of living ~~for~~ the most needy sector of our community, the Government proposes to implement an immediate interim increase in Supplementary Benefits to that category of persons who are most affected by increased prices and by whatever further increases may result from this particular meeting. It is proposed, therefore, Sir, from the first week in May to pay a further 60p a week to couples and a further 40p to single persons living on their own. And I should stress that this should only be looked at in the nature of an advance payment in respect of the general revision in the Supplementary Benefits rate which will be made in the normal course of events later on in the year.

It does mean, Sir, that in ~~the~~ eighteen months since December, 1972, the basic rate of Supplementary Benefits has been increased by 40%: from £6 as they were then to £8.40 per week for couples, and from £3.50 to £4.90 for single persons on their own.

Sir, should there be any need for supplementary provision later on in the year, if the ravages of inflation continue unabated, I am sure that I shall have the full approval not just of my colleagues but also of course of Honourable Members opposite, and I will have no hesitation, Sir, in bringing Supplementary Estimates to the House if I need to increase supplementary benefits over and above what is already earmarked there.

Sir, with respect to Subhead 10, Family Allowances, the Government is also anxious to honour the commitment which it entered into in the electoral manifesto in respect of Family Allowances, and as we also accept the need to protect families with young children against inflation provision is being made for an increase from the present 50p to 70p per child per week as from the beginning of July. I have already given you, Mr Speaker, notice that I propose to move the suspension of Standing Orders 28 and 29 to introduce a Bill to the House, which I think could very conveniently Sir, be circulated now to Members, in order to give effect to these increases.

Sir, the third significant increase in the expenditure budget of my Department falls under the new Item 17, Pensions for the Elderly. This came into effect in January 1974 and of course a great deal, Sir, has already been said in this House in respect of this particular pension. I should make it clear that the provision that has been made is the net provision, since part of this expenditure overlaps with Supplementary Benefits, and I do hope, Sir, next year, in the light of much longer experience of the operation of the pension, we shall be in a position to estimate the total expenditure rather more accurately.

The estimates, Mr Chairman, also reflect the expansion introduced in 1973 to the scheme for sponsored patients: that is Subhead 3, whereby passage and where necessary maintenance also is now paid for an accompanying relative in each case. The vote, Sir, must still nevertheless be seen very much in the nature of a token vote and I have no doubt that the House is fully committed to meeting whatever expenditure may actually arise from the scheme, which of course is not subject to any rigid control but on the number of patients which it is actually necessary to send to the United Kingdom

On Child Care, Subhead 12, as I have already informed the House it is intended to open a residential home for deprived girls later this year, and a token provision has been made for the setting up and the running of the home. The revised estimates, Sir, under this subhead do show a saving in the approved estimates for the year but this is due to the fact that the provision which is always made for eventualities, for instance having to send children to the United Kingdom, having to make arrangements for foster parents, ~~it has been necessary~~, Sir, to meet this provision, ~~and~~ *has not been needed and* what has been done is that part of it has gone to meet higher costs of wages ~~provision~~ and the general running costs for the Edmund Rice Home.

Finally, Sir, I think it would be most appropriate for me, now that we are considering the estimates of my Department, to reiterate an earlier commitment that I gave this House to bring legislation later in the year which will give effect to substantial increases in the rate of Old Age Pension and will also implement other desirable *and* considerable improvements to the Social Insurance Scheme.

HON J BOSSANO:

Mr Speaker, the commitment to protect the needier sector of our community from inflation will, as the Honourable Minister well knows, receive full-hearted support from us, and we are glad to identify ourselves with any sentiments that expresses the priorities in the order with which we would wish them to be undertaken by any Government. As regards the Supplementary Benefits, the improvement in the level that has been announced in the House by the Minister is acceptable on the clear understanding that it is an interim award, which are the words that have been used by the Minister. It is obvious that in the context of food prices at present running at 25% per annum increase, the sort of increase that we have got budgetted for here in the Estimates for 1974-75 would barely keep pace with inflation, Mr Speaker.

As regards Family Allowances, the amount announced so far and the deferral of the implementation until July falls short of what we think is necessary. We would have liked to have seen a bigger increase to Family Allowances and certainly not have to wait until July, in view of the very high rate of inflation, in view in particular of the importance of food in the family budget for the large family. We would not like the Minister to have waited so long to bring this in, and if there is any possibility of bringing the date forward we would urge him to do so.

I would also welcome, Mr Speaker, at this stage clarification about whether anything is going to be done to ensure that a good part of the increase that has been announced in Family Allowances is not automatically clawed-back by the tax system because of the inflationary impact of wages and the COLA formula.

HON A J CANEPA:

Sir, on this latter aspect, what I would hope would be obviously that no more proportionally than what is being clawed-back now will in fact be clawed back as a result of this improvement in the Family Allowances. What I mean to say by that, Sir, is that if the actual amount clawed-back is increased I would hope that at the same time the income level at which certain amounts are clawed-back are also adjusted to take account of increased earnings in the last 12 months or so. I think if the two go hand in hand, Sir, then we are still protecting those whom we wish to protect as much as they are being protected now.

As regards, Sir, the actual increase in the level of Family Allowance, which is 40%, this is an increase, Sir, in a period of two years, I do not think inflation is running at anywhere near 40% in two years, thank God. It is very difficult for everybody to assess how much of what people receive in Family Allowances goes on food: one doesn't know fully what people's pattern of expenditure is I also know that mothers do tend to put this money aside to pay for clothing, to pay for footwear and so on, at

intervals of say 3 months ~~and so on~~. I do not think that they do draw upon that money that much for food. I think they put it aside for these other items. But I do think in any case, Sir, that it is a considerable increase of 40%. Inflation in the last two years, as far as the general index is concerned, has been 22% or 23% so we are I think, Sir, protecting them for the future as well. Certainly, the purchasing value of the Family Allowances ~~is~~ I think ~~is~~ being more than maintained, ~~it~~ it is being enhanced.

HON MAJOR R J PELIZA:

Mr Speaker, I am standing up not to criticise the Minister by any means, but rather to give him encouragement, so I hope he will not take this as criticism at all. I know he is doing excellent work in that respect but I think we are asking for more, and I think it is only natural for this to be said. I feel that the Minister is concentrating mostly on inflation and I think there is a category of people in Gibraltar who really haven't had a fair deal for many years back and it is about time we did something about it. Not just trying to keep up at the low level but try to make that much better than it has ever been before. One should not be deterred by the fear of inflation, or crisis, because there is always a crisis, there has always been inflation, and, therefore, I think one has more or less to take the bull by the horn. Here on this side we would support the Minister on a thing like that. The amount involved is not all that big compared to the total amount in the Estimates and the amount of good that will come out of that will be far greater proportionately to what it would cost the community. I hope the Minister will do something to enhance it even more than it is today and he certainly has the support of this side of the House.

HON A J CANEPA:

It is because I wear another hat, that of ~~the~~ consumer protection, that inflation does play such a very big part in my thinking, but I have been concerned, Sir, all along with respect to Family Allowances, with respect to Supplementary Benefits, with respect to Pensions: to give people something more than just merely catching up with inflation. I am always concerned, Sir, to take into account what the cost of living has gone up by in any particular period and then to give something more to protect them against future inflation. And I do not like to see people eternally having to catch up with inflation. If one can put them ahead, one can buttress them against future inflation, this has been my thinking all along and I think it is borne out, Sir, by the figures. Any computation of the figures for increases will bear this out.

HON L DEVINCENZI:

Mr Speaker, purely as a matter of presentation, before we leave the Labour and Social Security vote. Would I be correct in saying that in page 29, Personal Emoluments we have Item 20, which is the last one, Training Courses in UK. Should that not appear under "Other Charges" rather than under "Personal Emoluments"?

HON A J CANEPA:

I do not know, Sir, this is a matter of accounting. I can explain what is the object of this provision but whether it should be on one page or the other I do not really know.

HON L DEVINCENZI:

Whatever it is, it does not come under Personal Emoluments, surely, it must be other charges. I think it is quite obvious.

HON J BOSSANO:

On the question of Family Allowances I think that the Minister may well find that the implications of the £310,000 COLA provision suggests a rate of inflation which this increase would not be sufficient to meet. As to the point I raised about the claw-back, what I wanted, Mr Speaker, was some indication whether the Government was anticipating any amendment to the scheme of the claw-back in the Income Tax Ordinance which would take account for example of adjusting the level, the different levels, at which claw-backs operates, to take account of that in line with the possibility of families at the bottom of the income group coming into the claw-back scheme whereas previously they were not, whereas in fact their coming in is purely due to their nominal increase in income and not to any real increase in income.

HON A J CANEPA:

Sir, there is nothing being done at this particular meeting about this matter and, therefore, the point can be taken and kept in mind. I think what the Honourable Mr Bossano is trying to establish is this: as I seem to recall it the claw-back begins to operate at £1,500 because there have been increased earnings obviously as we go along maybe it should begin to operate at £1,600. This is a matter which I have very much in mind.

HON M XIBERRAS:

There are two points I would like to raise with the Minister. The first is the question of the item on accommodation of labour which I think refers to the accommodation of labour from abroad, and we

have an increase of £1,000 on this. Could the Minister, since the Government does have a substantial number of places, a substantial amount of accommodation is controlled now, would the Minister inform the House as to the position here. I refer particularly to the use being made, or the use not being made, of the Hostel at Devil's Tower, and of course to the other Government accommodation provided. And I would like the Minister to bear in mind what the Honourable the Financial and Development Secretary had to say in introducing the Estimates about the availability of labour, or words to that effect, for development projects. I would ask him to bear that remark of the Financial and Development Secretary in mind when he explains to the House the position on accommodation of labour.

HON A J CANEPA:

In the earlier part of this intervention the Leader of the Opposition made some remark about a decrease in the provision. Could I perhaps recall to the House that the expenditure for 72-73, the actual £97,000 took into account ~~some~~ figure of £38,000 or so for improved amenities — a new kitchen, new ablution and so on. That accounts for that unusually high expenditure. Sir, towards the latter end of this year we found in fact that we had some money in hand, we voted £84,000 last year, it was £5,000 or £6,000 in hand, and that money has been now allocated to the improvement in the latrines at Casemates, some £6,000 worth of work, which has just been completed last week. And that is why, Sir, provision for next year, £85,000, is not a great deal higher, it is only £1,000 higher than this year, because we found that we could make do with the money available. Of course, Sir, whatever provision we make up to a point is dependant on the actual commocation: White Stores, Casemates, North Pavilion are always shockablock, completely full, but the Hostel at Devil's Tower is only now about half full. In fact at the time when I took office, Sir, I think there were only 40 residents there and what it does mean is that if there were, in the course of this year, if it were to be completely full, if there were to be say 300 at Devil's Tower, we might find that we would need more than £85,000. But then of course that would be offset by very welcome revenue on the other hand from another 150 ~~residents~~ *clear*.

I made *clear* publicly, Sir, the policy of the Government and of the Department *clear* with respect to Devil's Tower and that is of course that it is mainly earmarked for craftsmen, and I have also made public the fact that there is an offer still standing for any non-European skilled tradesman that may want to take up accommodation at Devil's Tower up to another 40 or so. I think we could comfortably take that up. But there is increasing pressure, and partly the need for this is also that there is increasing pressure on Government from all employees, not the least of which are the Official Employers, to provide more and more accommodation, and there is a limit to what we can do. There are some private Hostels which even now are not quite up to the standard required under the Regulations, and closure of these Hostels *would* mean an increasing burden on Government. We have looked around for other sites where perhaps we could carry out some improvements, ~~develop them into a site~~, but they haven't been viable concerns, Mr Speaker.

One is conscious of the need to import more labour, Mr Speaker, my colleague of Public Works ^{has a} ^{which} Department is seriously understaffed and he just isn't finding it easy to get the required labour. The source does not seem quite to be there, Mr Speaker, and as I say one would bend over backwards to do everything possible to accommodate people.

For the future it does mean that employers for the bigger projects certainly are going to have to think very very seriously where they bring their labour from, ^{whether} ^{can} they get it from outside, because the labour isn't available in Gibraltar, and all that is happening is that we are having Poaching from one employer to another

MR SPEAKER:

Yes, but we must not go into the labour situation. Accommodation is what we are discussing.

HON M XIBERRAS:

Sir, I think the accommodation of labour is something which the House was very concerned with, Sir, and

MR SPEAKER:

I am not suggesting that you should not discuss accommodation.

HON M XIBERRAS:

I am not, Sir, for a moment going against your ruling

MR SPEAKER:

I am suggesting that you should not discuss the labour situation. The accommodation of labour is what we are discussing.

HON M XIBERRAS:

The accommodation of labour is crucial, Sir, and has been crucial since 1969 with the whole development of Gibraltar and, therefore, this particular item is very important, and should be related to what the Financial and Development Secretary has to say. And in fact the whole nature of the Budget which I don't propose for a moment to discuss now. It is most important that we should know what the actual situation is and what the expenditure of Government under this Head is going to because this is going to determine the expansion or the contraction of the economy and of our building programme generally, which is again basic to the position of Gibraltar

and has been held to be basic by Honourable Members on this side over, since 1969. Now it is quite true that expenditure on this Head may have been affected by the fact that there were only 40 or so occupants in the Hostel which was built out of HMG Funds in 1970, in great haste. The Honourable Member opposite will no doubt be aware that this was because it was hoped by the previous administration that most of the skilled workers would be housed in that Hostel, and it was on those grounds that we made representations to Her Majesty's Government in December, 1969. Now we did not want to put at that time more people into that Hostel because we might have found ourselves in the position of having to ask them to leave shortly afterwards when the Viaduct building begun. It seems to me now that there is sufficient scope, sufficient room in that Hostel to allow for a further expansion in the building programme and it seems to me to be quite unfair to suggest that it is for lack of accommodation. I am not saying that the Minister said this, it would be quite unfair for anyone to suggest that it is for lack of accommodation, which has been a critical factor in the past, that we are unable to embark on a more ambitious development programme or even to maintain the present level of building. This was a problem which was dealt with fairly satisfactorily by the last administration.

What I am asking the Minister to consider, in respect of this particular item, is the general approach to the subject of building which was made patent in the address we had this morning by the Honourable the Financial and Development Secretary. And I do not think, I do not believe Gibraltar will be well served by the Minister either rushing to fill these places up now without looking forward to what his Government has in mind as regards the building trade, or if there is to be not very much expansion or even of maintaining the present rhythm building, I do not think that this particular argument should have been in any way contributed to the position outlined by the Financial and Development Secretary.

I know that in the past there has been several persons, I can quote one Quantity Surveyor employed by the Public Works Department, who said that the lack of accommodation was so great that we would need 2,000 beds immediately, otherwise the Varyl Begg Estate could not even be started. And I remember refuting these arguments myself, I remember the Varyl Begg Estate starting. What I would like to put into the mind of the Minister is that this lack of accommodation should not be used anyway as an argument against a more ambitious development programme than the Honourable the Financial and Development Secretary hinted at this morning. And may I also say, Sir, in respect of this, that even though I realise that there would have been an overapill if the Regulations controlling accommodation of labour from abroad had been applied strictly in the private sector, and the Government would have been called to accommodate this overspill: in other words if there were 20 people living in a particular private Hostel and the Regulations said that only 10 could live there, that there would be pressure from the employers for the Government to take on the extra 10. I do not think it is very much in the interest of Gibraltar that the Government should

take on this burden because it would leave the Government of Gibraltar open to the accusation that they have not the capacity to build any more in the future because they do not have room to accommodate their labour. This is the sort of argument which Members on this side would not accept.

It is a very serious question affecting the whole economy of Gibraltar and, Sir, I do not apologise to the House for spending so long at it. This is absolutely crucial, was crucial in 1969, is perhaps more crucial today than ever especially bearing in mind what the Honourable the Financial and Development Secretary had to say this morning.

HON A J CANEPA:

There are one or two remarks I want to make on that, in so far as they concern me and in so far as I have got responsibility for the actual accommodation of imported labour we provide. And that is that I can assure the Honourable the Leader of the Opposition that I am not concerned to rush into wholesale filling of the 150 vacancies or so that there are at Devil's Tower. As long as accommodation of labour pays for itself I certainly am not going to rush into filling those just in order to make a profit. I am not concerned with that. I have spoken about these 40 that could immediately be made available. I should also add that I had given an undertaking to the Department of the Environment that we could put 50 workers up at Devil's Tower should they require the accommodation in connection with a project which they have shortly to get off the ground and which will bring into Gibraltar a great deal of economic activity and a great deal of money which I am sure is worthwhile. And that would leave about another 50 or so, Sir, which I think the Government should always have up its sleeve for its own development projects, or for any emergency for that matter. So I want to keep a balance and that is all I want to say on that.

HON M XIBERRAS:

Sir, I wonder whether the Minister would be kind enough to tell the House, he has spoken in terms of 50 places at Devil's Tower Hostel for DOE, and of course any building that takes place in Gibraltar is most welcome, and if there is a project which Honourable Members know about for DOE is carried out this would be of course of great benefit to Gibraltar, no doubt, but that leaves him with 50 places to fill for any future development for Gibraltar.

MR SPEAKER:

Yes, but we are now departing from the point at issue.

HON M XIBERRAS:

May I put the point, Sir, to the Minister, ask the Minister whether in fact the lack of accommodation, the possible lack of accommodation for skilled craftsmen has been put to him as posing a serious obstacle to any development programme of Gibraltar Government?

MR SPEAKER:

That's fair enough.

HON A J CANEPA:

I didn't say that it is the lack of accommodation for skilled craftsmen.

MR SPEAKER:

We will take a vote on other charges.

Other Charges was agreed to.

Head X - Public Works - Personal Emoluments.

HON J BOSSANO:

Mr Speaker, on page 31, item 14, there is £670 increase in respect of the emoluments for the ~~Clenasing~~ Superintendent, part of which is attributable to increments and part of which is attributable to the Biennial Review. Can the Minister say how much of this was the Biennial Review settlement.

HON LT COL J L HOARE:

No, I cannot give you the break ^{down} between the two, but the salary of this individual is in fact in stages. I think part of the Biennial Review was in this individual coming into the A and P Grade. He was not a professional and he has now been absorbed into the A and P Grade. This accounts for the big rise. Obviously he has now got a lot of additional responsibility.

HON J CARUANA:

I am not sure whether I have missed it, but I do not seem to see the post of Town Planner in the Estimates.

HON LT COL J L HOARE:

The town planning now comes under the Drawing Office. The town planning duties are in fact being undertaken by the Chief Architect and the question of his final designation and remuneration is still under negotiations. They will not be a separate Chief Architect and a separate Chief Planning Officer as there has been in the past. The posts are being combined.

HON J CARUANA:

Mr Speaker, I am asking this question because I remember debating this issue at the time when the Bill for the Town Planning Ordinance were taken in the House. The responsibility for ensuring that that Ordinance is put into effect is the responsibility of the Town Planner and according to the information in front of us the post does not exist today.

HON LT COL J L HOSARE:

I will try to explain, Mr Chairman, The Chief Architect is in fact undertaking the duties of Chief Planning Officer, but until agreement has been reached on his designation and his new salary for doing those two jobs, we have not thought it right to include it in the Estimates.

MR SPEAKER:

Any further questions on personal emoluments.

HON MAJOR R J PELIZA:

On the Town Planner. I think the Town Planner previously was provided by ODA. Does ODA make any contribution at all now?

HON LT COL J L HOARE:

No, nothing at all. This was ^aonce and once only secondment of ~~this~~ ^{an} individual.

HON P J ISOLA:

Am I right in thinking that there are a number of new posts in these Estimates of Public Works?

HON LT COL J L HOARE:

I will make the position clear. What has happened is that for a very long time we have followed the pattern set many years ago and kept the chaps under those same headings. There have been no additional posts but the position here now reflects the exact position as it is on the ground. There are no additional posts but the people have in fact been shown in what actual jobs they are doing at the moment.

MR SPEAKER:

Any further questions on Personal Emoluments?

HON J BOSSANO:

Mr Speaker, page 34 - Housing Section. The establishment for 1973/74 shows a Temporary Clerk which is no longer there in 1974/75.

HON LT COL J L HOARE:

Yes, I think you will find that the Clerical Officers have been increased from one to two.

HON L DEVINCENZI:

Item 63 - Rent Collectors. Why has provision been made for nine only?

HON LT COL J L HOARE:

I really cannot give a concrete or full answer on this, but this is I think the numbers they have got at the moment and this is all the provision that is being made for.

HON M XIBERRAS:

Sir, is the Housing Section or Housing Unit as I prefer to call it, adequately staffed?

HON LT COL J L HOARE:

Mr Chairman, this is really going to lead into a rather embarrassing position, because although the Housing Section is shown here, there is a Minister responsible for it who because of certain administrative difficulties has not been able to have it subheaded, but as far as I know I have not been told that there is any shortages there. We have provided in the estimates what the Housing Section asked us to include in here.

HON J CARUANA:

Can the Minister say who is the Head of Department of the Housing Section?

HON LT COL J L HOARE:

The Head of the Department is the Housing Manager.

HON J CARUANA:

Mr Speaker, I do not think the Minister is quite correct in that statement.

HON LT COL J L HOSARE:

Oh! the Head of the Department. Yes, because it happens to be under this vote, technically, at the moment, the Director of Public Works, but in practice he does not deal with Housing problems, this is the Housing Manager's job. That is why I say that because of administrative difficulties this Item should come under a different Head altogether. But it hasn't been possible to exclude it from the Public Works side.

HON J CARUANA:

/do you

After having gone through the new look in Housing in the last few years, consider it important that the Housing Section should have a definite Head of Department, a separate Head of Department?

HON LT COL J L HOARE:

I am quite sure that this will be the accomplished fact, once the Housing Unit moves out of the Haven it will have its own accommodation in the City Hall.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

If I might just make a comment here because I am in part responsible for this entry at 63.10 Rent Collectors shown as an establishment, but with a note - financial provisions for nine only. There are nine at present and nine at present are doing the job perfectly satisfactorily. However, there has been an establishment of 10 in the past and we have not taken that away. With the increasing amount of accommodation becoming available, Sir, if there were a case half way there we would have, of course to come for additional provision to the House if necessary, but once or twice in the Estimates it will be seen that we are providing for the staff in post but not cutting out finally something more existing in the establishment.

HON M XIBERRAS:

I am very glad to hear that because as the Honourable the Financial and Development Secretary knows, the House knows, the Rent Collectors were involved in a very long dispute with the Government, one of the longest strikes I think in the history of industrial relations, so I am very glad that the general idea, if I get it right, is that there will not be an increase in the number of Rent Collectors if at all possible, but that the present Rent Collectors will, by some sort of productivity arrangement, collect the money for the new Government buildings. We are very glad to hear that.

Sir, may I ask generally on this Head. I believe the Productivity and Training Unit were taking a look at the general structure of the Public Works Department and can I ask the Minister what the results have been. Whether any savings have been affected, whether any general guidelines, for instance on the recruitment of labour both industrials and non industrials, have been established and accepted by the Government. This is after all the biggest spending Department of the Government and there is a new note of productivity in the Honourable the Financial and Development Secretary's speech. He lost this particular note last year and I see him coming back to it after some time. It is a very important note, if I may say so, and here of all places is where it should be heard.

HON LT COL J L HOARE:

Yes, the Productivity and Training Unit have put in a very lengthy report. They took a very long time over it, a very detailed Report and the recommendations are being implemented. There is provision there, a note about the improvement of staff on the industrial side, and this they do by encouraging as many people as we can to take upgrading courses and further training courses in the Constructive Centre. But these highest skills can only be obtained at the expense of the labouring class. In other words you are robbing Peter to pay Paul. So that eventually the only solution is to be able to get a bigger labour force. They produce a bit more, this is a fact, but you still want a force who will do the labouring, the digging the holes, the filling in of the holes, all the manual work at work which goes into a Department such as this.

HON M XIBERRAS:

Sir, of course this is related to the other side of this vote, not the Staff other side, but I do not find the Honourable and Gallant Member comments terribly helpful if I may say so. This is a large chunk of Government spending. To my knowledge the Productivity and Training Unit were investigating how to deal with the expenditure in this particular subhead. This is of general public concern as well, this is of concern to the Government and to the Opposition. What I want to know is what actual general guideline the P & TU come up with after the very lengthy report, perhaps lasting two years in this compilation, and I think the public generally is entitled to see the results of this.

MR SPEAKER:

Yes, but not here and now.

HON M XIBERRAS:

I am talking about the staff of the Public Works Department.

MR SPEAKER:

I think you are entitled to ask whether the recommendations are reflected in any way in the vote which is being debated, but not to go into the details of the recommendations. Whether the implementation of the recommendations have made any difference to the vote, that is all.

HON M XIBERRAS:

Sir, I am asking for the general guidelines, the general indication, because we are being asked to vote a substantial amount of money here.

MR SPEAKER:

All I am saying is that we must not go into the recommendations made. You can ask what effect the recommendations have had.

HON M XIBERRAS:

What effect it is going to have, or have they been taken into account.

HON LT COL J L HOARE:

Yes, they have been taken into account, they are reflected. For example the centralisation of Depots, that was one of the recommendations. This has been taken into consideration and is reflected here. The centralisation/Stores is another that springs regularly to mind. We have closed five or six Depots and Stores and brought them centrally into Ragged Staff. These are reflected in here. Now the other ones we are going gradually.

HON M XIBERRAS:

Those were the changes. What about the possible saving for the future. This is the general idea behind the Productivity and Training Unit's examination of this, are there any other savings? Is there any rationalisation? What has happened in the last two years? After all my Honourable Colleagues started the rationalisation process two years ago. What has happened in these intervening two years?

HON LT COL J L HOARE:

What has happened is that because of this centralisation and rationalisation, more work is being done by the same people. It isn't necessary to save money, or this is not the sole object of the exercise, it is to get more work done by the same number of people. This is the object of rationalisation and this is reflected here and in the general works around Gibraltar. How you can quantify this, I am sorry, this is quite impossible.

HON M XIBERRAS:

I do not agree with the Minister, but we will let the point pass. I think it is quantifiable in general terms. One way in which it is possible to do it generally speaking is the amount of money handled by the department and, therefore, when we come to the other side of this Head, the other aspects of this Head, the actual work being done, we will be able to judge whether the Minister's statement stands up to the test. I must say it is not much good, as the Honourable Mr Montegriffo used to say when he used to ask me for details of savings made by the Productivity and Training Unit in his time, and I used with great patience give him exactly what the Unit had done over the six months. I must say that I would have liked something rather more detailed from the Minister because otherwise we are just going to be talking productivity and when it comes down to the basic we are going to say we cannot measure it.

HON LT COL J L HOARE:

I will repeat that, you cannot measure it. When you have a labour force with something like 1200-1300 or 14,00 scattered in penny packets, there is no question of saving money it is what more work they do and this I am afraid cannot be quantified because you have nothing to relate it to. In other words the same / work isn't done two years running. amount of

HON J CARUANA:

The degree to which one can measure the effect of rationalisation and the effectiveness of having carried out the centralisation of Depots can be measured. In fact when we move on to the other items of Public Works we will see exactly how many revotes have been carried forward for the following year, which means to say that not much has been produced.

MR SPEAKER:

Did you want to say something, Mr Bossani?

HON J BOSSANO:

Mr Speaker, I think the Honourable and Gallant Minister said that there were no new posts under this subhead, that they were just shown in different places in order to reflect. Is it not the case, Mr Speaker, that in the one supplementary estimate that has come before the House in the course of the financial year there was a request for two new posts and the explanation then was that it was additional posts created in respect of TG III's.

HON LT COL J L HOARE:

It is true I have not said that it is a new post because it was passed last year by this very House.

HON J BOSSANO:

There appears to be a misunderstanding, it served not new because it was compared with last year. In respect of the Housing Section, Mr Speaker, is the Minister aware of general public discontent about the staffing situation in the Housing Section, where it is felt that members of the public are made to wait a long time in respect of queries about the housing situation generally because of the lack of Clerical staff, and this is due to an inability to recruit additional staff by the department, or is it that whoever decides on establishment will not allow the department to increase its staff?

HON LT COL J L HOARE:

I think I said before, Mr Chairman, that I cannot answer detailed questions like that because I only act as a post office, but I will repeat that as far as I know there has been no request for additional staff for the Housing Section. Perhaps the Honourable the Financial and Development Secretary will confirm that there has been none because establishment matters do not come through me at all.

HON MAJOR R J PELIZA:

Mr Speaker, I would like to come back to the question of productivity, because I think it is vital in this day and age to try to rationalise.

MR SPEAKER:

We are not going to discuss productivity under this Head.

HON MAJOR R J PELIZA:

No, Mr Speaker, but I think it is vital that if productivity is going to mean anything it has got to be quantified, and this is what I would like to say. If it is not quantified there is no knowledge whatsoever if there is any productivity. For instance I remember in my day the whole problem was how do we do it, and we studied this, and eventually it was a question of keeping statistics.

MR SPEAKER:

But we are not going to discuss productivity and how you are going to quantify it. It is out of order under this Head.

HON MAJOR R J PELIZA:

Well, Mr Speaker, what I would like to say is that I do not agree with the Minister that productivity cannot be quantified, and what I was going to do was to volunteer some information, to tell him how we can quantify it. If this is not possible then perhaps the Minister could give it some thought and realise that there cannot be any productivity without it being quantified.

HON M XIBERRAS:

Sir, on the total expenditure under this Head, it has an increase in some respects, a decrease in other respects, an increase of £35,000. We now have the machinery to deal with the efficiency of the Government. The efficiency of the Government is a matter of the greatest concern to people who are going to be asked to pay greater taxation.

MR SPEAKER:

That is a matter of general principles to be made in the debate.

HON M XIBERRAS:

I am raising this point in respect of this particular Head of expenditure because this is the largest department of the Government in terms of monies spent, and, therefore, I would expect the Minister for Public Works in the Government whose Financial and Development Secretary said that productivity is very important, to be able to come up with rather more of a systematic policy, systematic approach.....

MR SPEAKER:

Yes, but that is general policy with due respect. No, no, I am ruling you out of order. This is a matter for the debate.

HON P J ISOLA:

Are there any particular Clerks in the Housing Section who are exclusively devoted to attending to the public and to enquiries on Housing? It would seem to me that on the question of Housing, public relations is extremely important. An explanation of policy of Government on allocation and so forth to individual enquiries is very important. Are there any particular Clerical Officers whose job it is to do this?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Well, Sir, the Minister has passed it to me, and I give frankly the answer that I do not know whether there are any Clerical Officers in the Housing Section, whose entire duties are to answer queries. Obviously the Housing Section answers queries, but I will say this if you will allow me, Sir, that after what I said this morning, if we are to be thinking of how we may be providing additional staff to answer all the questions that the community will bring to us, if we wish, then we shall find, as I said this morning, that the expenditure on Personal Emoluments is just mushrooming.

HON J BOSSANO:

Is the Financial and Development Secretary not aware that there was a possibility of making enquiries previously on the ground floor of the Housing Section at the Haven where I understand the Consumer Protection Unit is now going to be housed.

CHIEF MINISTER:

This could be an opportunity for me to say that the Housing Unit will be moving shortly to the offices previously occupied by the Public Health Department at the City Hall, and therefore, enquiries will be dealt with at ground floor level.

HON J BOSSANO:

I would just like some clarification also. If the Government is still proposing to go ahead with the question of the Housing Corporation, would one expect offices in this line to be in any way connected with the Corporation?

HON A W SERFATY:

If the Honourable Member is referring, for example, to the payments of interests and rents, I would presume that the department that already collects rents for Government Housing would see to that as well, instead of having to create another department.

HON J BOSSANO:

Last year, Mr Speaker, we were told that the matter was still being studied, and I would like to know whether in 1974/75 this Study is going to continue, in which case we would not expect anything to be refelcted here, or are we likely to see any sort of materialisation of the idea of a Housing Corporation.

HON CHIEF MINISTER:

I shall be making a statement on the question of the next development programme in the general debate.

MR SPEAKER:

We will now take a vote on Public Works - Personal Emoluments.

HEAD X - PUBLIC WORKS PERSONAL EMOLUMENTS was agreed to and passed.

OTHER CHARGES

HON J CARUANA:

Mr Speaker, I would like to comment on Item 8, on page 35, Electricity Service. I assume this is the electricity bill for the Public Works Department. Am I assuming correctly or am I mistaken?

HON LT COL J L HOARE:

The Haveⁿ not just the Public Works Department.

HON J CARUANA:

I am grateful for that answer. Whether it is for the Haven or any other place in view of the fact that we have discussed already the Electrical Head, which has in fact more than doubled in cost, shouldn't we see here a doubling of provision/electricity for the Haven, or is it that through some miraculous means we are going to spend the same amount of electricity this year as we did last year in the Haven?

/of

HON CHIEF MINISTER:

It is not customary to anticipate what is going to come until it comes. When we deal with the question for electricity charges provision will be made to deal with the increase generally in respect of the electricity charges paid by the Government itself.

HON J CARUANA:

Surely, Mr Speaker, this raises a great point of interest on expenditure and income, on the whole of the Budget, because if the Financial and Development Secretary has taken into account here the cost of producing electricity.

HON CHIEF MINISTER:

Yes, but we cannot go into that until the expenditure is provided.

HON J CARUANA:

Well, we have already taken into account how much it is going to take to produce electricity. We have already taken a vote of almost £800,000 in producing electricity.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Chairman, yes, we have taken account in the Electricity Head of the known additional cost of fuel oil, but nowhere in these Estimates have we taken account of any other costs to consumers of electricity than apply today.

MR SPEAKER:

Any other item under Other Charges?

HON J CARUANA:

Item 5 - Unallocated stores. There is again a token vote in 74-75, but there now appears in the revised column the actual expenditure in 73-74 which is £8,000, and which compares quite dramatically with the actual expenditure in 72-73. In view of the much higher cost of materials that the Public Works faces, can the Government explain how they managed in 73-74 with only £8,000, when they needed £41,000 in 72-73.

HON LT COL J L HOARE:

Yes, Mr Chairman, I think the reason here is of course that materials were much difficult to get in 73-74 than they were in 71-72. There was a much greater backlog of work unfinished in 72-73 than there will be in 73-74.

/more

MR SPEAKER:

Any other questions? We will then take a vote on this: we are at Head X Public Works - Other Charges - Page 35.

Head X - Public Works - Other Charges was agreed to and passed.

MR SPEAKER:

We will now recess until tomorrow morning at 10.30.

The Committee recessed at 6.45 pm

Tuesday 26 March, 1974.

The Committee resumed at 10.30.

MR SPEAKER:

Mr Clerk, it is Head XI.

Head XI - Public Works Annually Recurrent - Government Buildings.

MR SPEAKER:

We will take them through the different subheads - as you can see they are subdivided. We are on Government Buildings now.

HON J CARUANA:

Mr Speaker, Item 1, Painting of Crown Properties. We see that we have an increase of £3,000 over last year's approved estimates but in fact at least £12,000 less than the revised estimates for 1973. Is it true to say that the increase of £3,000 is barely to keep up with the inflation in costs and that in fact less painting work is to be carried out this coming year than in the previous year?

HON LT COL J L HOARE:

No, Mr Speaker, this is not a fact. The £75,000 shown there included a revote from the previous year for works which couldn't be done in time because the contract was late in going out last year. We have done most of that programme now and we are back to our normal programme. The £3,000 which he has mentioned is to take account of the inflation in costs, but there is no intention of doing this. We did quite a lot of the big buildings and we are now coming on to a smaller one. The programme for this year includes the three remaining Blocks at the Alameda Estate - I promised to paint those; Sheffield House

in Inundation; and the Tower Blocks need flintcoating and repainting again. Those four items that I have mentioned amount to £31,000. Government Quarters £6,000; pre-war houses, 9 Castle Road, 6 Gowlands Ramp, 4 Richardson's Passage/ another £5,000. Then we have got the various departments: Education £8,400; Medical £4,500; Civil Prison £250; Fire Station, Magistrates' Court, Post Office, Police Quarters, Secretariat, Supreme Court, Museum, come to some £30,000 all together. So the programme is not being curtailed at all, we are keeping the same momentum.

HON J CARUANA:

I am still puzzled, Mr Speaker. In spite of the programme of painting which the Honourable and Gallant Minister for Public Works has outlined it is a very normal kind of programme, but I am still puzzled how we can keep up with the kind of money that we are voting today the still type of work which was carried out last year. I should imagine that on a very approximate calculation he would need at least £90,000 to do the same kind of work as last year.

HON LT COL J L HOARE:

Mr Speaker, the contract is still the same rate.

MR SPEAKER:

Call the other Head.

HON J BOSSANO:

Mr Speaker, Maintenance and Repairs of Crown Properties. Can the Minister for Public Works say whether the work that is being done, for example, at 5 Mount Road, comes under this subhead.

HON LT COL J L HOARE:

Sorry, I did not quite catch that.

HON J BOSSANO:

This Maintenance and Repairs of Crown Properties, does it include the sort of work that is being carried out in Government Quarters such as No 5 Mount Road ?

HON LT COL J L HOARE:

If 5 Mount Road is a Crown property, yes. It covers all Crown Properties.

/2
Richardson's
Passage/

HON MAJOR R J PELIZA:

The Honourable Minister said that the prices have not gone up because the contract still stood. How long will this contract carry on like this? Is it liable to fluctuation. I am sorry, I do not want to interfere, I just wonder whether he wouldn't mind.

MR SPEAKER:

We are now talking about repairs and maintenance, before it was painting.

HON MAJOR R J PELIZA:

Yes, I know, but my colleague

MR SPEAKER:

You can still ask about painting.

HON MAJOR R J PELIZA:

Yes, I would like to know about that one.

HON LT COL J L HOARE:

The contract ends in June, and by the same token that we dealt with in other items, we cannot foresee what the rate is going to be and we cannot allow for it. If it becomes a higher rate we will get supplementary funds and I have a promise from my colleagues that I will get them if necessary.

HON MAJOR R J PELIZA:

You are not as optimistic as all that to think that everything is going up and this contract is going to remain at the same rate. Surely it is wise to make provision for the extra rise in the estimates, otherwise all these estimates make little sense.

HON LT COL J L HOARE:

It makes as much sense to overestimate as to underestimate. I have a promise, in fact a commitment, from my colleagues that if this money isn't sufficient I will get whatever I need.

HON MAJOR R J PELIZA:

It is not a commitment from your colleagues, with all due respect. We are now looking at an estimate for this year. It should be a true reflection of the expenditure of the Government for the whole year. We cannot come out with this piece of paper which would mean nothing at all if all you bring here is some figures and the commitment that your colleagues will support you when you need more money during the year. I think this is absolutely the wrong assumption on which to bring this estimate, and I am sure the Financial and Development Secretary could not support that contention. So what I would say to make it more realistic is to take into account the rate of inflation that you think is taking place - whatever it is, 20%-odd as you have done with all the other items and put it down here, otherwise what is going to happen, with all due respect, is that you may find the financial side objecting to the continuation of the work because there is no money. And what is going to suffer? - maintenance! I would say that it is much more realistic to work it out, assume what it is likely to be - by no means overcharge a vote, I am not suggesting that for one little moment, but I think we should have figures that reflected the true position of your accounts for the coming year, if they do not if they are based on the premises that you have just said.

HON LT COL J L HOARE:

Mr Speaker, as usual we are dealing with theory rather than facts. Estimates are based on fact as we know them at the moment. But in this case let me correct the Honourable and Gallant Gentleman: the cost of painting has not risen at anything like the same rate of building materials. And I repeat what I said that I have the commitment of my colleagues, and this includes the Financial and Development Secretary, to let me have more money if necessary.

HON CHIEF MINISTER:

Perhaps something else should be said in this matter, and that is that there was a considerable amount of slippage in the first vote. A lot of money which was not spent last year was spent this year, and what Members were concerned about is how much amount of work could be done. Now on the assumption that all the work could be done this was a realistic estimate, but if in fact the thing turned out to be much more expensive because all the work could be done this year, then of course there would be supplementary provision. We cannot put up the whole of the vote by 20%, or whatever percentage the Honourable Member opposite said was the rate of inflation, otherwise the whole thing would be completely unrealistic, because the rate of increase in some cases is not exactly the same as in others. The element of labour in one is more than the element of labour in the other so it is perfectly proper. There is an increased provision, even based on the revised estimates from 1973, which was complained of in the first vote by the other Honourable Member who spoke, there is an increased provision of that, and I think that this is a very proper vote on which to maintain our buildings.

HON LT COL J L HOARE:

May I add one more. Comparison with the actual expenditure 72-73 is very illuminating and we only spent £28,000.

HON MAJOR R J PELIZA:

That if I may say is not very much to your credit. That money should have been spent, this is what provision was made for, and if the department was incapable of spending that money, there is something wrong with the way that department is being run.

HON J BOSSANO:

On the next item, I wonder if the Honourable and Gallant Member can give the House information on the work that is being done in 5 Mount Road in view of the

MR SPEAKER:

No, this is the general vote on maintenance, we cannot go into detail.

HON J BOSSANO:

Well, Mr Speaker, if we are not going to go into detail of how money is being spent, then how can this side of the House accept the argument that the Government has used that there is a need in Gibraltar to curtail the amount of public work that is being done.

MR SPEAKER:

That is perfectly in order to ask, but what we mustn't go into is particular repairs to be carried out to each particular building and property owned by the Government of Gibraltar.

HON J BOSSANO:

Well, can the Minister say whether any work is being done in this particular

MR SPEAKER:

The answer has been that if it is Government property, then, yes. That is the answer.

HON J BOSSANO:

Well, Mr Speaker, this particular Government dwelling was recently redecorated and so on for the Director of Education and now it is being subsequently occupied by another officer and apparently more work is being done on it. I would like an explanation before we vote any money, if the money is coming from this Head?

HON LT COL J L HOARE:

I am prepared to give the Honourable Member details in writing if he needs it.

HON P J ISOLA:

Mr Speaker, may I ask, a general question. What is the criteria adopted in livening up or freshening up Crown dwelling houses? Is the criterion the request of the occupier, or is there a general criteria applicable to all Government Quarters, no matter the status or the rank of the officer concerned?

HON LT COL J L HOARE:

It is a combination of both. Obviously you have tenants asking for work to be done because they know exactly what has happened, particularly recently. At the same time there is a laid down programme when we go round inspecting properties on a rota basis. It is a combination of these two working priorities that has to be done.

HON J CARUANA:

Mr Speaker, under Maintenance on Motor Vehicles, we have a decrease of nearly £2,000 here, is this again one of those instances where the increased costs of fuel and lubricants is not reflected in the estimates?

HON LT COL J L HOARE:

In this Head we are allowing for £3,500 for fuel and lubricants. This fuel is mainly diesel fuel of course, and a certain amount of petrol. How exactly that is arrived at I do not know, but neither can I compare at the moment here with the amount we decided for last year. I am sorry I cannot give you that information. I can give you the breakdown of how the figures are made up but not how each particular figure is made up. It is obviously based on the experience of the man running the MT garages and workshops.

HON J CARUANA:

I am not interested in the general breakdown of the thing but on the general presentation of this particular item when the House knows the increase that has been made to the mobile fleet of the Public Works Department and the increase of things, and I do not think I can honestly say that this reflects a true picture of this particular expenditure.

HON LT COL J L HOARE:

Let me repeat once again. We must not overlook the fact that we have been casting old vehicles very heavily in the last three or four years, and the new vehicles do not require anything like as much maintenance as the very old vehicles which we were using.

HON J CARUANA:

I grant the point of replacement of old vehicles, but I would like the Honourable and Gallant Minister to cast his mind back and recall exactly how many new vehicles were introduced into the department over the last two years, which were not necessarily replacing other vehicles.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

We have talked about efficiency and this is one example of efficiency, I think if anyone who has been as long as I have been in Gibraltar, 2½ years, looks around and sees the fleet of the PWD vehicles, there are of course obviously a lot of modern well conditioned vehicles, and I certainly, as Financial Secretary, will insist that the repair and maintenance of a modern fleet of vehicles is less than the repair and maintenance of an aged fleet.

HON P J ISOLA:

Mr Speaker, my friend jumped ahead, but on the supervision of Crown Properties earlier on

MR SPEAKER:

We will do it but we must be careful that we must not go back otherwise we will never progress.

HON P J ISOLA:

On Supervision of Crown Properties does this also include supervising Crown Estates? for instance we have talked a lot here about the conditions of the Laguna Estate, the gardens around it, and the embellishment of the area and so forth, does supervision of Crown properties include general tidiness around the Crown Properties or is this just Caretakers?

HON LT COL J L HOARE:

Caretakers and Lift Attendant. Now, the Honourable and Learned Gentleman has mentioned about cleaning the Glacis

HON P J ISOLA:

Can I ask the Minister then whether he has got a specific vote for supervising the sort of things that I have mentioned?

HON LT COL J L HOARE:

We have the normal cleaning of the highways and streets. Now, the cleaning within an estate is the responsibility of the tenants and the caretakers within the Estate, but the roads in the Estates and the roads adjoining it are the cleansing department's.

HON M XIBERRAS:

Spending this amount of money, does the Honourable and Gallant Minister have any plans to improve the tidiness and general.....

MR SPEAKER:

The Minister has said that this vote does not include provision for that. We are in general, is there anything else under general?

HON J CARUANA:

Item 16, Mr Speaker. Purchase of Motor Vehicles. I notice it is in the plural. Can we be illucidated on that one: are these replacement vehicles, new vehicles, and how many of them?

HON LT COL J L HOARE:

These are replacement vehicles. There are 3 three ton tipping lorries which are on their last leg and they are being replaced this year. £2,000 each.

HON J CARUANA:

Can the Minister say to which particular department these vehicles belong to?

HON LT COL J L HOARE:

They are used by all the departments, primarily in taking sand, soil and diggings, backwards and fowards. Taking materials to sites, etc.

HON J CARUANA:

Mr Speaker, I am wondering whether the department has taken into account the scheme which was introduced several years ago during my time in office of providing skips which I understand have already arrived in Gibraltar. The whole purpose of the exercise of bringing skips to Gibraltar Mr Speaker, skips are a kind of open container which is conveyed by a special lorry and is placed on the side of the street for the purpose of dumping debris, rubbish and so on and so forth. The idea of bringing a dozen or a half dozen skips to Gibraltar was partly to relieve work at the refuse destructor and to facilitate the depositing of debris and so on and so forth. I am wondering whether in this exercise we are not doubling up and buying skips and more lorries to do the same kind of work.

HON LT COL J L HOARE:

No, we are not, this is for a different purpose altogether. We are getting another lorry with skips - this is under another head - because of the Varyl Begg Estate coming into being and we feel that one lorry will not be enough, so we are getting a second one.

MR SPEAKER:

Right. Highways.

HON J BOSSANO:

The revised estimates for the current year is in fact much higher than the original one, about 50% more, and I do not think it has been approved in any supplementary vote. Can the Minister give an explanation for that very substantial increase during the current year?

HON LT COL J L HOARE:

I think this is a matter for the Financial and Development Secretary. We have got these vehicles, there have been supplementary funds committed by my colleague and I think supplementary estimates haven't been brought here as indeed there hasn't been any supplementary estimates for a lot of other works been brought here yet.

HON J BOSSANO:

May we know what it is?

HON LT COL J L HOARE:

It is obvious for the extra cost of vehicles from the time they were planned.

HON J BOSSANO:

I see, so it isn't that more vehicles were bought in the last year, just that the same amount of vehicles have cost more money. 50% more.

MR SPEAKER:

Highways.

HON P J ISOLA:

Illuminations for Festivals, I thought there was a decline in festivals!! How is it that there is an increase in illuminations?

HON LT COL J L HOARE:

I think that the provision here is of 1,350 for Main Street; Catalan Bay £250, and from the savings of that we also do Moorish Castle in connection with the procession of Our Lady of Lourdes up there. This covers all the illuminations.

MR SPEAKER:

Right, so we will do Gardens and Beaches together, I think they do have a certain amount in common.

HON J CARUANA:

Mr Speaker, Item 26. Does the increased cost of £106,000 for the upkeep of gardens and parks reflect the cost of the employment of gardeners and labourers on overtime in the gardens of civil servants?

HON LT COL J L HOARE:

Obviously it does not because, no civil servant is entitled to the services of a gardener free of charge. Now, this is not to say that an individual cannot be employed by a civil servant in the former's own time. In fact I have been trying, because of my work here, to get one of these men on a Saturday afternoon to work for me to keep my little wilderness going. I haven't been able to because the men are committed elsewhere. These are the men that I use as my shock forces for the cemetery just before October and November.

But the Honourable Member has made a grave accusation and I really must take notice of this. Perhaps I may be given details of this so that I can investigate and take the necessary action because I look upon this very seriously.

HON J CARUANA:

Mr Speaker, has the Minister received any correspondence from members of the public referring to such an allegation?

HON LT COL J L HOARE:

Yes, Sir.

MR SPEAKER:

We are not going to investigate

HON J CARUANA:

Mr Speaker, does the Minister need me to corroborate that allegation then, if he has already received correspondence from members of the public.

HON LT COL J L HOARE:

Those allegations have been retracted.

HON J CARUANA:

I am very glad to hear that, Mr Speaker.

HON CHIEF MINISTER:

The accusation is still left open and if they are made by Honourable Members opposite they should substantiate them, otherwise they are worth nothing at all.

MR SPEAKER:

Order. I have taken the questioners words as an enquiry: "whether it includes"¹/₂ There has not been an accusation, as far as I can interpret from the question itself. I have taken it as purely informative: "does it include gardeners working for civil servants".

If there are none, then that is the answer.

HON LT COL J L HOARE:

Mr Speaker, if I have misunderstood the purport, I apologise, that is all. But I took it as an accusation.

MR SPEAKER:

You were entitled to question whether it was an accusation, I must allow that to the Minister.

HON J CARUANA:

Mr Speaker, but in fact if I may clarify the Minister hinted that he knew of the possibility

MR SPEAKER:

I am not going to go further. No, no, I will not allow any more.

HON L DEVINCENZI:

Mr Speaker, on the same Item but on another subject, Mr Speaker. The question is whether the expenses here include overtime work on gardens?

HON LT COL J L HOARE:

No, Sir. There is no overtime provided under here, but there is an additional item for seasonal labour, which I can use for that very purpose if I have to work these people extra.

HON L DEVINCENZI:

Mr Chairman, I am in fact concerned. I am all for overtime when it is needed, but I have in fact seen on more than one occasion on a Saturday afternoon on Winston Avenue about ten or twelve labourers, mostly aliens, ; planting little trees and plants on a Saturday afternoon. Is this justified? Is this the way part of that money should be spent?

HON LT COL J L HOARE:

I know they have been working on Winston Churchill Avenue trying to make that part of the road much more attractive to people coming to Gibraltar for the first time, from the frontier onwards, or from the air terminal onwards. I will look and see if they have been working on Saturday afternoon or Sundays, whatever it is, but to my knowledge there has been no overtime specially provided for that job .

HON P J ISOLA:

About the upkeep of gardens and parks. Can the Minister tell us whether the area between the new Shell Station and the Notre Dame School qualifies as a park, or a garden, or the area of the Laguna Estate. Will those areas qualify as gardens or parks? I know they do not even look remotely like gardens and parks but I think we have been promised here from time to time that they will do so at a future date. Is this money partly going to be spent on that?

HON LT COL J L HOARE:

Mr Speaker, I am sure the Honourable Questioner hasn't been there lately because if he has he has found that for the last ten days we have been levelling the ground there getting it ready of course for the summer festivities, the summer fair.

HON P J ISOLA:

Yes, but that doesn't really answer my question. I know that they are getting it ready for the summer fair, and we are all delighted that there is going to be some sort of something to entertain people, but I am asking; does this vote provide for all that, and will this vote ensure that all that area is tidied up and kept tidy and attractive, not just for the summer fair but throughout the year?

HON LT COL J L HOARE:

Of course it does, but the accumulation of rubbish over the years in Gibraltar will take a little time to clear. I think we are doing quite a bit.

HON W M ISOLA:

Mr Speaker, on the question of the upkeep of gardens and parks, I assume that this heading also includes the upkeep of children's playgrounds. Is the Minister satisfied with the state of the children's playgrounds and has he under this heading any money to be spent on improving children's playgrounds generally?

HON LT COL J L HOARE:

We had a question about this a little while ago, and then I went the very next day with some very senior members of my staff, and quite a number of the allegations were somewhat exaggerated. Anyway, I am not satisfied ever until I get perfection, but we do our best.

HON P J ISOLA:

Mr Speaker, that is a very dissatisfactory answer. We get this from Ministers all the time: "We are never satisfied". Yet when they go to an election they don't say: "We are not satisfied", they tell everybody what they have done. What we are interested in this House is to know what the Minister is going to make it better, not with the general answer that he is never satisfied. That doesn't take us anywhere, Mr Chairman. When we are asking if he is satisfied with the playgrounds we are not asking for a Utopia, we are asking for slight improvements, however difficult this might be.

MR SPEAKER:

I must not join the debate, but I think they indicated that they are doing their best.

HON P J ISOLA:

Not very illuminating for this side of the House to be told that they are doing their best because different sectors of the House have different views on what the best is, and I think we would like to have a little more concise information.

HON LT COL J L HOARE:

When the question is more concise then I will try answering it, but a general question as that gives me very little scope to give a direct answer.

HON J BOSSANO:

Can the Minister say what proportion of this sum is going to be spent on children's playgrounds in 1974-75?

HON LT COL J L HOARE:

How can one say that, really! The answer is that people will be sent round there as and when the grounds require attention. They are patrolled every day, they are cleaned every day, they are swept every day!

MR SPEAKER:

Order.

HON J BOSSANO:

Appart from sweeping the playgrounds every day, does the Minister think he needs to put anything in the playgrounds for children to play with?

HON LT COL J L HOARE:

Does he mean anything more, and if so, in what playground, and what does he suggest.

HON J BOSSANO:

Specifically, Mr Speaker, does the Minister intend at any future date to replace the roundabout that was removed from the Alameda Toddlers' Playground, and if so, is the money coming out of this vote?

HON LT COL J L HOARE:

I will certainly look into that. I have never seen a roundabout there in the whole of my time so it could not have been there before, but swings and seesaws and things like that are there. If he wants a roundabout, particularly for himself, I will get him one! (laughter).

HON J BOSSANO:

Mr Speaker, is the Minister satisfied that the improvement of the deteriorating conditions of the slides in the Alameda Playground are adequately catered for by the sum included in this vote?

HON LT COL J L HOARE:

If those slides require replacement of the cover, which I think is what the Honourable Gentleman is getting at, then, yes.

HON J BOSSANO:

Mr Speaker, the cover, the wood, and the concrete supports.

MR SPEAKER:

Yes, but we are not going into the details of repairs to parks. We are going into the capital expenditure and the vote itself, otherwise we will be here

HON J BOSSANO:

Mr Speaker, I am interested to know whether in 1974-75 the children's playgrounds are going to be improved or not, in any way at all. The Minister does not know what proportion of the vote is going to children's playgrounds, he has no idea of the work that is needed, and he comes to this House and says that he is trying his best! On those conditions, with that sort of lack of information, his best absolutely nothing.

MR SPEAKER:

Order.

HON LT COL J L HOARE:

As we all know, the Honourable Gentleman gets very excited about nothing. This is for the staff of all the gardens and open spaces. This staff, this general work force goes round and does whatever job is necessary. We do not have a permanent force attached to each playground: that would be sheer waste of manpower which we just cannot afford.

MR SPEAKER:

Right. We will go to Beaches now.

HON WM ISOLA:

Mr Speaker, I would like to go just one moment to Item 22, Maintenance of Roads

MR SPEAKER:

No we are not going back. I warned Members we would not do so. I warned Members, when the Honourable Mr Peter Isola tried to go back, that it would be the last time. We must look at our estimates as otherwise we will never progress.

HON WM ISOLA:

Mr Speaker, it is very difficult because in this particular case Mr Caruana, my friend on my right, is the man responsible for this particular vote and naturally we give him the opportunity to get up first like at other times you have called the various headings

MR SPEAKER:

The opportunity is given to every single Member to raise any matter, and these subheads have been called out one by one. Yes we have called "Government Buildings", we have called "General" now we are at "Highways" and now we were doing "Gardens" and we cannot keep on going back.

HON WM ISOLA:

Mr Speaker, it is just a very general quick one.

MR SPEAKER:

I will have no other Member asking questions on this one, except the Honourable Mr Isola.

HON WM ISOLA:

A very quick one. I am much obliged for that. I noticed, Mr Chairman, that for the estimates 1974-75 we are being asked to provide £38,000, which is an increase of £800, and in the marginal note that this £800 that we are being asked to vote is an increase due to increased costs. Well, I would imagine, Mr Chairman, that since the costs for the maintenance of roads have increased so high, is it a fact, or is it generally speaking, that it is the policy of the Minister that in 1974-75 there is going to be a curtailment in the maintenance of roads generally in view of the very slight increase of £800 on such a substantial vote of £38,000?

HON LT COL J L HOARE:

The question of road and things like that comes under another vote, and he should jolly well know that!!!

MR SPEAKER:

Right, that is the answer. Beaches, I think.

HON P J ISOLA:

Mr Speaker, before we get to the beaches, the upkeep of the Upper Rock. What exactly does the Minister do there? Apart from live, you know, in this vote, I mean.

HON LT COL J L HOARE:

He uses the Upper Rock a great deal for walking and

MR SPEAKER:

Order. I want to know what the Member is asking. I am not clear in my mind.

HON P J ISOLA:

Apart from living there, Mr Chairman, was just an amusing aside. I didn't mean

MR SPEAKER:

I want to know specifically what the Member is asking.

HON P J ISOLA:

What the Minister is doing in the Upper Rock area.

MR SPEAKER:

In respect of what?

HON P J ISOLA:

This vote. What he is doing for the upkeep of the Upper Rock.

HON LT COL J L HOARE:

Mr Chairman, the Upper Rock is very very popular place at weekends. There are thousands, literally thousands of people going up there. One of the objects is to keep it clean. The second object of this fund is to maintain the fire breaks on the Upper Rock, which is an essential commitment of the Government's. We have to keep the fire breaks in perfect order.

MR SPEAKER:

Right. Beaches.

HON P J ISOLA:

What is it a gang that the Minister has working in that area. A specific gang for the Upper Rock?

HON J CARUANA:

Beaches and Montagu Bathing Pavilion. Item 30, Mr Speaker. Can the Minister say whether in this vote is included the cost of keeping and maintaining a boat at the Montagu Bathing Pavilion?

HON LT COL J L HOARE:

As usual there is a little venom there. My boat has been there because

MR SPEAKER:

Order, we must not bring inferences every time a question is asked because otherwise we will never end. If there is an allegation then of course one must rise to the occasion but there has been a straight question as to whether it includes the cost of keeping a boat in Montagu which is specific for sea rescue, I understand. But one must accept it as it is asked.

HON LT COL J L HOARE:

It includes the keeping of the one boat which is used for life saving purposes there.

HON J CARUANA:

Mr Speaker

MR SPEAKER:

I will not have any comments on what I am saying. That is the answer.

HON J CARUANA: ,

I asked a question about the boats at the Montagu because I use the Montagu quite a lot, Sir, and the boat does appear to be in a bad condition but the Minister started saying something about

MR SPEAKER:

I will not have a reference to that. You have asked a question, you have been given an answer, you can ask another one if you want.

HON J CARUANA:

Will the Minister say whether there is any permission to keep other boats in this area?

MR SPEAKER:

No, that has nothing to do with the vote.

HON M XIBERRAS:

Mr Speaker, this is about the only time in the year when matters....

MR SPEAKER:

No, you are misunderstanding me. We are voting money.

HON M XIBERRAS:

I haven't spoken yet.

MR SPEAKER:

Yes, I know, but I do know I am entitled to judge an inference otherwise I cannot call people to order. We are voting a specific sum for a specific purpose. Now, whether people keep boats there has nothing to do with it.

HON M XIBERRAS:

Sir, may I respectfully suggest, Sir, that if public money is spent in the upkeep of a place, under what conditions that place is kept up is a matter of interest to this House, and, therefore, the keeping of boats, if that were to be the case, the keeping of boats in a public place is a charge upon public money. May I suggest, Sir, that if boats are kept in the Montagu Sea Bathing Pavilion

MR SPEAKER:

That has nothing to do with the particular item which we are voting.

HON M XIBERRAS:

. . . . and that is Government property, which is

MR SPEAKER:

That is another matter and I will not have my rulings questioned. That is out of order.

HON J CARUANA:

Mr Speaker, I bow to your ruling, and I think that I shall demand of the Minister an explanation in writing.

MR SPEAKER:

You can do that in this House at a different time but not at this particular time.

HON J CARUANA:

Mr Speaker, have we established in fact that the boats at the Montagu is for life saving and the maintenance of the boats is included here in this vote?

MR SPEAKER:

Yes.

HON W M ISOLA:

On Item 30, Maintenance of Beaches and Montagu Sea Bathing Pavilion, can I ask two small questions. One is how much of these £39,950 is going towards the upkeep of the Montagu Sea Bathing Pavilion?

HON LT COL J L HOARE:

I have two Beach Keepers, 11 Life Guards, 5 Beach Keeping Lifeguards, 20 male cleaners. . . . I haven't got it broken up in detail. The position as to the Montagu Sea Bathing Pavilion is of course that a great deal of the labour which is used outside brought in to repair, embellish and improve Montagu Bastion. If people have been using it over the last couple of years they will have noticed that we have reclaimed a great deal of land to the South of it. This year we have reclaimed another large area in the centre of it and made a Toddlers' Pool in the middle of it. And next year we hope to be able to extend that right to the very end. But the labour which is specifically at Montagu Bastion in the winter time is I think only 1 caretaker and 1 cleaner, but I haven't got the breakdown by the various beaches.

HON W M ISOLA:

Mr Speaker, this is quite a substantial sum of money, £39,950, to spend on the maintenance of beaches, and since such a vast majority of us use the beaches in the summer, is the Minister satisfied that in view of the enormous amount of money being spent in the upkeep of these beaches, that the standards of upkeep is good generally, and, secondly, has the Minister any plans at all to try to improve the state of our beaches in this forthcoming season?

HON LT COL J L HOARE:

There is no doubt, Mr Chairman, that the beaches are more popular than they ever were. I do not think I have had a single complaint of substance throughout the whole of last year, but I do know that 28,646 people paid to go into Montagu Bastion. And I do know that the takings from the other beaches increased to £1,806, so they are being used. The beaches are not only very well patronised but I get a great number of letters commending the staff.

MR SPEAKER:

Yes, but we are talking about whether the standard is what you expect it to be.

HON LT COL J L HOARE:

The standard is very high, Mr Speaker.

HON W M ISOLA:

The second part of the question was: has the Minister - since he is always trying to improve and trying to get everything of the best - has the Minister any concrete plans to try to improve the beaches this forthcoming season?

HON LT COL J L HOARE:

The word "Improving" is so wide, Mr Chairman. Does he mean providing more facilities, providing greater beaches, additional beaches? What we are trying to improve, and by improve I take it that he means better the conditions existing, we are doing it constantly, we are providing more facilities at all the beaches.

HON W M ISOLA:

Can he give us a concrete example. For instance, he knows that in the changing rooms at present if somebody wants to have a shower he has got to put a 6d coin in the meter. Now, this coinage is difficult to get: has he made any arrangements to change this type of coinage? Has he tried to instal more showers in these changing rooms at Eastern Beach, and at Catalan Bay because of the requirement of the increased number of people using these beaches? Has he decided to have bigger changing rooms as those at present in use are small for the use of members of the public? Those are the types of improvements that I am trying to get at. Concrete example. Has he plans to do any of these things I have mentioned? I haven't mentioned any others, just these three.

HON LT COL J L HOARE:

The first one, yes. The coin boxes have been altered, because we know that 6d coins were not available and in any case a lot of them are worn out. They now pay the caretaker who issues a ticket and then turns the water on. Now, as regards additional showers baths, yes, we have but not under this vote.

Extending facilities, yes, we are carrying out a lot of changes at Montagu Bastion, constructing communal rooms rather than single cubicles the use of which a single person can have the use of all day, and we are providing stores. So there are constant improvements.

MR SPEAKER:

Right, Salt Water Supply.

HON P J ISOLA:

Mr Speaker, Coastline Protection. This plunges up all sorts of things in my mind and I am sure it is none of them. What is this Coastline Protection Vote. I feel it is a comparatively new thing.

HON LT COL J L HOARE:

No, Mr Chairman, we have had this before. This is to have money available to carry out repairs to the coast line which occurs as a result of the storms. So rather than have to go for money later, we have something available for immediate emergencies.

MR SPEAKER:

Right. Salt water supply.

HON M XIBERRAS:

Mr Speaker, I think it was under something that the £34,250, which the Government hopes to spend for this coming year and I asked the Minister some time earlier whether any improvement, any rationalisation of the service would be achieved. This was in fact last year and I wonder whether the Minister, before putting forward this vote to the House, could tell us whether he has considered any savings that might have been made in the manning of these pumps. As I recall there was a project which I brought to the notice of the Minister involving a saving of £11,000 or so over a period of time, produced by the Productivity and Training Unit about two years ago.

HON LT COL J L HOARE:

Mr Speaker, at the moment I am having a very deep study made into trying to make both these pumps automatic so that they do not have to be manned 24 hours a day. This is the major improvement we have in mind in respect of the pumps. And ~~at~~ under another vote we have the cleaning of some of the reservoirs which have been done for almost beyond living memory.

HON M XIBERRAS:

Sir, may I emphasise that this study was carried out over two years ago, I brought to the notice of the Minister on at least one other occasion in the course of last year, and that it is not a very satisfactory position that no progress, other than we are having a study, has been made before bringing £34,250 to the House for approval. And the saving involved, if I remember rightly, as I said, is in the order of £11,000.

HON LT COL J L HOARE:

Results do not flow from thought immediately. There is something like a ten month delay in supply of pumps and this is what is holding it up. We cannot do a thing until we have got the pumps.

HON M XIBERRAS:

Can the Minister then say that the study has been approved already, has been accepted, and that pumps are going to be installed?

HON LT COL J L HOARE:

Yes, I have said this.

HON M XIBERRAS:

Could the Honourable and Gallant Member give the House an indication of what savings he hopes to effect once the pumps are installed, and whether this will be in this coming year.

HON LT COL J L HOARE:

I cannot tell when the pumps will arrive, Mr Speaker. All depends on that. Then you have the engineering work of providing the housing, then you have to instal them, and then you have to test them before you switch from one type of pumping to the other. This is a question of time. All these things are being looked into, they are being done, but you cannot produce results just like that.

HON M XIBERRAS:

Sir, the study was ready more than two years ago, and however slowly the results flow, over 2 years is sufficient time I would say. My main point is to try to determine whether the Minister is aware of this drive for productivity, which the Government has now discovered after a further two years, and whether he is aware that the major virtue is not of making this automatic, but in the savings that are going to be effected and, therefore, I would have thought he would have been in a position to tell the House, now that the pumps are practically in order, what saving is going to be effected. Am I right in saying it was something like £11,000?

HON LT COL J L HOARE:

I think it is likely to be more. Because it means that you don't have to have 2 men there, you need only have one. You don't have to have two men there day and night, you will have one for maintenance purposes only.

HON M XIBERRAS:

Sir, will the Minister, nevertheless, bear in mind that these persons at present employed there are, as I understand it, not the youngest of people and, therefore, that they should be phased out rather than dismissed, in carrying out these savings. In other words saving is done over a longer period of time.

HON LT COL J L HOARE:

I may have many faults, Mr Chairman, but man management is not one of them.

MR SPEAKER:

Right. Potable Water Supply.

HON P J ISOLA:

The operation of the distillers. Increased fuel costs we were told is the reason for the substantial increase in expenditure. Could the Minister tell us how the cost is divided as between the two distillers? the one at Devil's Tower Road and the one at Viaduct, and can he tell us how the production of water compares between one and the other?

HON LT COL J L HOARE:

Mr Speaker, the comparison between the two is only possible in comparing output. The staff required is almost identical at both. We are basing this on the latest increase in fuel of course, and this is a great amount. We use 4,000 gallons a day of this heavy fuel - this is measured in gallons rather than tons. The rated output of the North Face is between 1½ millions and 2 millions gallons a week, the VTE is 2 million to 2,300,000 gallons a day. The North Face has been working remarkably well despite its many years of active operation. It hasn't had a rest since Christmas this year, with only one minor shut down because of abnormally low tides and this is the one that has kept us going. When both these are going we will be self-sufficient in water on the present trend of 10% increase for the next 4 or 5 years. Maybe we will have to think again, because there is a steady pattern of 7% increase in consumption.

If I can give this information now, the stocks this morning were 9.851 million gallons and as a result of this I have been able to double the ration to shipping as from today.

HON P J ISOLA:

Mr Chairman, I am not quite clear. Am I to understand from the answer given by the Minister that the cost of operating the North Front distillery and the one at the Viaduct is approximately the same?

HON LT COL J L HOARE:

If they are both working full time then the cost would be exactly the same. It can consume very little difference but of course one produces more than the other. This is the value of the latest one, that it produces that much more. So this is 300,000 ~~against 200,000~~ *a day* ~~250,000, 220,000~~ *against* than the other one.

HON P J ISOLA:

The one at the Viaduct of course produces water more cheaply, that is what it comes to.

HON LT COL J L HOARE:

Yes, obviously.

MR SPEAKER:

Any other questions on Potable Water Supply? Is there anything before that?

HON P J ISOLA:

I see a reduction here of £6,746, Am I to assume that the provision made is purely for the dry season, or is there any other reason behind this cut?

HON LT COL J L HOARE:

It is to cover only half a year. The King's Bastion distiller worked for something like 10 years almost continuously without a stop - it has been referred to constantly as "old faithful" and this is a very true description of it - but because of our thought that we would be adequately served by the two distillers, this one has been switched off completely and is having a real major overhaul. It not due to be reassembled until June or July ready for the summer season.

MR SPEAKER:

Right, we can go to Purchase of Water, then.

HON J BOSSANO:

Mr Speaker, there isn't a vote for 1974-75 but then there wasn't one in the approved estimates for last year, and this has now been revised upwards to £91,000 which in fact is more than what we actually spent on water in 1972-73 when we didn't have a new distiller. Can the Minister give some explanation on this, particularly in view of the fact that the House has not voted the revised sum.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, last year I think there was original provision for £40,000 for the purchase of water, and there was a further £50,000 added.

HON J CARUANA:

If I may clarify, the Minister last year gave us an assurance that there would not be any need for the importation of water for 73-74, and a week later the Financial Secretary announced that we would be needing £70,000 for the purchase of water, which gave rise to a debate in this House.

HON P J ISOLA:

There is in fact no vote in the approved estimates for 73-74 for water at all. There was a provision for 1972-73 of £75,000 for the purchase of water which was exceeded apparently by £3,775, but there was no provision at all in the Estimates for 73-74 for water. That is factual if we are to believe the approved estimates.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Chairman, Sir, I stand corrected. My memory from which I spoke, slipped for a moment. I do, however, remember saying in the budget speech last year that one of the uncovered items in this budget was the purchase of water for which I was allowing £40,000. That subsequently was added to by the £50,000.

HON MAJOR R J PELIZAO

Is the Minister under the impression that we shall be needing no water at all?

HON LT COL J L HOARE:

No, I hope not. But once again this is something that nobody can be dogmatic about because these are very sophisticated machines. The VTE for example has 30,000 different parts, any one of which can cease to function, but with normal running, with normal maintenance and we have made provisions for them to be out of action for normal maintenance for something like 20 weeks in the year on and off, both of them, then there is no need to import. In fact despite the very difficult year we have had, and we are having, it is only now that we have had a little rain and even now it is very little compared to previous seasons, last year was terribly dry with 29 inches I think. This year I think we are only up to 16 or 17 inches - I do not think we are up to 17 yet - but despite that we were importing water locally from Tangier.

MR SPEAKER:

Yes, but we are not going to review the situation throughout the years.

HON LT COL JL HOARE:

No, the short answer to that is that as far as we can foretell we are planning not to import water next year. In fact we are planning to sell water.

HON P J ISOLA:

Mr Chairman, it is very difficult to ask questions about water because we are told that we have spent £91,000 in importing water in 1973-74, and of course the Minister hasn't come to the House at all for a single penny for water during the year 1973-74! Presumably he has spent it because it is down there, but of course it is very difficult for us to enquire whether this rather high expenditure of 73-74 was related in any way with the ceasing of importation locally of water. But of course I do not know. When are we going to have this supplementary estimates: will it be 74-75 or 75-76? It is a bit difficult. Last year at this time we were told that no water was going to be needed, we are not going to have to buy any water. We come a year later and we find that the Minister has spent much more than in 72-73. And then we are told there will be no need to buy any water for 74-75! Is it surprising if we question this?

HON LT COL J L HOARE:

This is why, having learnt my lesson, I have not come back to say that we will not need it, because I have no control over the weather for one thing. But that we are not planning, and that we didn't plan to bring water, is something else. We are trying to get the VTE working, which was not of our design or perhaps our choice, but we are doing our best and we have every faith in it, we are doing the best to make it work.

MR SPEAKER:

Order, let us not go into

HON P J ISOLA:

The Minister has said that he has learnt his lesson but can I question whether he has learnt his lesson because he is not asking us for any money for water for the coming year. It is a bit difficult to be realistic in estimating. We were told last year that no money would be needed for water and we spent apparently, although we haven't voted it in this House, we spent £91,000, and we are told that in 1974-75 no water will

be needed. Does not the Minister think it would be prudent to make some provision for water and could he tell us, even though I suppose he will have to tell us when they come to ask the House to vote this money, the £91,000, but could he tell us whether the increased cost of water has been related in any way to the stopping of importation of water locally? Can he tell us that.

HON LT COL J L HOARE:

Well, of course this is something we will have a chance to debate when the supplementary estimates come. I am sorry, Mr Chairman, I cannot state when they are coming but it isn't really. And as regards the cessation of importation of water locally, thereby ~~hungs along~~ ^{up to me} ~~that~~, so perhaps we will leave it at that. But the question of water is a matter which I review every morning and I decided ~~not to make any provision for this~~, (a) because I do not think we will need it; and (b) because if the money is there, there is an inducement to spend it, and this obviously we do not want to do.

Throughout this very difficult period, in this last year, when things were difficult, there were no panic measures at all. We imported two half tankers throughout the year. In the previous twelve months there were 4 full tankers brought in at a cost of £176,000.

MR SPEAKER:

Again, we are not going to review this. We are going round in circles now.

HON CHIEF MINISTER:

I would just like to remind Members of something that the Financial Secretary said last year in his budget speech. I remember I had it here. "Account must be taken of various items of expenditure not included in the Estimates. For some of these the cost cannot be estimated, but all of them will with reasonable certainty arising during the course of the year. These items include the cost of servicing the new debenture, the importation of water, and the cost of living award". So he did mention a general reserve in his budget speech that there would have to be provision made for the importation of water.

HON P J ISOLA:

Mr Chairman, of course we are grateful for that. Clearly, the Financial and Development Secretary did not entertain the high hopes that the Minister for Public Works did about the water, but have I heard the Minister correctly when he said that we imported in 1972-73 4 tankers, £128,000. According to the Estimates before us all that was spent in water in 1972-73 was £3,775 in excess of the Estimates £75,000, whereas apparently in the current year, we do not know the details, it has been £91,000.

HON LT COL J L HOARE:

This is so, Mr Chairman, but rainy seasons and the financial years do not coincide. When you are dealing with water you reckon from one rainy season to the next rainy season, which is September to August not April to March.

MR SPEAKER:

I think we are wasting our time.

HON P J ISOLA:

No, we are talking of the financial year of course.

MR SPEAKER:

You are not voting any money. I think all that the Opposition is trying to find out is whether it is advisable to vote for an amount. What is passed is passed.

HON P J ISOLA:

Mr Chairman, what the Opposition is interested in is whether these figures we are being asked to approve

MR SPEAKER:

No, there are no figures.

HON P J ISOLA:

Well, non-approval are realistic or not. That is what we are trying to find out.

HON MAJOR R J PELIZA:

And also, Mr Speaker, I should say, it is good financial practice not to have to keep introducing supplementary estimates during the year.

MR SPEAKER:

Yes, perhaps that is for the debate in itself, whether it is a sound financial policy to do it this way.

We are now going on to Sanitation.

HON J BOSSANO:

The House has just in fact passed an amendment to the Financial Procedures Ordinance which will allow the Honourable the Financial and Development Secretary to make use of sums under one subhead to meet requirements in another subhead. Could the Attorney-General tell us if in fact no money is originally voted at all, not even a token, could the Financial Secretary use money from one subhead to another one in such a case as this?

HON ATTORNEY-GENERAL:

In my opinion, yes.

HON J BOSSANO:

Can the Financial and Development Secretary say whether he could have used the money before the amendment was produced to give him the powers to do so, that is the £91,000?

MR SPEAKER:

If they want to answer they are free to do so, but what they could have done before I think is not relevant now. The first question was completely in order. As I say I am not ruling it out of order, but there is no definite obligation to answer.

We will go now to Sanitation. I beg your pardon we will then take a vote on head 11.

HON J BOSSANO:

Mr Speaker, on Refuse. The explanation is additional wages. Can the Minister give some clarification on this matter. Does he mean an increase in wages, is it additional staff, or is it longer hours?

HON LT COL J L HOARE:

Sir, I think this is just the increased rate of wages. We must not forget that these people are already on special productivity agreement of various sorts.

HON MAJOR R J PELIZA:

Cleanliness. Since I know that the Minister has always taken a great interest in this, has he been doing his rounds lately? If he has not, I suggest that he goes to Giro's Passage and see what a mess there is there!

HON LT. COL J. L. HOARE.

MR SPEAKER:

Well, I will not say more than take note of the question.

HON MAJOR R J PELIZA:

Well it has to do with collection because of the efficiency of collection. This is another way of saying it. I do not want to lecture on it but I think the Minister knows the problem as well as I do. He always wants this sort of thing to be brought to his notice and I am doing that.

HON J CARUANA:

Mr Speaker, disposal of refuse Item 66. We see a decrease in this item of £6,000. Is this by any chance due to the introduction of the new destructor?

HON LT COL J L HOARE:

Yes.

HON J CARUANA:

Is this all the saving expected in this vote for this year, or should the figure be a much larger one for a full year?

HON LT COL J L HOARE:

This is just for this year.

HON W M ISOLA:

On Item 67. Sweeping of Highways. Can the Minister tell me if that also includes the flushing of highways or is that under another item?

HON LT COL J L HOARE:

Under the same item. It is the same people doing it.

HON W M ISOLA:

Can the Minister, therefore, tell us - because again it is quite a substantial sum of money we are being asked to vote, £66,000 - how often Main Street is flushed, or what is the general policy?

MR SPEAKER:

Order, order.

HON W M ISOLA:

I mean it is the £66,000 we are being asked to vote and I feel that he should give us some idea of how Gibraltar is flushed, because I have the impression nowadays that Gibraltar is dirtier than ever!

HON LT COL J L HOSARE:

I am surprised that the Honourable and Learned Member has such a short memory, because it has been a lot dirtier than it is today.

HON J CARUANA:

Mr Speaker, the Honourable and Gallant Minister hasn't answered the question.

MR SPEAKER:

I do not think an answer can be expected as to how frequently one particular road in Gibraltar is flushed under Estimates. I think in fairness to the Minister there must be a limit as to the information that he is entitled to have at hand to answer questions.

HON J CARUANA:

Mr Speaker, may I venture to mention on this vote that when the Productivity Agreement was negotiated and concluded with the Sweepers so that they would do the flushing at the same time, the condition was that they would give up one of their days sweeping to do the flushing of their districts. What we are trying to say from this side is that this practice seems to have lapsed.

MR SPEAKER:

Well, the question should have been worded differently.

HON MAJOR R J PELIZA:

Perhaps I could, Mr Speaker. Could the Minister see if he could have the flushing done more often to try and improve the dirty state of the roads?

HON LT COL J L HOARE:

I shall see what can be done, Mr Speaker, but this week I hope the Lord above will help me to keep the roads clean!

HON MAJOR R J PELIZA:

That is the only hope I suppose we have for keeping Gibraltar clean.

MR SPEAKER:

Right, order. Public Works Annually Recurrent. We will take a vote.

HON M XIBERRAS:

Sir, is this on the whole Head?

MR SPEAKER:

Yes.

HON M XIBERRAS:

Sir, may I say, in view of the figures at the bottom of both columns could I ask the Minister whether he stands by what he said earlier on in reply to a question of mine earlier on connected with the salaries of his department, that he would keep in the same neighbourhood but doing extra work.

MR SPEAKER:

There are more Heads on Public Works.

HON M XIBERRAS:

I think this is a convenient time to have asked the Minister.

HON LT COL J L HOARE:

Mr Chairman, when we are dealing with Head X we are dealing with staff. Here we are dealing with labour force which fluctuates from day to day, so I cannot give this information. Yes, you have staff resigning staff being taken on, industrials, sweepers, cleaners, labourers, and this is what Head XI is about: wages of primarily industrial staff.

HON M XIBERRAS:

With this fluctuation in staff I wonder how any largish company estimates how much it is going to spend on wages over a period of time. We have had this from the Minister for Education, we have had it from the Minister for Public Works: is there no policy about recruitment and the size of the directly employed labourer force in the Minister's department?

HON LT COL J L HOARE:

Of course there is a policy, we take every reasonable man that comes along for a job. And we are trying to get more and more and more. Of course we are losing staff every day. It is common knowledge. People are able to offer almost unlimited over time and we are losing staff in this way, and we have to make it up as best we can, but I cannot tell from one day to the other whether I am going to lose an electrician or a carpenter or a mason.

HON M XIBERRAS:

Sir, there was a time when the Productivity and Training Unit kept very accurate figures of all sections and I think possibly I still have some in my possession. Of all the different sections of the Public Works Department this is the most important because every labourer that is employed means about £1,000 of taxpayer's money, in the actual wages, in overtime, in accommodation, in pensions right, and so on, and I am most surprised the Minister in this Government of Productivity has no indication at all, no idea at all, of the size of his directly employed labour force. Now, can the Minister give an idea of how many men his department employ? It is a very simple question which would be answered by any firm.

HON CHIEF MINISTER:

Mr Chairman, that was not the original question. The Leader of the Opposition has hedged round in order not to insist on the original question which is very difficult to give because he was looking for something else under another Head. What he asked for is what saving had been made under the Productivity Agreement under this Head, and what the Minister has rightly replied is that they could not gauge the saving. Now he is asking how many people we have had employed. That was not the original question.

HON M XIBERRAS:

Mr Speaker, perhaps the Honourable and Learned the Chief Minister has not quite got what I am saying. What I am saying - I will repeat it for his benefit - the Minister said earlier on in this debate that he was keeping the same labour force in his department but that he expected to do more work. Now, I have questioned this on the basis of the figures shown at the base of these columns. Now, to establish what the size of the labour force is I have taken a very ordinary step of asking the Minister what is the size of his labour force, because I know the size of the vote which he is asking this House to approve. So the Honourable and Learned the Chief Minister has confused matters rather than clarified them.

MR SPEAKER:

Right, let us have an answer.

HON M XIBERRAS:

Can I have the Minister's answer.

HON LT COL J L HOARE:

The labour force fluctuates from day to day but it is around 1,000.

MR SPEAKER:

Fair enough, that is the answer.

HEAD XI - Public Works Annually Recurrent was agreed to and passed.

HEAD XII - Public Works Non-Recurrent - Minor Works.

HON M XIBERRAS:

Civil Prison. I note that there is provision for £500, there. May I ask what is going to be done with this money?

HON LT COL J L HOARE:

Repairs to library wall, extension bill for telephones, new entrance door, security locks, water heaters for bathrooms in female section, new PVC tiled floor in female cells.

HON M XIBERRAS:

That is rather a long list for £500. However, I think it is the Financial and Development Secretary's productivity. At this rate it will be the most productivity Government ever. We shall have to advise the management consultants the way to productivity is to put less money in the Estimates than you are actually going to spend.

MR SPEAKER:

Order, order.

HON M XIBERRAS:

Sir, I was concerned to know about the recreational facilities at the Prison. Certain improvements were carried out some time so and there was an area which was going to be converted into a recreational and assembly hall area. Now will the Minister in charge of the Prison

HON A J CANEPA:

The Minister in charge of the Prison will answer under the proper vote. I am not going to waste the time of the House. He can do so if he wants to.

HON M XIBERRAS:

Well, Sir, I would like to know, and no doubt the prisoners would like to know as well, whether this has been done or has not been done.

HON P J ISOLA:

I would like to make a query generally on this Head XII, paragraphs 1-10. I notice that there is quite a difference between the amounts we are being asked to vote for 74-75, and the amounts we were asked to vote, and we did vote for, in 73-74. I also notice that for example in the First Head, Civil Prison, we were asked to vote in 73-74 £850. Nothing apparently has been spent, according to what we have got in front of us, nothing has been spent during the year 73-74, and now we are being asked to vote less than last year.

I also notice that there are a number of other Heads which we voted for in 73-74, in fact these ten Heads for example, where we voted larger sums than the ones we are being asked to vote now, and which we did vote, and there is no indication here of any money having been spent on any of these Heads. Is the position that no money has been spent, or is this just another example of inexactitudes in our Estimates.

MR SPEAKER:

This is the non-recurrent vote isn't it?

HON P J ISOLA:

Yes, we have a column: "Total Estimated Expenditure to 31st March, 1974" and apparently it is nil what do you mean it has been spent. There was an original estimate - I am talking of Head XII Items 1-10, which is the same as the other items 1-10 of last year. It is in the same order, when we voted different sums of money including £850 for the Prison. There is no indication in these Estimates that this money was in fact spent. Now what I am asking is what is the position. I mean one would like to know what the position is when one is being asked to vote for money.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Chairman, Sir, one might like to know but I understand the practice is with regard to these very small minor non-recurrent works that it has not been practice to record expenditure in the previous column. They are minor non-recurrent works. Presumably it has been found in the past that there were bigger fish to fry.

HON CHIEF MINISTER:

If you look at the printed estimates you will see again that there was nothing of the expenditure for 72-73 and there was another one there. It does not mean that these are new Heads of expenditure, it means that all these works require an element for minor works which are non-recurrent of a different nature. Whether we should put them there at another time what was spent the year before, this is another matter, and I think it would be an improvement to show what was done in respect of minor works in the previous year. It is not a recurrent expenditure and, therefore, it has not been recorded. This is obviously the practice shown from here.

HON P J ISOLA:

I do not know whether it is or it is not, I am not necessarily satisfied by what the Honourable and Learned the Chief Minister tells us. What I am really asking the Minister is whether he knows personally that all these works that we voted for last year have been done, and whether what we are being asked to vote for now is additional to that.

HON LT COL J L HOARE:

By and large all the works for which money was voted last year have been done. These are new works requested primarily by other departments this year, works of a minor nature which are not likely to recur. This is why they are under this heading.

HON MAJOR R J PELIZA:

I am rather surprised, and I would like an explanation from the Minister, why in the case of the painting of Crown Properties, where it can be foreseen that there is going to be extra expenditure, it is decided not to make any provision for the extra expenditure, and here he goes out of his way to include a special item for the unforeseen. Can he explain that?

HON CHIEF MINISTER:

May I point out that this is a regular item in previous estimates of £500. Every year

HON MAJOR R J PELIZA:

Whether it is a regular item or not is immaterial. Having seen that the policy is now not to cater for the unforeseen, I wonder why they now cater for the unforeseen. I would like an explanation from the Minister if I could please. Unless the Minister is not prepared to answer.

HON CHIEF MINISTER:

I do not think the Minister should answer silly questions.

HON MAJOR R J PELIZA:

I think he is dumbfounded.

HON CHIEF MINISTER:

No, he does not answer silly questions.

MR SPEAKER:

Order, order. We will go now to Housing then.

HON J BOSSANO:

If the Honourable and Learned Chief Minister will allow any other Minister to answer, Item 20, Rehabilitation. Well, some of us get more annoyed than others, Mr Speaker. Some get annoyed, some get amused.

MR SPEAKER:

Order, order.

HON J BOSSANO:

On Item 20, Mr Speaker, we are asked to vote £30,000 in 74-75, and because of representations of non-recurrent works being done the way it is, it is impossible to tell how much work was done in the past year or to what extent this is an improvement over the past year. Can the Minister give an indication of how much money was spent in 73-74?

HON LT COL J L HOARE:

I haven't the figures available but the only item of any substance which hasn't been done and which was provided for last year is the £4,000 revote which was a supplementary vote for the conversion of some teachers flats in Rosia Hill or whatever it is called.

HON J BOSSANO:

The original vote last year was £30,000, Mr Speaker. Can the Minister say whether he was able to do work to the value of £30,000 on rehabilitating Government properties or not?

HON LT COL J L HOARE:

Yes, I think we have used all this money up and in fact we have *gone* ~~got it~~ into part of the supplementaries and a certain amount which was revoted during the year. Now, as a guide, in this item last year we rehabilitated 106 tenements. We have got 6 in hand at the moment, there are 30 waiting to be done, and we have virtually completed the conversion of the six wash-houses into flats which we allowed for in that year. For this year we intend to convert another six wash-houses into flats at Sandpits, Coelho House, Stanley Buildings, at Sheffield House and two in Willis's House. This is a slightly increased figure to what was done the previous year.

HON J BOSSANO:

Mr Speaker, I think the figure is important because if in fact the Minister has managed to spend all that money I would have thought he would expect to spend more in 1974-75, even to do the same volume of work, to take account of higher wages and so, but in fact in the one supplementary we have had, the House has revoted £4,000.

and one would expect £34,000 to have been spent in the year 1973-74. Now my calculation is that in fact only £29,820 have been spent by comparing the figure in this column with the figure in the same column last year. Can the Financial and Development Secretary say whether this is the fact or not?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Sir, my calculation is the same.

HON J BOSSANO:

So in fact the Minister has not been able to spend the £34,000 that the House has voted.

HON LT COL J L HOARE:

£4,000 was a revote, and we still haven't reached the end of the year. There are still a few wages to be paid, certainly since these estimates were produced. They were updated fairly recently but you cannot assess in advance.

HON J BOSSANO:

Is the Minister then expecting to spend only £30,000 in the forthcoming year?

HON LT COL J L HOARE:

At the moment we have planned to spend £30,000, but I have no doubt at all that there will be supplementaries to increase that figure. Things come along afterwards: you cannot foresee from the very beginning, you can only plan to carry out certain works.

HON J BOSSANO:

Can the Minister for Housing help him out and inform the House, with reference to his answer the Question No 144 of 1973, when he talked about the scope of the proposed programme and the financial implications involved in this comprehensive attempt to revitalise Government's pre-war housing estates which was then, in November last year, still under consideration, whether that is likely to come to fruition in 74-75 and whether that is in any way reflected in an unchanged vote for the year.

HON LT COL J L HOARE:

I have just had a figure handed to me that in fact under this Head we have spent £35,000 this year.

HON J CARUANA:

If last year you had £35,000 to spend, and if this vote of £30,000 includes a revote of £4,000, then the Government is voting £26,000, as compared to the £35,000 spent last year. So in fact they are catering for a smaller programme of rehabilitation.

HON LT COL J L HOARE:

No, we are still catering for £30,000 this year, plus whatever supplementaries may come along.

HON J BOSSANO:

Are there any indications - I know that there is £25,000 in the Improvement and Development Fund for housing - but I would like to know whether this ^{revitalisation} project, this magnificent project for which 5 Wilson's Ramp is being kept as a showhouse, is going to come through in 74-75 and is that going to be paid out of the same £30,000 that was voted for the normal expenditure last year, or is this reflected in the £25,000 in the Improvement and Development Fund. Where in these estimates can we see this project?

HON LT COL J L HOARE:

he The major rehabilitation programme, which means a special force ~~wing~~ *that wing* set up, has still not been set up. It is one which will require a great deal of financial aid from outside and this is what we are trying to get before we go ahead.

HON J BOSSANO:

Sir, the Minister for Public Works does not expect to have finished the planning stage of this programme in time for the financial year 1974-75: we are likely to see this appearing in the estimates for 1975-76 are we?

HON LT COL J L HOARE:

It is something very huge. In fact, we are negotiating at the moment to bring out three Surveyors under the auspices of ODA to see what the size of the problem really is. Insofar as this vote is concerned, this is normal annual rehabilitation of flats which are vacated by people so that they can be reallocated to other people. This is the object of this vote.

HON J BOSSANO:

So the programme will come under a completely separate Head of expenditure when it does come. Is that right?

HON LT COL J L HOARE:

Yes.

HON MAJOR R J PELIZA:

Since this is obviously going to be a huge plan of which we are going to hear a lot of

MR SPEAKER:

No, we are not going into the future plan under any circumstances.

HON MAJOR R J PELIZA:

No what I am trying to get at, Mr Speaker, is the practical results of all this.

MR SPEAKER:

No, no, we can talk about the practical results of the £30,000 that are going to be spent now and nothing else.

Now, any other items on page 38?

HON J CARUANA:

Improvements and Repairs to Centres. We have here an estimate of

£4,000 and in a previous Head we have voted already £11,230 for the upkeep and repairs of centres. In view of the fact that the Government is doing everything in their power to allocate houses to these people living in the centres, will this vote really prove an investment in the long term?

HON LT COL J L HOARE:

Mr Speaker, of course the Centres will have to be maintained and kept in repair so long as they remain occupied, and as far as we can see they will continue to be occupied for some time yet.

HON J CARUANA:

I can understand the question of repairs and have already voted £11,000 for repairs, but what about the £4,000 which is another item covering improvements and repairs? We have already voted on page 36 Item 4 Upkeep and Operation of Centres, which seems to me

HON LT COL J L HOARE:

This provides for the staff which looks after the Centres, the light, rates, and all those sorts of things.

MR SPEAKER:

The previous vote did not include repairs.

HON J BOSSANO:

On the renewal of brackish water pipes in the Tower Blocks, I note that there was an original estimate of £1,500 and that the estimated expenditure in 74-75 includes £1,500 revote from 73-74. Now, can the Minister give an explanation as to why no work has been done at all on this in 73-74?

HON LT COL J L HOARE:

What we are doing is that we are redoing this as and when repairs are required from our normal maintenance service until all the materials come in. When we get all the materials we will have a complete stab at the whole works.

HON J BOSSANO:

Is that the explanation also for the renewal of the water tanks Alameda Estate not having taken place in 73-74?

HON LT COL J L HOARE:

Yes, we are still looking at this one. We are experimenting with fibre glass cases for those water tanks. But those which have been needing attention have in fact received attention.

HON J BOSSANO:

In item 31. Naval Hospital Hill, Renewal of Roofs, where there is a revote of £5,500, can the Minister say if this is being put out to private contractors to do the work, or is the department going to undertake the work?

HON LT COL J L HOARE:

This is, I think, already out to tender.

HON J BOSSANO:

Is it that the department does not have the capacity to do this sort of work?

HON LT COL J L HOARE:

Well, if the department does this sort of work it cannot do its normal other work. These are additional works which we give out on contract.

HON J BOSSANO:

Is the Minister not aware that there is a certain amount of discontent in his department because overtime is being cut down, and here he is saying that he is going to give work out to outside firms because the department cannot cope with the workload it already has.

HON LT COL J L HOARE:

There will always be discontent because there is no overtime and this is one of the things which I have repeated several times, but with all the will in the world, the department cannot undertake all its jobs, it has to go out to tender. And it gives out to tender those jobs which are acceptable to contractors. It is no use giving them the two penny halfpenny jobs because they won't do them, we have to do all these small jobs ourselves, the bigger jobs go to the contractors. This is the only way that they will accept it.

HON J BOSSANO:

In case of 1/7 McPhail's Passage - item 33, Mr Speaker, can the Minister say why the £1,400 that was originally estimated to be spent was not spent and that money is being carried over in the current financial year?

HON LT COL J L HOARE:

There are a number of revotes in respect of works that we haven't been able to tackle this year.....Well, I am very surprised that the Honourable Gentleman says this because revotes this year total £49,000; in the year 70-71 there were £278,000; in the year 71-72 there were £254,000; and last year the revotes were £93,000. So we are gradually picking up!!

HON J BOSSANO:

Perhaps, Mr Speaker, it reflects an increase in productivity in the department!!

MR SPEAKER:

Order.

HON J BOSSANO:

Is the Minister not aware that there appears to be an inconsistency between his argument that he has to carry money forward from one year to the next because the work load of the department is so high that more cannot be produced, and at the same time he admits that people are unsatisfied and that he is losing staff because the department is not working sufficient number of hours of overtime to give people a decent wage.

HON LT COL J L HOARE:

I think this has very little to do with this vote, but it is a fact of life that we are losing our staff....

MR SPEAKER:

Yes, but we are not going into this.

HON J CARUANA:

Item 37. Schomberg House, repairs to roof - £6000. Will the Minister explain exactly what is the nature of the work which requires such a huge sum of money to be spent on this relatively new building?

HON LT COL J L HOARE:

My understanding is that the whole of the southern end of the roof has to be renewed.

HON MAJOR R J PELIZA:

Is this due originally to bad workmanship. It is quite an ample sum.

HON LT COL J L HOARE:

I would not know whether it was good workmanship or bad workmanship, all I know is that it requires replacing now because the roofs are leaking.

HON P J ISOLA:

What are these improvements that are planned for the Port? I notice it is not a particularly large sum, but it is nice to know some improvements are planned.

HON LT COL J L HOARE:

This will cover those items which are selected by the Captain of the Port which can be carried out with this sum of money. He has the choice of selecting what jobs will be done with this. Obviously to improve the Port altogether to our satisfaction would cost a tidy bit of money and not the £1,500 here. I have an idea that the main object to this one is to renew some of the coping stones on the Western Arm.

HON P J ISOLA:

Mr Chairman, the coping stones are already being provided for, you are spending £2,000 on that. I am just wondering what.....

HON LT COL J L HOARE:

This will be the chains and other bits that have got to be provided when we renew the coping stones.

HON P J ISOLA:

Has the Minister had any recommendations yet from the Port Advisory Committee in what way the Port could be improved in this vote?

HON LT COL J L HOARE:

I understand from my colleague that the answer is, no.

HON P J ISOLA:

Are there a number of Port Improvements that are desired but which the Government feel we cannot provide for. I notice that there has been an improvement in the vote this year from £1,000 to £1,500, but is it Government policy to restrict the improvement of Port in this way. It does seem to me to be a very small sum for a very large area which I would have thought the Government could do quite a lot with.

HON LT COL J L HOARE:

As I said before, Mr Chairman, it is up to the Captain of the Port to select what he wants done first. He decides the priorities, we do them.

HON W M ISOLA:

Item 25. Camp Bay. Improvements - £5,000. Can the Minister state what these improvements are?

HON LT COL J L HOARE:

Mr Speaker, Camp Bay improvement Toddler's Pool £2,500; resiting of pump house £800, additional showers £300; replacement of slab at north end £1,400. Total £5,000.

HON W M ISOLA:

Will the Minister ensure that these improvements are carried out before the summer season starts? We don't want to have workmen around these places during the summer.

HON LT COL J L HOARE:

The Toddlers' Pool is very nearly finished and it will be ready before the beginning of the season. We are starting on the pump house, we are working on the showers now, and included in this revote is the construction of two toilets by the Dolphin Bar - because this is all one project - and the replacement of the slab at the north end is the next one to be tackled by the road gang.

HON W M ISOLA:

Mr Chairman, replacement of beach furniture £2,200. This is quite a lot of money. Can the Minister say what sort of beach furniture he is referring to and on what beach in particular?

HON LT COL J L HOARE:

Mr Speaker, there are two sides to this. First of all there is the replacement of deck chairs and umbrellas, which suffer very severely, at Camp Bay particularly. It is not unknown for us to lose tents because of some squall of wind. So that in Camp Bay what we are going to do this year is that to provide a large part of it with slatted canes on poles. This will keep the sun out and will at the same time save a great deal of money in the replacement of umbrellas. We are also providing for the replacement of deck chairs as well.

HON W M ISOLA:

I assume, Mr Chairman, that the question of beach furniture just really refers to Camp Bay, as I don't believe that Government hire out deck chairs either at Eastern Beach or Catalan Bay. Is that correct?

HON LT COL J L HOARE:

Oh no! Quite wrong! I think I gave the figures here but I have got rid of others. Oh! here we are: at Montagu Pavilion we took £1,200, not only in takings but also on the hire of umbrellas and deck chairs and the use of showers; at Sandy Bay, at Little Bay, at Camp Bay and at Eastern Beach we hire. Where we don't hire is at Catalan Bay because that is adequately served by the villagers themselves.

HON W M ISOLA:

Mr Chairman, I notice that there is an estimate, Tourist Department, Improvement etc - £10,500. Can the Minister give some idea what these improvements in the Tourist Department for the year 73-74 are?

HON LT COL J L HOARE:

Once again my colleague and his staff put in a list of improvement which I think totals £2m. or so near to that that makes no difference. Of these he is being allowed to have £10,000 and he will choose the order in which he wants them done.

HON W M ISOLA:

Perhaps, this, Mr Speaker, if the Minister for Tourism has had his vote cut from £2m to £10,500 to do as he likes, this is obviously a terribly small amount compared to the £2m, the Minister would kindly give me information of what he has in mind to spend his £10,500.

HON A W SERFATY:

Well, I think, Mr Speaker, my colleague was exaggerating, but there are some works that the department is keen should be done in St Michael's Cave - Rewiring takes £6,100. This also includes St Michael's Cave, minor works in the Upper Gallery and at the Air terminal. But I must confess I would also like some work done at the Western Arm for passengers liners. I will have to consider very carefully how I spend the £10,500. If the wiring at St Michael's Cave can wait another year or two, then I may take the plunge and go for the Western Arm.

HON W M ISOLA:

Am I to understand Sir, that though we are being asked to vote £10,500 in this particular item, the Government as yet has not taken any decision where to spend it? We are being asked to vote £10,500 which may be used

at the Airport, at Western Arm or at St Michael's Cave. We don't know where but we are being asked to vote £10,500. Well, I might suggest to the Minister for Tourism, that we should have a very close look at the paint at the Air Terminal which is in a very very bad state of repair, and especially the Arrival Lounge, which is so important to people coming into Gibraltar and especially also where one collects luggage.

The Minister should have a good look around there and up at the Bar. One can see that a little money could well be spent on that particular area.

HON A W SERFATY:

I hope my colleague can spare some money for the painting vote for that.

HON MAJOR R J PELIZA:

Although I am not satisfied at all in voting money that has not already been earmarked for some special development or some special work, I am really surprised to see that such a small sum is being provided for this kind of thing, particularly to a vote which appertains to a Minister who I know is so keen in doing this. Is this a reflection in his dissolution with the effect of his work?

MR SPEAKER:

No, it is improvements that we are voting.

HON MAJOR R J PELIZA:

I am rather surprised to see such a small figure.

MR SPEAKER:

On improvement.

HON MAJOR R J PELIZA:

On improvements yes, first of all, as I say, from a man who I know was always very keen in spending as much money as possible on improvements for the sake of improving tourism, in Gibraltar, and now we find here £10,000 and he doesn't even know what he is going to spend it on.

HON A W SERFATY:

I have a list here accounting for the last penny of these £10,500. Mind you, I would like to correct the Honourable and Gallant Member. Of course we must spend for improvement and we must spend in painting etc, but what I was trying to do from the Opposition was to try and get the past administration to get on with the building of hotels, and that they never did.

HON MAJOR R J PELIZA:

I don't agree we never did, we built two hotels during my time.

MR SPEAKER:

Order. Any other items under other works?

HON P J ISOLA:

Can I express the hope that the Minister has more success in selling Gibraltar than he has in selling his improvements to his colleagues. Can one gather from this rather small amount being put down for improvement in the Tourist Department that there has been a change of heart in his colleagues on their attitude to tourist improvements?

MR SPEAKER:

No. Out of order. Complete and utterly out of order.

HON P J ISOLA:

Does the vote reflect the measure of confidence on the part of the Minister and the Government in the future of Tourism in Gibraltar?

MR SPEAKER:

As I understand it it is a public works vote. We are talking about improvements. It has nothing to do with tourism.

HON P J ISOLA:

Mr Chairman, the reason I ask this is because I detected in the Minister a little hesitancy on how he was going to spend his money: he must pinch it from St Michael's Cave to put it at the Western Arm. This is why I am asking what is it that restricts him or restrains him from convincing his understanding colleagues that the tourism department needs more money for improvements. What is it, is there a change of heart amongst his colleagues about the future of the private sector?

HON A W SERFATY:

I am surprised that the Hon Member, who has been for so long in this House, should come with this argument. These minor works votes are given different priorities, and during the year the Minister decides what priority to undertake.

HON FINANCIAL & DEVELOPMENT SECRETARY:

I would like to make a comment on this because I am partly responsible for the position which some of the Ministers are defending. Now, we came to this Budget with the knowledge that we were going to have £¹/₂m additional

cost for fuel oil and extraordinarily large increases in many other things that we have to import, and I said to Minister; this is an exceptional year and this is the year in which it seems to me that there would have to be some balance between restraint in expenditure and additional taxation.

HON P J ISOLA:

I am very grateful to the Hon the Financial and Development Secretary for his lucid explanation of the Government policy on this, but it doesn't end there, surely. Am I right in thinking that the Tourist Department is a revenue producing department and that is why my question is being asked. Obviously the Government talks but does not act.

MR SPEAKER:

Right. No, we are not going to discuss.....

HON M K FEATHERSTONE:

Just one comment, Sir. Are we to understand that a department like Education which doesn't produce revenue should therefore be cut down?

MR SPEAKER:

No, we are not going to discuss.....

HON P J ISOLA:

Mr Chairman, nothing is further from the facts, but our policy is very clear, but the Government's is not necessarily so.

MR SPEAKER:

Right, we will take a vote.

HON A J CANEPA:

Sir, may I say something. Prison Recreation Room. I am glad to see that the Hon the Leader of the Opposition has just come in at the right time. I know that when he was Chairman of the Prison Board, and Minister charged with the responsibility for the Prison, he took a great deal of interest in this matter and he was trying to get it under minor works, of course a few pages further back because apparently he hasn't done his home-work, but there is the money, Sir, we are asking the House to vote £2,000 for this recreation room for the prisoners.

HON M XIBERRAS:

I am most grateful to the Minister, I am sure he will have a great deal of success in seeing the work accomplished, it wasn't done in my time.

HON W M ISOLA:

Item 152. Rockfall protection on Eastside. I note that a sum of £7,500 have been put down in this particular item. Can the Minister state what form of protection is costing us £7,500?

HON LT COL J L HOARE:

The intention here is to cut into the side of the Rock above the waterworks to build a plateau there sloping inwards so that rock falls from the top of the Rock hit this plateau and will roll inwards. At the same time we hope to be able to win a great deal of sand there and a certain amount of rock for our crusher. It is a two fold exercise and the bulk of this is for the material. For example we shall want to get a sort of slide from the top of the Rock made up of fibre glass which will stand the abrasion of the sand coming down below.

HON L DEVINCENZI:

Mr Chairman, if I may. Item 121 New Quarters for Foreman. Waterworks - £15,000. Could the Minister say if the old Quarter is being demolished and a new one being built, or what?

HON LT COL J L HOARE:

This has in fact been approved by this House previously but we haven't been able to get on to it completely. We only provided for £5,000 last year because this was the amount of work which we thought we would be able to do during the year. We haven't been able to do it for a variety of reasons and we are now going to complete the whole work next year. The main object of this is that we should have somebody on the site all the time to open and close valves etc so that we don't lose water when rain comes down. And it is only required half an inch of rain to.....

MR SPEAKER:

Yes, yes, but the answer has been given.

HON J CARUANA:

Could I venture to make a general comment on the item.

MR SPEAKER:

If it is relevant, yes.

HON J CARUANA:

It is relevant insofar as I made a remark that there were far too many revotes and the.....

MR SPEAKER:

That is a matter of general principle for the debate. You will have occasion to do this at the debate itself. Unless you specifically refer to a particular item of this Head.

HON J CARUANA:

Well, in part they do refer to item in this Head.

MR SPEAKER:

If what you want to say refers to the way the estimates are prepared then of course it is a general principle.

HON J CARUANA:

I think it comes within the province of general principles Mr Speaker.

HON P J ISOLA:

Can I ask the Minister about the last item - Flooding of the road across the Runway. Can we be assured that this relates entirely and exclusively to the road across the Runway?

HON LT COL J L HOARE:

I can.

Head XII Public Works Non Recurrent was agreed to and passed.

Head XIII Law Officers. Personal Emoluments was agreed to and passed.

MR SPEAKER:

Those in favour? Those against Passed.

Other Charges was agreed to and passed.

Head XIV. House of Assembly - Personal Emoluments.

HON MAJOR R J PELIZA:

Mr Speaker, on this one I don't know whether I should speak generally because I think it does affect personal emoluments. In fact it does. I am referring to Item 4, basically the productivity bonus. It is not that I am concerned about the bonus itself, what I am really concerned in is the production of Hansards, and I think this is a very serious matter.

Here we are today debating the Budget and we still have not got the Hansard of last year's Budget. It would have been very helpful and would perhaps have avoided a lot of talking if we had been able to look at that Hansard before

we started. We could at least have supplemented, strengthened or weakened our arguments by looking at it. Now what I am suggesting is that I think we ought to try and produce what is still unpublished as quickly as possible.

I have been making enquiries and I am very pleased to hear that it looks as if the hansards of the meetings held since May last year will be published shortly after the summer recess. Most of it may perhaps be ready before that. So in the short term it looks as if it is going well.

I am very pleased to see that the questions are produced fairly quickly, certainly before the following meeting of the House and I understand that if the present team carry out this work continue to produce at the rate that they are working now, it will be possible in the future to have the Hansard available before the next meeting.

In this respect I am pleased and I would really like to congratulate all those who are concerned with it. However, looking back, further back, I was very disappointed to hear that apparently for the years 1964-69 they are still on tape and have not even been typed. I believe that during that period there wasn't even a stenographer allotted for that sort of job, I am not condemning anybody or casting aspersions at anybody at all. The difficulties were there and perhaps it was the responsibility of the House to have seen that they were printed. So if anybody is responsible for this it is ourselves, but I think, now that I have risen to discuss this matter, we should perhaps look into it. What I would ask the Government is whether they could think it proper to increase the vote, at least provisionally, until we see that all hansards are typed, edited, and published.

Another matter which I think it is of concern to the House is that the Hansards are not being printed, and in that respect I think we ought to allow - and I am not suggesting that one should produce figures now because I don't know what they are - but I think it should be brought to the attention of the House that if necessary money should be spent to print all the Hansards. And not only those which have not yet been typed but those that have already been circulated but are still in stencilled form.

As I have said, nothing that I have mentioned here must be taken as a criticism of anybody. If anything I think it is a criticism of ourselves for not doing it. I think this is a matter of great importance, not only for this House but for the public generally. I think members of the public should have these reports available. Reports in the news media is not always to the satisfaction of members of either side of the House and nothing should be fairer than to be able to consult the Verbatim Report which comes out of this House. This unfortunately is not now available and I think that we should use every resource to make sure that this is rapidly put right.

HON CHIEF MINISTER:

Mr Speaker, Sir, at a meeting I held some time ago with the present Leader of the Opposition on the question of the production of the Hansards, and I think that as you are well aware of this, I said that as far as the Government is concerned we would make available whatever funds were

considered necessary to expedite the production of the Hansards. That is in your Hands and no doubt you will wish to reply to what the Honourable Major Peliza has said.

With regard to the 1964 - 1969, I am a bit surprised. He must have mixed up his dates because the taping machine has been in use in the House since long before, that I imagine. We will see what we can do about that.

HON MAJOR R J PELIZA:

I think I have been misunderstood. I said they were still in tape form. They have not been transcribed.

HON CHIEF MINISTER:

Well, fair enough, that is an additional task that we must undertake. Now, with regard to the printing of the ones that are ready, by all means let us see whether we can get it done somewhere quickly and cheaply.

I would like in this connection to stress that on many occasions, in another capacity as a legal practitioner, I have asked many times about the Law Supplements for 1970 to 1972 and so on, and the revision that has to be made in this respect, and the continuing difficulty and they have an element of priority with the printers - of the staff of the Attorney General's office is that the printing is not being done. I am sure that we could try and get an estimate from other printing works for the printing of those Hansards which have already been produced whereby they could be printed at a/cheaper rate and/quicker than by trying to do this with the resources available to us here. Printing here is just not that available to be able to deal with the rather voluminous Hansards that are being produced nowadays.

This is a matter that concerns both sides of the House, and apart from the fact that people too would be interested in seeing what is going on, for the sake of the record and the history of Gibraltar this thing must be on record and easily available to historians. Whether what we are doing here is right or wrong it is a thing that ought to be on the record properly and I will just say that I will look into the question of printing the Hansards that have up to now been stencilled and been distributed to Members. If there is any progress that can be made on that we shall certainly make it and I will come to the House with whatever proposals that there may be including costs and I am sure we will get the support of all Members.

This is not a matter in which one can make a definite promise, but one thing is certain, we want to do this. We have tried in this way, and as the Hon Member said some progress has been made though not as much as one would have desired. Perhaps it would be much quicker if we all restrained ourselves in the element of time that we give to our talents and it could be produced in half the time, but in any case be that as it may we have to produce whatever is said here and we will do our best to see that it is done. I will come to the House for any supplementary estimates that may be required in respect of this.

HON MAJOR R J PELIZA:

I think a lot of progress has been made, and I have only got praise and admiration for the people working on it, but I do not think there is enough money being allotted to enable this to be done.

HON M XIBERRAS:

The Honourable and Learned the Chief Minister is quite right in saying that in the course of a meeting with him on something other than the production of Hansards, this question of the production of Hansards did arise. The meeting was really a request for secretarial assistance for myself as Leader of the Opposition and it was in connection with this, in trying to dovetail or trying to produce more staff to the House which at some time might be available to myself as Leader of the Opposition for the secretarial help I think I require, that this matter came up. As the Hon Member is aware my suggestion was the employment of another stenographer in part substitution or extra to the PBR system which is in operation now and which has yielded the result which my Hon Friend has referred to. I think, Sir, that none the less it is a sorry state of affairs that one year after the other the Opposition make a very determined stand on this question of the Hansards and we are still not unfortunately in the position where Hansard is available as early as one would wish. Particularly I am referring to the record of the Budget Session last year, and my own belief is that permanent staff, supplemented by PBR to deal with the 64-69 backlog, is the answer to the problem.

Perhaps I could hear from Mr Speaker on this matter, and I would have hoped that in connection both with the present subject we are discussing and in connection with other questions of secretarial help, a more concrete position would have been arrived at by this meeting.

Both matters are matters of urgency: the first for all Members of the House, the second for myself in particular. I think that what the Chief Minister had to say that all necessary funds within reason will be made available for this purpose was a laudible statement, but I am afraid that so far the full results have not been achieved. The Opposition cannot but regret that we are still working in one Budget Session, for instance, not knowing what the record is for the previous Budget Session.

MR SPEAKER:

Well these regrets must be addressed to the Chair because the Chair is responsible for the production of the Hansard s. It would be invidious for me to discuss what would be the best solution and how to tackle the problem here in this House but I will say that since the last time this matter was touched upon in this House, matters have been taken in hand. The Productivity and Training Unit came into it, they look a little time, there is a new system being implemented now which will mean that all the backlog up to the present meeting should be ready before the next meeting of the House after the Summer Recess.

The Establishment has worked out a system which should be given a chance to prove itself before anything else can be recommended by the Chair. We have

improved tremendously and I do not think it is completely correct to say that we have not advanced. What happened is that there was a tremendous backlog which had to be cleared. We will produce the Hansards, I understand, before the next meeting after the recess. If by then it is proved that the system which the Establishment wants to implement is not the correct one then I think that is the time for us to complain and try and find a better one. But in all fairness one has to give the people that know and the people that have to recommend these things a chance to prove themselves right or wrong. I think in fairness to everyone, and I have to thank both the Chief Minister and the Leader of the Opposition for what they have said here in this House: as far as the financing of this exercise is concerned. Hansards are completely and utterly of paramount importance for the working of the House, because at present it is difficult for the Speaker's Office to produce a particular extract of a particular meeting which Members want and which they are entitled to have at any given moment.

We must give the Administration a chance to prove themselves, and if at the end of it the system is not working to the satisfaction of the House of course we will have to make further representations.

HON M XIBERRAS:

Mr Speaker, no one I think has suggested there has not been an improvement on this, what I wish to draw attention to is the anomaly of a House sitting constantly and not being able to refer to Hansards.

MR SPEAKER:

Perhaps the reason why we are not now producing Hansards from meeting to meeting is that they are clearing up the backlog. Once the backlog is cleared we feel that with the system that has been recommended the Hansards will be ready in time for the subsequent meetings of the House.

HON MAJOR R J PELIZA:

I think it is very good of you to clarify the point as you have, but on the question of the years 1964/69, would it appear to you that the present system will ever be able to clear this, and at the same time keep the record of the present meetings going?

MR SPEAKER:

As I said at the beginning it would be invidious for me now to go into details. 1964-69 were years when I was not in the Chair and I don't know what it entails. There would have to be a fair amount of review, but I feel that it should be reasonably short. Most of that time was the time of the coalition. I will go into the matter too and see what happens.

HON J BOSSANO:

Mr Speaker, I would remind the House that the Hon and Learned the Chief Minister made it quite clear this time last year that as far as the Government is concerned the obstacle was not a question of expense.

MR SPEAKER:

No one is I think suggesting that the obstacle is a question of expense. I think what I have explained is that taking into consideration the undertaking given in this House, we are spending more money on a payment by result scheme and we are producing the Hansards.

HON J BOSSANO:

Mr Speaker, where is this reflected in these estimates. We are estimating that in 1974-75 we are going to spend something like £190 more than two years ago in 1972-73. If we look at the actual expenditure for 1972-73 and the estimate for 1974-75 we have something like £190 difference between those figures, a couple of hundred pounds difference, in spite of the fact that the later figures include the effect of the Biennial Review. There seems to be under this particular part of the cost in personal emoluments, there is no reflection here of any more money being spent in real terms.

HON CHIEF MINISTER:

The rate there is in the overall vote which is another thing. As I understand it over the time and productivity bonus has been provided for in 1973-74 and 1974-75. This is the money which is being used for the purpose of the production of the Hansards. And the point I want to make about this is that once we say that we are prepared to provide whatever amount is required, it is the responsibility of the Speaker to organise the work. He knows that there are no reasonable financial impediments and he has to do it in his own way. We cannot force the Speaker to do it in any other way.

HON J BOSSANO:

I am glad to hear that because this is the feeling that we have, that Members of the House have to be served by the Clerk of the House and his staff, and that we would not wish, Mr Speaker, not just the Hon and Learned Chief Minister in any way to interfere with the way you see things as necessary, but we would not wish the Establishment Officer or the Secretariat in any way to interfere in this matter either.

MR SPEAKER:

No suggestion has been made that the Establishment Officer has interfered. The Speaker, as well as any other Member of this House, has to rely on the established machinery to put into operation the wishes of the House. That is all that has been done.

HON L DEVINCENZI:

Mr Chairman, what I would like to say is that the matter is important and to record my thanks to my Hon Friend the Hon and Gallant Major Peliza for having brought the matter up, and to both the Chief Minister and the Leader of the Opposition and yourself for the information you have given us. I would like to merely add that I think the matter that we are discussing is

a matter of democratic principle: whether in fact the public does take advantage of the Hansards or not, is, I think, neither here nor there. The Hansards should be available not just for us but for the public at large and I am grateful to see that something positive is being done to put the position right.

MR SPEAKER:

May I say that I am well aware of the importance of the matter that we are discussing and that I will see that every step is taken to produce the Hansards as required by Members.

Head XIV. House of Assembly - Personal Emoluments was agreed to and passed.

Other Charges

HON L DEVINCENZI:

Mr Chairman, Item 2, Allowance to Elected Members. There is a decrease of £980 and I was just wondering.....

HON CHIEF MINISTER:

When the estimates were being prepared for last year the Leader of the Opposition and myself had a discussion about allowances and so on, but they had not been concluded when a tentative figure had been put in. When they were concluded it was found that the figures that we had agreed to was less than that which had been provisionally provided because the matter was under discussion. It is not that any Member on this side of the House or that side of the House have refused to accept the allowance, nor is it that any Member has had his allowance reduced for not behaving properly.

Other Charges was agreed to and passed.

MR SPEAKER:

We will now recess until 3.15 this afternoon.

The Committee recessed at 1.00 p.m.

The Committee resumed at 3.15 p.m.

Head XV. Medical and Public Health - Personal Emoluments

HON A P MONTEGRIFFO:

Mr Chairman, I would like to explain that the estimates for the Medical and Public Health Department takes a slightly different presentation this year because we have taken.....Mr Chairman, as I was saying before I was interrupted because apparently my voice did not reach the other side, the Medical and Public Health estimates take a slightly different presentation

what is sad to say, and I did point this out, I think it was yesterday or this morning, that whereas the inflationary process of 73-74 is reflected in the revised estimates, the potential inflationary process for 74-75 has been put under a Miscellaneous Vote and I don't know how much of that will eventually be allocated to personal emoluments.

HON J CARUANA:

Sir, we have just gathered, I think, that the Director of Medical and Health Services is going to be common to the Services? Can you clarify that one please.

HON A P MONTEGRIFFO:

No. What will happen is that the Deputy Director will become the Director, and in any case he is effectively carrying out those duties and getting paid for it. Instead of employing a Deputy, the MOH work will be carried out by a qualified man from the Services who will carry out their function both for the Services and the civilian population.

I think the Honourable Member knows that there has been a reorganisation of Public Health Department in Britain and these are now called Environmental Departments or Environmental Offices. The bulk of the work of the Department is taken over by the Chief Environmental Officer, now the Chief Public Health Officer, and the only thing that the DPH man does is advise on infectious diseases on some other items which I cannot remember at the moment. This is what this DPH man, if he comes over, will be doing for us.

HON P J ISOLA:

Am I to understand that the present Deputy Director will become Director and that there will be no Deputy Director?

HON A P MONTEGRIFFO:

That is correct.

MR SPEAKER:

Can we then take a vote on personal emoluments?

HON J CARUANA:

Under Item 8, the Group Practice Medical Scheme. We see we have an establishment of five and we have an estimated expenditure of £6,750. This seems to be a fairly low figure to be divided between five doctors: it works out at an average of £1,350 each.

HON A P MONTEGRIFFO:

I should have mentioned that one, and it is my fault, I must confess, that there was no corresponding note.

At the moment what has been happening is that two of the hospital doctors have been helping out, and, therefore, the salary is not reflected there. They are still receiving the same salary plus a very small allowance of £500 in the case of one and £625 in the case of the other, plus the fees. This arrangement may not be able to continue much longer and I think that the ultimate answer is to do what it was originally intended to do, and that is, that we should have five doctors exclusively for the Group Practice Medical Scheme.

I will say, Sir, that in terms of total emoluments all the doctors there are doing quite well.

HON J CARUANA:

Mr Speaker, we are not saying that they are not doing well: in fact we have had very good reports of the work of those doctors lately, but what we are quering in fact is the realistic figure there. I would have imagined that the figure would have been more in the region of £10-12,000 as the basic salary for an establishment of five, instead of £6,750.

HON A P MONTEGRIFFO:

If we had the five doctors working exclusively for the Health Centre, the salary would be in the region of about £12,500, you are very right, but since two of them are working in the Hospital and receiving their salary from the Hospital and getting a salary from the Group Practice. The fact is that for the moment the doctors who belong to the Scheme do not want to try and increase the establishment permanently until they really make sure that the money they are making now would be made if they had five full time doctors. I think that perhaps within 6 or 7 or 8 months time we may be able to be in a much better position to be able to decide whether to do away with the two semi-permanent doctors that we have there and employ permanent doctors. I am in their hands as I do not want them to leave Gibraltar because they might not at the end of the day be making the money they expected to make by having 5 permanent doctors. I will take the point made by the Honourable Member very much into consideration.

HON J CARUANA:

Overall on personal emoluments, Sir, this side of the House is concerned and keen to ensure that the staffing of the hospital and its ancillary services is kept at the highest possible level of efficiency and standard, and if any queries are made they are made in that spirit.

HON J BOSSANO:

On the Nursing Staff, Mr Speaker, Items 16 and 27 - that is the Senior and Junior Nursing Staff, there seems to be no change in the establishment between 73 and 74, taking the two together. Is it not the case that there have been recent changes in fact which should be reflected in the 74-75 estimates?

HON A P MONTEGRIFFO:

No Sir, in the previous estimates we had hoped to have opened the Recovery Unit, the Health Centre and the Isolation Ward, and therefore, we catered for a particular establishment to open all these new departments. Unfortunately because we were worse, recruitment wise, than we now are, we couldn't open the Recovery Unit before, and we had not yet opened the Isolation Ward. Therefore the establishment there reflects the number of people required to be able to man all these departments but I think I owe an apology to the Hon Member opposite and I will take the opportunity in correcting myself.

When he asked me what those 7 nurses that are now catered for under the Recovery Ward, were doing, quite frankly I had to give the best answer available to me at the time, and I wasn't satisfied with it myself, I was guessing. I went back and asked the same question and the truth was that they were not there at the time and that during the last three or four weeks before this happened we had been able to recruit 4 or 5 staff nurses from abroad.

HON J BOSSANO:

On the Public Health side, Mr Speaker, there seems to be little improvement from last year, apart from two additional Public Health Assistants.

Once again this is a problem that the Public Health Department has had for a very long time. You see that there is an increase in Public Health Assistants but these are locally recruited, locally trained and not qualified personnel. Can the Minister say what are his plans, in terms of improving the situation as far as qualified Health Inspectors is concerned?

HON A P MONTEGRIFFO:

I take the point now, and the increase has been due to your remarks last year which I didn't forget. Mr Chairman, the reason for doing away with Trainees, and recruiting Public Health Assistants - and an advert came out a few weeks ago - is to recruit people in possession of certain standards and who will be able to proceed to the UK for training. We had two students in the UK: one disappeared and one I believe is still carrying on, but it is from this group Public Health Assistants, which wasn't very large last year, because we could not recruit them this year, that we are now hoping to get the material to be able to send to the UK. That is why, taking into account the numbers that he mentioned last year, that I have added two more. So he can take credit for that.

HON J BOSSANO:

Mr Speaker, is it a fact that the Chief Public Health Inspector will be leaving the Department soon?

HON A P MONTEGRIFFO:

He is, and I believe that already a circular has been issued in order to be able to select a successor from amongst the available inspectors. I accept that this has come at a very unfortunate time, but the man has reached retiring age, he has got family commitments which he thinks he can solve best by transferring himself to the UK, where the rest of his family now lies. This came as a shock to us and is going to create a little bit of problem. There is very little I can do about it except to advertise interdepartmentally and promote one of those who are available.

HON J BOSSANO:

Still on that page, Mr Speaker, but on another subject. There is Item 64, Commissions, which comes to £3,800 in 74-75 and last year came to £3,400. In the note (g) it is stated that it is payable to the Pathologist Analyst and to Medical Laboratory Technicians, who are of course paid in addition to this commission quite handsome salaries. Can the Minister volunteer any information on this?

HON A P MONTEGRIFFO:

The bulk of this commission goes to the Pathologist. Now, Sir, it may be argued, and it has been argued by some people in the administration with a certain amount of force, that this is a very generous commission. With great respect, and perhaps with less inhibition, then if I were a civil servant, I would say that however generous the conditions of service, of a person may be, if he was employed under those conditions they must be respected. If a mistake was committed originally it is too bad and, therefore, he is still getting the commission. I myself believe that when this gentleman retires in due course another arrangement will have to be arrived at. I detest moieties and I detest commissions, and if before the end of my term of office I can do away with both I will certainly do so very gladly. I do not think this is good either for the patient or for the profession.

HON J BOSSANO:

The £400 increase then, Mr Speaker, does not reflect any change in the rate of commission.

HON A P MONTEGRIFFO:

No, that remains static, it is more work.

HON L DEVINCENZI:

Mr Speaker, is there any indication when this gentleman will be retiring?

HON A P MONTEGRIFFO:

Sir, I do not want to be misunderstood in any way; on the contrary. I have said that if you are employed under certain conditions, whoever it may happen to be, those conditions will be respected. If a mistake was committed

we must live with the mistake and let the thing sort itself out. He is entitled to retire when he reaches retiring age, and he may stay a bit longer if he wishes and if we needed him, but I don't think the person himself should come into the picture. I am talking about the post and the conditions attached to it.

HON L DEVINCENZI:

In this case it happens to be just one person. When is he retiring so that one can know whether this is going to last another six or 10 years.

HON A P MONTEGRIFFO:

I don't really know.

HON J BOSSANO:

The bulk of the sum in fact goes to the Pathologist Analyst, but some of it goes to Laboratory Technicians as well. Was this also the standard practice that has been established for a number of years or is this an innovation.

HON AP MONTEGRIFFO:

Sir, I don't think this has been the standard practice for a number of years, though I stand to be corrected, but it has certainly been there for the last three, four or five years. I think this was the result of some sort of arrangements.

MR SPEAKER:

Right, we will take a vote then on Medical and Public Health - Personal Emoluments.

Head XV - Public Health - Personal Emoluments was agreed to and passed.

Other Charges

HON A P MONTEGRIFFO:

Sir, here, in order to allay the fears of the Opposition that we are again spending less money in the revised estimates than we are spending for the 74-75 estimates, I would say again what I said yesterday. One would have to look at the revised estimates for 73-74 and compare them with 74-75 when we come to the end of 74-75. Anyhow, I will explain where the £20,000 at the moment are reflected.

First of all we are saving about £11,000 on sponsored patients; then we are no longer having to pay a contribution to wards the upkeep of the City Hall. Then, by one of those freaks - perhaps someone didn't read the meter properly - we seem to be using much less water than what we were using before, £1,500. We are sending less students to be trained to the UK because again, as I explained previously at another meeting, we are

reaching saturation point at the top. Then again, if you look at item 5, though we spent £75,000 which now includes the laboratory equipment, and we are only hoping to spend £68,300 in 74-75, I will confess it is a bit of a pious hope. There are two reasons why we have included £68,300; one is that we are hoping to introduce a formulary based on the National Health formulary, to / and standardise drugs rather than to go for different ones which are the same, and secondly, because I found out in January that there was a consignment of I think £2,000 or £3,000 of oxygen which had been ordered but which was not expected to arrive in Gibraltar until about the end of March or the beginning of April. Therefore, I thought that this could be taken as stock for this current year that we are now discussing and we could take that amount of money for 74/75. So if you total all those items which I have mentioned it really makes up the difference.

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HON L DEVINCENZI:

Mr Chairman, Item No. 3 Laundry Expenses. There is an increase of nearly 50% here; it seems to be / largest single increase in the whole of Other Charges. I am concerned with this one in particular. It went from £15,700 to £23,000. Could the Minister explain the reason for this huge increase, and would he also explain if this work is put out to tender yearly, and if not, how often it is put out to tender?

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HON A P MONTEGRIFFO:

Sir, this is put out to tender in the usual way. Tender prices of certain items have in some cases gone up by 150% but the average amount is about 40%. Perhaps I am sticking my neck out when I say that we are currently having talks with the Naval Hospital authorities - I wish I would be able to say that this is not for the purpose of being recorded in the Press, it is the one thing I wouldn't like - but, anyhow, we are having talks and if these are successful we may be able to have better utilisation of common services, save money, and he will continue to better Utilisation of manpower. This idea is very much in the initial stage and whether the whole thing comes off or not is another matter, but there is a great willingness and good faith on the other side in an effort to try to bring this to a satisfactory conclusion.

HON L DEVINCENZI:

Mr Chairman, if the Minister would just explain, I don't think I have heard everything correctly. Is the Minister saying that the Gibraltar Government is trying to come to some understanding or arrangement with the Naval Hospital to make use of the laundry facilities?

HON A P MONTEGRIFFO:

I don't know whether we can co-operate on the laundry or whether we can do the same in relation to the surgery. We are certainly looking at the whole spectrum of medical services in Gibraltar in an effort to have the best utilisation of manpower that would best serve the two communities, which after all should be looked at as one in a place like Gibraltar.

HON L DEVINCENZI:

Mr Chairman, still on the same item, I asked the Minister whether he could say how often the tenders went out. His answer, for which I am grateful, was that it was done in the usual way. I do not happen to know which is the usual way, so will he explain to me how often it is done, if he knows it.

HON A P MONTEGRIFFO:

The usual way is the same usual way it was done when the other side were in office, and I can only say the usual way because I don't know the way.

HON L DEVINCENZI:

The Secretary knows, perhaps?

HON A P MONTEGRIFFO:

Perhaps the Financial and Development Secretary can give a hand in this?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

On yearly tender.

HON M XIBERRAS:

A general question which I don't know whether it is in order to ask here or not. I am putting it and perhaps, Mr Chairman, you would decide. And that is the last revision of the means test for the hospital fees. It seems that with the general rise in salaries, wages, cost of living and what not, people are paying quite substantially for the services that they receive from the hospital, the sort of people which normally one would judge would come under the welfare state provisions. Now, this is particularly apparent in operations and things of the kind where people at the clerical level and so on are called upon to pay quite substantially for operations. I wonder if the Ministers would tell us how much of a welfare state we have in respect of medicine in Gibraltar. Could he give us an indication?

HON A P MONTEGRIFFO:

Sir, the welfare state, or the half welfare state which we have at the moment, is conditioned and governed by the Hospital Fees and Charges Rules, which were amended about a year ago. But with inflation going as it is they are out of date. Without committing myself, because I have been too long at this game to become over enthusiastic as to what one can do, I am hoping, and I am not tying myself to a date, but I am hoping that within this financial year a much more comprehensive health service, particularly as regards free medicines and revisions of fees, will take place, not only to take into account what the patient is paying, but to take into account the new circumstances arising out of the Group Medical Practice, which after all gives facilities and coverage, for the asking, to people. How much private patients / to pay who are referred by private doctors - and I think they ought to be paying more of an economic price because it does cost £14.80 per patient per day in hospital. All this is being looked into,

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so perhaps the Opposition would bear with me and give^{me} some time to bring to this House a more comprehensive scheme. It is no use amending these fees now when we could be devoting ourselves to other improvements. I have in fact already brought this matter unofficially to the notice of the Trade Unions, especially the Transport and General Workers Union; a paper has been prepared and we shall see whether at the end of the day we are able to get this through depending on the financial implications, and the contributions that have to be made by both sides.

I was not going to say anything and it is only because I have been drawn out that I made this statement. One does not want to say things in the House and then be accused of not implementing them, but I will certainly say that the Government is very determined to see that this is done as quickly as it is possible and this has already been communicated to the trade union, to the JIC.

HON M XIBERRAS:

Sir, the Honourable Member opposite will find nothing but support for the extension of the Scheme at Casemates, we in fact urged him to take a bigger step when this was first introduced. However, the total expenditure on the Medical Department can only be judged in relation to the service which is provided and to whom it is provided and, therefore, even if it is just to refresh the minds of Honourable Members, perhaps he would give an indication in the general debate, by reference to these Rules, as to what level, at what income, people get a completely free service and when they generally begin to pay?

HON A P MONTEGRIFFO:

I will do so with great pleasure if I can get hold of the Rules before we go into the general debate, but of course these are available to the public. They are available at the Records Office in the Hospital and I believe at the Health Centre.

HON J CARUANA:

Sir, one further and final point. In his opening statement the Hon Minister referred to the reduction in nurses training courses in the UK, because saturation point had been reached at the top. Whilst we accept such a statement, we would like an assurance from the Government that it is in fact because saturation point had been reached that fewer nurses will be going to the UK and not because as a matter of policy it has been decided that nurses should obtain their qualification in Gibraltar and will no longer need to go to the UK. We feel that if such is the case then it would be detrimental to our Nurses since they will be deprived by keeping up with latest practice in the UK in the various hospitals they train in, and will further deprive them of the experience of having worked in those hospitals. I do not by them mean to decry in any way, or to detract from the value of the kind of training being given in Gibraltar, which we are sure is excellent, but we would not like to see as a matter of policy our nurses deprived from the opportunity of going to the UK for further training, and to qualify on that basis.

HON A P MONTEGRIFFO:

I entirely endorse the statement made by the Honourable Member opposite. I think perhaps he has heard as we say in Spanish: "Bells and doesn't know where". There is at present pressure from the TGWU that locally registered nurses should be considered for promotion. I have got great sympathy with that, provided the principles that the Honourable Member opposite has expounded, is perpetuated. And that is, that no one should be deprived of going to the UK: in fact, they should be encouraged to do so. If they do, and when they return, they will have a greater right to promotion than those who do not go. I entirely agree with the Honourable Member.

Other Charges was agreed to and passed.

Head XVI Miscellaneous Services

HON L DEVINCENZI:

Mr Chairman, item 3 Contribution to the John Mackintosh Hall. There is a decent increase here of £5000 and this is welcome. Could the person responsible say what this amount is to be spent on, any major works, or what?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No Sir, mainly staff increases, increases in the salaries which we pay.

HON L DEVINCENZI:

I thank the Hon the Financial and Development Secretary for that statement. The thing is that there is no indication as to reasons for it and that is why I am asking. Perhaps the Minister might be able to amplify.

HON M K FEATHERSTONE:

Sir, as the Financial Secretary has said, a fair proportion of this is due to staff increases. There is also a considerable increase Sir, in connection with the purchase of books. I would like to just make one little comment on this Sir. The late John Mackintosh who was extremely generous when in his will he left instructions that the Hall should be built, and since this is the nearest Gibraltar can get to a public library, I feel it somewhat essential that we make it a good public library, without detracting, Sir, from any other library. I feel it is rather a pity that people should have to join another library to get an adequate supply of reading matter and reference books. Having joined, they are fourth class, non-voting members and I think it is high time that we had a decent public library in Gibraltar. This Sir, is one of the first stages to improve the Mackintosh Hall Library.

I would mention Sir, that last year approximately 45,000 books went in and out of the library - obviously the same book did so several times - and we are hoping this is going to be improved considerably. The extra money is going to go partly on library books and partly to improve the reference library.

MR SPEAKER:

Anything else on page 15?

HON J BOSSANO:

On the John Mackintosh Hall, Mr Speaker. Can the Minister say exactly what is the relationship between the Government and the employees of the John Mackintosh Hall as regards conditions of work and so on? Do they enjoy the same conditions as other public servants? That comes under the costs, Mr Speaker, if they are getting inferior conditions it obviously costs us money.

HON M K FEATHERSTONE:

Yes, Sir, the provision at the moment is that all the expenses of the Hall are paid for by Government as a contribution. All the employees are taken on the exactly the same terms as though they were Government employees. In fact, in some instances, their Government service and their Mackintosh Hall service go hand in hand in respect of pension, which is always granted by Government, I believe ex-gratia. We are looking into the possibility Sir, of establishing a somewhat different set up under which the actual employment and the payment of salaries and wages would be paid by the central Government, and the Hall would then only call on us for the other expenditure. In this way they would be Civil Servants rather than quasi civil servants, as they are at the moment.

HON L DEVINCENZI:

Mr Chairman, very briefly, on the same item. All I would like to say is that I welcome very much the statement made by the Minister on his feelings on the matter, on having a better library, and certainly this side of the House supports anything which moves in that direction.

HON P J ISOLA:

Does the Minister consider, now that he is improving the standards of education of the natives, of looking elsewhere for a more permanent library a better building, facilities and so forth? Looking around a little?

HON M K FEATHERSTONE:

Sir, sometimes questions are put in one way to try to get something out; they are couched in one way but mean another, but I can't quite follow this one, Sir. We do have an excellent place and we can make an excellent library from it.

MR SPEAKER:

Any other matters on page 15.

HON J BOSSANO:

Sir, Rates Assessment, item 1. Is that covered by an equivalent item on the Revenue side? Would the increase, for example, here be reflected as an increase in the Municipal Services?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

That would be received to revenue in Head X of the Revenue Estimates.

MR SPEAKER:

Right any other matters.

HON W M ISOLA:

I see there is an increase of £745 in the grant to the Gibraltar Museum - Item 4. and I see that under note (c) is stated that is an increase in contribution. Can the Government state whether the increase has been given because the Committee of the Gibraltar Museum have put up a case for an increase, or is it the policy of the Government to increase the grant to the Gibraltar Museum to purchase articles.

HON H J ZAMMITT:

Mr Chairman, Sir, this is as a result of extra staffing of the Museum.

MR SPEAKER:

Any further questions?

HON J CARUANA:

I am very intrigued, Mr Speaker, with Item 10, Meteorological Observation. Is this the weapon used by the Government to determine the rainfall, or is it a weapon to look at the stars, often used by the Ministers opposite!

HON FINANCIAL AND DEVELOPMENT SECRETARY:

This is a contribution to the RAF Meteorological Office.

MR SPEAKER:

Any further matters in page 15?

HON J BOSSANO:

Of passages for Officials, Mr Speaker, £4000 increase. Does this reflect an increase in the cost of fares, or is it that more officials are being sent out of Gibraltar.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, that item would be calculated on increased fares and subsistence rather than an estimate on increased numbers.

HON J BOSSANO:

Is this item in connection, for example, with courses of training and that sort of thing, or is it for holidays?

HON FINANCIAL & DEVELOPMENT SECRETARY:

This, Sir, would cover all passages of officials, whether on official visits or on courses, or certainly on paid leave passages too.

HON J BOSSANO:

Are their paid leave passages something that is applicable to all members of the administration or is it restricted to some grades?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I cannot speak without certain knowledge of that. It certainly applies to a great number of Civil Servants, including Gibraltarian Civil Servants, and it certainly goes some way down the scales, with free passages being provided every second year.

HON A J CANEPA:

Sir, I would like to help here. It goes all the way down the scale and really depends on the date people entered the Service. I think it is those who entered the Service prior 1958, or thereabouts, who are entitled to it. Those who joined after that date are not entitled to it.

HON M D XIBERRAS:

Sir, on Printing and Stationery, there is a great large increase there, I think this merits some comment.

HON CHIEF MINISTER:

I would like to say a word on that because I was responsible

for reducing the increase to what it is now. The increased cost of paper particularly is terrific, and we have launched a campaign for saving paper as much as possible. All drafts and even inter-departmental minutes are being written in paper which has been used for other purposes and is not longer needed. In fact we have asked everybody that they must try and be more careful in the use of paper and stationery. Printing the cost has also increased greatly.

HON M D XIBERRAS:

Very audible, Sir, but I hope that letters will still be answered.

HON L DEVINCENZI:

Care of Apes, Item 12. Could anybody with any knowledge of apes tell us something about this!

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I have no knowledge of apes, but the apes are fed at public cost and their food is costing more. I think their ration has gone up from 9-10p.

HON CHIEF MINISTER:

They are due for a Biennial Review, Mr Speaker!!

HON P J ISOLA:

Mr Chairman, Official Entertainment. I notice that there is a reduction on the current year of £3,800 the Government proposes to cut down the entertainment by a third - they say no.

MR SPEAKER:

I think that it is in the Consolidated Fund.

HON P J ISOLA:

What is it, they are going to increase it, is it?
I was just wondering how the Minister for Sport was going to be kept doing, but is the entertainment in fact going to be increased? Perhaps we could be told.

HON CHIEF MINISTER:

Yes, Sir, the allowance last year was £1,050 and £750, and it is being increased to £1,400 because the cost of the food provided in official entertainment has gone up anything between 300 and 400%, so far as entertaining is concerned. Despite the fact that entertainment is kept to the minimum, it is found that we are running pretty dry on food - not on drinks fortunately. Mention has been made of the Minister for Sport and I think that this would be a good opportunity to say that the Minister for Sport is spending a considerable amount on the big entertainments he does as a Minister, out of his own pocket.

HON P J ISOLA:

Mr Chairman, this we find of course most regrettable, although very laudible on the part of the Minister for Sport. We on this side of the House are not afraid to say that official entertainment should play an important part in the activity of Government, and we are not criticising the increase in the vote, even though it appears to be due to the increase in food and drinks and so forth. We have taken note of the fact that it is kept to a minimum: it is not particularly visible that this is being done, but as we say on this side of the House, we are glad to see that this decrease in the vote is not in fact a decrease but arises as a result of readjustment, and we are glad that the Government recognises the part that official entertainment has to play in the business of Government.

HON L DEVINCENZI:

Mr Chairman, on the same item. I for one believe that the increase is very moderate. I don't know whether it should be more or less, but what I do say most emphatically is

that without misusing, or going into a lot of expenses, certainly the elected members, and even more so the Ministers, should have ample funds to cover whatever is necessary when they are doing something for Gibraltar.

MR SPEAKER:

Right, shall we go over to page 51 now?

HON L DEVINCENZI:

Item 22, the last item. There is a £400 increase. All I would ask the Minister is whether he would care to comment on this.

HON H J ZAMMIT:

Mr Chairman, Sir, as I recall, last year Members opposite were trying to force me to increase my .0003 of the Budget if I remember correctly, and to please them I think we increased by .0000 nothing and made it a little bit better! But in all seriousness, Sir, this is really done with the idea of a commitment that Government now has with regards to hockey going into Europe. And because we have the Collegians going this year, and I did say last year that we would make a contribution, it was agreed that I should have a little bit more money to be able to support what I feel is a very worthy cause. I am sure that the Leader of the Opposition is very pleased to hear that. In addition may I say too that we have also allowed them to raffle a car which will in no small way meet an enormous amount of their expenses.

HON M D XIBERRAS:

I am very grateful to the Minister and no doubt the hockey people will also be grateful. I raised the matter in last year's budget, if the Honourable Member recalls, and I gave him notice that I would be raising it at this meeting. I so informed the President of the Hockey Association, on the basis that the standard of hockey here is particularly good, possibly the best of all the sports, and that I think I said last year that it was going to be very difficult and a big strain on the team to collect

enough money to take them wherever they had to play. Therefore, this sort of contribution I think is most welcome.

I am also glad that the Minister is not paying for this himself, as well. I think this is a proper charge on public funds.

Sir, perhaps the Minister would explain whether it is intended to do this every year or whether it is going to be done on an *ad hoc* basis, because I think it would help to give an indication of the firmness with which the Government attempts to assist teams going into the European Hockey Cup.

HON H J ZAMMITT:

Mr Chairman, Sir, one cannot commit oneself to every year. What we have done is that through this assistance to Cultural & Sporting Associations, the Government always helps those who help themselves. I think it would be very wrong for taxpayers to pay all the expenses of the team going into Europe, but that there should be some contribution from public fund I equally agree, but I don't think it would be proper to commit the Government or myself, or even the Committee on this, into a fixed fee if one was to see that the particular team going into Europe had no concern to themselves in trying to find their own funds. However, I can assure the Honourable the Leader of the Opposition that they will be treated as last year's team, and as this year's team, if they prove their worth in collecting of their own funds. I cannot bring myself to giving a figure it would depend entirely on what one sees the particular team is doing.

HON M D XIBERRAS:

In other words, Sir, that if they are prepared to make an effort then the Government will help them.

HON H J ZAMMITT:

By all means, Sir.

HON P J ISOLA:

Mr Chairman, does he have many applications for aid from sporting clubs to play outside Gibraltar?

HON H J ZAMMITT:

Mr Chairman, Sir, we have had, particularly this year, a few applications from teams wishing to play outside Gibraltar, but the Committee, of which I am only one member, are not very keen on giving money to teams for going abroad. In other words the impression that the taxpayers are paying for people's holidays is not to be assumed. So far we have given them little shields, and things like that to present, but certainly not subsidise their travelling abroad.

HON P J ISOLA:

Does that mean that the principle of using public funds to encourage sport out of Gibraltar is not accepted. And obviously if we want to have sport in Gibraltar we have to have sport out of Gibraltar, interchange, on the same principle - rather, not the same principles, not to that extent, as holidays for school children. I would have thought there was a lot of merit in a scheme that would encourage sportsmen to go out. For example one has got the position at the moment. One hears about cricket dying in Gibraltar, not being played in schools. Sport generally perhaps not being as good as it should be. Does the Minister recognise that in order to encourage the improvement to sport, although basically there must be the feeling to want to play it, one should encourage in some practical way a wider vision of sport, people going out and people coming in. There doesn't seem to be really, from what the Minister has said, much commitment on the part of Government to that.

HON H J ZAMMITT:

Mr Chairman, Sir, the Honourable Member's views of course is perfect and I wouldn't disagree at all with it, but I would remind the Honourable Member that if we were to give any form of grants - may I just say at this stage, Sir, that at the moment we have four hockey teams leaving Gibraltar:

to Lisbon, Cardiff, Naples, and I think another team going to UK. That is just hockey, Sir, four teams. But we have 67 football teams in Gibraltar. Any contribution to any of these teams going away would I think be considered by the taxpayer of affording people weekends away. If there is a representative side of Gibraltar leaving, then by all means I would be delighted to be able to assist, but I don't think it is fair to burden taxpayers with giving - may I say 67 teams at £100 - £6,700. And I don't think we should curtail the betterment of sport in Gibraltar by just giving out £50 to one team and the other, which really quite honestly would benefit nobody, because at the most what we could give out of this fund to any team is £100. So, Sir, it really wouldn't benefit anybody at all. I do agree with the Honourable Member that one of course is delighted to be able to promote further links of sport, but I think that for the time being, and may I say agreeing with the Leader of the Opposition, that we should try and improve our standards here by encouraging teams to visit.

HON P J ISOLA:

I appreciate what the Minister is saying but what one wants to do is to encourage competition, not just at a national level but at a lower level, between teams. I would have thought that contributions to Cultural and Sporting Societies have not really been increased by very much ever since it was started, as far as I can remember, about ten years ago, when I think, if I remember rightly, the contribution to Youth Societies and so forth was balanced by a contribution for sport. The increase this year of £400 is perhaps one of the largest there has been in recent years, but in actual fact there has been no significant upsurge in financial support for sport, as far as I can gather, in about 10 years. I would have thought that with increased costs and so forth, if there is a Minister for Sport and the Government does give sport the importance it obviously feels it should have, it should be more effective in the way in which he promotes it. I would have thought this would have been a way of doing it.

HON M D XIBERRAS:

Sir, may I make a further contribution to this, and that is

that when it is a question of a side and what have you - for example we have it in hockey but others may arise - where a team from Gibraltar is invited to a recognised International competition - I am not talking just of festivals here or there, I am talking about something like the European Cup - then I think the commitment of Gibraltar to such a team, such a venture, should be a very strong definite one. In other words that when a team is going to represent Gibraltar in a recognised tournament, the European Cup for example, then the Government should be absolutely firm, to my mind, yes, in saying: the Financial support will be there, and should distinguish between this sort of thing and other ventures to promote sporting interchange generally.

Now, on teams coming into Gibraltar, obviously there are many ways in which Government can help. I don't know whether this is done or not or whether in fact part of this money is paid to Government itself: for instance when people stay at the Hostel at Devil's Tower Road. I think this should be free of charge to my mind, people should be allowed to stay there free of charge. This reduces the bill, get money into Gibraltar, people spend money whilst they are here and so on, this is very good for tourism, good for morale and what not.

MR SPEAKER:

We are now really wondering. We must be careful with this because otherwise one can speak ad nauseum on any subject. We are not talking on the advisability of promoting sport.

HON M D XIBERRAS:

Sir, I tend to agree with you but it is very difficult, because this particular Minister to whom I am addressing my remarks, does not seem to have another Head of Expenditure under which one can discuss generally this question.

MR SPEAKER:

There is no reason why a general comment cannot be made in the general debate.

HON M D KIBERRAS:

Yes, Sir, but not in the same way as one can comment on the work of other Ministers, and this is why, Sir, I think that these remarks might

MR SPEAKER:

No. I have allowed it up to now, but I think that we have said enough for the time being.

HON P J ISOLA:

The Gibraltar Broadcasting Co-orporation, Mr Chairman. Here of course we on this side of the House are waiting for the Report, and as we have not yet received it, we are not in a position really to ask very much.

I presume the increase of £2200 - I don't know what that is about. Is that as a result of the report? Or what?

HON CHIEF MINISTER:

I think I said in reply to a question earlier in this meeting that nothing contained in the Report was reflected in the estimate, that the Report had been received after these estimate had been prepared, and that whatever came out of the Report I undertook not to make any major decisions, though I reserved the position in case any remedial measures needed to be taken as a result of it. The manner in which this is made out is: the revised estimate in 73/74 is £84,711, but that is because there was the £12,000 for past losses which we paid, The subsidy is £25,000 from licences and then weekend Television and spares £8,911. The position now is that the amount for this year is as stated in the second column: £69,000, and it is set out also on the margin that the estimated fees and subsidy is about £8,000.

HON P J ISOLA:

Mr Chairman, can we have an assurance on this particular vote, which obviously has been the subject of some considerable controversy in the House, that when it comes to

implementing the Report, or so anything about it or incur financial expenditure on it, that the House will be invited to approve the expenditure before it is in fact incurred and not as apparently has been the tendency this year on the part of Government to spend first and come for approval afterwards. It seems to me from the revised estimates that a considerable amount of money is being spent by the Government during the year for which there has not been supplementary provisions sought. I mean, a notable example is water: £91,000 has been spent and nobody has come to the House to approve the expenditure. Can we have it on this particular subject, in view of the fact that there is a Report pending, and in view of the controversy that surrounds this one, that the House will be invited to vote the money before it is spent?

HON CHIEF MINISTER:

I am not prepared to go any further than I went in my answer to the supplementary earlier on in this session. I have said that no major decision will be taken without first giving an opportunity to the House to discuss the matter. The amount of money spent in this case was brought to the House, and it was brought like most supplementary estimates are brought and have been brought for years, and that is that when the Government have got the responsibility to carry out their functions, they decide the matter as a matter of policy and then they seek the approval of the House for it. That is the basis on which Government must necessarily work. I cannot say that there may not be some remedial measure needed to be taken arising out of some of the recommendations of the Report that we will not have to take, and then report to the House. But there will certainly not be any major change in policy or decision in the matter until the Report is available to Members opposite and until the Government is in a position to make a statement of what its intentions are.

HON P J ISOLA:

It is very difficult for this side of the House, Mr Chairman, to know what is meant by remedial measures. We have not had the benefit of reading the Report. Perhaps

we can be told when this Report is going to be made available to us, because obviously any vote that we make on this cannot be interpreted as a support for the set-up on television and radio for the whole of the year ahead of us because we haven't had the benefit of reading the Report. Could we be told when the Report is likely to be made available and what are the sort of remedial measures that the Chief Minister has in mind.

HON CHIEF MINISTER:

I have no remedial measures in mind. I have simply made a reservation. I haven't got anything in particular in mind, but having read the Report I have to make a reservation that we might have to do something in order to keep television going, in which case we would have to do it and then report to the House. I was hoping that immediately after this session the Government will finalise their consideration of the Report and then I will cause it to be circulated to Honourable Members. I would hope this should be with them towards the end of April.

HON M D XIBERRAS:

Mr Chairman, when the Honourable and Learned the Chief Minister mentioned remedial measures I thought they were minor measures, an adjustment here or there, I thought I caught something in the words he used now. Something which alluded to finances. Does the Honourable Learned Member mean that he will do something remedially about the finances of GBC without bringing that to the House?

HON CHIEF MINISTER:

Not about the finances of GBC. It may be about the continuation of the running of the services at present being rendered. It is not a question of major decisions but immediate matters arise. The cost of freight, for example, has gone up considerably and it could well be that if we did not make some provision about that we might later on suffer in the quality of the films obtained because provision for the increased cost of the freight

has had to be made out of the funds available for films. I am making a general reservation, I will not tie myself to anything in that reservation except on the principle that no major decision will be taken without the matter being debated.

HON M D XIBERRAS:

Sir, I don't see why the Honourable and Learned Member is so mysterious about this. If it is the question of the cost of freight, then it is the cost of freight. It is something which we have been facing all along in various items. But when he alludes to this Report and starts talking about remedial measures, that he might have to do certain things, one then starts thinking that the Honourable Member is going to start implementing those bits and pieces of the Report as may be convenient to him before bringing matters to the House.

Of course he can be in no doubt that we viewed as very wrong what he did in respect of the £12,000 for GBC last year. And we would like an assurance, or at least clarification of what he means by remedial measures. If it is a question of things like freight, of course there is nothing to it. If it is a question of adjustment to these standards there is nothing to it, but if it is something more than that, or a different type of matter, then we would certainly like to know. This is a Report which the Opposition has been pressing for for some time and on which we have made representations: we were promised the Report and unless the Honourable Member opposite can explain what he means by remedial, well, our suspicions are bound to be aroused.

HON CHIEF MINISTER:

No practical decision: you cannot read more into my words than what I said. If there is to be some uncertainty whilst the Report is being considered and certain representations are made pending the Report one would have to look at it. I am not saying that any part of the Report is being implemented in anticipation. I have just made a very general reservation, which any Government must make, to take whatever steps are necessary to maintain the service which are at present being given. That would have been the position even if there hadn't been a Report.

HON M D XIBERRAS:

Of course, Sir, this is accepted, that Governments have a certain amount of latitude except committing sums like £12,000 on controversial subjects before they bring them to the House, but of course if the

HON CHIEF MINISTER:

If the Honourable Leader of the Opposition will give way. We had a big debate on that, the Opposition expressed their views a vote was taken, the money was voted, and we now are looking at something completely new.

HON M D XIBERRAS:

Sir, the money was spent and then was voted. That was the order of events. The Opposition had seven Members in this House and the Government had eight elected Members and it is a fait accompli. We all know that, but that doesn't make it right and that gives us grounds

MR SPEAKER:

Order, order, we are not going to question the virtues of decisions which have been taken before. We are here now voting one particular item of expenditure and nothing else.

HON M D XIBERRAS:

Sir, it is just that this vote which was taken before has aroused suspicions of the Opposition in respect of this particular item. This is in fact what I am stating, and it does no good for the Chief Minister to say: "well, we did it and we did it". That doesn't make it right.

Now, Sir, he is talking about representations. What does he mean by representations? Does he mean that he is discussing this matter with the Board? That the Report may be changed as a result of these representations?

MR SPEAKER:

No, we are not going to discuss the Report either. No, no, I am terribly sorry.

HON P J ISOLA:

The only thing, Mr Chairman, that on this side of the House we are very interested in is the commitment of the Government to the agreement that they have signed with Thomson Television. This is a curious way. We vote monies to Gibraltar Broadcasting Corporation, who in turn have an agreement with the Television operating company. It is not the Gibraltar Broadcasting Corporation that is short of money but presumably Thomson Television that is short of money

MR SPEAKER

Yes, but Mr Isola, we have gone into all that

HON P J ISOLA:

This is perfectly true, but, Mr Chairman

MR SPEAKER:

.... and we are not going to re-open that. We are going on with the business

HON P J ISOLA:

Mr Chairman, what we are seeking on this side of the House is an assurance that the monies that we are voting under this Head are going to be used in accordance with the Agreement and not in accordance with the interpretation of events or any particular situation that the Government may have. That is what we are asking for.

MR SPEAKER:

That is the sort of question that can be asked.

HON CHIEF MINISTER:

Most certainly, Sir.

HON M D KIBERRAS:

This is precisely, Sir, why since there is - if the Honourable and Learned the Chief Minister will allow me - this is precisely the reason for asking if the Government is going to do something in the coming year without consulting this House, having asked for expenditure for the forthcoming year at this time, then that is a consideration which must be borne in mind, and we are not at all clear that the Government does not intend to do anything about this Report.

MR SPEAKER:

Right we shall go on to another item then. Any other matters on page 51.

HON A J CANEPA:

Mr Chairman, unless there is something on water to Shipping that any Honourable Member would like to ask on, I would like to elaborate slightly on the Industrial Training Centre if I may.

Sir, I think the House will no doubt be interested to learn, and in particular the Leader of the Opposition himself since I know that this is a matter which he has always taken a very great interest in, that as from the 1st of April the Government will be formally taking over the administration of Landport Construction Training Centre. And I think that it would be appropriate for me, on behalf of the Government, to voice our thanks to the Department of the Environment, PSA, who had been administering this joint scheme so ably since 1970. And concurrent, Sir, with this change of administration, it is proposed that the cost of running the Centre will continue to be shared with PSA but on a user basis, since this is really a fairer way of apportioning costs. Up until now, Sir, the apportionment of costs has been on a ratio of 35 to 65. 35 Government, 65 PSA, and that ratio, up to March 1973, reflected itself

very very accurately when the computations were actually done. The tendency, however, has been for the Government to make increasing use of the Centre and this could well go up to about 50% next year.

Sir, now that the Government will have direct responsibility for running Landport it is proposed to extend the facilities there to the private sector for any schemes that the Industrial Training Board may recommend. I should say, Sir, that the explanatory remark, (b) Increase in Salaries, is not terribly helpful in this particular item, and I think the House will see why in a minute. The draft estimate for 74/75 is only marginally above the approved estimate for last year: increases in salary hardly account for £105 in the whole of the financial year. What has happened, Sir, is, that in spite of increased costs the financial position has been kept down principally due to the replacement of ex-patriate officers - two of them earning well over £4000 per annum - by locally recruited and trained staff. So in fact, Sir, the provision that is being made includes £1,000 additional tools and replacement of equipment and an additional £1000 over previous years for training material. In other words, Sir, I can confidently say that we will be stepping up the training at Landport for about the same cost as last year. Obviously if Government continues to make greater use of the Centre on a user apportionment of cost the financial provision may have to be increased in the future.

Sir, the Centre has continued and will continue to provide training for apprentices, of which there are 23 at present, for adult trainees, of which Government has six there at the moment, Supervisory courses, specific courses - these are courses which may run for two or three weeks on scaffolding, safety training for sewer men, that is the nature of the courses I am referring to, and also there has been, Sir, some practical training under the Technician Training Scheme, so that in this way those who will be the Supervisors of the future are being given some introduction, although a brief one, on the trades that they will be expected to supervise.

HON M D XIBERRAS:

Well, Sir, I am glad to note that the training is going to be stepped up, obviously because Industrial Training is

something which I have been harping on, to use the Government's words quoting us, throughout these estimates. The question of Industrial Training and Productivity. I cannot but regret that progress had been as slow as it has been in Industrial Training. And I say this, in order to spur the Minister on as much as possible. I remember seeing a Mr Leeper from DOE in 1971 or beginning of 1972, and Mr Leeper came with the proposal that Government should take over the full running of Landport Training Centre, and sending him off saying that we were not going to allow them to go off and Government take over the full expenses of running this particular enterprise. Now, I am not so clear what financial arrangements have been made now, I don't know whether we are losing money on it or not losing money on it in the round. I think that this ought to be borne in mind. I believe that the Minister said that DOE tradesmen will still be attending the Landport Centre on a user basis. I believe the Minister said that. That is a welcome thing because often enough it involves Gibraltarian tradesmen. That is a good thing. At the time Mr Leeper came here, already plans were in mind to have some sort of a lecture hall which could be used for industrial training, for instance, the shop assistants and people this sort of general category. I would like the Minister to tell the House whether this has gone ahead, is going ahead and whether any financial provision has been made for this.

Then there is the question of the finances generally of industrial training, even though this sort of training does not come under an Industrial Training Order, still I think the Minister should at some stage report to the House, as he does in respect of training which comes under one of the various Industrial Training Orders, and on which there are levies. There should be a clear exposition of the finances of this, because as he has indicated, the private sector is now going to participate in it, and the extent of Government subsidy of the private sector for training is an important matter. I am one who agrees with the subsidy of training for the private sector.....

MR SPEAKER:

We must realise one thing, that we are asking for information. Its fair enough to

HON M XIBERRAS:

I am not, Sir, I am discussing, Sir, I am debating the estimates and I am putting forward the point of view of the Opposition as regards

MR SPEAKER:

Precisely, we will debate the estimates when the debate comes along. We are now considering the estimates item by item and any measure on which clarification is required, you are of course entitled to ask questions for the purpose of making your point, definitely. But we are not debating the estimates just now, with due respect.

HON M XIBERRAS:

Well Sir, I am putting forward the points of view of the Opposition and implicit in all I am saying are questions which I hope the Minister is going to answer.

MR SPEAKER:

Fair enough.

HON M D XIBERRAS:

The Minister has of course referred to participation by the private sector and I imagine that some of this money may go to that. I would like to know on what basis it is going to be done. I think there should be proper financial control and presentation of figures to this House. This is what I am saying. I am merely asking the Minister to say whether this is going to be the case or not.

I would also like him to explain if possible whether this commitment to spend money on the Industrial Training Centre is in any way going to affect the financial commitments that Government has in relation to the Dockyard Technical College. Because there was a balance to be met there as regards what sort of future training would take place at Landport and what training would take place in

the Gibraltar & Dockyard Technical College. Now, if the Government develops this Landport as the basic place for industrial training in which the Government is going to participate, then surely we are not going to get as much of our money's worth as we would otherwise from the Technical College. So I would like the Minister, for the benefit of the House, to explain to dwell, on this as well.

HON A J CANEPA:

One thing that is clear and will be helpful is that if in next year's presentation of the estimates this item is not referred to as Industrial Training Centre, but as Construction Industry Training Centre, because it is not really an Industrial Training Centre in the sense that it doesn't cover the whole field of industrial training. Landport is only dealing with the Construction Training Industry and that is why - and I do wish to be controvertial - that is why I do not accept the initial remarks of the Leader of the Opposition that the Government is not moving quickly enough on industrial training. Because there is a separate Head, under the Productivity & Training Unit, which I think is Head 24 Secretariat, for Industrial Training expenses. And it is there really where the expansion of Industrial Training may be seen in more detail.

So what is happening here, Sir, is that we shall be taking over the administration of Landport. Initially things will continue much as they are at present, and, therefore, the Government's share may go up slightly. If Landport has been costing the PSA and Government £23,000 or so, as it has been over the last few years, it could mean that Government's share, instead of being £8,000 could go up to £9,000 or £10,000, as Government puts in more of its own apprentices. As apprentices from the private sector come in, they of course will be charged partly to the private sector, under whatever arrangement the Industrial Training Board may recommend. I was very careful, Sir, in my notes to say that we proposed to extend the facilities to the private sector for the schemes that the Board may recommend. I don't know what arrangement will emanate from the Board with regard to a levy, or what have you. And, again, Sir, as far as the Technical College is concerned, there is no change. The fact that Government is taking over the administration of Landport doesn't mean that any new arrangements will apply to the Technical College. Apprentices

currently being entered for City & Guilds courses will continue to get the theoretical side of their education at the Technical College on the same arrangements as at the moment.

HON M D XIBERRAS:

There is a point here, and that is the original designation of this item: Industrial Training Centre which was chosen precisely because it was thought that this might become an Industrial Training Centre.

MR SPEAKER:

Yes, but we are now debating the use of the Centre. We are discussing an item and not the principle involved.

HON M D XIBERRAS:

Sir, if we are spending £8,155 towards what is called here an Industrial Training Centre, I would suggest it was right for Honourable Members to try to discover what it is that is going to take place in this Industrial Training Centre.

MR SPEAKER:

Well, I don't think I can be accused of not being liberal, and I have been liberal enough because we have been debating this particular item for the last 20 minutes

HON M D XIBERRAS:

Well Sir, it might be 20 minutes but it is £8,155 worth in 20 minutes.

MR SPEAKER:

With due respect that is no consideration for me to take into account, I must consider Standing Orders.

HON M D XIBERRAS:

Might I ask, Sir, There has been a handing over of DOE responsibilities to the Government. Now, the Minister has said that the Government is not going to lose out from this. The proposition which this Mr Leeper brought to me in 1972

MR SPEAKER:

No, the Minister has said that there will be no change at all in the centre as a result of the handing over, it will be run exactly the same as before. Correct me if I am wrong.

HON M D XIBERRAS:

The administration

HON A J CANEPA:

In the administration of the Centre. In fact, Sir, the land, which is at the moment MOD land, still remains MOD land. I would be quite happy to get my hands on it ofcourse. If it will help let me say that I know the line on which the Leader of the Opposition is thinking. I certainly do not preclude the possibility of further expansion at Landport so that it could become an Industrial Training Centre in the fullest sense of the word. That is not precluded.

HON M D XIBERRAS:

I am most grateful, Sir, and I will vote the £8,150 all the more willingly now, with that explanation.

Now, Sir, there is the question of the administration. Will the Minister explain how much more the Gibraltar Government will have to pay as a result of the handing over the administration to the Gibraltar Government?

HON A J CANEPA:

At the moment nothing more, Sir. Were we to use it less than

/41%

what we have been doing up until now: for instance last year, Sir, Government used it/ and we only paid for 35% use. Perhaps there would have been a 5% more. But if we expand our Government activity there we will pay at the rate at which we expand. If we took more apprentices in, if we man more courses, then we would pay more. The Government's share of the cost will increase. But at the moment of the handover Sir, the 35% to 65% apportionment on the 1 April must hold good, it does mean that later on in the year, depending on what happens in the course of the year it could be higher for Government.

HON M D XIBERRAS:

I would be most grateful, Sir, if the Minister were to communicate to me more or less the outline, the finances of this thing, because I am on it. Particularly, I am interested in seeing that DOE does not relinquish all responsibility or financial commitments for this. This is what I am driving at.

HON A J CANEPA:

It certainly doesn't do so, Sir. Infact my colleague of Public works was very worried about aspects of the maintenance and so on of buildings, and they are not relinquishing those responsibilities. But these are purely administrative details. They are small details which have to be thrashed out by the officials concerned.

MR SPEAKER:

Right, the next item.

HON P J ISOLA:

Is the Industrial Training Centre to be a permanent feature of our life here?

HON A J CANEPA:

Certainly, Sir, I think it has done very good work, indeed, and I think we are getting good value for money.

HON P J ISOLA:

In that case, will he press that the land be passed over the Gibraltar Government.

MR SPEAKER:

That is another matter.

HON P J ISOLA:

Mr Chairman, Victoria Stadium, somebody was going to make a statement.

HON H J ZAMMITT:

Mr Chairman, Sir, I didn't actually intend to make a statement here on this particular issue. I don't really know if it is timely at this stage. I would much rather have made a policy statement later on during the meeting. Unless there is any specific questions that Members opposite would like to know on the vote, on the actual money side of it, there is no change at the moment.

MR SPEAKER:

Well that's the answer. Any other items on this Head.

HON A J CANEPA:

Sir, I have got something on the Consumer Protection Unit unless

MR SPEAKER:

Anything before that

HON J BOSSANO:

Yes, Mr Speaker, on the printing of the Supplement of the Laws of Gibraltar. There is an estimated £3,000 for 74/75

and it appears in the revised estimate column that nothing was spent in 73/74. I think reference was made earlier to the problem of printing costs, and in fact of the physical capacity to print. Could we have some comment on this from the Government side.

HON ATTORNEY-GENERAL:

Yes, this is the printing of the 1970 Supplement. There has been a considerable amount of delay from the printers. It is a matter over which I have no control. As soon as the material comes back from the printers to my Chambers, the proofs are corrected and sent back. I am told that the 1970 Supplement should be on the market in about early May of this year.

MR SPEAKER:

Right, Consumer Protection Unit, then.

HON A J CANEPA:

Sir, although this is a small item, I hope that you will bear with me, because obviously a great deal of the Government's policy in its fight against inflation hinges around the Consumer Protection Unit. The estimate, Sir, of £4,090 should only, I hope, be seen in the nature of a token vote, in the sense that the Unit is not fully operational for two main reasons. In the first place, although appointments have been made for three Consumer Protection Inspectors, the administration has had difficulties in having the staff released. So in fact only one of them is actually in post at the moment, together with the Price Control Revenue Inspectors, who really come under the Treasury. Secondly, Sir, until the Housing Unit is able to move across to the City Hall, and I hope that they shall do so very soon, the Consumer Protection Unit cannot take over the offices which are being provided for it on the fifth floor of the Haven. So really what is happening at the moment is that it is operating more as a Price Control Office, staffed by Revenue Inspectors and by one Inspector.

Perhaps I should add that the Assistant Consumer Protection

Officer has also been appointed recently and will soon be taking over formally from the Senior Clerical Officer who is now at the Price Control Office.

Sir, the work that the Price Control Office is now doing, partly arising from the fact that it is better situated at the Haven, leads one to predict confidently that the Unit, when fully operational, will be giving the public very good value for money. It will of course be keeping a very close watch on prices, and it is to be hoped that the public will make the fullest use possible of the service which it provides. Particularly, may I say, in respect of the recent legislation against overcharging. I also hope, Sir, in the course of the year, to bring to the House other legislations on weights and measures and on other matters that will provide the legal framework within which the Unit will work.

Finally, Mr Chairman, I think I should also tell the House that the Government proposes to extend price control, particularly in respect of foodstuffs, and definite action will be taken on this very, very, shortly

HON J BOSSANC:

Mr Speaker, could I ask the Minister about the man in charge of the Unit, who was going to be recruited I understand in UK, what precisely is the position there? Is he already in Gibraltar or is he expected shortly?

HON A J CANEPA:

Sir, this is the Consumer Protection Officer, what we have at the moment is the Assistant. This is a recruit from the UK. The gentleman will be here in May. He is at the moment a Chief Inspector of weights and measures, and, therefore, in the period of time that he will be in Gibraltar, I hope that he will be able to advise on the kind of modern legislation which is part and parcel of consumer protection.

HON J BOSSANC:

Is he coming on a temporary basis to train somebody locally or is he taking

HON A J CANEPA:

Yes, Sir, he will be coming, say, for at least 12, 15 or 18 months, and in the meantime a local understudy will be appointed to take over from him fully when he leaves.

MR SPEAKER:

Right any other matters on this Head.

HON J BOSSANO:

Item 32, Mr Speaker, Cost of Living Allowance, £310,000. Can the Honourable the Financial and Development Secretary give the House some indication of the rate of inflation that is implicit in this figure of £310,000?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Chairman, yes I can explain how we have reached this figure, but certainly it has no implications for the rate of inflation. We start first of all with existing COLA at 1 April 1974, which was £1.10 per employee per week, or £57.2 a year. That, for the non-industrial and industrial workforce of the Government, amounts to £156,000. Then for new COLA accruing in 1974/75 we just assumed a three point rise in the index each quarter, and calculated accordingly. That came out at about £157,000. So together this makes about £313,000. But then we have made provision separately for those few officers who are now embraced in the new Head, Consolidated Fund Charges. We took them at about the same amount, that is about £110 a year.

HON J BOSSANO:

The three point increase, Mr Speaker. Is this assuming a three point increase per quarter of the forthcoming financial year, or only in fact for the two quarters before the present formula in fact runs out.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No. We have taken each quarter of the year - April, July,

October and January - calculating a three point increase, and assuming that all that would be paid as COLA. Now, there is an intervening review of salaries in October, but we haven't taken account of that.

Head XVI - Miscellaneous Services was agreed to and passed.

Head XVII Pensions was agreed to and passed

Head XVIII Police - Personal Emoluments

HON ATTORNEY-GENERAL:

Mr Chairman, may I first correct three typographical errors in Personal Emoluments: Item 15, CID Allowance, the little letter after should be (b) and not (a); Item 22, Long Hours Gratuity, there should also be the letter (i) after the letter (b); Item 23, Extra Duty Allowance, instead of (e) and (g) after (b), there should be the letter (j).

Mr Chairman, the main increases, as will be seen, there is the particularly large increase for the salaries of constables which have gone up by £43,000. As Members will be aware at the Biennial Review the salaries of Police Constables went up from a minimum of £654 a year to something like £950 a year, a considerable increase. This of course is reflected in the salaries paid here. The increase for overtime of £19,800: overtime for the year 73-74 was calculated on the pre-Biennial Review salaries for one thing, and, secondly, the working week was reduced by 2 hours for Constables. So that they now, instead of having a 42 hours week plus 6 hours of overtime, they have got a 40 hour week plus 8 hours overtime, and the extra two hours on overtime, plus the previous calculations only being on the pre-Biennial Review, Sir, accounts for this considerable increase. And lastly, the Extra Duty Allowance, which has gone up from £7,315 to some £15,000: this is partly caused by again the increase in salaries, but also the fact that the range of extra duties have been increased quite considerably.

HON J BOSSANO:

I wonder could the Honourable and Learned the Attorney-General,

who seems to be, until the Watch Committee arrives, the person responsible for the Police... Even after the Watch Committee! Well, this is an undesirable turn of events in an elected Chamber, Mr Speaker.

Could he say whether the question of recruitment in the Police has improved at all as a result of the improvement in scales brought about by the Biennial Review.

HON ATTORNEY-GENERAL:

We are up to numbers, but of course there is a considerable turn-over which is the great worry to the Police Force. There is this considerable turn-over. It is easy enough to get recruits, the salary is reasonably attractive, but many recruits find the life somewhat hard and after a fairly short period leave the Force to be replaced.

HON L DEVINCENZI:

On Item 17, Female Seacher. A little (e) indicates Biennial review of Industrial Staff. The increases is only

MR SPEAKER:

In my copy it says special Constables.

HON L DEVINCENZI:

My apologies, Sir, in fact I am in 'Other Charges'. I am sorry.

Head XVlll - Police - Personal Emoluments was agreed and passed.

Other Charges

HON ATTORNEY-GENERAL:

Mr Chairman, certain items do call for comments. Item 4, Clothing and Equipment, as Honourable Members will see, has

increased by some £2,200. Uniform costs are in fact up by 50% and we have no control over that. Ambulance Service; that is a considerable increase, £4,348. As from November of last year there has been a Policeman on duty with the ambulance, and Ambulance Attendance 24 hours a day. This was recommended by the Director of Medical and Health Services, and my friend the Minister for Medical and Health Services, and of course, as you will appreciate, 24 hours a day, 365 days a year, the main part of this increase is the salary.

HON P J ISOLA:

Sir, I notice there is no token vote for the Watch Committee. Is it that the Watch Committee will not require money, or is it that the Watch Committee is not being pursued at the moment because of the financial implications?

HON CHIEF MINISTER:

There is no question of money, as we anticipate, if we can get the agreement to the Watch Committee. No question of money involved.

HON P J ISOLA:

Who is the agreement being sought from to get the Watch Committee.

MR SPEAKER:

As there is no question of money involved it is out of order. We are not dealing with the Watch Committee now.

HON CHIEF MINISTER:

I think I ought to remind the House that internal security is one subject which is reserved, and, therefore, one is not completely one's own master in this matter.

HON P J ISOLA:

That is obviously apparent to all of us and I suppose it was also apparent to the members of the Government when they issued their election manifesto.

HON L DEVINCENZI:

Female Searchers. There is only an increase of £10, Biennial Review. Is that figure correct, Mr Speaker, £10 only for a year?

HON ATTORNEY-GENERAL:

As far as I am aware the lady only works part time.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

May I just take a moment to remind the House that in Head X of Revenue, at item 13, they will find a provision for £186,000 of the cost of this Head to be recovered by Government.

Head XVllll - Police other charges - was agreed to and passed

Head XIX - Port - Personal Emoluments was agreed to and passed

Other Charges

HON P J ISOLA:

There is a drop in expenditure as the result of a decrease in the repair of floating fenders, from which I gather of course that the fenders that we have been talking about year in year out are now back in position. Possibly, of course, those are not the floating fenders we are talking about, but are there not any plans at all for improvements of the Port? Here is a saving of £4,700 which I would have thought would have been put to some good use.

HON A W SERFATY:

Sir, the main reason for the saving is that the fenders are apparently now in sufficiently good condition to require less expenditure next year in repairing them. But when the Honourable and Learned Member asked what plans we have got, is he referring to extensions of wharves and that kind of things. If so I must admit that we have not got any because we are working quite satisfactorily. We are awaiting the recommendations, whenever they come, of the Port Advisory Committee, which as I said the other day, is doing quite a good job of work.

HON P J ISOLA:

Is the Member aware, perhaps this should be for the general debate, that one sees many more ships now berthed or anchor outside the Port on the other side of the Bay than one used to. Does he not feel that perhaps our Port is lagging behind.

HON A W SERFATY:

No, Sir. What is happening is that we are getting an all time record in tonnage arriving in Gibraltar. And in all time record in the bulk and cargo being left here in Gibraltar - all time record. It is really fantastic how we have reached - almost triplicated - the amount of general and bulk cargo than we had eight or nine years ago.

HON P J ISOLA:

I am sorry that this is not reflected in the estimates of the Financial and Development Secretary for customs receipts.

HON A W SERFATY:

But they are in berthing fees and Port dues.

HON L DEVINCENZI:

Mr Chairman, can the Honourable Minister explain with relation to what he has said on the tonnage which has increased. Do these ships which ply between Gibraltar and Portugal all the time account for part of that tonnage.

HON A W SERFATY:

I presume this includes all classes of merchant shipping, but it is not that much I would have thought, not that much.

HON MAJOR R J PELIZA:

It may not be that much, but is it not so that the bulk of that is building material?

HON A W SERFATY:

Very probably so.

HON P J ISOLA:

Can we then expect a drop in the tonnage in Gibraltar as the result of the Government's proposed cuts to the development programme?

MR SPEAKER:

No, no, there is no need to answer that one.

HON J BOSSANO:

Mr Speaker, on the running expenses and maintenance of launches, can the Government say how they expect, in view of the increase cost of fuel and so on, to be able to manage with less under this particular subhead - Item 3.

HON A W SERFATY:

Well, although we have here £3,420 in the revised estimates, I understand that £3,300 is all that we have spent this year. How will that be affecting the increase in cost of oil, I really do not know.

HON L DEVINCENZI:

Mr Chairman, Promotion of Cruises Conferences etc. There is nothing here.

HON A W SERFATY:

That is in the Tourist Vote, Mr Speaker.

HON P J ISOLA:

Is the Minister satisfied with the services the Port gives through its Surveyor. I think the Ship and Engineer Surveyor, at Head 6, is only a part time post. Is the Minister satisfied that he can give this

service to ships? It is quite a valuable service in respect of registration of ships and so forth. Is he satisfied with that service?

HON A W SERFATY:

All I can say is that I have had no complaints, and when there is dissatisfaction normally the Ministers very soon hears about it.

Head XIX - Port - Other Charges was agreed to and passed.

Head 20 - Post Office and Savings Bank - Personal Emoluments.

HON J BOSSANO:

On the Personal Emoluments, is the recent agreement on the 5-day week reflected in the estimates for 74-75, and if not, can the Government give an indication of whether this is going to make any significant difference to the Personal Emoluments?

HON I ABECASIS:

Sir, the Unions on behalf of the Postmen are negotiating with the Industrial Relations Officer at this present moment and we do not know yet the outcome of that negotiation.

HON J BOSSANO:

Government has accepted the commitment in principle to the introduction of the 5-day week.

MR SPEAKER:

That we must not discuss now. You can ask whether any provision has been made in this vote for it, but not more than that.

HON J BOSSANO:

But if there is a commitment, there may not be a provision because they cannot cost it, or there may not be a provision because

MR SPEAKER:

What comes first. If you ask whether the provision is made and the answer is no.

HON J BOSSANO:

No, Mr Speaker, I understand that there is no provision. What I would like to know is whether there is a commitment in spite of the fact that there is no provision, or whether in fact there is no provision because there is not commitment. That is what I want to know.

HON I ABECASIS:

The agreement in principle was for a 5 day 40 hour week and this is what has been accepted in principle, only. Until we hear what is the result of the negotiations we cannot say.

Head XX - Post Office - Personal Emoluments was agreed to and passed.

Other Charges.

HON J BOSSANO:

Mr Speaker, on the question of motor cycles and vans, Item 10 Running Expenses,, there is an increase of £200. Is the Government aware of the general dissatisfaction about the conditions of many of these pieces of equipment. That the men who were expected to do their work with this equipment feel that more often than not the department would be better off in replacing some of these things instead of spending money on maintenance. Can we have some information on that?

HON I ABECASIS:

Sir, if the Member cares to look at item 21 he will see that there is provision for a new motor cycle.

HON J BOSSANC:

Is that all that is needed then, just one motor cycle.

HON I ABECASIS:

Like the motor cycle, we go slowly.

HON P J ISOLA:

May I ask the Minister - I have seen the note but it is not terribly clear, this rather substantial increase in the cost of Conveyance of Transit Mails. Item 19, an increase of £17,800.

HON I ABECASIS:

Yes, that was a deal we had with the firm Bellinar from USA, which sent mail to Gibraltar for bulk mailing, and there was an agreement to the effect that when we increased the postage last time we agreed to give them a rebate, and if you care to look at page 6 Item 8 on the Revenue side, Mr Chairman, there is an increase of £19,000, which more than compensates for the £17,800. It is a counter entry.

HON P J ISOLA:

Am I to understand by this that the bulk of the revenue on the increased postage is then taken by this firm, because it costs us £17,800 more and we get back £19,000, so that on the increase we are only getting £1,800. Is that the right way to look at it?

HON I ABECASIS:

No, Sir, no. There was an increase in postage generally, but since this firm sends out anything up to one million items every year, there was a rebate to compensate or to offset part of the increase in postage.

HON L DEVINCENZI:

Mr Chairman, Item 15 - Commission to Stamp Vendors, this has been increased by about 50%. Could we know what is the commission payable now to Stamp Vendors?

HON I ABECASIS:

2%, Sir, 2%.

Head XX - Post Office - other charges was agreed to and passed.

MR SPEAKER:

We will now recess for approximately 20 minutes.

The Committee recessed at 5.15 pm

The Committee resumed at 5.40 pm

Head XXI - Prison - Personal Emoluments

HON A J CANEPA:

Mr Chairman, I think that the one thing that does strike one is the new post of Assistant Superintendent, and I think that I ought to explain that because the Superintendent is retiring in March 1975, and the Assistant Superintendent is to take over following a three month course in the United Kingdom, the post of Assistant is really not a permanent post: That is why the vote is merely a token one. I do not anticipate that it will appear in next years estimates.

HON I D XIBERRAS:

Could the Minister comment on the staffing situation.

HON A J CANEPA:

Sir, the post of Senior Prison Officer is currently vacant actually, following the promotion of the previous holder to Principal Officer a couple of months ago in January. There are six Prison Officers in post at the moment, full time, which I think is one up on last year when there were only five, and there are two temporary officers. The establishment is eight. I think the Honourable Member is aware that there is a Productivity arrangement there whereby the men have done rather well out of this arrangement: the men get £3.75 per week as a Productivity bonus.

Head XXI - Prison - Personal Emoluments was agreed to and passed

Other Charges

HON A J CANEPA:

Sir, the Wage Earning Scheme - that is Item 9. There is an immediate increase from the 1 April in the weekly allowance being paid to the prisoners. It was set in July 1972 at 40p and we are more than taking account of inflation for them really, by increasing it from 40p to 60p per week. The other thing that I would, in passing, like to mention is my regret that at the moment there isn't a great deal that can be done under - I don't think its any specific item - but there was an arrangement, Sir, whereby a school teacher used to go there to give instructions to the prisoners. That unfortunately has had to be temporarily discontinued because of the fact that there are two female prisoners who would otherwise have to be locked up after 5 pm because the library would be used by the teacher for this instructions. It is something which is temporary, but on the other hand, it could be temporary for another year or fifteen months.

HON M D XIBERRAS:

Sir, rehabilitation of young persons. Can the Minister give an indication of what has been done in this direction. Has the scheme been extended?

HON A J CANEPA:

Rehabilitation. The provision in the estimate, Sir, is for materials to keep the prisoners occupied, for teaching them certain skills, such as sewing, which is being taught to the two young female prisoners there, and there is still the arrangement for attendance at the Fire Station. That is still an attendance centre as it used to be under Captain Hoare.

HON M D XIBERRAS:

Maintenance of Prisoners and Diets. Is there a substantial increase there, unless I am misreading this, of £1,010. What is this, more prisoners or a better diet, or what?

HON A J CANEPA:

Both, Sir. Costs, have shot up obviously, and in fact at the moment the

number of prisoners has also increased considerably. There are some, what is the legal term, recidivists back in residence.

Other Charges was agreed to and passed.

Head XXII - Public Debt Charges

HON FINANCIAL AND DEVELOPMENT SECRETARY:

With one exception, all of the loans have the same provisions which were hitherto covered by this Head have been transferred to the new Head - Consolidated Fund Charges, and the exception is the first item in the list in which there is provision of £14,600 for the amortisation in the coming year of one old City Council Loan issued in the 1960s, for which the servicing is not governed by a Local Loan Ordinance.

HON J BOSSANO:

Mr Speaker, as regards the future: the charges appearing, and indeed in the 74/75 estimates, the charging appearing in the Consolidated Funds; will the House have an opportunity to. No. I see, well when is it appropriate to ask questions about the 74/75 Public Debt Charges if they don't appear in this column.

MR SPEAKER:

Am I wrong in saying that there is no opportunity to discuss the Consolidated Fund?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Chairman, as I explained in my speech, at the beginning, the provision made in the Head, Consolidated Fund Charges, does not need the approval of the House, but I am sure I would be glad to give clarification.

Head XXII - Public Debt Charges was agreed to and passed.

Head XXIII - Revenue - Personal Emoluments was agreed to and passed.

Other charges

MR SPEAKER:

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HON J BOSSANO:

Could I just ask, Mr Speaker, about the workload of the Statistics Department, which has now become a fully established part of the administration of the Government of Gibraltar, I think. Can we have some information as regards the sort of work that the Statistics Department is now doing? There was last year the Family Expenditure Survey, which was the background to the new Index of Retail Prices; and of course the Statistic Departments does regular work in monitoring average costs, average wages, and average earnings, and this sort of thing. But is there anything additional being put into the hands of the Statistics Department?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, they have just completed a Survey of Hotel Occupancy and Travel and the results of that will be laid before the House. Employment, these are the main activities.

HON J BOSSANO:

Employment Surveys, which are done I believe at six months intervals, in April, and October, but I mean is there any other sort of normal work being done by the Statistics Department, Sir, on the Employment Survey as a normal part of its workload.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

That I can think of this moment there is no particular continuous job that they do, but they are very valuable to us in providing statistical information of all sorts to answer all sorts of questions that we ourselves and Honourable Members opposite like to ask.

HON M. D. XIBERRAS:

Mr Chairman, I think it was last year that we raised the question of the work of the Statistics Office, and I believe we reduced, or attempted to reduce from this side the salary of the statistician by a £1, I think it was. Not because we did not value the work of the Statistics Office, because after all, Honourable Members on this side established the office in their time, but because we were dissatisfied with the sort of information that was being provided to the public. The Statistics Office started on condition, or with the understanding, that information would be made available to those who contributed the information in the first place. And we on this side, were not at all in favour with the secretiveness with which the Government was treating information contributed by people in the private sector, about wages and so on, which it was understood would be made available to them in the appropriate form and according to the Statistics Ordinance, so that the financial trends in Gibraltar could be judged by them, and this would help them to invest money or plan their wages and so forth. We had a great deal to do about these particular functions of the Statistics Office. I don't think the Honourable the Financial and Development Secretary will question that this was the understanding when Mr Fell came to Gibraltar some time ago and when the Statistics Bill came to this House again some time ago. Now, I do not think, to my knowledge anyway, that the public is being fed back the statistical analysis to which they have contributed, and I think it is, as Honourable Members opposite said at the time of the Statistics Ordinance, it is quite a job to provide statistics for the Government, it is a time consuming thing, and I think it is only fair that people who contribute this information should be given the information back. I seem to recall that the Financial and Development Secretary said in the debate last year at budget time that he would be making available this information to the public. But to my knowledge this has not happened. That was the first query that was raised by Honourable Members on this side. The second query was the question of information which was relevant to the needs of Gibraltar, particularly information which Members on this side of the House considered to be very valuable. I am referring to comparisons with United Kingdom statistics, and certainly Members on this side of the House would like to see these comparisons, and in consultations which have taken place with the Honourable and Learned the Chief Minister, the matter of statistical information has also been raised. I think that it is very important for Gibraltar to know where it stands in relation to the United Kingdom in the various aspects of social services, wages, and so forth. Now it is on these two points which we would like clarification from the Honourable the Financial and Development Secretary before considering voting for this sum.

MR SPEAKER:

Well, may I say that the vote has been taken, but I will allow the Financial and Development Secretary to reply so that the matter is clarified.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Well, Mr Chairman, I would simply answer that shortly, at this point, if I say this, that we have a disposition to make publicly available useful statistics compiled by the Statistics Department, that certainly. I would wish to be sure, on the second part of the question, that any comparative statistics that we try to draw up relating to Gibraltar and the UK would be useful statistics, and up to this point it is very difficult and in fact it has proved possible to produce such statistics. Sir, if need be I'll say more in answer to the general debate.

HON M D XIBERRAS:

Mr Speaker, it is very regrettable that a year after this matter was raised in the House, and this side moved a token reduction of £1, still the public has no information available. And I repeat that this was a clear understanding when this House voted in favour of the Statistics Ordinance, with clear understanding that there would be a feedback to the people providing the information. And I am not at all satisfied that the Financial and Development Secretary should rise to say that it has not been possible to do what everybody envisaged would be possible two or three years ago. In fact three or four years ago.

MR SPEAKER:

Well, we will leave it at that then, and we will move on to other charges.

HON P J ISOLA:

I have a query right at the end. Contribution Towards the upkeep of the City Hall, the share of the Revenue Department. What activities does the Revenue Department run in the City Hall.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The Revenue Department is responsible for the Accounts and the Billing

staff who work there.

Other Charges was agreed to and passed.

Head XXIV - Secretariat - Personal Emoluments

MR SPEAKER:

Personal Emoluments come under pages 66 and 67.

HON A J CANEPA:

The Productivity & Training Unit, Sir, I think this is the most appropriate place, Sir, for me to give some account of the work that the Unit has undertaken during the last year. The bulk of the work has evolved under six main headings, I would say, Sir. In the first place, Work Study Survey; secondly Organisation & Methods Surveys, though of course these come more appropriately under the Establishment Officer; thirdly, Job Descriptions and Job Evaluations, again these are more within the province of the Establishment Officer; preparation of PBRs schemes, that is Payment by Result Schemes, about which I think we heard something earlier. Next, Sir, there has been the expansion of Industrial Training, about which I think I have kept the House fairly well informed and which is evident from the provision which is being made for Industrial Training, Sir, later on in page 68, Item 18, and about which the marginal remarks give quite a bit of detail. But of course I shall be only too pleased to answer any further questions on it. And also, Sir, there have been other more general training aspects which the Unit has been undertaking for Government. This has included the co-ordination of the training of Government apprentices, and the monitoring of their progress on behalf of the various departments. Over and above all these, Sir, the Productivity & Training Unit has been particularly involved in the course of the year in the preparation, and in the current negotiations, of the Productivity Agreement for the industrials employed by the main departments, that is the Public Works, City Electrical Engineer to and the Telephone Departments. In addition to that, as in previous years, there have in fact been other productivity agreements for small groups of the Government staff, such as Public Health Operatives and sewermen, which have been prepared by the Unit during the last twelve months.

HON J BOSSANO:

Mr Speaker, the major exercise which was envisaged at last years budget, covering 60% of the labour force, was I believe going to be undertaken by the Unit. It was something that was touched upon at last year's budget and I would like to know how close we are to seeing this actually coming through, in real terms.

HON A J CANEPA:

This is the comprehensive Productivity Agreement about which I made a statement in the House recently. The situation, Sir, as far as the negotiations are concerned, and I don't want to be pressed too much in giving details obviously because the negotiations are still under progress, but what has happened, Sir, is that the Management and Union Sides have come to broad agreement on the areas that will comprise the agreement. These areas have now been incorporated in a document, which I think has got to be given some legal form, a certain amount of legal drafting, and concurrently with that, the Unit is at the moment pricing these areas so that once Government, shortly after this session of the House I hope and after the Treasury have had an opportunity to study these costings, once Government has made up its mind on what has so far been agreed, then I would hope that Management and Union would actually be in a position, not to ~~take~~ talk about areas, but to talk about actual cash.

HON M D XIBERRAS:

Sir, as the Honourable Member opposite will remember, we had strong words to say about the use of the Productivity and Training Unit was put when we discussed these items last year. Now, against the background of what the Honourable the Financial and Development Secretary had to say about productivity this year, we are more willing to vote these funds this year than we were last year. We find that we entirely agree with this belated emphasis of the Government on productivity, and it is this apparent lack of interest that we criticise so much last year. This is, as all Honourable Members appear to agree now, absolutely crucial to Gibraltar and we were not satisfied that enough was being done to develop the idea of productivity put forward by Beeching, adopted by the previous administration, and which to a certain degree captured the imagination of people for a while.

Now, we are very sad to see the person who is now the Industrial

Relations Officer leave his job as an Organisation & Methods Officer, because as an Organisation & Methods Officer he was brought to Gibraltar and I think that the Unit has been weakened considerably by his removal. Now, I do not doubt that he plays a valuable role as the Industrial Relations Officer, but again I think the Unit is depleted by his removal. This is a man of great capacity and a man of certain objectivity and I think that his role here was absolutely crucial.

We also expressed the criticism last year that this Unit was being taken over as a branch of the Establishment, that it was too heavily involved with the question of pay negotiations and things of the kind. I will remind the Honourable Member opposite that in conception this Unit was supposed to provide the opportunity both for the Management, which is Government, and for the workers involved both industrials and non-industrials, to increase the efficiency of the service and also to provide higher earnings for people. In that role they had a certain degree of independence which sadly I think has been lost over a period of time, and I do not like the Minister saying that on the clerical side it is a matter for the Establishment because I think as Minister for Labour he should have a great interest in this overall. Things like job evaluation and so on a good function of the

MR SPEAKER:

Yes, but we are not going to discuss the working of the Unit. That again you can do at the general debate. I have been liberal and I think we have gone far enough.

HON M D XIBERRAS:

I am sorry to say, Sir, and this is perhaps an opportunity, that if this is in fact going to be the practice now we shall have to ask for a change in the Rules.

MR SPEAKER:

I beg your pardon, I don't understand you when you say if this is going to be the practice. I always set the same standards and I am not aware that I have changed them.

HON M D XIBERRAS:

Sir, it is about the only time when this House can have a fairly

MR SPEAKER:

I am afraid that the Honourable Member is mistaking the rules. We are discussing an item in Committee. The general principles should be discussed in the general debate, with due respect to the Leader of the Opposition.

HON M D XIBERRAS:

Sir, the point is of course that in other places there is a very detailed examination of the estimates of expenditure, and even though I can understand that the House does not want to be involved for a very long time, I appreciate that, nonetheless I am sure, Mr Speaker, the House will also appreciate that Honourable Members on this side want to give some sort of detailed examination, scrutiny, to the expenditure and

MR SPEAKER:

I am not objecting to the scrutiny, I am objecting to an exposition of the workings of the Productivity & Training Unit.

HON M D XIBERRAS:

Sir, this is a Unit, it is self-contained sort of entity, and it is very important that Honourable Members on this side of the House should know to what purpose this Unit is being put

MR SPEAKER:

And to that extent, the Honourable Member is entitled to ask whatever questions he needs to ask.

HON M D XIBERRAS:

Before the general debate, Sir, because once we have voted in favour of this

MR SPEAKER:

Yes, but the Honourable Leader of the Opposition does not seem to realise what I am ruling: that he is making an exposition of what

he feels the Productivity Unit should do. What he is entitled to do now is to question the Government and to seek information as to how the monies are going to be spent. This is the object that we are trying to achieve at this particular time.

HON M D XIBERRAS:

Yes, Sir. Of course I have said before that in whatever statements are made from this side of the House there are implicit questions. However, if it is more proper that I should put all my statements into questions I shall

MR SPEAKER:

But let it be said that I am making rulings after I allow members to go for a considerable length of time in making speeches when they should not do so.

HON M D XIBERRAS:

Sir, again I appreciate highly that Mr Chairman is trying to accommodate Honourable Members on this side of the House. What I am saying is that the Opposition is certainly not satisfied with the opportunity for scrutiny and for discussion of these estimates in detail which is being provided.

MR SPEAKER:

Well, I do not make the rules, I apply them. There is the Rules Committee and that is the place where that should be discussed, not here.

HON M D XIBERRAS:

Sir, this is what I have suggested perhaps should be done.

Therefore, Sir, I would like to ask to what extent have the functions of the Unit been taken over purely by the establishment?

HON A J CANEPA:

They have not been taken over. The structure of the Unit, the set up

there of responsibility, remains the same as when the Unit was set up. The Unit is responsible to me, as Minister for Labour, in those matters which affect Government industrials. The Productivity and Training Manager, as Head of the Unit, is responsible to the Establishment Officer on those matters which by and large affect non-industrials, and of course, in all these matters the Honourable the Financial and Development Secretary has an interest wherever finance is concerned. That is the set up. There is no difference, there is no question of taking over, Sir. What happens is that Organisation and Method and allied subjects are dealt with more direct by the Establishment Officer and the Productivity and Training Manager. I am informed of what goes on. If I want to pry into these matters obviously I am entitled to do so. Wherever there is an issue of principle, as Minister answerable here in the House, of course I must be consulted, and I am quite willing to answer questions on behalf of the Establishment on matters involving Organisation and Method and allied subjects, but these are not my direct responsibility. My direct responsibility is more the field of Work Study, actual productivity, productivity agreements, and so on, because of the nature of the set up. And I think he knows this, Sir, because I understand when the Unit was set up he asked for this information. The Honourable Leader of the Opposition, then as Minister, asked how the division of responsibility exactly fitted in, and that is the position. The Minister for Labour has responsibility in respect of industrials. On anything to do with industrials, I will not allow the Establishment Officer or anybody else to usurp my functions or my responsibilities.

HON M D XIBERRAS:

Sir, it is not that I am saying that the Minister's functions in respect of industrials are being usurped, what I am trying to discover is to what degree the Minister who is responsible, may I say, for productivity in the loose sense, bearing in mind that there is a very big number of industrials in the Government service, and a high proportion of the costs referred to by the Honourable the Financial and Development Secretary accrues as a result of the employment of non-industrials, to what extent he is pushing for efficiency with the people whose salaries we are voting now. In other words, to what extent does he say: "Well, I think that in consultation with the Administrative Secretary, Deputy Governor, or what have you, I think that this particular area of the Service is the area which requires going into and so on". Now, I know exactly what it is because I had it in writing from the Deputy Governor what the strict demarcation lines were, but I also know what the understanding was in my time, and I want to make sure that the Minister has the same understanding of this function and is prepared to exercise them in a similar way,

to take in non-industrials where there is a considerable amount of expense. This is what I have been driving at for two years' in succession and here I think is an area where the Administrative Secretary and the Financial Secretary, and people involved with the administration, can take up a lot of the time of the Organisation and Methods men. We had a reference in fact to the work of the House today. Who directs the Organisation and Methods men to tackle this particular job or that particular job. Does the Minister have any say in these matters and I would like to hold him responsible for the result, if I can put it that way, and we would want to spur him on because productivity is a most important thing.

HON A J CANEPA:

What I cannot do is this, I cannot tell the Productivity and Training Unit to move into certain areas, I cannot direct them to do that. I cannot direct them to move into a particular section of the Public Works Department over the head of my colleague. Neither am I going to suggest to him, without knowing how Public Works is working myself, neither am I going to interfere to the extent of suggesting: "Look old boy such and such an area should be looked at". That I will not do because I see the Unit as a tool of Management, to be used by Management to improve efficiency and to bring about productivity. It is the people there, it is Management, and I am not management, who must bring the Unit into the departments. And I think it has been made clear to the departments that the Unit is a reality, that it is there, and when it is asked to undertake an assignment, they must be allowed, they must be given the opportunity of moving and of drawing up and making recommendations. I cannot direct it beforehand. Obviously, when any of my colleagues, when any of the departments, ask for the Unit to undertake an assignment, to undertake a job, I am informed of this, I am consulted, and in fact in the areas for which I am directly concerned, my assent would have to be given, but what I cannot do, whether it is because of the nature of the kind of person that I am, or because ^{of} the way I envisage the work of Government, what I cannot do is to interfere where I am not wanted. That I am prepared to do.

not

HON M D XIBERRAS:

Before I pass to another specific question, may I say that we know that constitutionally the Deputy Governor is the head of the Civil Service. I was just bearing in mind what the Honourable the Financial and Development Secretary had to say about the need for efficiency and productivity in the Service, and I would not like to have the Minister laboured with this particular responsibility unless he is willing also.

to assume it.

Now, the Financial and Development Secretary spoke about the amount that went on salaries and wages and it is we, elected members, who are voting for the money and we have a Minister whom I regard to be in charge of productivity generally, and this is the point that I am trying to establish. I am quite satisfied that the previous understanding allowed the Minister for Labour at that time to influence the areas which would be tackled at any particular time, where there was a need. Now, this may not be constitutionally correct, but this was the understanding. I think it was an effective understanding particularly with the use of Organisation & Methods personnel.

HON A J. CANEPA:

The Honourable the Leader of the Opposition must accept that when an entity, when a Government institution such as this one is set up, the people who are there at the time are able perhaps to assume responsibility, to influence things in a way that those who come later on, in a way that they cannot, because they have got to feel their way, which is why I was in a much more uncomfortable position a year ago than what I am now. One has got to feel one's way. When you are setting up something you know exactly where you want to go. I know where I want to go with the Consumer and Protection Unit. It is my baby, I don't want to hand it to anybody, because they will be answerable to me and I will influence exactly what they are going to do, but the position is not exactly the same with the Productivity and Training Unit as I found it when I took over.

MR SPEAKER:

I think we have gone as far as we can.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Chairman, I would just like to say this, that Honourable Members opposite can be sure that the Senior Members of the Civil Service well understand the position, the functions and the responsibilities of the Minister for Labour. And if it were the Financial Secretary, for example, who called upon the Productivity and Training Unit to be put on to a job: if for example Public Works Department said we want to mechanise all that, and I said fine, but then how are you going to re-employ your staff and make staff savings.

We put them in to do that, and we get a report on that. Naturally, on our day to day work the Minister is informed and aware of this as it goes along.

HON M D XIBERRAS:

Again it is a function, as the Honourable Member has said, it is in fact that we have looked ahead on this side of the House, we have looked on the Minister for Labour as the promoter of scheme, more than just the recipients of information about schemes. This is what we are driving at and somebody must be responsible for the productivity in both respects of the Government industrial and non-industrials force. And the responsibility, in a matter so serious, should not be so defined as appears to be. And I mean this is not only in respect of the actual efficiency, but also in respect of money, the wages and salaries that the people are to get. And I would regard the Minister for Labour as a bridge between Management, in this particular function, and the employee.

MR SPEAKER:

We will leave the subject now.

HON M D XIBERRAS:

Sir, there is a question about Civil Service Training that I would like the Members opposite to answer. Is Civil Service Training continuing, is it successful or not? I don't know whether it comes under this Head or not.

MR SPEAKER:

I think it does come under this.

HON A J CANEPA:

Other charges, Sir. Item, 15 for instance is the Equipment for Service Training. That refers I think particularly to that.

MR SPEAKER:

Item 12, on that page.

HON A J CANEPA:

Item 12, Staff Training. It is continuing Sir, yes. My understanding on the

MR SPEAKER:

But those are other charges. Shall we take a vote on personal emoluments.

HON M D XIBERRAS:

Sir, I believe that the Organisation & Methods Officer that was there some time ago and again he was a good man and did good work, has left the Service now. Is this the case?

HON A J CANEPA:

There are two Organisation & Methods Officers there. The Senior Works Study Officer has left. Now Sir, he isn't being replaced at the moment. What we are doing is that instead of bringing a new Senior Works Study Officer from UK, we are introducing a new post which is the Senior Clerical Officer, Item 24, Sir. It is intended that this new post will be filled by someone who will carry out research and other associated work, and not only on Work Study and Organisation & Methods generally. We look upon the post, Sir, as providing an excellent opportunity for training in officers in this particular grade, but this change in staffing should not be construed as an acceptance that a Senior Works Study Officer is not required. We want to retain the option, Sir, to take on a Senior Works Study Officer as and when required. We want to try this experiment of bringing someone in at a lower level, as a trainee as it were, and see how it works, and if necessary, after a year, next year, we can reconsider the matter and maybe recruit another Senior Works Study Officer.

I agree with the Honourable the Leader of the Opposition that the person previously in post was excellent but sometimes it is a bit of a lottery, they are not easy to come by.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Chairman, I should just say that in fact Civil Service is going on a pace, in the training of clerks and business efficiency and

letter writing, shorthand, typists, and most recently the use of paper and the economy of paper and things like that. This is going on all the time.

HON M D XIBERRAS:

Sir, could I ask one more general question. The Minister has enumerated six headings under which work generally has been carried on. Now, I can tell him that between the time the Unit set up and the last election some 18 separate productivity agreements had been signed. The Prison Officers was one that was dealt with, and so on. I am sorry to be a bit petty focussing about this, but I really want to know whether the Unit is doing the work it is supposed to be doing. Now, the Minister has mentioned sewer men and has mentioned Public Health Operatives as two examples. Could he say numerically how many more productivity agreements had been signed.

HON A J CANEPA:

Another two, I would say, Sir, although these, rather than call them productivity agreements are called job price contracts, installations of light the fairground, installation of light, decoration and so on at Main Street. These are the two mini-agreements, and of course as I said the bulk of the work during the year has certainly occupied one Work Study Officer full-time, together with the Productivity and Training Manager, in the comprehensive agreement. But of course again, Sir, initially, when the Unit was started the opportunities for these smaller agreements were rather more evident than what they are today. The Unit is always ready to look into any areas, where it is the policy of the Government that whenever we can introduce productivity agreements they are eminently desirable.

HON M D XIBERRAS:

I thank the Honourable Minister for his answer, but I must tell him that we are still not satisfied that there is this push for productivity which we would like, and we urge him for the second year in succession, with the money that is being voted now, to do something rather more than what he is doing now.

HON A J CANEPA:

I would like to say one more thing, Sir, if I may, and that is, that the work of the Unit will not entirely be seen by the number of

productivity agreements produced, because work study brings in its wake efficiency as a result of reports and recommendations made ~~by the~~ *and* Minister which will bring efficiency without necessarily having a productivity agreement as a direct concomittant of that.

HON M D XIBERRAS:

Well, that is precisely where we might differ, and that is, that if the Unit does bring about greater efficiency in Government then the employees should benefit from this greater efficiency in some measure. That is I think a very important thing. This is why Members on this side of the House believe in higher productivity, higher wage, higher productivity, and this is what we are trying to get the Government back on.

MR SPEAKER:

Right, fair enough. We will now take a vote on personal emoluments.

Head XXIV Secretariat - Personal Emoluments was agreed to and passed.

Other Charges was agreed to and passed.

CLERK:

Head XXV Telephone Service - Personal Emoluments

HON W M ISOLA:

On item 2, Superintendent of ^Telephones. Can the Minister say when he hopes to have a Deputy Superintendent. I see that there is just obviously token allowances made for 74-75.

HON LT COL J L HOARE:

The gentleman who is presently being invited to take over this post has not seen his way clear at the moment to take the emoluments offered to him. And this is still in the process of negotiation.

HON W M ISOLA:

Assuming he is not prepared to take the emoluments at present offered

to him, what does the Minister intend to do to get somebody else?

HON LT COL J L HOARE:

We have somebody else available: the gentleman at Item 4. But one has obviously to give the gentleman at Item 3 the first option.

MR SPEAKER:

Any other questions, please?

HON W M ISOLA:

Item 17 - Overtime. We see that this amongst others, covers Trunk Operators. Has the Minister made any allowance for increasing the number of Trunk Operators in the evenings, from 9 pm to shall we say 8 am in the morning?

HON LT COL J L HOARE:

We have no demand for this. The staff at present employed on that is considered adequate by the Superintendent. There are no delays at this end, therefore, there is no reason to increase them.

HON W M ISOLA:

Is the Minister aware that 800 new lines have been installed during the last 18 months, and yet, between 9 and 12 pm at night there are only two Trunk Operators on duty and that from 12pm to 8 am only one, to answer Tangiers/International/Enquiry/United Kingdom? Is he satisfied that a satisfactory service is given or that it is fair for them to be on their own at this particular time of the evening, with the amount of new telephone subscribers?

HON LT COL J L HOARE:

I am quite satisfied that they are coping with the work which comes to them.

HON W M ISOLA:

Has the Minister personally gone to that particular department to

discover whether in fact it is working smoothly, or could it be working more smoothly if we had more Switch Board Operators?

HON LT COL J L HOARE:

I have been there regularly, and I am in constant touch with the Superintendent whose primary responsibility it is to make sure that the service is working perfectly. He is satisfied that they are working perfectly and I have absolutely no reason to doubt his statement.

HON W M ISOLA:

Is the Minister aware that because of his policy, many subscribers are having a lot of difficulty - I am not blaming the Trunk Operators at all - but a lot of subscribers are having great difficulty in getting a prompt reply because the Switch Boards are not adequately served.

HON LT COL J L HOARE:

I am not aware of that and if the Honourable Gentleman across the road will give me details I will try and investigate why there are problems at that particular time.

Head XXV - Telephone Service - Personal Emoluments was agreed to and passed.

Other Charges

HON W M ISOLA:

Mr Speaker, Item 7 - Training of Apprentices. I see that there is an increase of £2,400. Can the Minister state whether the number of apprentices has gone up or down in the last year?

HON LT COL J L HOARE:

Mr Chairman, we have at the moment three apprentices, on a part time basis, attending the Gibraltar and Dockyard Technical College, and what we have done is that we have taken from Item 2 that part of the time that they actually spend at the school. That amounts to £1,662 and the fees from the Dockyard amount to £2,448. Of these apprentices, one finishes this year, and we have got two lined up to replace that one. So we hope to increase and benefit by having one more apprentice next year.

HON W M ISOLA:

Mr Speaker, is the training of apprentices in this department up to the requirements of the Superintendent of Telephones?

HON LT COL J L HOARE:

Yes, Sir.

HON W M ISOLA:

I am very glad to hear that.

Under item 11, I see that there is an estimate for £600, for, I assume, a reprint of the 1972 Telephone Directories. Is that correct?

HON LT COL J L HOARE:

Item 11 note (e) is clear. It says: provides for a second supplement of the 1972 edition.

HON W M ISOLA:

I am not quite clear on this particular point, Mr Chairman. I remember that there was a 1972 edition, and then a little supplement came up. Is this the one that the Minister is referring to, the second one or the original one.

HON LT COL J L HOARE:

There was a new edition of Telephone Directory in 1972; there was a first supplement in 1973 containing details of subscribers who had been disconnected or who had changed addresses. This year we are going to publish another supplement, taking in the first supplement, so that you only have to refer to the original document and a second supplement which is kept up to date.

HON W M ISOLA:

Mr Speaker, could it not be considered that we should have one new

telephone directory. In saying this I know that there is only provision in the estimates for £600 whilst the actual expenditure for 72-73, when we published the Telephone Directory, was £2,029, but, Mr Speaker, if I might remind the Minister, I think this is one of the departments which actually produces income in excess of expenditure. In fact if I might go to the Appendix X, when we printed the new Telephone Directory we got something like £1,600 in advertising. So if you add the £1,600 and the £600, you could easily afford to have one new Telephone Directory, which would be much more useful both to the members of the public, Trunk Operators, etc, rather than to have a reprint of the first supplement. And if the number is not in the supplement then have to go to the original Directory, and if you cannot find it there you ring up Enquiries to find out whether a number exists for that particular person.

Surely, Mr Speaker, would it not be good planning and good sense, in view of the fact that we now have 700 or 800 new subscribers. Also in view of the fact that the estimated income in excess of expenditure is something like £30,000 for this department, and in view that you would most probably get £1,600 to £1,700 more in advertising, would it not be worthwhile considering having a new Telephone Directory, incorporating the 1972 Directory as well as the two supplements.

HON LT COL J L HOARE:

We have considered this, Mr Chairman, but the rate of change, the rate of additions at the present time, and the movement of people makes this an impossible project. It is just wasting our time. When we have caught up with all the demands, all the applications we have got, then we will do so. It will probably be next year but this year there are too many moves, too many changes, going on and it would therefore be a waste of time.

HON W M ISOLA:

Mr Speaker, if they are going to do it next year, then I would say that to spend £600 this year would be more of a wasted money.

HON LT COL J L HOARE:

No, Sir, because you still have to satisfy the needs of the persons who are using the telephones at the moment.

HON W M ISOLA:

Under Item 14, Purchase of Coin Boxes, I note - and rightly so - that we are purchasing three coin boxes: one for Sandy Bay, one for Camp Bay, and I assume they are being bought because of the demand that exists in these two places during the summer. Can the Minister tell me whether there is in fact such a coin box also at Eastern Beach?

HON LT COL J L HOARE:

Yes, Sir, there is.

Other Charges was agreed to and passed.

Head XXVI - Tourist Office - Personal Emoluments was agreed to and passed.

Other Charges.

HON W M ISOLA:

Mr Speaker, under Item 3, Air Terminal, an item which has been transferred from the Public Works Department, can the Minister state how this money is to be spent?

HON A W SERFATY:

Sir, I can give details of the whole of the vote - £8,100. Is that what the Honourable Member wants?

Materials and Cleaning, £4,305: Cleaning Aparatus, £314: Electricity £1,000: Water £50: Upkeep of Furniture, £500: Contingencies £250: Wages Air Terminal Attendant, £844: Overtime, £690: Telephone, £34: Background Music £60: Uniforms £52: making a total of £8,100.

W M ISOLA:

Mr Speaker, I am very obliged for the detailed way in which the Minister for Tourism has dissected this vote, but is the Minister satisfied, in view of the fact that we are spending £4,215, which quite a substantial sum of money to spend in the cleaning of the Airport, is the Minister actually satisfied that the airport is as clean as it really should be. This is after all the first and last place that tourists visit when coming to Gibraltar.

HON A W SERFATY:

Like my colleague on my left, I am never satisfied, but on the whole it is not too bad. I am sure that there is room for improvement and after all this is the first time that this task is going to be undertaken by the Tourist Office. On the whole I don't think, now speaking seriously, Mr Speaker, that the condition of the airport is that bad and I couldn't say, therefore, that I am dissatisfied, even though there may be room for improvement.

HON MAJOR R J PELIZA:

There is just one small suggestion, and I have been there recently. There was a fairly strong wind blowing then and it is not unusual to experience the effects of draught coming through the doors, making it very cold for passengers who are waiting there. I just wonder whether the Minister could do something to make the place more comfortable. It is rather cold under those conditions, I can assure you.

HON A W SERFATY:

One thing I would advise passengers to do is to close the doors when they go into the Airport Building.

HON MAJOR R J PELIZA:

I'm afraid that perhaps I am more sensitive of the comfort of passengers coming to Gibraltar than you are. They are very much our guests and you cannot go and ask them rudely to close the door. I think the answer is to have a system whereby the doors will close by themselves, because no amount of requesting will produce results. In any case it is not always passengers/who would leave them open, there are lots of people coming in and out of that place. I would say that it might be a good idea to have some device whereby the doors were closed automatically, but I am afraid the device will not be enough. I think the place needs some heating.

HON A W SERFATY:

I don't think that installing automatic door closers is going to help people who are carrying baggage, but one thing we are going to do is to provide the Attendant with a proper uniform and see whether he can attract a little more respect.

HON MAJOR R J PELIZA:

I am afraid I must press on the point. One could certainly install the sort of doors that you see in other airports which open when passengers approach. That I would say would be the answer as regards the doors. I don't suppose it is all that costly and it would look much more attractive. But that is not the only thing, it is heating that I am pressing for, particularly in winter. It is not always that the aircraft leaves on time and sometimes passengers are made to wait there for long hours in the cold.

HON A W SERFATY:

Yes, there is heating there, and I have a vote here of a £1000 which must include lighting. We'll see what we can do with the money available.

HON MAJOR R J PELIZA:

That is the whole point, this is what I am coming to. You are just not getting the money that you used to ask for this kind of vote when you were on this side of the House. It seems to me that you are really neglecting Tourism in Gibraltar, and this is one of the reasons why they are not seeing the growth that we should get. I would try and impress upon the Minister, to impress upon his colleagues, in the same way as he used to impress on us, how important it is to invest that money because it does return. I don't agree with him, as I never have, that this is the be all and end all in Gibraltar, but it is a good source of income and we should exploit it to the maximum.

HON A W SERFATY:

I am delighted to hear the Honourable and Gallant Member say that Tourism is so important to Gibraltar.

HON MAJOR R J PELIZA:

I have never changed my view, I have always been realistic about this, and I am being realistic about it today.

HON W M ISOLA:

Mr Chairman, I am sorry to harp on this question of the cleaning, but I do feel it is terribly important. Is this cleaning going to be actually done now by the Tourist Office, or is this money which is being paid out by the Tourist Office to somebody else to clean the Air Terminal?

HON A W SERFATY:

As you know the responsibility for cleaning was taken over by the Government sometime ago because the operator wanted too much money. The work of course will be done by other people, it will not be done by the Tourist Office staff. We have cleaners, I know them and I have seen them there working, local ladies, who clean the place quite well.

HON W M ISOLA:

We are certainly going to vote for this sum, but I hope that the Minister does not take it lightheartedly when I say that for £4,215 to keep the Air Terminal clean it should be spotlessly clean. It is quite a large sum of money just to spend on cleaning and this does not include, I take it, the question of painting or electricity but just for keeping the place clean. Well, Mr Chairman, I do feel that that place would certainly be much cleaner that it is at present for the sum of money that we are paying.

MR SPEAKER:

Any other matters to be raised?

HON MAJOR R J FELIZA:

On that point too, could the Minister say whether in fact we get any revenue out of the people who use the Terminal. I think we do for the cleaning of the place and so on. Could this perhaps be increased to meet the extra cost?

HON A W SERFATY:

Is the Honourable and Gallant Member referring for example to the rents of the shops and the bar, when he says, "revenue?"

HON MAJOR R J PELIZA:

Yes, I was thinking and those and also of the users of the Terminal, themselves. Agencies that handle the traffic.

HON A W SERFATY:

Well, all these people do pay rents. In fact I must say that these rents were increased not so long ago.

HON W M ISOLA:

Sir, I am hopping now from Item 3, to one of my favourite items, the London Office. I note, Mr Speaker, that the London Office in 1972 to 1973 cost £13,455. I now note that the estimate for this year is going to jump from this, to £22½ thousand, and we have been asked to vote a further increase of £5,867.

MR SPEAKER:

No, I think the expenditure for '73/'74 is £16,830.

HON W M ISOLA:

Mr Speaker I was referring to the actual expenditure for '72/'73 at £13,000.

MR SPEAKER:

Yes, but the expenditure has jumped from '73/'74 to '74/'75.

HON W M ISOLA:

And for '74/'75 it is going to be £22,697.

Mr Speaker, I would first of all like to ask a general question. Is the Minister satisfied with the result that he is getting in view of the increase in expenditure in the London Office?

HON A W SERFATY:

Absolutely. Absolutely. The latest figures on the number of callers to the Tourist Office has gone up in the last year, compared to the previous year, by 58.6%. There were 4,030 callers on the previous year, when the office was on the fifth floor of that building - and the Honourable Member put it up there - and 6,393 on the present office on the ground floor. That is for a period of ten or eleven months. The jump, as Mr Speaker has rightly mentioned, is from £16,830, not from £13,455, to £22,696. One of the reasons is that we have included in this item for the first time the Public Relations Officer, and I am pleased to say in passing that we have appointed recently a Miss Rosamund Barn, who appears to me to be a very efficient young lady. The increase in Manager, rent allowance, etc is in the order of £1800 and the Biennial Review, as everybody knows, so that makes up for about £4,300 out of an increase of £5,800 odd which is made up by minor increases in these days of inflation.

HON P J ISOLA:

It is very interesting to hear the Minister say that this, which apart from advertising, field sales, and so forth, is the largest chunk in that particular vote of £22,000, it is very gratifying to hear that for an increased expenditure of almost 100% on what was being spent when the office was upstairs, the Minister has had instead of 4,000 callers, 6,000 callers. Perhaps he would like to put this in perspective with the total number of bed nights sold in Gibraltar in one year. I would have thought that 6,000 callers, in the same way as 4,000 callers, is pitiful compared to the number of total bed nights sold in Gibraltar, and I think when he is talking of £22,000 on the London Office he has got to put that in perspective. The fact that he has got another 2,000 callers, presumably people walking past in the Strand and sometimes making a mistake with the cinema next door which I understand puts on quite good films, and coming into the Gibraltar Tourist Office I do not know whether that is so, but I think that the Minister will agree that it is not a great achievement he has achieved in getting 2,000 more callers at a cost of £10,000-odd more in expense.

HON A W SERFATY:

This office has barely been open one year. Does my Honourable Shadow, let alone his Honourable Brother, who doesn't know as much on Tourism as his brother does, really mean to tell me that in the ten or eleven months that this office has been open we must already see

the results, or doesn't my Honourable Shadow agree that the promotion of tourism is a very long-term affair? It is a long-term affair, and the Honourable Members opposite can laugh if they like, but it is a long-term affair. We are now producing a better image of Gibraltar than we ever did from that fifth floor office that the Opposition took it to when they were in office. The office is much more efficient than it used to be. We have a full-time staff of five. This year, for the first time ever, we have a full-time Public Relations Officer and a full-time Field Sales Officer. For the first time. Now, these two ladies, one is Gibraltarian and the other one from the United Kingdom, are doing sterling work in the promotion of tourism, and in fact I would like to say now - I was reserving this for this debate and I cannot mention names at this moment of time - that a very important firm of tour operators in the United Kingdom, one of the really big tour operators, is already committed to selling tours to Gibraltar towards the end of the year, and there is another really big one which will do the same. Two very big tour operators are really going into the matter of sending and restructuring tours to Gibraltar. Two of the biggest firms in the UK are now taking for the first time a real interest in Gibraltar as a holiday resort.

HON L DEVINCENZI:

Mr Chairman, perhaps I could make two suggestions. Number one is that if we are getting these 2,000 extra callers perhaps the Minister might consider having a Porter in uniform to welcome them.

MR SPEAKER:

We will now come down to earth and discuss the matter before us without side shows.

HON L DEVINCENZI:

This was a serious suggestion, Mr Speaker.

MR SPEAKER:

Well, it should then be made seriously.

HON L DEVINCENZI:

Well having said that, once they are in, perhaps we should - and I am not casting any aspersions to whoever is behind the counter - do our utmost so that the sale of the Gibraltar image, and in fact the sale of Gibraltar itself, should perhaps be more effective. If we are getting more callers, once they are in we should do our utmost to ensure that the visit is not lost.

HON A W SERFATY:

Is the Honourable Member referring to visits to the London Office or here at the Airport?

HON L DEVINCENZI:

London Office.

HON A W SERFATY:

Has the Honourable Member heard any complaints from anybody who has been to the London Office and has not been properly received?

HON L DEVINCENZI:

I haven't.

HON A W SERFATY:

You haven't. Then what is the Honourable Member talking about.

HON L DEVINCENZI:

I am speaking about selling the product.

HON W M ISOLA:

Mr Speaker, Sir, I am very glad to hear my Friend, the Minister for Tourism, announcing that two big operators are very interested in coming to Gibraltar. I am delighted to hear that, and I think we all are on this side of the House, but may I remind the Ministers that we are talking about the Tourist Office in London. Is he actually going to tell us that because we have the Tourist Office on the ground floor and not on the sixth floor Tour Operators are not interested in coming to Gibraltar? Surely that cannot be correct?

HON A W SERFATY:

I am not going to say anything of the sort. It could well happen that Gibraltar has now a better image in London, whether the Honourable Member likes it or not.

HON W M ISOLA:

Mr Speaker, of course I like it that the image of Gibraltar should be good in England, but surely, Mr Speaker, merely because the Tourist Office goes from the sixth floor to the ground floor doesn't necessarily mean....

MR SPEAKER:

Yes but we had long debate Order, order. We had long debates as to whether the Tourist Office should have been on the fifth floor or on the ground floor some years ago, and that was decided. We are discussing now the expenditure needed for the purposes of keeping the office where we have it now.

HON W M ISOLA:

I appreciate that we are speaking on that, but I never brought up this question and I am just replying to what the Minister said about the move from the fifth floor to ground floor. I had no intention of talking about the fifth floor until my friend the Minister for Tourism brought this into the conversation. But he talks about the image, Mr Speaker, of Gibraltar in London. Now, I am saying to him: surely the image of Gibraltar hasn't gone up merely because we have a ground floor Tourist Office. All I am saying is, Mr Speaker, is it justified that such an enormous sum of money should now be spent in the London Tourist Office when unfortunately, and I say unfortunately, the tourist nights sold in 1973 as compared to 1972 showed an increase of only 3.9%, which is relatively negligible, when you compare the number of beds guest nights sold in Gibraltar.

I am also worried, Mr Speaker, on the question of the Public Relations, and I would like to say something on this particular matter if I may. If I remember rightly, when we took over Tourism, when we took on a professional firm of Public Relations Consultants which I inherited from Mr Serfaty, the Minister for Tourism. I understnad that these people, were paid the sum of about £3,000 a year to publicise Gibraltar and give Gibraltar an image. Do I take it that the local girl and the other girl, who the Minister says are now full employed in the London Tourist Office on public

relations, are actually trained. Have they gone through a course of training? Where? How old are they? Because surely the image of Gibraltar very much depends on a very efficient public relations staff. And though I note that under this other heading part of this sum has gone to the London Tourist Office, and hence the increase of £5,800, because we should have a staff of three as we used to have, now we have a staff of five, this extra is in relation to the two members of the public relations staff?

HON A W SERFATY:

One

HON W M ISOLA:

One. Well can the Minister state whether this particular person has any qualifications as a Public Relations Consultant, what experience has she had, and is the Minister satisfied because, Mr Speaker, I note that over the last year practically no advertisements, editorials, or....

MR SPEAKER:

Let us give the Minister a chance to answer the question.

HON W M ISOLA:

Very well. I'll come back to this.

HON A W SERFATY:

I have already forgotten half of what the Honourable Mr Isola said, but I have not forgotten one thing: that he mentioned guest nights sold - he forgot to say in the principal hotels and then went up by 3.9% - and the Honourable Mr Xiberras was very naughty in a letter in the paper the other day when he brought it down to 1 point something percent.

HON M XIBERRAS:

Is the Minister suggesting that I have been writing about tourism?

HON A W SERFATY:

In a letter or in an article.

HON M XIBERRAS:

Does he make himself responsible for the accuracy of that statement?

HON A W SERFATY:

Well, I haven't got the article here with me but I remember reading it a couple of weeks ago.

HON M XIBERRAS:

I know that I talk in my sleep but I am sure I do not write in my sleep! I am sure the Honourable Member is mistaken. He must be referring to somebody else, some other person....

HON A W SERFATY:

Well, if I am mistaken I apologise, but he forgot to mention that tourist arrivals had gone up by more than 10% in the principal hotels. That is very conveniently forgotten.

Now, as to the young lady we have employed as a Public Relations Officer - she was here this afternoon because she is now in Gibraltar, she was in the House of Assembly but had to leave for an appointment. I cannot give details now of her curriculum vitae, her past performances (laughter) but I can assure this House, Mr Speaker, and I have been working with her for a week in London, and I can assure the House that she is a very able person. (Laughter).

MR SPEAKER:

Order. Any other questions on this matter?

HON W M ISOLA:

Just to recapitulate on the question of Tourism. Of course I am aware that tourist arrivals have shown an increase of 9% in '73 over '72, but surely, Mr Speaker, as the Minister must well know the important thing for hotels is not tourist arrivals....

MR SPEAKER:

Oh, yes, but we are not going to discuss.... No, no, you have quoted a figure of 3 $\frac{1}{2}$ % and the Minister was entitled to say that you had forgotten that one. Let us not go into the....

HON A W SERFATY:

Mr Speaker, may I just add a few words to say that in January this year - the Honourable Member is referring to guest nights sold - in January 1974, we had an increase of 71% in guest nights sold in the principal hotels, in comparison with January, 1973. Now these are facts.

HON W M ISOLA:

Mr Speaker, I am the first one to get up to congratulate him. Of course we are all delighted, but all I am trying to point out in this particular item is the enormous increase of between £13 $\frac{1}{2}$ thousand in 72-73 £22,297 for 1974. To show an increase of 3.9% on tourist night, sold is the Minister satisfied that this amount of money which we are spending in London is well worth the expenditure? That is all.

HON A W SERFATY:

10% increase in tourist arrivals: I am well satisfied.

HON W M ISOLA:

I am sure that is not what all the Hotels may think, but anyhow, that is neither here nor there.

Mr Chairman, note (i) under 10, Local Research. Is this the local research on the PA Management Consultants, or is this the famous fishing research?

HON A W SERFATY:

It is fishing research. Researching sword fishing in local waters. We hope we can do it one day, and I am determined, as far as it is possible, to do it this year, because I think there is a future in Gibraltar for sword fishing as a sport if we can find the solution.

HON W M ISOLA:

I am very glad that at long last this question of research on sword fishing is going along, but....

HON A W SERFATY:

May I interrupt because I didn't finish. Half of that is for sword fishing, the other half is for the wages of a part time interviewer to carry on the tourist survey.

HON W M ISOLA:

What a marvellous hors d'oeuvre! On the question of St Michael's Cave.

HON MAJOR R J PELIZA:

Whilst on the question of fishing. What about shark fishing, has that been given up now, or is it the same thing?

HON A W SERFATY:

We have a....

MR SPEAKER:

I do not know whether it has been given up, but it isn't in the vote. There is a vote here for sword fishing but there is nothing in the estimates as far as shark fishing is concerned.

HON A W SERFATY:

Yes, Sir, there is in another item.

MR SPEAKER:

Then you are quite free to deal with it.

HON MAJOR R J PELIZA:

I just wondered whether we had given up shark fishing.

HON W M ISOLA:

On the question of St Michael's Cave, Mr Speaker, does the Minister this year intend to make more use of St Michael's Cave than hitherto?

HON A W SERFATY:

Yes, Sir. That means that we shall make as much use of St Michael's Cave as possible. I don't know whether he is referring to holding the Miss Gibraltar Competition in St Michael's Cave because we do not propose to do so.

MR SPEAKER:

And we do not propose to discuss it either!!

HON W M ISOLA:

Mr Speaker, I am referring to the brochure on Gibraltar which says: "Opera, Ballet, Music Concerts, Drama, Son-et-Lumiere, all look and sound much as they do in London, but they happen in a magic cavern, an auditorium carved out by nature a million years ago." So in view that this very nice brochure that has come out saying that we have the opera, ballet music, concerts - I have never heard of opera, ballet, music concerts, or drama in the cave, well certainly not last year, Mr Speaker. That is what I am asking. I am asking, what does the Minister propose to do in St Michael's Cave in view of this advertisement appearing in the brochure for 1974?

HON A W SERFATY:

I didn't quite get the last part of what the Honourable Member is asking.

HON W M ISOLA:

This brochure, Mr Chairman, was published some time in December, 1973, for the period 1973 to December 1974, and in the brochure it states quite clearly that opera, ballet, music concerts, drama, son-et-lumiere, all look and sound much as they do in London. Since the Minister has obviously seen this and approved of it, I am wondering what plans he has to fulfil these types of concerts, drama, and opera, in the year 1973-74?

HON A W SERFATY:

This doesn't really mean that within the period of 12 months we are going to have all those things. These things all happen in the cave at one time or another: that is what it means and nothing more.

HON W M ISOLA:

Can the Minister say what things he hopes to happen between now and the end of the year in St Michael's Cave.

HON A W SERFATY:

I am not in a position, Mr Speaker, to say now what we are going to do in the Cave between now and the end of the year.

MR SPEAKER:

Any other matters?

HON W M ISOLA:

Under Item 15, the famous Caravan Parking Site. I notice that we are asking for an increase and I assume that it is for wages and Biennial Review.

HON A W SERFATY:

Yes, Biennial Review.

HON W M ISOLA:

Has the Minister made a policy decision regarding the future of the Caravan Parking Site.

MR SPEAKER:

No, no, we are not going to discuss the Caravan Parking Site.

HON J BOSSANO:

Mr Speaker, can the Minister say whether he has made any provision in 74-75 for the periodic replacement of the chain that keeps the occupants in the Caravan Parking Site.

HON A W SERFATY:

Of course we shall replace that chain if necessary.

HON J BOSSANO:

Is the cost of that included in the £800-odd for 74-75.

HON A W SERFATY:

Presumably, somewhere in miscellaneous.

MR SPEAKER:

Any other questions?

HON W M ISOLA:

Is the Minister satisfied that it warrants the cost of £2,806 for the Caravan Parking Site when it is not actually being used any more as a Tourist amenity?

HON A W SERFATY:

I wish I could close the Caravan Site tomorrow, Mr Speaker, but we cannot. The House knows that this House has legislated to prohibit the

MR SPEAKER:

I have stopped Mr Isola from speaking on the future of the Caravan Site, and I must do the same to you. The answer you gave is completely correct: you wish you could close it but in the meantime you have an expenditure.

HON M D XIBERRAS:

In the sense that we are voting money for the coming year in respect of the Caravan Site

MR SPEAKER:

That means that we have an expenditure of course.

HON A W SERFATY:

We cannot get rid of everybody there just like that.

HON W M ISOLA:

Mr Speaker, I appreciate that the Minister cannot get rid of people just like that, after all they are human beings, but am I right that there are only about 10 or 12 caravans there, or are there more than that?

HON A W SERFATY:

I cannot remember now, but a few months ago it was 19, and maybe now we have 17 or 18. That is my guess now, I think we have got more than 12.

HON W M ISOLA:

In view of the fact, Mr Speaker, that he is asking for this money because he feels he cannot put them out just like that, does the Minister feel that by the end of this year he will have been able to clear this site? Can he give an indication at all when he hopes to clear this site?

HON A W SERFATY:

I am afraid, Sir, that we are going to have that Caravan Site in our hands for a long time still to come, quite a long time. And I will be coming next year very surely for money for the Caravan Site.

HON W M ISOLA:

Now, Mr Speaker, I will come to the largest item, on Other Charges - Item 18. First of all I would like to ask the Minister a general question before I come into the details of it. Have any Tour Operators this year contributed to the advertising of Gibraltar as has been done in other years - in other years they have paid as much as £15,000. Have they joined with the Government in promoting Gibraltar?

HON A W SERFATY:

Is the Honourable Member referring to '73-74 or '74-75, which hasn't happened yet.

HON W M ISOLA:

I am referring to this one, because you spend your money now and not after in April. I mean for this particular estimates, yes.

HON A W SERFATY:

We are having a thought about this. As the Honourable Member knows, a few months ago we started a campaign which will carry on until October, and in this campaign the Airlines and the Tourist Operators have contributed. In fact the Tour Operators have produced at their expense a joint brochure for the first time ever that has found its way into the response pack. We are having second thoughts now because this gave us a lot of trouble. I am not afraid of trouble, but I like to get on with my job. In fact I had discussions last week in London with the two Air Lines on the question of a bigger contribution from them, together with the one that the Gibraltar Tourist office will make, and that will virtually cover all the expenses of an even bigger campaigns. We are going to invite the Tour Operators, and perhaps others, to join in the campaign on our conditions. That is the position as I see it now. The campaign will not start until the end of December, 1974 but we are already getting ready for it.

HON W M ISOLA:

Mr Speaker, I am sorry to harp on this, but the fact that the Tour Operators have produced a joint brochure is only basically to their advantage, because they have to spend less in advertising Gibraltar by just having one brochure. What I am trying to say is, have they actually committed themselves in cash in promoting Gibraltar on Television etc, in conjunction with the Gibraltar Tourist Office.

HON A W SERFATY:

They did commit themselves a few months ago for the campaign which is now taking place, in addition to the joint brochure they have produced. Now, as to the next campaign which is starting at the end of the year, I haven't yet got a sum commitment from the Airlines, and I will not approach the Tour Operators till I first know my position with the Airlines.

HON W M ISOLA:

Mr Speaker, can the Minister state how much the Tours Operators have contributed to this particular campaign in terms of £ s d?

HON A W SERFATY:

I have not yet approached them about this, we are going to ask for a few thousands, more than they did last year.

HON W M ISOLA:

Mr Speaker, I see that in actual advertising we are asking for £64,150. Is the Minister going to give as much as 60% of that on television as last year, or how does the Minister intend to spend this sum of money this year in advertising.

HON A W SERFATY:

This is a very interesting question because we didn't do television last year. We did television in the campaign which started 72-73 but we have done no television in the campaign which started 73-74. I think I have explained before that we then thought that television was very interesting from the coupon response point of view. Last year, a few months ago, we changed in accordance with expert advice received, to an image building campaign, and this is the kind of campaign that you are now seeing in the newspapers. Much bigger adverts with a coupon included but this is a different approach to the market than we had in television. But I am very seriously considering the whole situation now. PA Consultants are going to advise us too, Osborne Advertising, our agency, have their own ideas about this matter, but there will be another two or three months before we really reach agreement as to what is going to happen. Some very interesting things have happened recently. It is very interesting and very good for Gibraltar that whereas before we had big arrivals in the summer and very low arrivals in winter, now this wavy line is beginning to straighten up. Of course the ideal would be that there should be a straight line in hotel occupancy and tourist arrivals throughout the year but this is very difficult to attain, but we are already on our way to that. And in connection with that we have to study the best kind of advertising campaign so that we can achieve as near as possible to a straight line rather than the great peaky situation that we had a couple of years ago.

HON W M ISOLA:

Am I to understand then that these large sums of money which we spent on televising Gibraltar was really a mistake now that you have changed to doing something else?

HON A W SERFATY:

No, Sir. We continued television a few months ago because we were advised that we had to go image building now that Gibraltar was finding its place amongst the resorts in the Mediterranean, and it wasn't so important to go on TV for coupon response. But certain things have happened, and this is very interesting and I don't think it has ever been done before. Normally the kind of research we have done, as I am sure the Honourable Mr Isola will agree with me, has been on what kind of responses we have had to our campaigns. And the report is nearing completion, in fact it is already completed, we are now making a very close study of the conversion of those responses. Because there may be a campaign, there may be many responses, and those responses may not convert into actual business. Now we know in the Gibraltar Tourist Office the kind of advertising that actually converts into business and I must say that television, particularly Thames Television, ITV, is pretty high up in the list of the advertising that converts into business, not only responses.

HON W M ISOLA:

Sir, I am very grateful for the eloquent manner in which the Minister has expounded his new ideas about image building, but if I might just quote, because I am not terribly happy about this question of image building, I am quoting from the Gibraltar Post....

MR SPEAKER:

I am not quite sure that we are debating what we should either.

HON W M ISOLA:

No, Mr Speaker, we are talking about the advertising and the image building. The type of policy the Minister is adopting and this is one of them: I am just going to quote from it: "Gibraltar's," this is on advertising in the United Kingdom where it is said that £1 is still worth £1 in Gibraltar.... I don't know. "Gibraltar's world famous shopping centre, selling all you need at virtually tax free prices. Buy what you want, whenever you want it. Main Street stays open long after nightfall." Is that, Mr Speaker, an accurate statement of fact of what is happening in Gibraltar?

MR SPEAKER:

No, no, I am afraid I am not going to have this, and we are not going to discuss the intricacies of the methods employed. We are voting a sum of money. We can debate that in a motion if you want to but not here.

HON W M ISOLA:

I am just asking whether that is the type of image he is building.

MR SPEAKER:

No, I am not allowing this.

HON W M ISOLA:

Mr Speaker, I note from a question I asked recently that last year the Minister did not advertise, or did not do anything on the question of cruise liners, and did not spend any money on promoting cruise liners. Can the Minister state how much of this sum of money is being spent in promoting cruise liners, which after all affect the trade very much, the trade in general in Gibraltar as opposed to the hotel industry.

HON A W SERFATY:

Out of this sum of money we are including £2,500 for promoting cruise liners, but the Honourable Member will be pleased to hear that I have already arranged with the shipping companies, at a trade promotion I am going to do in England on the 23rd April, to have a business lunch of about a couple of hours with representatives of the main shipping companies so that we can discuss cruises to Gibraltar as early as the 22nd of April, which is the time we must get all of them before they plan all their next year's cruises.

HON W M ISOLA:

Mr Speaker, I remember that last year at budget time the Minister said he was approaching cruise liners to try and get them to promote Gibraltar jointly, but a year has gone by and do I take it that as yet they have not come out with anything concrete? You are just still again on the early stages of discussing matters with cruise liners?

HON A W SERFATY:

Well what I am going to do is discuss matters generally on the possibility of joint promotions, but I said here a few weeks ago that we had not been able to finalise any agreement with any shipping company as to joint promotion in the press for cruises to Gibraltar.

MR SPEAKER:

Well any other questions?

HON W M ISOLA:

Sundry Festivals, Mr Speaker, Item 32.

Can the Minister, in view of the fact that he is now going to have a mini-fair or something different to what happened last year, can he give a breakdown of how the £10,829 is being spent this year?

HON A W SERFATY:

Yes, Sir. Gibraltar Festivals, £4,014 instead of the £7,133 of last year; Shark Angling £1,460 instead of £500 - we are going to have a couple of Shark Angling Festivals; Song Festival £650 as usual; Miss Gibraltar £3,263 which is about the same; Piazza Concerts, you will be glad to hear Mr Isola, £402 instead of £150 - and I must thank the Queen's Regiment for giving concerts in the Piazza free of charge. I would like to place this on record in public. Deep Sea Angling £690 instead of nothing - we are going to do a couple of festivals in deep-sea angling. I think exploring the possibilities of the waters around Gibraltar is far better than many kinds of fairs that we have had during recent times; Pier Fishing too, two Pier Fishing Festivals, and two Deep Sea Angling Festivals, and a new thing too, a Fashion Show in the Piazza to see how it goes.

HON W M ISOLA:

Mr Speaker, I am very glad to hear the breakdown of the £10,829. Does the Minister, again I am not being critical, but for the amount of people that go shark fishing - we have enough sharks in Gibraltar without going out to catch them - but for the amount of people that go out on these festivals of shark angling, does the Minister not consider that £1,400 is a lot of money to spend on such few people, when in actual fact it is no longer an international shark angling festival, and I think last year there might have been one tourist or two tourists who went shark angling?

HON A W SERFATY:

I think I may have misled the House if I said that we were going to have two Shark Angling Festivals. I am going to have two Deep Sea Angling Festivals. One of the things we are going to do with

this £1,460 is to spend £300 in advertising in the UK Angling Press because this has been the trouble in recent times, that we haven't I think ever really done this, except when we held the European Angling Championships here. It is time we started advertising angling in the UK press and this is what we are aiming at. In all sincerity, considering the cost of the hire of boats, £1500 worth of sardines at 20p per pound - I don't know whether that is price controlled - squids, mackarel, etc., I think it is worth trying, because this can be a great attraction to anglers from UK.

HON W M ISOLA:

The Minister has said that it is about time that we advertised in the angling magazines. Can the Minister state, since he seems so keen on that, whether in actual fact he advertised last year on these magazines, and if not why this change?

HON A W SERFATY:

Not that I'm aware of, this is a new thing. We are going to vote the money now.

HON W M ISOLA:

But, Mr Speaker, the Sundry Festivals is £10,829 for 74/75, as opposed to £11,240 the previous year. What the Minister is doing actually is taking money from the savings of the fair week, getting that money away from the vast public, and concentrating this on a very small public. Is that correct? Well, he is taking £1,400 plus another £600, plus another £2 or £3,000 away from the fair, which affected the whole of Gibraltar, and pushing a lot of that money to Shark Angling and Deep Sea Fishing, which affects a very small minority of people in Gibraltar. Is that correct?

HON A W SERFATY:

It isn't correct because I do not agree that the fair really met the necessities of the people of Gibraltar with thirty odd bars. The people who like to drink and get drunk.

HON W M ISOLA:

Mr Speaker, if there were thirty bars, he allowed them to have thirty bars.

MR SPEAKER:

Yes, but we are not going to discuss these bars.

HON W M ISOLA:

I am very pleased, Mr Speaker, also to hear that the Minister has made provision this year at long last for having concerts in the Piazza which are enjoyed not only by tourists....

HON A W SERFATY:

Sir, we had £150 in last year's estimates, so the Honourable Member is not entitled to say that at long last we have included concerts in the Piazza in the vote.

HON W M ISOLA:

Mr Speaker, if I remember rightly last year they had about two concerts and in actual fact in the summer and in the spring we should have concerts all the time. As I was saying before, Mr Speaker, these concerts are not only a great boom and are enjoyed enormously by the tourists, but they are also enjoyed very much by the Gibraltar public and residents alike. It is something which I think everybody looks forward to both in Spring and in the Summer, and I am also very pleased to see that we are now making provision to pay the Band. On other occasions they played in their own time and it is only fair that we should pay them. But, Mr Speaker, has the Minister considered, when he has these concerts at the Piazza, considering the policy which I had when I was Minister and when we had concerts in the Piazza, the Minister would have a reception at the City Hall. (Laughter) You see, Mr Speaker, the Minister for Sport laughs but he has not heard what I am going to say. I used to have these receptions which were a great success with the tourists who attended, with the Managers of the hotels, and it cost the tax payers nothing because the hotels paid themselves. Would the Minister, before he considers this, get the views of the hoteliers to see whether that is a good idea or not, because as I have said before, it costs the taxpayers no money, it just involves the Minister responsible in a little more hard work in entertaining these people in the evening or in the afternoon. But perhaps the Minister, before saying no, might consider the pros and cons because as I said it cost the taxpayers no money at all.

MR SPEAKER:

And that is why we should not be discussing it today.

HON A W SERFATY:

Mr Speaker, Sir, I would like to explain that in this vote of £402 there is no question of paying the band. We are not going to pay them, they are going to carry on playing free of charge but we are going to entertain them. And of course apart from the cost of hire of public address equipment and wages of wiremen for the PA equipment, they are going to carry on giving concerts free of charge. As to the other suggestion, we shall ask the hotels if they are prepared to provide parties. I for one would be delighted to go: a little more work does not do me any harm.

HON W M ISOLA:

One more question, Mr Speaker. I am very grateful for the Minister's constructive way of replying to my question. How many concerts does the Minister propose to have this current year at the Piazza.

HON A W SERFATY:

Twelve.

MR SPEAKER:

Right, we will then take a vote.

HON P J ISOLA:

Sir, may I just ask a question on tourist policy generally, or make some sort of contribution here. One is very impressed with the dynamism of the Minister for Tourism. Perhaps it has been produced by his novel approach to public relation, but what we are worried about on this side of the House is his rate of conversion, to use his own term, because he shows tremendous dynamism, he gives a tremendous number of ideas, and when it is converted into terms of money that he is going to spend, the result is really nil. Looking at this vote, apart from allowing for the normal Biennial Review and so forth, increases in wages, the Minister really makes only two significant contributions in his vote to the expansion of tourism. One is the cleaning of the....

MR SPEAKER:

Should we not reserve that until tomorrow for the general debate?

HON P J ISOLA:

Well, I was just going to ask him a general question: one about the cleaning of the Air Terminal, which used to be done by somebody else and for which the Government paid, so there is nothing new there; and the other of course is indulging in the inflation that is current in England in the London Office. Now, that is all that the tourist Minister has asked us to vote for basically.

Now, I would like to ask him these questions. Is there any provision - perhaps I have missed it - anywhere else in the estimates, for example, beautifying Gibraltar, making the tourist product that much better this end. All these new ideas that he is telling us that he is going to spend money on, where is the provision in the estimates, having regard to the fact that in advertising, field sales, for example, in that vote there is a reduction which is explained by increased costs partly offset by public relations, but we know all about that one. It seems to me, looking at the vote, at other votes of other spending departments, it seems to me that in order to put their policy forward the other spending departments have all had to come to the House for increased expenditure, substantial increase in expenditure. The Minister for Tourism, the wizard, comes with less expenditure, hardly asks us for any money, and spends a long time answering the questions. What I want to ask the Minister is, how is he going to do all this? His conversion rates, I am querying his conversion rates.

HON A W SERFATY:

I am asking for £19,000 more than last year. The Honourable and Learned Member is not correct there.

MR SPEAKER:

You are asking for £14,000 more?

HON P J ISOLA:

£14,000 Mr Chairman, and £7,000

HON A W SERFATY:

£18,560 in the summary.

HON P J ISOLA:

The Minister is asking for £14,530, of which the Air Terminal has taken £7,000 and the London Office has taken £5,800, leaving him with the odd thousand and a half which is the Biennial Review. How is he going to achieve all these wonderful schemes I heard from the Minister for Public Works earlier on today that he had schemes for improvement of $\frac{1}{2}$ million and the Minister of works had given him £10,000. Is the same sort of thing happening in the Tourist Department? Is it that his colleagues are not sympathetic towards his aims and ideals?

HON A W SERFATY:

I do not think the Honourable Mr Peter Isola has got it right. The function of the Tourist office is not to provide money to beautify Gibraltar. That is the job of my colleague on my left, and mine as Chairman of the Development Commission is to try and make people paint their houses, which I am going to do. I am going to do that, but not with money from this vote. This is a sales job, a marketing job, and I am quite satisfied that with £156,490 I can do a good job of work this year.

HON P J ISOLA:

I thank the Minister for that explanation. We shall see which are the improvement that are being done in the Improvement and Development Fund, from which he will see that very little is being done for his Department and for his aims and objectives.

MR SPEAKER:

We will take a vote on Other Charges.

Other Charges was agreed to and passed.

MR SPEAKER:

I think ~~this~~ will be a very convenient time to recess until tomorrow morning at 10.30 am.

The Committee recessed at 7.30 pm. Wednesday the 27th day of March, 1974. The Committee resumed at 10.40 am.

MR SPEAKER

Yesterday evening we finished Head XXVI, which was Tourism. We now have Appendix '6' to deal with, but perhaps, taking into consideration the remarks made by the Financial and Development Secretary in answer to Mr Bossano yesterday, there are some queries that the Opposition would like to bring forward on the Consolidated Fund Charges? It will not be treated in the same way as the Estimates of Expenditure, but at least if there is anything, since this is the first year that the matters have been transferred to the Consolidated Fund, they could be discussed at this stage.

HON J BOSSANO:

In the budget speech, Mr Speaker, on page 21, the Honourable the Financial and Development Secretary brings in the estimate of £40,000 for the cost of servicing the loan, it is anticipated to raise for meeting the needs of the I & D Fund. I would like some clarification on this, since if we look at the details on the Consolidated Fund Charges, we find that the last loan has got a servicing charge in respect of interest alone of £42,500 in respect of $\frac{1}{2}$ million loan. Is it anticipated that the Financial and Development Secretary will be able to raise a loan this year with a lower coupon than the last one?

FINANCIAL & DEVELOPMENT SECRETARY:

Mr Chairman, Sir, no. I did on the budget speech say that I had in mind a figure of £40,000 to service the $\frac{1}{2}$ million loan that we propose to raise. This can only be a very rough estimate because it will depend not only on the rate of interest but also on the rate at which the loan is issued, which may be spread. It is not the case that we imagine that we can raise money more cheaply now than we could last year.

HON J BOSSANO:

The other thing that I wanted to ask the Honourable the Financial and Development Secretary in this respect was that also on page 21 he mentions an additional sum that will need requiring from local funds for the I & D Fund, and this presumably will also be covered by a loan, since the Local Loan Ordinance have him power to raise £1 million. Does he anticipate that the servicing charges for this will also eventually appear in the '74/'75 costs under this heading?