

HOUSE OF ASSEMBLY
CEREMONIAL OPENING
HANSARD

OF MEETING

HELD ON 20 OCTOBER 1976

OFFICE COPY

REPORT OF THE PROCEEDINGS OF THE HOUSE OF ASSEMBLY

The First Meeting of the First Session of the Third House of Assembly held in the House of Assembly Chamber on Wednesday 20th October, 1976 at 11.00 a.m.

PRESENT:

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

GOVERNMENT:

The Hon Sir Joshua Hassan, CBE MVO QC JP - Chief Minister
The Hon A J Canepa - Minister for Labour and Social Security
The Hon H J Zammitt - Minister for Housing and Sport
The Hon A P Montegriffo, OBE - Minister for Medical and Health Services
The Hon Major F J Dellipiani, ED - Minister for Municipal Services
The Hon I Abecasis - Minister for Postal Services
The Hon A W Serfaty, OBE JP - Minister for Tourism, Trade and
Economic Development
The Hon M K Featherstone - Minister for Education and Public Works
The Hon J K Havers, OBE QC - Attorney-General
The Hon A Collings - Financial and Development Secretary

OPPOSITION:

The Hon J Bossano - Leader of the Opposition
The Hon Dr R G Valarino
The Hon J B Perez
The Hon G T Restano

INDEPENDENT MEMBERS:

The Hon M Xiberras
The Hon P J Isola, OBE
The Hon Major R J Peliza

IN ATTENDANCE:

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

ADMINISTRATION OF OATH OF ALLEGIANCE:

The Speaker took the Oath of Allegiance and administered the Oath to the Hon Sir Joshua Hassan, the Hon A J Canepa, the Hon H J Zammitt, the Hon A P Montegriffo, the Hon Major F J Dellipiani, the Hon I Abecasis, the Hon M K Featherstone, the Hon J K Havers, the Hon A Collings, the Hon J Bossano, the Hon Dr R G Valarino, the Hon J B Perez, the Hon G T Restano, the Hon M Xiberras, the Hon P J Isola, and the Hon Major R J Peliza.

MOTION RE CONFIRMATION OF APPOINTMENT OF THE SPEAKER OF THE HOUSE OF
ASSEMBLY

HON CHIEF MINISTER

Mr Speaker, as you are aware Section 26(1) of the Constitution reads: "The Speaker of the Assembly shall be appointed by the Governor, acting after consultation with the Chief Minister and with the Leader of the Opposition (if any)." Subsection 3 says: "A person shall vacate the office of Speaker -

- (a) if, at the sitting of the Assembly next following his appointment, his appointment is not confirmed by Resolution of the Assembly."

The necessary consultations provided by the Constitution took place and you were duly appointed by His Excellency the Governor as Speaker of this Assembly for the forthcoming period. In accordance with the Constitution unless we pass this Resolution you will not be able to hold the appointment. No such proposal is intended and in fact it is my pleasure to move that pursuant to the provisions of Section 26 of the Constitution of Gibraltar, this House confirm the appointment of the Hon Alfred J Vasquez as Speaker of the Gibraltar House of Assembly.

Mr Speaker you have borne with us for the last seven years and I hope you will have the necessary continuing patience to bear with us for the forthcoming four years. I am sure that all Members of the House, those who are new and those who have been here before, look forward to having the pleasure of carrying out their tasks under your chairmanship and I therefore have very much pleasure in proposing the terms of the motion that I have already mentioned.

HON J BOSSANO;

Mr Speaker, in supporting the motion to confirm your appointment may I say that I have no doubt that the position of Speaker would be very difficult to fill if you were not willing to take that responsibility upon your shoulders. It is a difficult job to carry out to the satisfaction of fifteen Members of the House who are more often than not at loggerheads with each other. I have had the privilege of being guided by your experience and knowledge during my four years in the House and I am confident that you will continue to guide me and you will in fact do the same for all new members of the House so that the business of the House is carried out as efficiently as possible within differences of opinion that we all feel very strongly in our respective spheres. I am sure that Gibraltar will gain by having you as Speaker.

The Clerk then put the question which was unanimously resolved in the affirmative.

MR SPEAKER:

Gentlemen, I did not realise that my first task as Speaker would be to compete with the Band of the Royal Green Jackets but it is a pleasant sound. I would like to express my sincere thanks to all Members for confirming my appointment as Speaker of the Gibraltar House of Assembly.

I am deeply honoured and privileged to have been asked to preside for a third term and I would like to take this opportunity to say what I have always said on these occasions and that is that the Speaker is not the master of the House, but, on the contrary, he is its servant, and as such is always available to all Members, be they sitting on my right or on my left.

Gentlemen, I do thank you for the confidence and trust you have today placed on me and I look forward to a happy, busy and fruitful House.

ADDRESS BY HIS EXCELLENCY THE GOVERNOR, MARSHAL OF THE ROYAL AIR FORCE
SIR JOHN GRANDY, GCB, KBE, DSO

HIS EXCELLENCY THE GOVERNOR:

Mr Speaker, Honourable Members of the House of Assembly:

It is a far cry - 26 years to be exact - from the days when the first Legislative Council was formally opened by the then Governor, General Sir Kenneth Anderson, after an inaugural ceremony graced by the presence of His Royal Highness the Duke of Edinburgh. Those 26 years have seen many changes in this Chamber, both constitutionally and in personalities. It is on the latter that I would like to dwell for a moment because the many men, and the few women, who have since sat here have all had in mind one common and fundamental objective - the continuing social advancement and prosperity of the people of Gibraltar.

Today, changes have taken place and there are newcomers to both sides of the House since I first stood here three years ago. To those who have left following the dissolution of the last House, and also to their many predecessors, Gibraltar is greatly indebted. Political life is never easy - neither for the individual nor for his wife and family, and Gibraltar, because of its size and circumstance, is even more susceptible to the difficulties which Representatives of the people normally have to face. This I suggest is a thought to be borne in mind, in measuring our thanks and gratitude.

This new House of Assembly starts its deliberations after a General Election which attracted a greater number of candidates than ever before, and a very high poll - a sure indication of the people's sense of civic responsibility. It was splendid to see the exemplary manner in which the Election was conducted; a fine example of the high standards to which Gibraltar can aspire.

When I was sworn in three years ago, I said that we could foresee no immediate relief from the external pressures on Gibraltar. Those pressures remain and, as I said then, there is no easy and no quick solution. But I also said, and my words bear repetition even though they have been repeated quite a few times since, that I could reaffirm, as I again do this morning, all the pledges of Her Majesty's Government to Gibraltar.

But in addition to external pressures, we have of course the domestic scene. Gibraltar, in the last few years, has had its share of internal problems brought about by the devastating and incessant rises in the cost of living which breed with inflation. This is a malady afflicting the whole Western world; I ask that in endeavouring to minimise its effect upon our people, as much as it is in their power to do so, Honourable Members will apply all the energy, tenacity, thought and common sense which they can muster, to the wise and proper solution of this particularly insidious problem, in addition to those others which will face them, to the benefit of all.

Honourable Members, you take office in difficult times. This House has set very high standards in its achievements, in the conduct of its business and in the quality of its debates. This House is justly proud of its record and I believe that your constructive contributions, from both sides of the House, will extend and add lustre to its reputation. A heavy, yet rewarding, responsibility weighs upon you.

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

HON CHIEF MINISTER:

Your Excellency,

I should like to thank you, on behalf of members of this side of the House and, if I may, on behalf of all former members, for your very kind remarks. The House of Assembly can be, and should be, the focus of our political life, the place where our affairs are debated and decided upon. The large number of candidates and the very high poll to which Your Excellency has referred are an encouragement to all of us in our desire to see this House, as a whole, achieve an ever-increasing prestige and influence as the essential institution which preserves and enhances our democracy.

Four years ago, on the occasion of the opening of the second House of Assembly, we pledged ourselves, as Ministers, to serve the best interests of the people of Gibraltar in every way - by carrying out our responsibilities for defined domestic matters in the local sphere and by upholding the position of British Gibraltar in accordance with the wishes of the people.

The results of the election make it unnecessary for me to say any more about the fulfilment of those pledges in the past other than to renew them most solemnly for the future and to assure you and the people of our beloved city that we shall dedicate ourselves completely to the

twin objectives of sound and progressive local policies and administration and the preservation of our way of life.

I am confident that the members on this side of the House, with the team spirit which has always characterised our Party, and which is so essential for the cooperation required for an effective and coordinated administration, will each play his full part in achieving those objectives.

But our view of government is neither narrow nor partisan, We believe that the votes cast for members on the other side of the House have a validity which should not be negated by our system of government and opposition. Let me make it clear that I am making no attempt to press upon a reluctant House a system of committees. I know full well that such a system can never work until all concerned have the will to make it work. I do, however, make a genuine offer to every Hon Member on the other side of the House to participate with us in the business of running this small community. The ways and means can be devised easily enough if the will is there.

In large nations, occasions such as this are confined to the exposition of major policies. In our small community we can afford both to deal with such major issues as we may have and also to consider the state of our legislature on a personal level.

Let me first of all welcome to the House the four newcomers - the Hon Major Dellipiani, the Hon Dr Valarino, the Hon and Learned Mr Perez and the Hon Mr Restano. I am sure that veterans on both sides of the House are gratified to see this infusion of new blood and will look forward with interest to their performance in this Chamber. As newcomers to our Legislature they have the advantage of never having taken entrenched and doctrinaire positions in the past and I believe that they could make a very worthwhile objective contribution by deciding how to vote on the merits of whatever question comes before this House and not on any predetermined attitude.

The other four members of the Opposition return to their benches and already know the tricks of the trade. We have clashed with them occasionally in the past. I have no doubt that we shall clash often in the future. But the essence of reasonable and moderate government, which the electorate has so clearly shown it wants, is the spirit of compromise and understanding, not the imposition on the majority of the will of one sector of the community or another or of individual views which may run counter to the expressed wishes of that community. It is in this spirit that I ask the members of the Opposition, in the interests of the peaceful Gibraltar which the electorate has demanded by its votes, to cooperate with the rest of us in pursuing progressive but reasonable policies. The Leader of the Opposition in particular can, if he wishes, perform outside this House the function of a bridge in one area of industrial relations. I believe the majority of the electorate would wish him to do this, and, in the long run, in a democratic society, it is the wish of the electorate that prevails.

Let me now turn from the personalities to the major issues. On the local scene, no-one can have any doubt that industrial relations, and everything associated with that subject, is, as in many other places, a matter of immediate concern to every citizen. On this side of the House I can point to the Hon Mr Montegriffo as one member who, in past years, has, along with the Hon Mr Serfaty and myself, been closely associated with trade unionism in Gibraltar, having been concerned from the Party with the setting up of the Gibraltar Confederation of Labour. I can point also to the Hon Mr Canepa who, apart from his great interest in industrial relations in the last 4 years, was previously a prominent and active member of the Gibraltar Teachers' Association. I can point yet again to the Hon Mr Abecasis who, for many years, was an active trade unionist and President of the Gibraltar Trades Council. I can point to the Hon H J Zammit, who, like Mr Canepa, was at one time a thorn in the side of the Establishment as a member of the Police Council. Finally, I can point to the Hon Major Dellipiani who has held office in the Transport and General Workers Union and is well-known in trade union circles.

Let no-one therefore say that this Government does not know enough about trade unions or that it does not understand or is not sympathetic to them. On this side of the House we have all been intimately concerned with trade unionism over a long period of time.

But the results of the elections have shown very clearly that the people of Gibraltar demand that the government, while giving due importance to individual trade unions, must above all concern itself with the overall interests of the community. The people of Gibraltar want peaceful industrial relations. They are sick and tired of the industrial action which, with hardly a break, has plagued our society over the last few years and even today continues to disrupt essential administrative and other services. The people of Gibraltar have given this Government a mandate to govern Gibraltar in a reasonable, just and civilised way. This is shown not only by the vote in favour of my party but, most significantly, by the relatively low number of votes cast in favour of the candidates who might perhaps have been expected to gain widespread Union support.

We will deal with all claims from Unions and Associations in justice and on merit. We wish our relationship with the Unions, as indeed with the staff as a whole, to be one of mutual understanding, and I can give an assurance that, as stated in our election manifesto, the wages link with the United Kingdom established by the Scamp Report will continue to be applied progressively as far as our local economy and resources permit and ever mindful of the effect on Britain's continued defence spending in Gibraltar. We will be as sympathetic and indeed as generous as the constraints will allow but we think it only fair to ask, in return, for moderation, not only in the substance of claims but also in the manner in which they are pursued.

Individual groups of employees must realise that they cannot expect the Government - that is to say, the representatives of the community - to concede every demand that may be made, demands which, very often, cannot be said to spring from hardship.

I do not hesitate to put the question in its bluntest terms: the choice now is between the Government exercising its responsibility for the administration of the public services for which the community - and that means every one of us - pays its taxes, or giving in to whatever demands may be made by particular groups, irrespective of merit and justice. I also do not hesitate to answer the question: because of the mandate we have been given by the electorate, we intend to conduct our industrial relations with fairness, justice and equity, but with full regard to the community at large which has given us such overwhelming support at the elections.

Let me turn now to the second major issue, that of the future of Gibraltar. It is often difficult enough to deal with the present, but we must nevertheless make an attempt also to tackle a problem which, I know, preoccupies many people here.

Early in August, I made a public statement in which I described the procedure which, in my view, would best enable us to deal with this matter. At this stage, I would recall the three essential elements which underlie the procedure which I then advocated. First of all, we must attempt, through the widest possible consultation with all sectors of the community, to achieve the highest possible degree of unity; secondly, we must ensure that the problem is given the deep and careful consideration which it requires and that we do not embark on any course of action in haste or prematurely; thirdly, we must always bear clearly in mind the fact that Britain is our friend and ally.

I am writing to Hon Members opposite and to the various representative bodies, in the light of Her Majesty's Government's stated willingness to continue discussing our problems with the elected representatives of the people of Gibraltar, inviting them to participate with this side of the House in the deliberations which must necessarily precede a further approach to the British Government.

On internal domestic policies, we intend to pursue the socially-just objectives which are set out in our election manifesto and which the electorate has endorsed. I have already spoken of our wages policy and I refer now in particular to improvements in social benefits, the medical services, education and housing. Our record in these matters, over the years, is well-known and our future intentions have been clearly stated in our manifesto. It is perhaps in these areas that Hon Members opposite, if they are willing to participate in our work - with no strings attached - can make their most valuable, positive and constructive contribution.

As I have said on so many occasions in the past, I myself, and my Party, are not worried about our position in regard to Britain and Spain because we have confidence in ourselves as a people and in Britain as our ultimate protector. Nevertheless, it is necessary for me to make one or two comments on the results of the election in so far as these have been interpreted in some quarters as indicating a swing in favour of a transfer of sovereignty to Spain. First of all, as has been stated elsewhere, the number of votes cast for one particular defeated candidate cannot be regarded, for a number

of reasons, as an advance of 1,683 votes over the 44 votes cast for Spanish sovereignty in the 1967 referendum. But let us also not forget that both the Spanish Government and the candidate in question refused to accept the validity of that Referendum. They cannot now pretend to regard as valid for a particular purpose a vote in a general election in which many other factors came into play - and then compare it with the result of a Referendum which they never accepted. I suggest that it is first necessary to accept that result and then to put the matter specifically to the test once again if necessary.

In my statement of the 2nd August I set out in some detail the kind of future for Gibraltar that I foresee in a European context, which will not only have the effect of 'decolonising' us, and I know this is a very difficult word to define in relation to Gibraltar, but will also have the effect of solving what has come to be known as the Gibraltar problem.

I will not tire you with repeating what I said then but I would like to add, having regard to some of the alternatives which were put to the electorate, that I am strengthened in my belief that what I foresaw then seems to be generally acceptable to the people of Gibraltar.

Your Excellency, I conclude with the sentiment with which I began: your Ministers pledge themselves completely to the service of our people in all aspects of the government of our small but complex society. If it were larger but less complicated it could also be a great deal duller.

HON J BOSSANO:

Your Excellency, it is a rare privilege to have you in the House to be able to express publicly before you the political aspirations of the people of Gibraltar as they are represented by those of us who have gone to seek the support of the people on a particular issue. It would be relatively easy to put our views to you privately but I am sure that you will appreciate that I cannot let such a rare opportunity pass without in fact pointing out to you and to the unusually crowded House of Assembly that the policies advocated by the Gibraltar Democratic Movement during the course of the election campaign represent what we consider to be an accurate and honest analysis of the precarious situation in which Gibraltar finds itself at the moment. We may be mistaken in our analysis but since nothing has occurred to make us change our minds, I would like to use this opportunity to reiterate that we are absolutely and totally convinced that today is a historic moment in Gibraltar's history because it is possibly not just the official opening of the Third House of Assembly, but the official opening of the last House of Assembly because we cannot see the present Constitution, the present colonial status of Gibraltar remaining unchanged for four more years in a Europe that is being radically transformed. Members of the House have taken today an Oath of Allegiance of loyalty to the British Crown, an Oath of Allegiance I think which reflects accurately the loyalty and the feeling of the people of Gibraltar for the British Crown but a loyalty that I am afraid has received a very hard knock

because of the reply given by Her Majesty's Government to the Delegation of the previous House of Assembly that went to the United Kingdom to seek constitutional changes where for the first time in Gibraltar's history a member of the British Government was clearly pointing out to us the advantages of following the developments of our neighbour with a view to seeing whether it might not well be that at some time in the future we would be better off materially, perhaps, by joining a prosperous and developing neighbour and forsaking our old partner. Well, I think, Your Excellency, you can rest assured that for the people of Gibraltar their attachment to Britain is not something that can be counted exclusively in pounds and pence, it is something that goes deeper. Therefore, however poverty stricken our British co-citizens may be, I think the people of Gibraltar would not exchange them for wealthy Spaniards willingly and it would be very sad if they were constantly reminded of the fact that they are being, perhaps, naive in their attachment to Britain because Spain is developing economically.

Let me say quite categorically that as far as the Gibraltar Democratic Movement is concerned, and I think I can also say as far as the other Members of the Opposition are concerned, and I feel confident that even as far as the Government is concerned no change of government in Spain whether it would be a change for a more democratic system in keeping with that of Western Europe, a change back towards a more fascist regime like that of the ex General Franco or a move towards a Communist or Socialist Spain, no change in any of these directions would weigh in any way in our assessment of where our interests lie. The position of my own Party is that we wish to know where our future lies not because we have any doubts ourselves but because it appears that Her Majesty's Government has doubts about whether our feeling is likely to be influenced by what may or may not happen to Spain. Let me say that the Gibraltar Democratic Movement, and I believe other Members of the Opposition as well, would not welcome initiatives to discuss Gibraltar's future with a Spanish Government or with any other Government without the people of Gibraltar being fully informed of what is taking place, whether such initiative should take place in Brussels with the Chief Minister of Gibraltar or whether they should take place in Madrid by self-appointed representatives of the people of Gibraltar. It is the people who have got to decide their own future and we want that right which is a fundamental human right recognised.

Your Excellency talked about the twenty-six years of change in your speech, well, I regret that from my limited ability to analyse the change it appears to be very superficial. (It seems to me that the fundamental relationship between Britain and Gibraltar has not changed, indeed, in 260 years, never mind 26, and that it has to change whether we the people of Gibraltar like it, whether Her Majesty's Government like it, because we cannot, regrettably, cut ourselves off from the rest of the world and lead our own lives as the last historic monument to the disappeared British Empire. There are many in Gibraltar who would like it to be so but it cannot be and therefore if we want to fulfil in conscience the responsibility that we have all willingly taken on we cannot do it, I believe, Your Excellency, by compromising with our genuinely held feelings and therefore the spirit of compromise

that the Honourable and Learned the Chief Minister was talking about cannot, in fact, operate if it is going to result in compromise in order to maintain the status quo until it suits parties outside Gibraltar to bring matters to a head. As far as the Gibraltar Democratic Movement is concerned we wish to see Gibraltar well run, we wish to see Gibraltar operating efficiently, we wish to see an end to confrontation but the working class in Gibraltar in seeking to have its demands fulfilled is not frightened by the possibility of confrontation. That, again, is a sign of our times as much as the inflation that you referred to in your speech, Your Excellency, it is not a phenomenon peculiar to Gibraltar.

It surprised me to hear the Honourable and Learned the Chief Minister saying that the people of Gibraltar had in casting their vote the way they did voted for an end to confrontation because if there is one characteristic feature of the previous term of office of the Honourable and Learned the Chief Minister it has been the extraordinary popularity of confrontations and bad industrial relations. So if there is any interpretation to be put on his 7,200 votes I would have thought that the confrontations which is what his previous administration was most productive in appears to be very popular in Gibraltar and that 7,200 people want them to carry on. That would be a logical analysis, Your Excellency, of the result of the election but I feel it would be a wrong one. I can assure the Honourable and Learned the Chief Minister that he was being too gracious in inviting my assistance in industrial relations when he was able to catalogue such an extent of expertise already on Government benches. I feel there is little extra that can be added to a Government that has got ex Presidents of the Gibraltar Trades Council, ex-employees of the Transport and General Workers Union, thorns in the side of the Establishment. It may well be that their expertise has been somewhat watered down by changing from being thorns in the Establishment to being part of the Establishment but nevertheless it cannot have been watered down to the extent that they have to look for help from a quarter where there is still a thorn in the side of the Establishment. We look forward, Your Excellency, to taking up the invitation of Her Majesty's Government to continue to discuss the issue that was raised by all Associations in Gibraltar regarding Gibraltar's future and we hope that Her Majesty's Government will not find it impossible to give clearcut answers to the questions that we want to put so that the people of Gibraltar can know whether they will have 26 years ahead of them just like they have had 26 years of previous constitutional change so that the people of Gibraltar can, in fact, plan their lives with a sense of security which is not of necessity a lack of trust in Her Majesty's Government but which is in fact a result of statements that have been made which appear to indicate that the attachment of Britain to Gibraltar is not as deep and as strong as the attachment of the people of Gibraltar to Britain. If that can be dispelled I think Her Majesty's Government would be doing a great favour to the people of Gibraltar and would go a long way towards putting a lot of minds at rest in Gibraltar and then perhaps, Mr Speaker, - I beg your pardon, Your Excellency, I got carried away and thought I was at the first working meeting of the House - when we are all convinced that we have a secure future I am sure it will be considerably easier to reach agreement on local

issues because we know within what sort of timescale we are operating. I trust that the new House of Assembly will be at least as productive as the last one, Your Excellency, and I hope that we shall be able without any sacrifice of all the things that we dearly hold and feel to work together to achieve the decolonisation of Gibraltar, a Gibraltar in which the people of Gibraltar will count, a new Constitution for Gibraltar which will remove the trappings of an era that has produced good and bad things but an era which is now out of place in 1976 and I think if we all have the will to achieve this and if we are all concerned to obtain the same result which is a Gibraltar which is neither a British nor a Spanish Colony, it can be done but the timing as far as at least six Members of the House on this side are concerned, is now, and it should have been last week and preferably the month before. Thank you, Your Excellency.

ADJOURNMENT:

The House then adjourned.